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FEATURED Q&A

Are Governments Using Covid-19 to Curb Free Speech?



Some governments have used the Covid-19 pandemic to implement curbs on free speech, according to a recent report by the Inter-American Dialogue. // File Photo: Miguel Henriques via Unsplash.com.

Q Some governments in the Western Hemisphere have used the response to the Covid-19 pandemic to restrict free speech, curtail access to public information and spread disinformation related to the disease, according to a report released Aug. 31 by the Inter-American Dialogue. Where in the region have curbs on free speech been most abused, and what sorts of policies need to be in place to prevent them? To what extent should technology companies and social media sites be responsible for policing their platforms? How much will restrictions on free speech and the erosion of transparency identified in the report continue as trends in future years in the Americas, even after the pandemic ends?

A Ricardo Trotti, executive director of the Inter American Press Association: "Media coverage during the pandemic has been marked by a tense relationship between the media and journalists and governments, without distinction of ideologies, from the United States to Cuba, from Brazil to Venezuela, from Mexico to Chile or from El Salvador to Nicaragua. We have observed it in discriminatory press conferences against some media and journalists, scarce public information, lack of transparency about public health data, propaganda and stigmatization against journalists. Despite the fact that at the beginning of the pandemic some governments imposed restrictions, such as on the mobilization of journalists, because journalism in some countries has not been considered an essential service, and the penalization of possible false news regarding public health, as in Argentina, Bolivia, Chile, Honduras and Trinidad and Tobago, the press continued to function smoothly. In

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TODAY'S NEWS

POLITICAL

Nicaragua's Ortega Threatens Foes With Life in Prison

Nicaraguan President Daniel Ortega said he is proposing a legal reform that would allow life prison sentences and threatened to use it against some of his opponents.

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ECONOMIC

Brazil's Bolsonaro Scraps Plan for Welfare Program

Brazilian President Jair Bolsonaro said he would not continue with plans to create a new social welfare program called Renda Brasil.

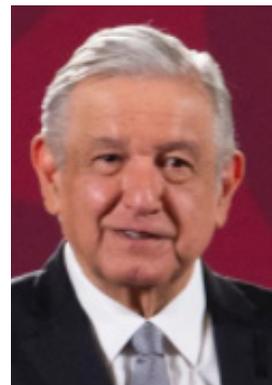
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POLITICAL

Mexico's President Seeks Vote on Investigating Predecessors

Mexican President Andrés Manuel López Obrador called for a referendum to ask voters whether to investigate and potentially bring charges against nearly all of his predecessors as presidents.

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López Obrador // File Photo: Mexican Government.

POLITICAL NEWS

Mexico's President Seeks Vote on Judging Predecessors

Mexican President Andrés Manuel López Obrador on Tuesday called for a referendum next year on whether to investigate and potentially bring charges against nearly all of the country's living former presidents, the Associated Press reported. López Obrador is proposing the referendum for June 6, the date of Mexico's midterm congressional elections, in which his Morena party is seeking to retain its majority in Congress. A document that



The evils I have enumerated did not occur by chance...

— Andrés Manuel López Obrador

López Obrador delivered to the Senate to seek the plebiscite includes a list of grievances spanning three decades before López Obrador took office in December 2018, The Guardian reported. They include privatizations that López Obrador said were marred by cronyism, escalating violence and a rising concentration of wealth, the newspaper reported. "The social and humanitarian disasters we have suffered in this country over the last 30 years were the result of a series of conscious acts by those who governed during this period," said López Obrador, the AP reported. "The evils I have enumerated did not occur by chance, but rather were the result of the application of a model over five presidential terms ... this tragic stage in the life of the country is called the neoliberal era." López Obrador has previously expressed opposition to putting former presidents on trial, saying, "We must not be anchored to the past," The Guardian reported. However, he also has a history of putting controversial ideas to a vote. In October 2018, Mexicans voted down a referendum on whether to continue construction of a new \$14.5 billion airport for Mexico City in a

plebiscite that López Obrador launched before he took office as president. López Obrador's planned referendum on his predecessors could be legally problematic as Mexican law prohibits holding a referendum on the same day as an existing election, The Guardian reported. Also, the statute of limitations has expired for conduct during the terms of the country's former presidents, except for that of López Obrador's immediate predecessor, Enrique Peña Nieto.

