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**Human Rights Council**

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# Outline of the Human Rights Council

The Human Rights Council was conceived on 15 March 2006 by the United Nations General Assembly through the resolution (A/RES/60/251). It is an intergovernmental body within the United Nations system and it is made up of forty-seven United Nations Member States elected by the UN General Assembly. When the Council was introduced, it replaced the former United Nations Commission on Human Rights. Finally, the Human Rights Council serves as a forum for dialogue on thematic issues on all human rights and is responsible for strengthening the promotion and protection of human rights around the world without distinction of any kind and in a fair and equal manner, for addressing situations of human rights violations and for making recommendations on them. All this guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation.

## **Topic A**

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# Human rights violations against journalists in Latin America

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*By: Sarah Weifan Chong Chavestre  
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## ***Introduction***

Over the past decade, more than seven-hundred journalists have been killed for bringing news and information to the public, this year sixty-six journalists were murdered, one-hundred nineteen journalists were kidnapped and more than forty journalists are currently being held hostage. Worryingly, only one in ten cases committed against these media workers has led to a conviction. Worldwide, this impunity not only leads to more killings, and is often a symptom of worsening conflict and the breakdown of law and justice systems; it damages whole societies by covering up serious human rights abuses, corruption, and crime.

## ***Mexico***

In the past few years insecurity has grown in Mexico, the percentage revealed by the National Institute of Statistics and Geography (hereby referred as INEGI)<sup>1</sup> in 2012 was about 66,6%, which has increased by a 2,8%. One of the main causes of this is impunity and corruption; a research has found that 97% of the cases in this country that remain unsolved, 30% are from journalists, bloggers and newshounds. According to the Committee to Protect Journalists (hereby referred as CPJ), Mexico is the eighth most dangerous country to exercise journalism, and the first in Latin America. Since 2000, the National Commission for Human Rights (hereby referred as CNDH)<sup>2</sup> had reported one hundred cases of homicide and about twenty one unaccounted-for.

Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights has confirmed that the violence against social media workers is latent in areas where there is a strong presence of the organized crime. In addition to, 50% of the journalists who are victims of violence or sequestration, cover topics involving politics and public workers shrouded in corruption.

The most recent cases take place in Oaxaca, where reporters covering teachers' protests face physical violence, threats and violations to journalists rights. Covering one of the critical social problems in Mexico has been extremely dangerous to non government media. Reporters face violence as a consequence of lawlessness during the movement. Journalists are completely unprotected, even there had been cases of police harassments and attacks, such as the case of Ana Rosete, a reporter for *La Crónica de Hoy* newspaper.

<sup>1</sup> INEGI by its acronym in Spanish.

<sup>2</sup> CNDH by its acronym in Spanish.

Ana Rosete reported to authorities the incident, which occurred while covering a protest. She recorded the discussion where she can be heard confronting the policemen and accusing them of having hit her. This case did not proceed because of the impunity led by authorities.

### ***Brazil***

Since 2011, journalists' rights had improved significantly. Despite there had been avances, there had been several violations to the rights of expression. Brazil it's considered the sixth most dangerous country to be a journalist. According to an inform presented by the Human Rights Secretariat from Brazil, redacted by Reporters Without Borders, between 2009 and 2014, three hundred twenty one journalists had been victims of violence, local authorities were often involved in the attacks; impunity was highlighted constantly as a factor.

There had been registered thirty nine homicides since 2000; the 63% of the victims were covering cases linked to corruption, followed by 46% tangled with crimes such as drug trafficking, and the 38% with politics<sup>3</sup>.

The Brazilian Association for Investigative Journalists has informed that one hundred ninety journalists were victims of violence during manifestations in July 2014; 80% of the violence was provoked by the military police.

Another important problem in matter of journalists rights, is the monopolisation of media. Carlos Lauria, a reporter from the CPJ, said that the most attacked were independent journalists. Frank La Rue, a United Nations<sup>4</sup> special rapporteur for the promotion and protections of the right to freedom of opinion and expression, during his visit to Brazil in 2013 called for a better regulation of media; he said that media ownership by a few leads to political control, which represents an important obstacle to pluralism.

