

BOARD OF ADVISORS

Diego Arria

Director, Columbus Group

Devry Boughner Vorwerk

CEO,
DevryBV Sustainable Strategies

Joyce Chang

Global Head of Research,
JPMorgan Chase & Co.

Paula Cifuentes

Director of Economic & Fiscal Affairs,
Latin America & Canada,
Philip Morris International

Marlene Fernández

Corporate Vice President for
Government Relations,
Arcos Dorados (McDonald's)

Peter Hakim

President Emeritus,
Inter-American Dialogue

Donna Hrinak

Senior VP, Corporate Affairs,
Royal Caribbean Group

Jon E. Huenemann

Former Corporate and
Government Senior Executive

James R. Jones

Chairman,
Monarch Global Strategies

Craig A. Kelly

Senior Director, Americas
Int'l Gov't Relations, Exxon Mobil

John Maisto

Director, U.S. Education
Finance Group

Nicolás Mariscal

Chairman,
Grupo Marhnos

Thomas F. McLarty III

Chairman,
McLarty Associates

Beatrice Rangel

Director,
AMLA Consulting LLC

Jaana Remes

Partner,
McKinsey Global Institute

Ernesto Revilla

Head of Latin American
Economics, Citi

Gustavo Roosen

Chairman of the Board,
Envases Venezolanos

Andrés Rozental

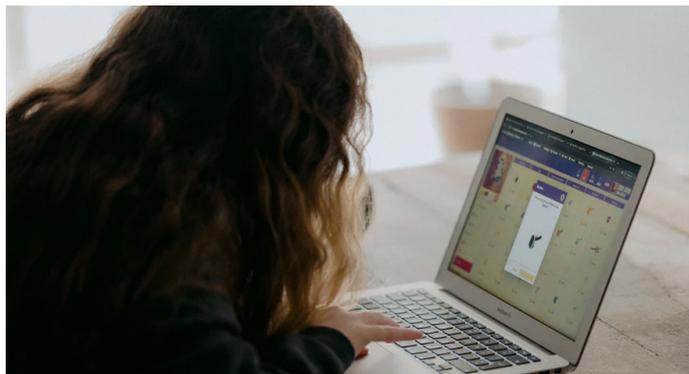
President, Rozental &
Asociados

Shelly Shetty

Managing Director, Sovereigns
Fitch Ratings

FEATURED Q&A

Would a New Law Prevent Digital Violence in Mexico?



Mexico's Congress is considering legislation that would establish prison terms for so-called digital violence. // File Photo: Annie Spratt via Unsplash.com.

Q Mexico's Senate this month approved legislation, known as the Olimpia Law, which would punish digital violence with prison terms of three to six years and fines for perpetrators. The measure would ban the sharing of intimate or sexual content without a subject's consent and prohibit the promotion of sexist stereotypes and hate messages online. The legislation is now under consideration in the lower chamber of Congress. Is this legislation the best way to address problems of so-called digital violence in Mexico and elsewhere in the region? How would the law be enforced, and who should be in charge of policing online violence? In what ways and how effectively are social media companies addressing issues of digital violence, and what implications would such a law have for these firms?

A Lisa Sánchez, general director of Mexico United Against Delinquency (MUCD): "The action by Mexico's Senate reforms and adds to the Federal Penal Code and the General Law of Women's Access to a Life Free of Violence in order to sanction digital and media violence, known as the national Olimpia Law. Although advocates and feminist groups celebrated the project, for other sectors, the approval is cause for concern. This is both because of the reductionist way in which it intends to address this type of violence against women (creating more crimes with more severe penalties) and because of the lack of a restorative approach that would allow it to focus on victims and effectively repair damages caused without submitting them to a revictimization process that is typical of the penal system. Let

Continued on page 2

TODAY'S NEWS

POLITICAL

Death Toll From Hurricane Iota Rises to at Least 26

At least 26 people were reported dead after Hurricane Iota battered Nicaragua and other parts of Central America.

Page 2

BUSINESS

Chile's SQM Sees Higher Lithium Sales, Low Prices Crimp Profits

SQM said it sold 56 percent more lithium in the third quarter, but its profit plunged 97 percent due to low prices for the metal.

Page 3

POLITICAL

Officials Accused of Graft Should Be Tried in Mexico: Foreign Secretary

Mexican officials accused of corruption should be tried in Mexico, not the United States, said Foreign Secretary Marcelo Ebrard. His comments came a day after a U.S. judge dismissed a case against former Mexican Defense Minister Gen. Salvador Cienfuegos.

