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FEATURED Q&A

What's Behind the Debate Over U.S. Funding of IACHR?



James Lankford (R-Okla.) leads a group of Republican senators expressing concern about the use of U.S. taxpayer funds to lobby for abortion in Latin America. // File Photo: Office of Sen. Lankford.

Q Democrats in the U.S. Congress last month called on Secretary of State Mike Pompeo to maintain "robust funding" for the Inter-American Commission on Human Rights, or IACHR, in response to reports that the administration of President Donald Trump is considering withdrawing public funds for the commission amid criticisms of its policies related to abortion. What is driving the controversy over the IACHR, and is it likely to lose funding? How important is the commission's role in regional human rights issues today, and how would a U.S. funding cutoff affect it? Can the IACHR satisfy critics without sacrificing its mandate and independence?

A John Maisto, former U.S. ambassador to Nicaragua, Venezuela and the Organization of American States and former senior director of the Western Hemisphere in the National Security Council: "American funding for any international organization must be based on a clear understanding of what U.S. interests are advanced by the entity. The IACHR for decades has worked in the Americas to defend and strengthen democratic institutions when democratic values, practices and human rights are violated or threatened. The seven-member Commission is independent; members do not answer to their governments and do not participate in cases involving them. They, first, take up individual cases after national legal and constitutional processes have been exhausted or violated; and second, prepare individual country reports. Country reports are detailed, accurate, persuasive and, because Commission members are highly regarded legal experts, provide valid basis for institutional responsibility. Authoritarian regimes such

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TODAY'S NEWS

POLITICAL

Venezuela Power Outages Stretch Into Fourth Day

Seventeen people have died from causes related to the massive power outage, opposition leaders allege. Desperate Venezuelans started looting supermarkets in Caracas on Sunday.

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POLITICAL

Brazil President to Meet With Trump

U.S. President Donald Trump will host his Brazilian counterpart, Jair Bolsonaro, in Washington on March 19, the White House announced Friday.

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POLITICAL

Incumbent Wins Race for Governor of Neuquén

Omar Gutiérrez, the governor of Argentina's oil-rich Neuquén province, handily won re-election on Sunday with more than 39 percent of the vote. In a race being watched nationally, he defeated a candidate allied with former President Cristina Fernández de Kirchner.

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Gutiérrez // Photo: @OmarGutierrezOk via Twitter.

POLITICAL NEWS

Venezuela Power Outages Stretch Into Fourth Day

Sunday marked the fourth day of sporadic darkness since Venezuela's national electricity grid failed, leaving the capital of Caracas and much of the nation distressed and in increased disorder, The New York Times reported. Seventeen people have died from causes related to the massive power outage, "murdered" by the government of President Nicolás Maduro, opposition leader and internationally recog-



Guaidó // Photo: @jguaido via Twitter.

nized interim President Juan Guaidó alleged Sunday, CNN reported. "There is no service in the hospitals," Guaidó said in an interview, amid reports that some respirators and dialysis machines had stopped working for lack of backup generators. Venezuelans started looting supermarkets in Caracas on Sunday, Reuters reported. Armed security forces loaded numerous looters into trucks at gunpoint. Maduro's government, which has declared a holiday today for schools and public workers, says the opposition sabotaged the massive Guri hydro-power facility, without providing proof. Last Thursday, a key substation in the center of the country went down. No date has been set to restart the plant and most workers were told to stay home today, two of the substation's workers and a manager at the national power utility, Corpoelec, told the Times. Maduro and Guaidó held separate rallies in Caracas on Saturday, with Maduro insisting that the country's power grid had been "hacked" and "sabotaged," BBC News reported. Maduro told supporters that almost 70 percent of power had been restored

in the country by Friday afternoon, but that progress was put off track by an "international cyberattack" carried out by the U.S. government and the opposition. Maduro also praised the armed forces for staying loyal to him and defeating a "coup."

Brazil's Bolsonaro to Meet With Trump

U.S. President Donald Trump will host his Brazilian counterpart, Jair Bolsonaro, in Washington on March 19, the White House announced Friday. They are expected to discuss trade ties and military cooperation, as well as the turmoil in Venezuela, CNBC reported. Under Bolsonaro, who took office in January, Brazil has sided with the United States in supporting Venezuelan opposition leader Juan Guaidó as the country's legitimate head of state and constitutional interim president. Earlier this year, Bolsonaro said he might allow the United States to operate a military base in Brazil as a check against Russia's influence in Venezuela. Russia supports Maduro and in December sent several military aircraft to Venezuela to participate in joint military exercises. Trump was one of the first world leaders to call far-right Bolsonaro in October when he won control of South America's largest country by a wide margin. Bolsonaro has also been more circumspect of his country's relations with China, which previous Workers' Party administrations had embraced, and taken a more pro-Israel stance than past governments, both positions more in line with U.S. policy under Trump. While campaigning, Bolsonaro said he admired Trump, and both were elected amid polarizing campaigns and a race marred by accusations of candidates misleading voters via social media.