### ***Colombia***

According to CPJ's data, Colombia is the fourth deadliest country to be a journalist. In the past ten years, fifty one journalists had been victims of homicide. 50% of the victims were covering cases about corruption, 43% were covering topics involved with politics and 30% were covering crime cases such as drug trafficking . Most of this cases remain impune, because of the lack of an efficient justice system.

<sup>3</sup> This ciphers were revealed by the Committee to Protect Journalists (hereby referred as CPJ)

<sup>4</sup> Hereby referred as UN by its acronym.

United Nations Educational, Scientific and Cultural Organisation points that Colombia is submerged in a long-term internal armed conflict that also hit journalists during the decades of the 1980's and early 1990's. But several investigations from the CPJ and Reporters Without Borders show that it has been in this decade that this conflict has had the worst impact ever on the Colombian press. In August 2014, ninety three journalists reported to be threatened by criminal bands such as the Revolutionary Armed Forces of Colombia (hereby referred as FARC) and the National Liberation Army (hereby referred as ELN).

Progress has been achieved owing to action taken in the form of public statements, resolutions and country visits. These include amendments to the penal code in Colombia, imposing heavier penalties for acts of violence against journalists; the establishment of special public prosecution services to investigate murders and acts of violence against journalists.

However, there is a new worrisome trend in the attacks against the free press. Many members of illegal armed groups, such as FARC and ELN have teamed up with corrupt local politicians, public officials, or local mobs. This coalition is proving lethal for brave reporters who expose public corruption or violence in their town.

### ***Venezuela***

Since February 2014, press freedom has been worryingly deteriorating. Nicolas Maduro's government is characterized for the use of unlawful and excessive force on attempting to clamp down anti-government movements. Maduro has exacerbated the problem by centralizing distribution in the government-operated editorial complex where all newspapers, magazines, and books bearing the state's official seal are printed. More than a dozen newspapers have been shuttered, and several others were forced to cut pages or reduce the frequency of circulation as a result of the shortage. By the time the protests and demonstrations began, journalists and reporters covering the events have suffered from arrests and have being exposed to death threats, persecution and violent treatment. In addition, the government has been also blamed of threatening several journalists and reporters. The National Union of Journalists in Venezuela said that there have been at least 181 attacks including: 82 cases of harassment, 40 physical assaults, 35 robberies or destruction of the work material, 23 arrests and a bullet wound, and that at least 20 attacks were performed by pro-government armed groups.

*“Dayana Méndez Andrade, 24, a journalist, was covering a demonstration in Valencia on March 20 wearing a vest with the word “Press” written in large letters across the front, when national guardsmen began firing teargas and rubber bullets at*

*protesters. Méndez fled but was cornered together with a photographer—Luis Rodríguez Malpica, 26—by several guardsmen. When she and Rodríguez put up their hands and yelled that they were journalists, a guardsman responded, “You’re taking photos of me! You’re the ones that send the photos saying ‘SOS Venezuela.’ You cause problems for the National Guard.” Then, from a distance of a few meters, the guardsman fired at them with rubber bullets, striking Méndez in her left hip and leg.” (Human Rights Watch, 2014)*

On the other hand, Venezuelan government has been also blocking and censoring foreign media. President Maduro denounced the Agence France-Presse for manipulating the information about the protests. He also proposed removing Cable News Network (hereinafter referred as CNN) from cable television services because promoted acts violence and insurrection, while he accused them for trying to bring, through lies, civil war to the country and justify foreign intervention. Security forces confiscated equipment from CNN reporters who were covering the protests.

#### ***\*Cuba***

Even though, freedom of speech and press is recognized in the Article 53 of the Cuban Constitution, the government continues to implement strategies in order to censor the media. Such strategies include the exercise of laws related to censorship.

