



## OPEN LETTER TO THE HEADS OF STATE OF AMERICAN STATES ON THE OCCASION OF THE 54TH REGULAR SESSION OF THE OAS GENERAL ASSEMBLY

The theme of the 54th Regular Session of the General Assembly of the Organization of American States (OAS) is [“Integrity and Security for Sustainable Development of the Region”](#). Amnesty International believes that integrity and security can only be fully upheld if there is a focus on respecting and guaranteeing human rights. The OAS has recognised the importance and interdependence of human rights by enshrining as its four fundamental pillars [“democracy, human rights, security and development”](#).

As it does every year, Amnesty International calls on the OAS and its General Secretariat to focus their efforts on ensuring that human rights guide the public policies developed by the continent’s highest multilateral forum.

In this respect, Amnesty International believes that the closure of civic space in several states in the region represents a watershed that calls for urgent measures to be taken by all inter-American nations.

Furthermore, in the upcoming election of judges to the Inter-American Court of Human Rights, the organization urges Member States to elect the candidates with the best human rights credentials, so that the Court can continue to spearhead the effective development of Inter-American human rights standards.

Amnesty International is therefore calling strongly on this forum to prioritize lasting solutions with a human rights perspective at regional level.

### *1. Closure of civic space in the Americas*

It is clear to Amnesty International that civic space has been severely eroded in the Americas, resulting directly in reversals of human rights. The Inter-American Commission on Human Rights (IACHR) has determined that [civic space](#) “refers to the actual circumstances that make citizen participation in a society possible at a given moment and time. It is constituted by those legal, political, administrative, economic, and cultural factors that determine the form and operational, physical and digital, modalities of the setting in which the different actors of civil society effectively participate in the life of their community”.

The [IACHR](#) has also stated that “the determination regarding the opening or closing of civic space depends on the legal conditions and factual circumstances that favour or restrict the exercise of those rights identified so that individuals and groups can play a meaningful role in their societies and contribute to decision-making processes in matters that affect them. In particular, the IACHR considers that freedom of expression, the right of assembly, freedom of association, and the right to participate in the conduct of public affairs constitute fundamental principles of democracy and, simultaneously, essential components of civic space.”

- [Civil society organizations, human rights defenders and journalists](#)

The closure of civic space in the Americas has particularly affected human rights defenders, including grassroots communities and organizations, those who practice journalism, and people perceived as political opponents. In countries such as [El Salvador](#), [Nicaragua](#) and [Venezuela](#), where the right to freedom of expression was already under threat, governments have introduced more legal and institutional measures against civil society groups in an attempt to silence critics.

In [Venezuela](#), proposed legislation that would further restrict already limited civic space could be passed and enter into force imminently. Similarly, between August 2022 and September 2023, [Nicaragua](#) revoked the legal status of more than 2,000 non-governmental organizations (NGOs), bringing the total number of NGOs closed since 2018 to 3,394. In August 2023, the Central American University of Nicaragua was shut down after being accused of being a “centre of terrorism”, and the assets of organizations such as the Red Cross were seized. In [El Salvador](#), meanwhile, 2023 saw an increase in protests against the state of emergency imposed in March 2022. The government responded with stigmatization, threats, harassment and surveillance of those who organized or took part in the protests, as well as restrictions on freedom of movement.



Amnesty International also highlights the fact that the Americas are an extremely dangerous part of the world for people involved in journalism. In countries such as [Argentina](#), [Colombia](#), [Cuba](#), [Dominican Republic](#), [El Salvador](#), [Mexico](#), [Paraguay](#) and [Venezuela](#), media professionals are subject to threats, harassment and, in some cases, even homicide and unlawful surveillance. The use of violence through social media with the aim of silencing journalists, particularly women journalists, opposition leaders, artists and media outlets, has also affected journalists and human rights defenders in [Argentina](#).

In the [Dominican Republic](#), it was proven that Nuria Piera, a distinguished journalist specializing in corruption and impunity, had been attacked in 2020 and 2021 with the *NSO Group* spyware program Pegasus, which provides full and unrestricted access to electronic devices. The authorities denied playing any part in this surveillance. In [Mexico](#), at least five journalists were murdered in 2023 for reasons possibly related to their work, according to the organization ARTICLE 19. In [El Salvador](#), meanwhile, no data is available on the progress of investigations into the use of Pegasus spyware against various civil society members.