Nicaragua's Ortega Threatens Foes With Life in Prison

Nicaraguan President Daniel Ortega said Tuesday that he has proposed a legal reform allowing life prison sentences, threatening to use it against some opponents of his government while accusing them of committing "hate crimes," the Associated Press reported. Currently, the maximum punishment allowed under Nicaraguan law is 30 years in prison. Ortega said capital punishment does not exist in the Central American nation because of "an international agreement" against it, adding, "We are not committed to not applying life sentences to criminals." The remarks were part of his speech commemorating the 199th anniversary of the country's independence. In his speech, Ortega blasted "fighters of imperialism," alluding to anti-government protesters who in 2018 took to the streets for months demanding his resignation. Protests were met with harsh repression by state police and paramilitaries. "They feel untouchable because they were given amnesty," Ortega said, in reference to the more than 700 people detained during the protests who were later released. "Well, pay attention, they've already been given the opportunity for amnesty, but there won't be another amnesty." Also on Tuesday, U.S. Secretary of State Mike Pompeo criticized Ortega, comparing him to former dictator Anastasio Somoza, Agence France-Presse reported. "Ortega's actions remind us of a previous dark period in the history of Nicaragua, when the assassination of a respected journalist showed the world the nature of the Somoza dictatorship," Pompeo

NEWS BRIEFS

Pompeo to Meet This Week With Venezuelan Migrants in Brazil

U.S. Secretary of State Mike Pompeo is scheduled to meet this week with Venezuelan migrants in Brazil during a four-country tour of South America, the State Department said Tuesday. Pompeo plans to meet with the migrants "fleeing the manmade disaster in Venezuela" during a visit to Boa Vista, Brazil, the State Department added. During the trip, from Thursday to Sunday, Pompeo also is meeting with the new presidents of Guyana and Suriname and Colombian President Iván Duque.

Venezuela Eyes Debt Talks With Bondholders

Venezuelan Finance Minister Delcy Rodríguez on Tuesday opened the door for talks with bondholders about a potential renegotiation of the country's debt despite challenges presented by U.S. sanctions, Reuters reported. Venezuela in 2017 suspended payments to many creditors of government, state oil company PDVSA and utility Electricidad de Caracas bonds, seeking to begin a restructuring process, which failed due to the escalating political crisis in the Andean nation. Rodríguez announced a "conditional offer" for bondholders for a deal that would halt statutes of limitations contained in the bond agreement.

Hundreds of Digital Services Subject to New Tax in Ecuador

Hundreds of digital services will be subject to a value-added tax in Ecuador starting today, El Universo reported. The tax agency has said that, every three months, it will publish the list of sites that will have to pay the additional 12 percent levy. Among the digital services that will be taxed are streaming services Netflix, Amazon and Spotify, as well car ridesharing application Uber and dating application Tinder.

said. "Lashing out against his critics, imprisoning pro-democracy activists and stomping on human rights" has made Ortega lose "legitimacy" before the Nicaraguan people and the international community, he added.

ECONOMIC NEWS

Brazil's Bolsonaro Scraps Plan for New Welfare Program

Brazilian President Jair Bolsonaro said Tuesday that he would not go forward with the creation of the Renda Brasil social welfare program and instead maintain the current Bolsa Família conditional cash transfer program through the end of his government, Valor Econômico reported. In a video posted to social media, the president also rejected freezing salaries of retirees and pensioners to finance the aid program. Renda Brasil had been touted as one of Bolsonaro's plans for his re-election bid in 2022, as recent



Bolsonaro // File Photo: Brazilian Government.

polls show support for the far-right president has risen at least partly due to emergency government handouts to the most vulnerable during the coronavirus pandemic. However, Bolsonaro was reportedly unable to agree on funding with Economy Minister Paulo Guedes, whose main concern is containing the country's budget deficit, Reuters reported. "It is forbidden to talk about Renda Brasil in my government until 2022," Bolsonaro said in the video. "We will continue with Bolsa Família, and that's it." Bolsa Família is one of the flagship projects launched by former President Luiz Inácio Lula da Silva of the leftist Workers' Party.

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Cuba, Nicaragua and Venezuela, the states of exception were stricter, and arbitrary detentions of journalists were recorded as were restrictions on Internet usage and the blocking of media sites. At the IAPA, we have always asked governments to respect constitutional guarantees and international principles on freedom of the press and expression, as well as access to public information and transparency, during states of exception. There is a high risk that some governments will use the pandemic as an excuse to extend restrictions on public and private freedoms."

