

WORKSHOP

Requested by the DROI subcommittee



# The human rights dimension of EU-Latin America relations in the context of the EU-CELAC summit



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## WORKSHOP

# The human rights dimension of EU-Latin America relations in the context of the EU-CELAC summit

### ABSTRACT

This workshop assessed recent developments in human rights and accountability across Latin America and the Caribbean (LAC) in the context of the 4th EU-CELAC summit (Santa Marta, 9 November 2025). Bringing together EU policymakers, regional human rights representatives, academics and civil society actors, the discussion examined the structural challenges affecting democratic governance and the institutional mechanisms available to address them. Participants highlighted the coexistence of democratic backsliding, organised criminal violence, institutional fragility and shrinking civic space with enduring commitments to international human rights law and multilateral cooperation. Particular attention was given to the region's complex "accountability mosaic", comprising international and regional judicial bodies, national human rights institutions, transitional justice mechanisms and protection frameworks for human rights defenders. While these mechanisms have produced meaningful advances, their effectiveness remains uneven and vulnerable to political, economic and security pressures. The workshop also explored the human rights implications of transnational organised crime, climate-related vulnerabilities and trade-based cooperation frameworks, emphasising the need for policy coherence, sustained multilateral engagement and capacity-building. Overall, the discussion underscored that EU-LAC relations are grounded in shared normative principles but require more systematic operationalisation through political dialogue, cooperative instruments and support for regional and domestic accountability structures.

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- Briefing 1: 'Human rights in Latin America and the Caribbean in the context of the 4th EU-CELAC summit (Santa Marta, Colombia, 9 November 2025) and its follow-up: Overall picture, key indicators and major trends'
- Briefing 2: 'Latest developments in core regional and national human rights accountability mechanisms in Latin America and the Caribbean. What are the best ways for the EU to engage?'

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## WORKSHOP PROCEEDINGS

# The human rights dimension of EU-Latin America relations in the context of the EU-CELAC summit

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## List of abbreviations

CELAC	Community of Latin American and Caribbean States
DLAT	Delegation to the Euro-Latin American Parliamentary Assembly
DROI	Subcommittee on Human Rights
ECR	European Conservatives and Reformists Group
EEAS	European External Action Service
EP	European Parliament
EPP	Group of the European People's Party (Christian Democrats)
EU	European Union
The Left	The Left group in the European Parliament - GUE/NGL
IACHR	Inter-American Commission on Human Rights
ICC	International Criminal Court
MEP	Member of Parliament
S&D	Group of the Progressive Alliance of Socialists and Democrats in the European Parliament
The Greens/EFA	Group of the Greens/European Free Alliance

## 1 Workshop programme

For the Subcommittee on Human Rights (DROI)

In association with the Delegation to  
the Euro-Latin American Parliamentary Assembly

### **WORKSHOP ON**

## ***the human rights dimension of EU-Latin America relations in the context of the EU-CELAC summit***

Wednesday, 3 December 2025 - 15:00-17:30

Brussels, **SPINELLI 1G2**

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### **PROGRAMME**

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#### **Introductory remarks**

- **Mounir SATOURI**, Chair, Subcommittee on Human Rights (DROI)
- **Gabriel MATO**, Chair, Delegation to the Euro-Latin American Parliamentary Americas

**15:05 – 16:15** 'Human Rights in Latin America and the Caribbean in the context of the 4th EU-CELAC Summit (Santa Marta, Colombia, 9-10 November 2025) and its follow-up: overall picture, key indicators and major trends'

- Video testimonial by Sakharov Prize laureate Maria Corina Machado or Edmundo González Urrutia, leaders of the democratic forces in Venezuela - 2024 Sakharov Prize laureates

#### **Setting the scene:**

- **Par Engstrom**, Associate Professor of Human Rights at the Institute of the Americas, University College London and Vice-Dean (Impact) at University College London's Faculty of Social and Historical Sciences

#### **Speakers:**

- **Christian Burgsmueller**, Head of Division, Americas 1 - Regional Affairs, European External Action Service (EEAS)
- **Juanita Goebertus Estrada**, Americas Director, Human Rights Watch

#### **Debate with Members**

**16:15 – 17:30** 'Latest developments in core regional and national human rights accountability mechanisms in Latin America. What are the best ways for the EU to engage?'