Page 2



Ebrard // File Photo: Mexican Government.

POLITICAL NEWS

Death Toll From Hurricane Iota Rises to At Least 26

The death toll from Hurricane Iota in Central America has risen to at least 26 people, and although the storm has dissipated, heavy rain and winds continue just two weeks after Hurricane Eta devastated the region, ABC News reported Thursday. At least 16 people are dead in Nicaragua, where Iota made landfall Monday night. Twelve of those killed died in a landslide in Matagalpa department, and Vice President and First Lady Rosario Murillo said two children died while crossing a river on Monday. More than 114,000 homes have no electricity, and more than 47,000 have no water, according to the Nicaraguan government. In Honduras, at least five people were killed, and more than 61,000 have been evacuated to shelters, according to the Permanent Contingency Commission of Honduras. At least two were killed in Colombia, while one person was killed in Panama, as well as in Guatemala and in El Salvador. UNICEF on Thursday said international humanitarian teams in Central America need approximately \$43 million for critical relief to some 646,000 people who have been affected by the two hurricanes, the Voice of America reported.

FEATURED Q&A / Continued from page 1

me explain: although the reform adds the definition of digital and media violence to the types of violence against women that must be addressed, the proposed solutions to do so consist only of creating new types of crimes and prison sanctions, without actually addressing the need to design effective actions for its prevention and to guarantee nonrepetition. As if that were not enough, the perverse logic of punitive populism presents significant risks both for the victims and for the people who, without intent, have disclosed some type of content contemplated in the law. In addition, the

Officials Accused of Graft Should Be Tried in Mexico: Ebrard

Mexican officials accused of corruption should be tried in Mexico and not in any other country, Foreign Secretary Marcelo Ebrard said Thursday, the Associated Press reported. "Whoever is culpable according to our laws will be tried, judged and if applicable sentenced in Mexico, and not in other countries, and that is the basis which has been encouraged with this agreement," said Ebrard. "That is what has been discussed, what has been agreed and what has been maintained with U.S. authorities." Ebrard's statement came a day after a U.S. judge formally dismissed the case against former Mexican Defense Minister Gen. Salvador Cienfuegos, whom the U.S. Justice Department had accused of taking bribes in exchange for protecting drug cartel leaders. The Justice Department dropped the case, saying the move was needed in order to help the United States maintain its law-enforcement relationship with Mexico. But despite Ebrard's comments Thursday, a spokesman for Mexican President Andrés Manuel López Obrador said the country was still willing to extradite drug traffickers or officials, the AP reported. "What we don't want are surprise actions," said the spokesman, Jesús Ramírez, apparently referring to U.S.

possibility that the victims don't want to participate in the criminal process is not contemplated, and the poor definition of key concepts, such as 'intimate-sexual content,' are so ambiguous that at the time of judicialization, the standard for sufficient evidence may be excessive, hampering victims' chances of effectively accessing justice. Finally, and with regard to protection measures, the reforms failed to include online providers that, without necessarily being the sources of the contested content, can disseminate it. Despite its approval in the Senate, the bill will return to the Chamber of Deputies for

Continued on page 4

NEWS BRIEFS

Thousands March in Colombia in Protest of Duque's Policies

Thousands of demonstrators marched Thursday in cities across Colombia to protest the policies of President Iván Duque, Reuters reported. Protesters want improved health coverage and education, establishment of a basic income for the unemployed and those lacking pensions, in addition to aid for small businesses, said Diógenes Orjuela, president of the Central Union of Workers, or CUT.

Venezuela Detains Oil Workers' Union Leader

Venezuelan authorities have detained oil workers' union leader Eudis Girot, union officials said on Thursday, as the government of President Nicolás Maduro continues a crackdown on dissent at state oil company PDVSA, Reuters reported. Girot, the executive director of the FUTPV union and a critic of PDVSA's management, on Wednesday evening said on Twitter that authorities had arrived at his residence with an arrest order. A union official said Girot was being held by the Directorate of Military Counterintelligence on charges of terrorism and divulging confidential information.