A Dagmar Thiel, director of Fundamedios USA: "If journalism was in crisis before Covid-19, the pandemic finished it off. And

with this, the right to access to information and transparency has been seriously wounded. Many media outlets have closed or downsized due to drastic declines in advertising revenue and are seeking to survive in the digital environment on a continent with limited access to broadband. After the health crisis, a new media reality will emerge where the largest will survive, financed by certain economic powers or political interests. The media will be concentrated in clusters that do not value local news, and information deserts will grow even more, affecting citizen scrutiny of the authorities and the use of public resources. Perhaps this sounds fatalistic, since many will say that access to information has been expanded through social networks, on which everyone can opine and inform. But the production of disinformation is such that the platforms fail to quickly and effectively eliminate false content or discern against polarizing conspiracy theories that have begun to divide societies. Journalists have become fact-checkers of misinformation, fending off insults, physical assaults, online smear campaigns, frivolous lawsuits and, of course, the deadly virus. Hence the importance of establishing funding mechanisms for independent

journalism that allow for the sustainability of investigative work and the production of verified content, while requiring platforms to invest more resources for content verification for all countries."

A Edison Lanza, special rapporteur for freedom of expression at the Inter-American Commission on Human Rights: "We are in a long transition where the debate on issues of public interest was limited and favored the participation of a reduced group of voices in the traditional media regarding the opportunities and challenges of an instant, decentralized Internet and under digital tools with the capacity to make the message viral. Without ignoring the tradition-

“It's essential to identify the new threats that have arisen in the digital age and curbs against freedom of speech...”

— Edison Lanza

al agenda of freedom of expression that the special rapporteur has addressed since its creation, and which still requires implementation through legislative changes and best practices in various countries of the region, it's essential to identify the new threats that have arisen in the digital age and curbs against freedom of speech, especially in the rise of authoritarianism and the challenges posed by measures that governments have put into place to contain Covid-19. The most urgent challenges we have identified in the region related to the digital age are: violence against journalists in the digital ecosystem; surveillance and violation of privacy; protection of information sources (encryption); threats to diversity and pluralism; and other threats to public discourse on the Internet. These threats include stigmatizing

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or disqualifying discourse as well as trolling and the various forms of toxicity of public debate in the digital ecosystem. There is no doubt that some legal principles on freedom of expression, which the inter-American human rights system has developed in recent decades, need to be interpreted by the system's authorized bodies. In all these issues, we already have cases documented by the Office of the Special Rapporteur in which this principle was put to the test in the region."

A **Alberto Arebalos, chief executive officer of MileniumGroup Inc. and former Latin America communications director for Facebook and Google:** "Any curbs on freedom of speech, regardless of the reason or justification, have been proven to be bad for societies. However, when freedom of speech is tied to the spread of disinformation in critical situations such as a pandemic or elections, a very difficult balance must be achieved. Governments and politicians tend to find quick and half-baked solutions that typically do more harm than good. Sometimes, as recently revealed in the United States, the very same government is the one spreading disinformation. Finding a solution to this conundrum, limiting disinformation and at the same time not curbing freedom of expression is a very difficult task. This is compounded by social networks' pervasive reach, especially Facebook, which has become a cauldron of fake news and disinformation and misinformation that the company, so far, has refused to put a lid on—preferring to err on the side of more freedom and less regulation (and less costs that a strong policing of its own platform would entail). Intelligent regulation (it may be an oxymoron, but we should try to achieve it), free and professional journalism and an active role for groups and entities that work toward the checking of bad actors and misinformation must work side by side. However, the damage already done to what we could call 'objective reality' and the idea

that truth depends not on facts but on which side of the political divide it comes from, could have enduring and very pernicious effects for many generations to come."

A **Luis Manuel Botello, deputy vice president of new initiatives and impact at the International Center for Journalists:** "Many governments in the Americas have restricted free speech during the Covid-19 pandemic. Among the most restrictive countries are Cuba, Nicaragua, Venezuela and Brazil, where continuing harassment, arrest and disinformation campaigns against those reporting the news about the pandemic are limiting fundamental freedoms. In other countries, such as Colombia, El Salvador, the Dominican Republic and Panama, journalists spend hours getting access to reliable information. Journalists who are critical of the governments' response to the pandemic and who are covering corruption scandals have been fined and even arrested. Limiting mobility in the country is a major excuse to stop journalists from moving freely to cover the news. While it is important to protect the health of a nation, it is counterproductive to base the response mechanism on restrictive laws affecting the ability of citizens, including journalists, to hold government officials accountable. Governments should adopt a proactive open data strategy that engages with citizens. Technology companies have a huge responsibility to make sure social media platforms continue to facilitate the free flow of information while supporting a media ecosystem that is inclusive, transparent and accountable. Unfortunately, technology is moving faster than society can manage. It will take time for citizens to understand how to be a better consumer of information in the age of disinformation. In that process, we will continue to see progress in the promotion of free speech, but we will also have setbacks, especially in countries with weak democratic institutions and governments willing to abuse power for political and economic gain."

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