**Setting the scene:**

- **Par Engstrom**, Associate Professor of Human Rights at the Institute of the Americas, University College London and Vice-Dean (Impact) at University College London's Faculty of Social and Historical Sciences

**Speakers:**

- **Roberta Clarke**, Commissioner, Inter-American Commission on Human Rights (IACHR)
- **Maria Garcia**, Associate Professor, University of Bath, United Kingdom
- **Jimena Reyes**, Director for the Americas, International federation for Human Rights

**Debate with Members**

**Concluding remarks**

## 2 Introduction

The workshop entitled 'The human rights dimension of EU–Latin America relations in the context of the EU–CELAC summit' was held on 3 December 2025. It was organised by the European Parliament's Subcommittee on Human Rights (DROI) and the External Policies Analysis and Support Unit of the Directorate-General for External Policies, in association with the Delegation to the Euro-Latin American Parliamentary Assembly (DLAT). The session was chaired by Mounir Satouri, Chair of DROI (The Greens/EFA, France), and Gabriel Mató, Chair of DLAT.

The workshop took place at an early stage in the preparation of the accompanying briefings, and therefore contributed to shaping the analytical reflections that inform this report. It brought together experts from civil society, academia and multilateral organisations to examine the human rights dimension of EU–Latin America relations, with particular emphasis on how the European Union may strengthen human rights protection in the region through political dialogue, strategic partnerships and cooperation with regional and international institutions.

In his opening remarks, Mr Satouri recalled that the European Parliament has repeatedly condemned serious human rights violations in several Latin American countries and has addressed numerous country-specific situations throughout the current parliamentary term. The purpose of the workshop, however, was to adopt a broader regional perspective, situating recent developments within the framework of the 4th EU–CELAC Summit, held in Santa Marta, Colombia, on 9 November 2025. The summit declaration reaffirmed the strategic importance of bi-regional relations grounded in shared values and interests, including commitments to resilient, inclusive and democratic societies, the promotion and protection of human rights and fundamental freedoms, the rule of law, free and transparent elections, multilateralism and international cooperation in line with the UN Charter and international law.

Mr Mató complemented this perspective by presenting the main outcomes of the summit and of the recent EuroLat Assembly meeting. He emphasised the shared historical experiences of Europe and Latin America in overcoming authoritarianism and conflict, arguing that these trajectories underpin a common normative commitment to democracy, human rights and multilateral cooperation. In a volatile global context in which international law and cooperative frameworks face increasing strain, he presented the EU–Latin America partnership as both strategically and normatively significant. He welcomed the Santa Marta Summit as a timely reaffirmation of shared principles and concrete commitments to peace, security, sustainable development and human rights, as well as a recognition of EuroLat's democratic role within the bi-regional architecture.

He further underlined the European Union's approach of promoting equality, mutual benefit, the rule of law and fundamental freedoms through legally binding human rights clauses in trade and cooperation agreements, complemented by Global Gateway investments designed to generate tangible social impact. Addressing the security dimension, he warned that transnational organised crime poses a serious threat to state stability and democratic governance, requiring enhanced joint cooperation. At the same time, he stressed that effective violence prevention must address structural drivers such as inequality and poverty. He concluded by underscoring the importance of free and transparent elections, EU electoral observation missions, and the indispensable role of civil society and human rights defenders, while expressing concern about shrinking civic space and rule-of-law backsliding. Vigilance against authoritarian and populist trends,

and sustained parliamentary dialogue, were presented as essential to safeguarding democracy and human rights in both regions.