Suriname Creditors Seek More Time to Reply to Payment Deferral Request

A group of Suriname's bondholders said Thursday it would engage with Surinamese officials over a payment deferral if the government extends the current solicitation expiration, which is scheduled for Nov. 23, Reuters reported. "The extremely short period of time allocated to the Consent Solicitation in its current form ... raises a concern with respect to the viability of a successful outcome within the allotted time," the creditor committee said. Suriname recently asked creditors for a payment deferral on two bonds totaling \$675 million.

authorities' arrest last month of Cienfuegos, who was detained at Los Angeles International Airport. When the crimes of drug traffickers or others affect the United States, "that justifies them being tried in the United States," said Ramírez. Following Ebrard's comments, an official at the U.S. Justice Department told the AP that no new agreements on the subject had been reached between the United States and Mexico. Mexican officials had not been informed in advance about the investigation of Cienfuegos, The Wall Street Journal reported. Ebrard said Wednesday that Mexico had threatened to withhold cooperation with the United States on security matters unless U.S. Attorney General William Barr agreed to return Cienfuegos to Mexico, which he did.

BUSINESS NEWS

SQM Boosts Lithium Sales as Low Prices Take Toll on Profits

Chilean lithium mining company SQM said in reporting its quarterly results that it continued to increase sales in the third quarter as low prices for the commodity took a toll on profits, Reuters reported Thursday. SQM said it sold 17,700 metric tons of lithium in the quarter, a 56 percent increase as compared to the same quarter a year earlier. The company added that its lithium sales would likely increase 30 percent this year as compared to last year, and it projected a similar increase in sales next year. However, the company's net income plummeted 97 percent year-on-year in the third quarter to \$1.7 million, a figure that was pulled down due to low prices for lithium and a one-time settlement fee of \$62.5 million from a class-action lawsuit. SQM said it was still on track to increase output of lithium carbonate and lithium hydroxide by the second half of next year. SQM said it has seen strong sales in China amid that country's economic recovery. Sales there fueled SQM's decision to boost production to 180,000 metric tons of lithium carbonate and 30,000 metric tons of lithium hydroxide by 2023, the company said.

IN FOCUS

Strong U.S.-Colombia Ties Will Continue Regardless of Political Change: Duque

By Anastasia Chacón González

WASHINGTON—Strong Colombia-U.S. relations will continue regardless of future political changes in either country, Colombian President Iván Duque said Thursday during an online event hosted by the Inter-American Dialogue.

"We have strong appreciation for the bilateral, bicameral and bipartisan relations we have built with the United States," Duque said from the Colombian island of San

Andrés, where he is overseeing the government's response to Hurricane Iota. Duque added that U.S. presidents and lawmakers of both parties have supported close ties between the two nations for many years.

During the administration of U.S. President Donald Trump, the United States and Colombia worked closely on areas such as supporting the Andean nation's membership in the Organization for the Economic Cooperation and Development, or OECD, as well as in combating terrorism and drug smuggling while boosting trade and investment, Duque said.

He also praised presumptive President-elect Joe Biden. "We value the support that President-elect Biden has given to Colombia over the last two decades," Duque said, outlining Biden's support for Plan Colombia, a joint government initiative designed to fight drug cartels and insurgent groups in the South American country. Biden was an advocate of the plan during his time as a U.S. senator.

"We will continue to work closely with the Biden-Harris administration," Duque said. Among the issues at the forefront of U.S.-Colombia relations under a Biden presidency are expected to be the fight

against terrorism and drug trafficking and increased trade and investment relations, as well as climate change and protection of the Amazon.

Another key issue for joint collaboration will be sustained efforts to "end the dictatorship" of Venezuelan

President Nicolás Maduro, Duque said, adding that the focus should be on bipartisan U.S. support for Venezuelan opposition leader Juan Guaidó, whom Colombia, the United States and dozens of other countries recognize as Venezuela's interim president. Duque also said continued sanctions as well as pressure by the international community are necessary to push Maduro to step down.

When asked about Colombia's relationship with China against the backdrop of growing geopolitical tensions between the United States and the Asian nation, Duque said having China as a trade partner is important, not just for Colombia but for any country looking to widen export opportunities.

However, "when it comes to the Western Hemisphere and ... the geopolitics based on principles, we have made a clear determination that has been a state policy for the last decades, [which is] that Colombia is the United States' strongest ally in Latin America," Duque said.



Duque // Photo: Inter-American Dialogue.

FEATURED Q&A / Continued from page 2

discussion after the reviewing chamber introduced several changes that had not been considered there. Perhaps these problems can still be corrected there.”