#### ***Most Dangerous Topics***

Worldwide, there are certain topics which represent some major risks for journalists, such as death threats, imprisonment or use of brutal violence for trying to cover them. The first two places of this list are national security issues and terrorism, followed by organized crime. In Mexico, José Moisés Sánchez Cerezo was a well-known journalist for documenting organized crime and denouncing how local authorities failed to address it, unfortunately, in January 2015, his body was found dismembered in Veracruz State. Likewise, documenting corruption in business or government locates journalists in a serious risk of harassment or legal repercussions such as detention. For example, Gleydson Carvalho, a Brazilian radio host who often did commentaries about corrupt local officers, in August 2015, was shot dead while being on air.

Covering sensitive topics such as religious or questioning the autonomy of a country's government, can drive to severe punishment from authorities and extremist groups. At the same time, in several countries, there are laws against insulting or mock of the state and authorities.

Pursuing insults on social media and or posting humorous comments of authorities can lead to prosecution. Finally, researching on news related to environment issues, specifically, when illegal land acquisitions or contamination is involved, also includes exposure to harassment and threats from industries taking place.

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## *Glossary*

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### **A**

**Autonomy.-** Ability of an organization, country or individual to govern itself.

### **B**

**Bloggers.-** A person who writes for a blog, usually giving an subjective opinion.

### **C**

**Censorship.-** The ban, removal or modification of information, usually referred to the government.

**Committee to Protect Journalists.-** Is a nonprofit organization that promotes and diffuses press freedom and journalists rights.

**Corruption.-** Illegal or dishonest behaviour, often referred to politics.

### **D**

**Drug Trafficking.-** Involves the illicit processes of cultivation, manufacture, distribution and sale of substances which are subject to drug prohibition laws.

### **E**

**Extremist groups.-** Groups of individuals who follow ideas that differ from the normal society, usually related to religion or politics. Often threaten the mainstream societies.

### **H**

**Harassment.-** Causing feelings of anger and displeasure.

**Homicide.-** The unlawful murder of a person by another person

### **I**

**Impartiality.-** Quality of being impartial; freedom from prejudice; being fair.

**Impunity.-** Freedom or exempt of punishment.

**Insurrection.-** An organized attempt by a group of people to seize the government.

**Inter-American Commission on Human Rights.-** An organ of the Organization of American States with the aim of ensuring, promoting and protecting Human Rights in the American Hemisphere.

**Intergovernmental.-** Involving two or more governments.

## **J**

**Journalists.-** A person devoted to the writing and the publishing of news, usually for newspapers.

## **M**

**Monopoly.-** An area of the market on which an organization, group or individual have complete control.

**Monopolization.-** The act of monopolizing.

## **N**

**National Commission for Human Rights.-** The mexican local governmental organization in charge of promoting and ensuring human rights in Mexico.

**National Institute of Statistics and Geography.-** The mexican local public organism in charge of giving statistics about the situation in the country (mainly economy and geographics).

**National Liberation Army.-** Mexican revolutionary leftist group with important presence in Chiapas.

**Newshounds.-** A reporter whose main purpose is to discover new stories.

## O

**Organized Crime.-** Illegal behavior that is planned and carried out by groups of people in a systematic fashion.

## P

**Penal code-** A document which compiles all the laws related to legal affairs.

**Pluralism.-** The existence and acceptance of different type of people in the same society.

## R

**Reporters.-** People who report and usually are employed by a news or media company.

**Reporters Without Borders.-** It is a I governmental organization that promotes and defends freedom of information and of the press.

**Revolutionary Armed Forces of Colombia.-** It is a revolutionary guerrilla movement involved in the continuing Colombian armed conflict.

## S

**Special Rapporteur.-** Title given to individuals working on behalf of various regional or international organizations to monitor, investigate and recommend solutions to certain human rights problems.