### 3 Panel 1

#### 3.1 Edmundo González Urrutia, 2024 Sakharov Prize laureate and leader of the Democratic Forces in Venezuela

**Edmundo González Urrutia** welcomed the discussion and the fact that the situation in Venezuela was being analysed in detail. He underlined that, as several NGOs and reports by the United Nations fact-finding mission had pointed out, Venezuela continued to face a particularly dramatic human rights situation, noting that repression had intensified in recent months and that enforced disappearances remained a recurring practice. In October alone, at least 54 arbitrary detentions had been recorded, and there were reportedly 887 political prisoners, including 114 women, four adolescents and several citizens from at least eight European Union countries. None of these prisoners had meaningful access to justice; many had been tortured, and some had been held incommunicado since their arrest. Families of those persecuted often faced harassment, and the population was living in widespread fear. Repressive state agencies were seeking to silence society, targeting protesters and the press, and people could be arrested for expressing themselves on social media.

He also recounted that political persecution had extended beyond Venezuela, citing the 2024 murder of Lieutenant Ronaldo Ojeda in Chile, which investigations suggested might have been ordered by elements of the Nicolás Maduro regime, and noting that a Tren de Aragua cell had recently been dismantled in Spain, with 13 members arrested. He recalled that the International Criminal Court had opened an investigation in 2021 into crimes against humanity by Venezuelan authorities, and stated that it had recently closed its office in Caracas due to a lack of cooperation, while the investigation remained open.

Mr Urrutia expressed appreciation for the work of the subcommittee and European representatives in clarifying the facts and helping to end the crimes. He concluded that only strict respect for the sovereign will of the Venezuelan people, expressed at the ballot box in 2024, would bring the situation to an end.

#### 3.2 Par Engstrom, Associate Professor of Human Rights at the Institute of the Americas, University College London

**Professor Par Engstrom** presented findings from a commissioned study on human rights trends in Latin America and the Caribbean, emphasizing the difficulty of identifying regional patterns given the region's deep national, social and temporal diversity. While repression, violence, inequality and economic decline varied widely across countries, common features included formal commitments to international human rights norms, shared political histories, competitive electoral systems and a dynamic civil society.

He noted that, over the previous five years, the region had experienced both significant human rights advances and growing political and social backlash, leaving rights vulnerable to reversal. He described the COVID-19 pandemic as a critical turning point, which had led to the region's sharpest economic contraction in over a century and exposed structural weaknesses in health, education and social protection systems. Inequality that was already among the highest globally was magnified, disproportionately affecting women, Indigenous peoples and Afro-descendant communities, while democratic politics largely failed to address these structural disparities.

Prof. Engstrom observed increasing democratic erosion since 2020, with declining public support for democracy, rising dissatisfaction and growing openness to authoritarian alternatives. While some countries had become fully authoritarian and others had experienced democratic backsliding, democratic breakdown generally emerged from within, as elected leaders weakened checks and balances. At the same time, electoral competition, civic participation and local democratic innovations persisted, sustaining a baseline commitment to democratic norms.

He identified insecurity and violence as another major trend, noting that the region had accounted for a disproportionate share of global homicides, largely driven by organised crime, drug trafficking, firearms and corruption. Violence deepened inequality, disproportionately harmed women and marginalised groups, and undermined democratic governance, while punitive security responses and weak justice systems reinforced cycles of impunity.

He highlighted migration as a further defining trend, with rising intra-regional movement driven by economic instability, violence, democratic decline and climate pressures between 2019 and 2024. Fragmented governance, the absence of a comprehensive regional framework and externalised migration controls increased migrant vulnerability and strengthened criminal networks.

Despite these challenges, Prof. Engstrom emphasised political and social resilience, pointing to continued civic engagement, accountability mechanisms and ongoing, if uneven, human rights progress. He concluded that the current context represented a critical juncture for EU–Latin America and Caribbean relations. While the EU–CELAC summit had reaffirmed shared values, he argued that greater effort was needed to translate commitments into concrete action, and that existing EU policy tools still offered meaningful opportunities to strengthen human rights in the region.

### 3.3 Christian Burgsmüller, Head of Division, Americas 1 – Regional Affairs, European External Action Service (EEAS)

**Christian Burgsmüller** reflected on the outcomes of the recent EU–CELAC Summit and related meetings, highlighting their significance in a challenging international context. Beyond the main summit, the EU–Caribbean leaders’ meeting underscored the EU’s special attention to Caribbean countries, while the EU–CELAC civil society forum and business forum demonstrated broad engagement with civil society, youth, independent media, and the private sector.