In addition, Amnesty International must again note that the Americas remain one of the most dangerous regions in the world for human rights defenders. States and non-state actors use various methods, such as harassment, stigmatization, criminalization, forced disappearance and homicide, to prevent human rights activists from carrying out their legitimate and necessary work in countries such as [Argentina](#), [Brazil](#), [Canada](#), [Colombia](#), [Cuba](#), [Dominican Republic](#), [Ecuador](#), [El Salvador](#), [Honduras](#), [Mexico](#), [Paraguay](#), [Peru](#), [Puerto Rico](#), [United States](#) and [Venezuela](#).

[Honduras](#) has the world's highest per-capita number of murders of land, territory and environmental defenders, according to data from Global Witness. Across the region, [violence against abortion defenders](#) persists, and in places such as [Argentina](#) or the [United States](#) it has become considerably worse.

Though the majority of countries in the Americas lack solid protection systems for human rights defenders, [Colombia](#) showed some signs of improvement. The Colombian Interior Ministry announced the strengthening of the collective protection programme for human rights defenders belonging to people's organizations or communities, aimed specifically at land and territory defenders. However, the impact of these actions in improving the space available for the work of human rights defenders in the country remains to be seen.

Amnesty International calls on the states of the Americas to guarantee that human rights defenders and those practicing journalism can carry out their work safely, without fear of being threatened, persecuted and/or criminalized, by developing effective protection programmes, or improving existing ones, as well as by ensuring that individuals suspected of attacking members of civil society are brought to justice.

- Excessive use of police force and militarization

Amnesty International considers it essential to mention that excessive and unnecessary use of force, including lethal force, by law enforcement authorities has been present throughout the region. In [Brazil](#), for instance, between July and September 2023, at least 394 people suffered violent deaths in police operations in the states of Bahia, Rio de Janeiro and São Paulo, with the national state still taking no measures to reduce police violence, including the use of body cameras.

In [Peru](#), the closure of civic space was clear for all to see when the right to [protest](#) was restricted in December 2022 and February 2023. During that time, the security forces made excessive and unlawful use of force as part of a [policy of punishing protesters](#). The lack of access to justice, truth and reparation for the relatives of the 50 people who died and all those who were injured remains a matter of concern.

In the [United States](#), at least 1,153 people lost their lives at the hands of police officers in 2023, according to media outlets such as the Washington Post. In [Canada](#) and the [United States](#), the repression of mainly peaceful student protests against Israel's bombing of Gaza and the denial of humanitarian aid impinges on the right to protest.



In [Argentina](#), the so-called “[anti-protest protocol](#)” impinges on various human rights, in addition to identifying peaceful protest as a crime and criminalizing, persecuting and stigmatizing certain demonstrators, organizations and groups, with a particular focus on leaders, community representatives and political, social and trade union organizations, as well as human rights defenders. [So far this year](#), various people, including journalists covering the protests, have been injured. Social organizations have also reported being [criminalized](#) as a result of the application of the protocol.

The militarization of public security is a regular practice in several countries, such as [El Salvador](#), [Honduras](#), and [Ecuador](#), which have ongoing states of emergency. Furthermore, [Ecuador](#) and [Mexico](#) introduced various legislative initiatives to allow extended intervention in public security operations by the armed forces.

In light of the above, Amnesty International calls on authorities in the states of the Americas to ensure that law enforcement complies with international human rights standards and rules, particularly those governing the use of force. It also urges states to ensure that people accused of human rights violations are brought to justice and receive a fair trial in the civil courts.

- [Refugee crisis](#)

The political, humanitarian and economic crises faced by several states in the region are directly connected to the systematic increase in the number of people fleeing their country of origin in search of safety, and who often suffer human rights violations in the process. In [Haiti](#), for instance, the escalation of violence has reached alarming levels, and dozens of deaths, kidnappings and sexual assaults of women and girls have been reported, along with the forced displacement of over [95,000](#) people since the start of 2024.

According to the United Nations Refugee Agency (UNHCR), over 7.72 million Venezuelans have left their country, representing more than 25% of the country’s total population, in one of the world’s biggest migration crises. The authorities in [Panama](#) reported that some 520,000 people had crossed the border between Colombia and Panama via the Darien Gap. There has also been a dramatic increase in the number of migrants, asylum seekers and refugees arriving in [Mexico](#) with the aim of crossing into the **United States** or **Canada**.