A **Alberto Arebalos, chief executive officer of MileniumGroup Inc. and former Latin America communications director for Facebook and Google:** “Seven out of every 10 Mexicans have access to the Internet, and of those seven, just under four are women, the majority between 25 and 34 years old. According to the Internet Association of Mexico, the average connection is 500 minutes a day, and 92 percent of users do so through a smartphone, mostly to access social networks. The Internet is thus the new space where millions of people live their lives in some way, sharing joys and sorrows, maintaining contact with loved ones, family and friends, and where they must also face the consequences of bad actors who exercise a new form of violence of which women are its main victims. Last year, before the pandemic exacerbated our constant Internet connection, 36.4 percent of women between the ages of 20 and 29 were victims of cyberbullying. And 40.3 percent of women over 12 years of age received sexual advances or proposals over the Internet, one of the many forms of violence. The new Olimpia Law is a first attempt to fill the legislative ‘gaps’ in the new digital world, and while it is a first step, it cannot be the only one. Education, which should begin in primary schools, should emphasize the dangers posed by the not-at-all-virtual world of social media, where those who are friends today can become enemies tomorrow. Girls must learn what and when, and with whom, to share images or videos—and the risks of doing it. At the same time, boys must be educated that hiding behind anonymity provided by the Internet to attack an ex-girlfriend will have serious consequences, as if the attack had occurred in real life because the effects may be the same. Legislation will not change behaviors, but it

can help to set limits and determine consequences for bad actors. However, the effort must also be made at the educational level, as children begin to walk in the wide world of cyberspace.”

A **Agneris Sampieri, lawyer at the Network for the Defense of Digital Rights (R3D):** “The reform proposals related to the so-called Olimpia Law approved in the Senate seem insufficient in addressing problems of digital violence in Mexico, and even reductionist, as they practically limit the definition of digital violence to the dissemination of sexual content without consent. This leaves out a series of behaviors that are also online gender violence. The reform takes as its guiding principle measures focused on criminal punitivism, leaving aside the people who suffer this type of violence and do not want a highly revictimizing process in light of the impunity rates that exist in the country. Creating a new type of criminal offense translates into a false illusion of access to justice. It is not enough to have measures aimed at sanctioning. Instead, mechanisms for prevention of this type of conduct, as well as attention to people who may be affected by the dissemination of sexual content without consent, are needed. Currently, the Public Ministry is in charge of investigating the crime of ‘violation of sexual intimacy.’ It has the power to initiate an investigation. However, the legislation could create problems by granting the ministry powers through which evidence could disappear or be lost when requesting the ‘elimination’ of online content. For their part, digital platforms, specifically social networks, are in constant dialogue with authorities and civil society in order to deal with this type of situation and prevent this type of content from being disseminated once it is reported. Therefore, regarding this type of legislation, there are no significant repercussions, as there are already collaboration mechanisms in place.”

LATIN AMERICA ADVISOR

is published every business day by the Inter-American Dialogue, Copyright © 2020

Erik Brand
Publisher
ebrand@thedialogue.org

Gene Kuleta
Editor
gkuleta@thedialogue.org

Anastasia Chacón González
Reporter & Associate Editor
achacon@thedialogue.org



Michael Shifter, President
Rebecca Bill Chavez, Nonresident Senior Fellow
Sergio Bitar, Nonresident Senior Fellow
Joan Caivano, Senior Advisor
Michael Camilleri, Director, Rule of Law Program
Kevin Casas-Zamora, Nonresident Senior Fellow
Héctor Castro Vizcarra, Nonresident Senior Fellow
Julia Dias Leite, Nonresident Senior Fellow
Ariel Fiszbein, Director, Education Program
Peter Hakim, President Emeritus
Nora Lustig, Nonresident Senior Fellow
Margaret Myers, Director, Asia and Latin America Program
Manuel Orozco, Senior Fellow
Xiaoyu Pu, Nonresident Senior Fellow
Jeffrey Puryear, Senior Fellow
Mateo Samper, Nonresident Senior Fellow
Tamar Solnik, Director, Finance & Administration
Lisa Viscidi, Director, Energy Program
Denisse Yanovich, Director of Development, External Relations & Special Projects

Latin America Advisor is published every business day, except for major U.S. holidays, by the Inter-American Dialogue at 1155 15th Street NW, Suite 800 Washington, DC 20005

www.thedialogue.org

ISSN 2163-7962

Subscription inquiries are welcomed at ebrand@thedialogue.org

The opinions expressed by the members of the Board of Advisors and by guest commentators do not necessarily represent those of the publisher. The analysis is the sole view of each commentator and does not necessarily represent the views of their respective employers or firms. The information in this report has been obtained from reliable sources, but neither its accuracy and completeness, nor the opinions based thereon, are guaranteed. If you have any questions relating to the contents of this publication, contact the editorial offices of the Inter-American Dialogue. Contents of this report may not be reproduced, stored in a retrieval system, or transmitted without prior written permission from the publisher.