## U

**Universality.-** Existence or prevalence everywhere

## **Topic B**

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Human rights violations from Venezuelan government regarding the recent protests due to the current crisis

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*By: Sarah Weifan Chong Chavestre*

## ***Introduction***

In 2013, after the election of Nicolás Maduro as president, the country got in a political and economic crisis, which led to high levels of urban violence, inflation, and chronic shortages of basic goods. The violence rose to the highest levels in the world, reaching a homicide rate of 82, with a total of 25 000 homicides in 2014. The Bolivarian Republic of Venezuela was ranked as the top spot globally with the highest misery index score in the *2013 Global Misery Index Scores* and, in data provided by the CIA, the Bolivarian Republic Venezuela had the second highest inflation rate (56.20%) in the world for 2013. The Venezuelan government implemented strict economic policies which only drove the country to one of the highest inflation rates in the world with "sporadic hyperinflation", and caused severe shortages of food and other basic goods

The country's situation resulted in a series of protests and civil insurrection. The repression of the protests was excessively violent and the legal processes used against the detainees were characterised by human rights abuses. According to Amnesty International and Human Rights Watch, Venezuelan authorities have reportedly gone beyond the use of tear gas to some cases of torture of arrested protesters and live ammunition use. Although Nicolas Maduro says he supports peaceful protesting, the Venezuelan government is widely responsible for its handling violent way of the protests.

## ***Protests of 2014***

In early February, street protests began in Táchira when students demanded economic changes to control the hyperinflation and to alleviate shortages of basic goods, while they also criticized the deploring security in the country, due to an attempted rape of a young student. Soon, the protests turned violent and generated the arrest and allegedly abused of several students, which in turn led to manifestations in Caracas and all over the country calling for their release. However, the protests in Caracas turned deadly when three people were shot by gunmen. Later on, major protests began with student marches led by opposition leaders across Venezuela. The opposition protests turned more violent after government security forces and *colectivos* used excessive force on protesters and shot unarmed people. Bassil Da Costa was the first protester to die after getting a bullet to the head. Later that day, Robert Reddman, a pro-government activist, was also killed in Caracas

The year's early months were characterized by growing manifestations and violent clashes between protesters and government forces that resulted in over 3,000 arrests and 43

deaths, including both supporters and opponents of the government. From February to May 2014, the *Foro Penal Venezolano*, registered 3,127 arbitrary detentions in relation to the protests, and up until March 2015, another 600 and part of the detainees have been victims of torture and cruel degrading treatment. There have been many demonstrations since then, ranging from peaceful to violent. These protests expanded and attracted non-students but led to more detentions; eventually, opposition leaders started getting involved. Despite that the Venezuelan government has been condemned for its way of handling public demonstrations, President Maduro has called the protesters "fascists groups" and blamed them for the deaths caused. His government, has characterized the protests as some sort of putsch attempt orchestrated by undemocratic opposition leaders and with the backing of the United States, and has arrested several opposition leaders with charges of inciting violence.

### ***Violence Against Detainees***

*"Marco Coello, 18 , was taken to a basement and at gunpoint told to sign a confession stating that he had burned cars after the protest, she said....They told him that they would kill him if he didn't sign it said her mother, basing her account on conversations with her son. He started to cry, but he wouldn't sign it. They then wrapped him in foam sheets and started to hit him with rods and a fire extinguisher. Later, they doused him with gasoline, stating that they would then have evidence to charge him..."* (Amnesty International, 2014)

Since February 12, 2014, protests have continued and the number of casualties and arrests continues to arise. Human Rights Watch reported that in the days after the happening, they received several reports of human rights violations. Such violations included mistreatment of people detained during government operations and abuses from security forces while aiming to contain protests activity. In order to investigate this allegations of violations, Human Rights Watch carried out an investigation on March in 4 states of the Bolivarian Republic of Venezuela, visiting Caracas, Carabobo, Lara and Miranda. After gathering evidence that included conducted scores of interviews with a series of relevant people, video footage, medical reports, case files and official statements regarding protest activity with the response of security forces, a pattern of serious abuse was found. Strong and credible evidence of serious human rights violations was collected, which in 45 cases were committed by Venezuelan security forces, as to mention, the right to life, bodily integrity, security and liberty; the prohibition on torture and cruel, inhuman and degrading treatment. All of these compounded by members of the Attorney General's Office and the judiciary who knew of, participated in, or otherwise tolerated abuses against protesters and detainees, including serious violations of

their process rights. Concluding that more than 150 people were victims of serious abuses in related incidents.