In addition, in countries such as [Chile](#), [Colombia](#), [Ecuador](#), [Mexico](#), [Peru](#) and the [United States](#), the rights of migrants and refugees have not been respected or protected, particularly the right to seek asylum. For example, in the [United States](#) the authorities continue to engage in mass arbitrary detention of migrants, using private prisons to detain people seeking safety. In the [Dominican Republic](#), discrimination against Haitian nationals or Dominicans of Haitian descent and racism against black people persist, putting migrants, asylum seekers, refugees, women and girls and LGBTI people in a particularly vulnerable position. Immigration authorities and law enforcement officials raid hospitals indiscriminately in search of Haitian women and girls in order to arbitrarily detain and deport them.

In [Chile](#), [Colombia](#), [Ecuador](#) and [Peru](#), meanwhile, Venezuelan nationals encountered significant barriers preventing access to the process for obtaining recognition of their refugee status and to other temporary or complementary protection programmes. Consequently, many were not able to regularize their situation or to access basic services, including health services, and faced risks to their lives and physical integrity. Contrary to their international and national obligations, both [Chile](#) and [Peru](#) introduced regressive legislative initiatives on the protection of refugees and migrants, placing them in alarmingly vulnerable situations and exposing them to the risk of summary collective expulsion and potential criminalization.

In light of the above, Amnesty International calls on the states of the Americas to respect the principle of *non-refoulement*, to refrain from arbitrarily detaining refugees and migrants, and to suspend expulsions as a matter of urgency. The states of the Americas must also guarantee that all people can seek asylum and access a fair and effective process for doing so, especially those fleeing human rights violations.

- [Arbitrary detentions](#)



Amnesty International is also deeply concerned at the fact that arbitrary detention is a widespread practice in the region, and one sometimes used as a tool for silencing dissenting voices. In [Cuba](#), [El Salvador](#), [Nicaragua](#) and [Venezuela](#), the rights to freedom, fair trial and physical integrity continue to be violated. Similarly, in [El Salvador](#), [Mexico](#), [Nicaragua](#) and [Venezuela](#), detainees often suffer torture or other mistreatment and, in some cases, enforced disappearance. In [Venezuela](#), civil society organizations reported that approximately 15,800 arbitrary detentions had taken place between 2014 and 2023, with around 280 people still detained for political reasons.

In light of the above, Amnesty International calls on the states of the Americas to guarantee the right to a fair trial and to refrain from making improper use of the justice system to silence human rights defenders or those perceived as political opponents.

## *2. Election of members of the Inter-American Court of Human Rights*

This year, the OAS General Assembly will have the task of electing three people to serve as judges on the Inter-American Court of Human Rights. Amnesty International has on numerous occasions stated that the inter-American human rights system, comprising the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights, is a [heritage to be safeguarded](#) in the Americas, as it is often the only hope for justice for many victims of human rights violations.

The Inter-American Court of Human Rights has been a cornerstone in the construction of a culture of respect and guarantee for human rights in the Americas. The development of inter-American standards and jurisprudence through the Court, subsequently accepted and adopted by the countries of the continent, has enabled not only the creation of public policies on human rights, but also the development of national case law that respects those rights.

In fact, advances in inter-American standards and jurisprudence have also spread to create benefits internationally. They can often be found in other regional human rights mechanisms (in the African and European systems, for example), while United Nations treaty bodies such as the Committee on the Rights of the Child and even the International Criminal Court have also based resolutions on inter-American rulings.

This year, five candidates have been put forward for the three vacant positions on the Inter-American Court of Human Rights. They are from [Colombia](#), [Mexico](#), [Paraguay](#), [Peru](#) and [Uruguay](#). Amnesty International acknowledges the work of the [Independent Panel to evaluate candidates to the inter-American human rights system bodies](#), a panel of academics and civil society representatives that evaluates candidates based on a comprehensive analysis of their human rights background, abiding by the principles of equity, transparency and inclusivity in the nomination and election processes, and advocating for the nomination of candidates distinguished by their qualifications and independence. The Panel's work provides an independent mechanism that makes it easier for the [states of the Americas to elect the people with the best credentials to positions in the inter-American human rights system](#).

In order for the Inter-American Court of Human Rights to continue to be an essential part of the inter-American human rights system, its judges must be suitable, impartial and independent, with recognized competence in human rights, as established in Resolution AG/RES 2991 (LII-O/22) adopted by the OAS General Assembly in 2022, entitled "Gender parity and balanced geographic and legal-system representation on the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights". This is with a view to guaranteeing transparent processes and "maintaining gender parity while always ensuring compliance with the requirements of independence, impartiality, high moral authority, and recognized competence in human rights matters".

In light of the above, Amnesty International strongly urges the states of the Americas to choose based on Inter-American standards, prioritizing the principles outlined above.