Gutiérrez Re-Elected Governor of Neuquén

Omar Gutiérrez, the governor of Argentina's oil-rich Neuquén province, handily won re-election on Sunday with more than 39 percent of the vote, La Nación reported. In defeating a candidate allied with former President Cristina

NEWS BRIEFS

ConocoPhillips Wins \$8.7 Billion Award Against Venezuela

The World Bank's arbitration body, the International Centre for Settlement of Investment Disputes, ruled Friday that Venezuela must pay ConocoPhillips more than \$8 billion to compensate for the 2007 expropriation of oil assets, Reuters reported. The ruling makes the Houston-based energy company the largest awardee to date among more than 20 international arbitration claims stemming from nationalizations in the OPEC member country. The award represents about 40 percent of the company's original claim, according to the report.

Bolivia Extends Brazil Gas Contracts Until 2024

Bolivian Minister of Hydrocarbons Luis Alberto Sánchez said Saturday that he is negotiating 10 commercial agreements with private companies in Brazil for the sale of up to 30 million cubic meters per day of Bolivian natural gas, La Razón reported. He also confirmed that the country's export contract with Brazil will be extended until 2024. Bolivia is looking to diversify its export markets, with potential plans for liquefied natural gas exports running through Argentine and Peruvian ports. [Editor's note: See related [Q&A](#) in the Feb. 8 issue of the weekly Energy Advisor.]

Brazil's Caixa Aims to Raise \$3.88 Billion

Brazilian state-owned bank Caixa Econômica Federal is hoping to raise 15 billion reais (\$3.88 billion) by listing four of its subsidiaries, chief executive Pedro Guimarães told newspaper O Globo in an interview published Saturday. The bank aims to list shares of its insurance, asset management, lottery and credit card subsidiaries in the second half of 2019 or first half of 2020, Reuters reported. Brazilian President Jair Bolsonaro plans to privatize some state firms.

Fernández de Kirchner, Gutiérrez's victory likely helped assure nervous investors that economic recession and high inflation would not upset the business-friendly status quo, according to the report. Argentina is seeking to double oil and gas production in the sparsely populated region, aiming to pump 260 million cubic meters of gas daily within five years. Ramón Rioseco, the opposition candidate allied with Fernández, garnered 26 percent of the vote. The third-place finisher, Horacio Quiroga, of President Mauricio Macri's Cambiemos Party, received 15 percent of the vote, although Gutiérrez is also considered to be aligned with Macri. The race was being followed nationally for signs of how much support Fernández's forces might muster ahead of a potential presidential run this October against conservative Macri. The former president, who has been dogged by major corruption scandals, is now a senator and has yet to declare her candidacy.

Peruvian Prime Minister Resigns

Peruvian Prime Minister César Villanueva resigned from his post on Friday, state news agency Andina reported. Presidents in Peru often reshuffle the cabinet when their approval ratings fall, and over the past week President Martín Vizcarra has faced criticism for not responding well enough to those affected by recent flooding and landslides, Reuters reported. Vizcarra issued a brief statement Friday thanking Villanueva, who had been in the position since last April. According to Reuters, Justice Minister Vicente Zaballos is under consideration for the position. Vizcarra will likely make several other cabinet changes to revamp his team and shore up slipping support, sources told the wire service. On Friday, which was International Women's Day, Vizcarra said more women would be named to his cabinet until gender equality has been achieved, Andina reported. Currently, women serve as ministers of environment, women, health, labor, as well as development and social inclusion. "There should be more, and there will be more," Vizcarra pledged.

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as Venezuela rail against these reports. Democracies such as Colombia utilize the reports to improve their systems. With democracy and human rights under threat in so many ways, the IACHR needs increased funding badly. Its reputation, effectiveness, independence and traditional bipartisan congressional support enables the Commission to uphold—using accepted judicial procedures—the facts and shared belief in democracy and human rights, the basic principles of the inter-American system. In contrast, the politicized U.N. Human Rights Council, with the participation of human rights violators such as Cuba, has scant credibility; the United States left it last year. The IACHR is the crown jewel of the inter-American system and the model for human rights work the world over. To deny it funding for narrow partisan internal political differences would be the highest folly, and it damage U.S. interests and credibility in the Americas greatly."