In most of the documented cases, unlawful force was employed, including individuals for shooting and severely beating unarmed people. The arrested victims, while in detention, were subjected to physical and psychological abuse.

Despite that the Article 46 of the Venezuelan Constitution prohibits cruel, inhuman and degrading treatment such as torture or punishment, International Amnesty also announced that torture is a usual practice used against protesters in Venezuela. This practice usually includes physical aggression such as: being subjected to beatings with or without metallic objects and gun' grips, sexual offenses, electric shocks, and psychological torture such as: harsh verbal aggression, isolation, air conditioning put on maximum and being deprived of daylight or of going outside. Unfortunately, most of the victims are scared of reporting the abuses they have suffered from security forces and pro-government gangs. They believe they might face reprisals like losing their conditional liberty, authorities fabricating charges against them or even being given the wrong punishment for a wrong condemn. Most of the victims believe these fears are directly related to the several death threats they received while being detained, government security forces prohibited them to tell how they were hurt and advised them fake stories they must use to explain their wounds. In some other cases, victims were forced to sign a document in which they testify that they have not been abused in order to be released, clearly not signing the document meant being held captive and continue suffering from physical abuse.

Even though, under the international law, the government has the obligation of carrying out impartial investigations of human rights violations cases, civilians and human rights defenders doubt the ability of authorities to guarantee they are being impartially investigated and that those responsible for them will receive justice. Some of the reasons are that authorities themselves are implicated in these abuses and that most of the crimes committed go unreported because constantly victims feel distrust towards the Venezuelan judiciary system.

### ***Media Censorship***

The country's government has been accused for media censorship, it has abused of its powers to regulate the media. In December 2010, the government, passed the Social Responsibility in Radio, Television and Electronic Media Law. This law was predetermined to review and control media content that may question the authority or might create social distress and public incitement. The law also granted the government power to revoke concessions to private outlets if it was convenient for the national interests. Additionally, in order to reduce the availability

of media that engaged critical programming, the government has taken several aggressive steps such as limiting the media coverage, revoking licenses of "anti-government" television stations and blocking the internet service; about half a million citizens were unable to access internet in Táchira due to an alleged blockage of service by the government.

Besides, 13 Venezuelan newspapers were closed and some other have suffered of newspapers shortage due to the price restrictions. In response to the situation, a Colombian newspaper organization "Andiarios" sent trucks carrying 52 tons of newspaper basics to Venezuelan newspapers as part of the *We are all Venezuela. No press freedom, no democracy* movement to help defend press freedom and the right to information. Newspapers in Puerto Rico, Panama and Trinidad and Tobago have also sent supplies.

On the other hand, the government has been also blamed of threatening several journalists and reporters. The National Union of Journalists in Venezuela said that there have been at least 181 attacks including 82 cases of harassment, 40 physical assaults, 35 robberies or destruction of the work material, 23 arrests and a bullet wound; at least 20 of the attacks were performed by "colectivos".

### ***Shortages of Basic Goods***

The entrance of the strict economic policies was followed by chronic and serious shortages of basic goods in Venezuela. In 2013, Nicolas Maduro government instituted a fingerprint ID register system to purchase basic supplies. Families were given a certain quantity of supplies in order to prevent an agglomeration. However, a year later, people started to line up from 5 to 6 hours outside supermarkets to buy soap, diapers and food. Shortages continued to occur in regulated products such as milk, meat, chicken, coffee, rice, oil, flour, butter; and also basic necessities like personal hygiene products and medicine. According to a New York Times report, 87% of Venezuelans declared they don't have enough money to buy enough food for their families, and that 72% of monthly wages are being designated to buy food. Later on, the government began to ration electricity and water, putting as an excuse that it was a measure to make awareness of environment matter. However, this excuse was not enough to keep people satisfied, desperate for the urgency of water, citizens started to steal water from public buildings, pools and even tanker trucks.

