

POSSIBLE RESPONSES TO HUMAN RIGHTS ABUSES, LESSONS FROM
THE COLD WAR

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Mexico, Colombia, Guatemala, El Salvador and Honduras, continue to experience torture, forced disappearances and extrajudicial killings involving state security agents. Even though the problem has been thoroughly identified and documented, the question remains: how can we deal with states that refuse to follow their domestic laws? Or in other words, how can we protect citizens from state violence or omission?

The Problem

A common element of the Cold War in Latin America was the prevalence of human rights violations by authoritarian governments. Latin American historians, including myself, have extensively documented the way human rights movements pushed back against state abuses, with more success in some countries than others. The war on drugs has led to the continuation of the widespread violation of human rights in the northern part of the Latin American region.

Even though respect for human rights has been included in the institutional and legal framework of all Latin American countries, states often violate their domestic laws in order to enforce supply side anti-drug policies, and often apply illegal methods to quell political dissent within their territory.

The Solutions

There are important lessons we can learn from the study of the Latin American Cold War on the way organizations pushed back against state abuses. Research has shown that human rights organizations seem to be more effective when their efforts were composed of a differentiated but coordinated national and an international approach to the problem.

National:

What seemed essential for the promotion of human rights at the national level was to develop a strong and well-organized contingent of human rights advocacy movement, with strong ties to community organizations and NGO's.

Even more important was the fact that human rights advocacy groups needed to be connected to a broader political movement, be that of an armed group, a political party, or a larger social movement. human rights demands by themselves only proved to be influential when combined with a broader political demand for change. In this context, alliances with many political actors were one of the essential elements in the survival, safety, and prevalence of human rights groups. This was the case in Argentina with the grandmothers of the *Plaza de Mayo*, looking for the children stolen by the dictatorship, and in Guatemala with the indigenous political activism of the 1980's and 1990's.

International:

Establishing alliances beyond their national borders also help human rights groups gain legitimacy, especially when aligning with respected and well established transnational organizations such as the Inter-American Commission on Human Rights (IACHR) the

United Nations Commission on Human Rights (UNCHR); or advocacy networks and NGO's such as the Washington Office for Latin America (WOLA), or Amnesty International. This had a particularly strong impact in the case of Nicaragua, Chile and Guatemala.

The basic fact that states like Mexico, Colombia, Guatemala, El Salvador, Honduras, are unwilling to police and control their own security forces, makes it essential for human rights advocacy groups to seek the recourse of international organizations, such as the Inter American Commission for Human Rights, the United Nation's Human Rights Council, among others. However, without a strong internal national advocacy network, international organizations are incapable of sustaining their presence in the "host country." Outside involvement by organizations and foreign nationals without a strong clamor for their presence can elicit negative nationalist responses. This has been the case in Mexico during 2015-2016 and in Guatemala since the end of the armed conflict in the 1990's

International embargoes and sanctions, in particular, have proven to be ineffective, and even detrimental to the cause of human rights when not coordinated and accepted by national advocacy networks. Argentina, Nicaragua, Chile, Guatemala, and many others during the 1970's have all suffered from this problem which provoked an entrenchment of repressive governments that lead to further human rights abuses.

This type of hybrid transnational human rights advocacy has already led to some important victories. In 2006, under the concerted efforts of national and international pressure, the government of Guatemala accepted the establishment of the International Commission Against Impunity in Guatemala (CICIG). This organization works together with the public prosecutor's office and has significantly curtailed corruption and political violence. The CICIG has proven to be effective in investigating and prosecuting illicit security forces and clandestine organizations that routinely commit human right abuses and other crimes, under the protection of influential political actors. Even though the CICG has been under pressure from the Guatemala elites, strong domestic support from grassroots organizations has prevented the commission from being disbanded, further proving the need for strong domestic support.

Conclusion

Human rights advances seem predicated on the creation of transnational advocacy networks that capable of linking active domestic human rights organizations with the relevant international actors. It is the combination of these two elements that seem to explain success in curtailing human rights abuses.

Human rights advocacy groups within the Latin American countries and transnational human rights organizations need one and another to push for legislation and produce political pressure to create lasting change and bring about the rule of law.