A Viviana Krsticevic, executive director of the Center for Justice and International Law (CEJIL): "The Commission has played a key role in supporting democracy and victims' rights in our region. Recent years have seen ongoing and emerging challenges in these areas, and the IACHR continues to do critical work promoting and protecting human rights: monitoring the human rights crisis in Venezuela, protecting human rights defenders in Colombia and developing novel mechanisms to fight impunity in Mexico and Nicaragua. At the same time, the IACHR has long been the target of attempts to limit funding by different states for various reasons, and in that respect, this scenario is unfortunately not new. What makes the most recent reports worrying is the context of growing challenges to multilateralism, and the fact that the United States has historically recognized that a strong and effective Commission is beneficial for the region, as its work largely centers on shared

principles, such as promoting the rule of law and fighting violence and corruption. In this respect, reducing the United States' support would limit the IACHR's ability to meet its mandate and perhaps embolden other states to advance positions contrary to these common regional goals. It is essential that the IACHR continues to implement its standards to the benefit of victims across the hemisphere. Given that much of the recent criticism of the IACHR derives from selective and misleading information, it is important now for the IACHR and its allies across diverse sectors of civil society, academia and government to communicate clearly about the Commission's work and value to the region."

A Doug Cassel, emeritus professor of law at Notre Dame Law School and U.S. nominee to the IACHR in 2017: "What drives the controversy over the IACHR is a spillover from domestic politics: U.S. anti-abortion groups hope to take advantage of a friendly White House to push their agenda everywhere they can. While they are entitled to express their views, the irreplaceable work of the IACHR is too valuable for human rights and democracy in the hemisphere to sacrifice it on the altar of a single-issue cause. The overwhelming majority of the Commission's activities have nothing to do with abortion. For example, of 259 press releases issued by the IACHR in 2018, only one focused on abortion, while 41 addressed the human rights crisis in Nicaragua, 12 focused on Venezuela, 12 more on Guatemala, six on Honduras and 43 on acts of murder or violence in other countries. As these figures illustrate, the IACHR actively carries out its mission against dictators and corrupt governments on both the left and right of the political spectrum. As a body of independent experts elected in their personal capacities by the member states of the OAS, the IACHR is the most authoritative and diplomatically credible voice against

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the repression of dissent, suppression of free media, assassinations of human rights defenders and executions, arbitrary arrests and tortures of demonstrators who dare to stand up against the thugs who occupy presidential palaces in several countries of the Americas. U.S. funding is a very sizable proportion of the IACHR budget; stopping it, as nine U.S. Senators have proposed, would severely hamper the ability of the IACHR to protect human rights—and human beings—in our hemisphere.”

A **Neydy Casillas, senior counsel on the OAS and Latin America at ADF International:** “At the heart of the Organization for American States are the commitments to preserving the national sovereignty of member states and the dignity of every human life. Unfortunately, the Inter-American Commission on Human Rights and the Inter-American Commission on Women (CIM), which are part of the OAS, have broken both of these central tenets, proving time and again that they should not be heavily supported by U.S. taxpayer dollars. In their effort to establish an abortion regime throughout the Americas, the IACHR and the CIM knowingly violate U.S. law as well as the American Convention on Human Rights—the region’s primary human rights treaty, which recognizes that the right to life must be respected ‘from the moment of conception.’ This principle is central to member states of the OAS, where a great majority of member states have chosen to protect the right to life in their constitutions and laws. Forced participation in abortion has no place in a free society, and yet, this happens every day as the IACHR and CIM leverage U.S. taxpayer dollars to supplant national laws in OAS member nations such as Chile, El Salvador and Argentina. When the IACHR and CIM commandeer taxpayer dollars in service of abortion, they threaten the sovereignty of member nations who believe that every innocent human life—whether born or not—is valuable, precious

and worthy of full protection. So long as the IACHR and CIM continue to override national sovereignty and the right to life, the U.S. taxpayer dollars they receive should be directed elsewhere.”

A **Mario Rojas, regional director for Latin America at Human Life International:** “As part of its mission, Human Life International seeks to advocate in the public space for a clear understanding of authentic, basic, fundamental human rights. The right to life from conception to natural death is the most fundamental right of every human being. The right of a child to a father and a mother in the natural order is also a fundamental human right. As a civil society organization that participates at the events of the Organization of American States, HLI is committed to presenting these truths to OAS officials and the OAS member state ambassadors, in order to encourage them to promote and defend these foundational human rights in OAS documents and in the constitutions and laws of OAS member countries. Lamentably, the OAS’ Inter-American Commission of Human Rights has, in several cases, pronounced itself against these human rights. Certainly, the IACHR has done good work in certain cases that are not related to these human rights. Because the right to life and the rights related to the family institution are fundamental, HLI will support the necessary measures taken by any OAS member state, including the United States, to withdraw funding, as it determines, from any OAS organ, including the IACHR, that would operate against these cited fundamental human rights. Democracy will only be served when the inherent dignity of the human person is respected and is recognized as the authentic pillar for human development in the continent of America.”

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