### ***Healthcare Services***

This crisis that is driving the chronic shortages of food in the country, also drives a health care crisis, Dr. José Luis López insists: "The health care crisis is an economic crisis. It is not a

medical crisis”. Economists and citizens blame the government mismanagement of the currency exchange and price restrictions, which interfere with the pharmaceutical companies sells. Even though the country has nearly 100 functioning hospitals in the country, 9 of every 10 only receive 7% of the basic supplies needed. Hospitals lack of supplies needed for basic mending and healing such as: needles, operating room equipment; X-ray film and imaging paper; blood and the reagents needed so it can be used for transfusions. Thousands of people do not get the adequate medical treatments, doctors at Maracay Central Hospital sent home 300 cancer patients. At least 70 percent of radiotherapy machines can’t be used anymore in a country with at least 19,000 cancer patients. According to a survey carried out by Doctors for Health in March 2015, 130 public hospitals in 19 states found that 44 percent of operating rooms were not in the appropriate conditions to carry out an operation and 94 percent of labs didn’t have the basic supplies needed to operate properly. They also found that most of the medicines found in the World Health Organization’s Model List of Essential Medicines were not available in most pharmacies.

As the days pass, the economic crisis in this country continues claiming the lives of untold Venezuelans. Unfortunately, the government continues to deny the crisis, Nimeny Gutierrez, a deputy health minister, denied on state TV that the system is in crisis, saying supplies are arriving regularly from Cuba, Uruguay, Colombia and Portugal. President Nicolas Maduro also went on television and said: “I doubt that anywhere in the world, except in Cuba, there exists a better health system than this one,”. They have also been trying to avert the culpability, going after directors from a leading pharmacy chains and detaining doctors who have criticized the shortages. For instance, in February Carlos Rosales, president of the Venezuelan Association of Clinics and Hospitals in the state of Carabobo, was detained by government authorities. He remained detained and was interrogated for three hours after he complained in a TV interview about the increasing deficiency of medicines.

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## *Glossary*

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### **A**

**Amnesty International.-** an independent worldwide organization working against human-rights violations and for the release of persons imprisoned for political or religious dissent; Nobel Peace Prize 1977.

**Arbitrary.-** Based on chance rather than based on reason.

**Allege.-** To assert without proof.

### **B**

**Basic goods.-** Possessions needed to sustain someone's life.

### **C**

**CIA.-** The United State's intelligence; Central Intelligence Agency

**Colectivos.-** Local venezuelan communities that support the government, from neighbors to militants.

### **D**

**Detainee.-** A person held in custody, especially for a political offense or for questioning.

**Detention.-** The act of legally and officially taking someone into custody.

### **E**

**Economic crisis.-** A situation in which the economy of a country is jeopardized. An economy facing a crisis will most likely face a downfall in its GDP and inflation. An economic crisis can take form of recession and repression.

### **G**

**General Assembly.-** The chief deliberative, policymaking, and representative organ of the United Nations

**Global index misery scores.-** An economic indicator that shows the levels of inflation and unemployment rates of each country.

### **H**

**Hyperinflation.-** Monetary inflation occurring at a very high rate.

**Human Rights Watch.-** An international NGO devoted to the protection of human rights and the diffusion of its violations.

## **I**

**Inflation.-** A general increase in prices and fall in the purchasing value of money.

## **M**

**Misery.-** A cause or source of great stress or/and discomfort.

## **N**

**Non-selectivity.-** Not limited in action or effect.

## **O**

**Objectivity.-** The quality of being objective. Neutrality, impartiality etc.

## **R**

**Repression.-** The action of subduing someone or something by force.

## **S**

**Sporadic hyperinflation.-** When prices of only few commodities rise highly.

## **U**

**Urban violence.-** In-city violence.