Despite growing ideological divisions within CELAC, the adoption of a joint summit declaration was presented as a notable achievement. The declaration reaffirmed strong commitments to multilateralism, the rule of law, democracy, and human rights, signalling that a broad political centre held firm, even though consensus was not possible with all CELAC members.

Two side declarations were highlighted as particularly important. The bi-regional pact on care responded to long-standing civil society demands and aimed to strengthen cooperation in the care sector, which was expected to grow due to ageing populations on both sides of the Atlantic. The speaker emphasised the vulnerability of care workers (predominantly women) and the need to promote best practices to ensure full labour rights, social protection, and decent working conditions, while also recognizing care as a viable and growing economic sector.

The second side declaration established an alliance for citizen security, acknowledging shared concerns about insecurity driven by organised and transnational crime, particularly drug trafficking. The speaker

stressed the human rights implications of organised crime, including violence against journalists, activists, and human rights defenders, as well as the risks posed by authoritarian responses to crime. Given the transnational nature of criminal networks operating in both Latin America and Europe, closer bi-regional cooperation was deemed essential.

Finally, the speaker outlined the next steps, pointing to the development of a joint EU–CELAC roadmap referenced in the summit declaration. This roadmap, to be finalised with the Colombian and upcoming Uruguayan CELAC presidencies ahead of the next EU–CELAC ministerial meeting, was presented as a key opportunity to translate the summit’s commitments into concrete actions, with input from a wide range of stakeholders encouraged.

### 3.4 Juanita Goebertus Estrada, Americas Director, Human Rights Watch

**Juanita Goebertus Estrada** focused on the rapid growth of organised crime in Latin America and the Caribbean and on state responses that violated human rights, identifying this as a priority area for EU–LAC cooperation. She noted that the region had the highest homicide rate globally and the highest proportion of killings linked to organised crime, with young men aged 15–29 constituting the majority of victims. Most homicides involved firearms and remained largely unpunished, reflecting systemic impunity.

She argued that state responses in the region had largely fallen into two rights-violating models. The first prioritised security through restrictions on rights, employing measures such as prolonged states of emergency, punitive populism, mass incarceration, lowered ages of criminal responsibility, widespread pre-trial detention, due process violations, military involvement in public security, shrinking civic space and attacks on judicial independence. She cited El Salvador’s prolonged state of emergency and mass detentions, Ecuador’s militarised response to organised crime—leading to increased abuses—and Brazil’s persistently lethal policing, which disproportionately affected Afro-descendant communities.

She described the second model as state inaction or acquiescence, whereby governments failed to protect citizens and effectively ceded territorial and social control to organised crime. This included the loss of the state’s monopoly on the use of force, tolerance of criminal governance, the transfer of prison control to criminal groups, and failures to investigate and prosecute organised crime. She cited Haiti as the most extreme case, with gangs controlling most of Port-au-Prince, alongside Colombia—where the 'total peace' approach was said to have enabled the expansion of organised crime—and Peru, where legislative actions were described as weakening judicial independence and anti-corruption efforts.

She argued that neither model provided security or respected human rights, and called instead for effective, rights-based security and justice policies. She welcomed the EU–CELAC commitment to combat organised crime through police and judicial cooperation, stressing its importance in light of approaches elsewhere that had undermined international law.

She concluded that EU–LAC cooperation should be significantly deepened and should include firm commitments to the rule of law, judicial independence, transparency, freedom of expression and independent media; strengthened investigative, forensic and prosecutorial capacities; coordinated action against money laundering, arms trafficking, corruption and youth recruitment; and joint advocacy in multilateral fora, including the UN, to consistently defend human rights and condemn abuses regardless of political ideology.

### 3.5 Questions from MEPs

**Davor Ivo Stier (EPP, Croatia)** emphasised that the EU–CELAC partnership was grounded in shared commitments to democracy, human rights, the rule of law, free and transparent elections, and inclusive citizen participation, as reaffirmed at the Santa Marta Summit. He warned, however, that commitments on paper were insufficient in light of ongoing democratic backsliding, shrinking civic space, and growing threats to human rights defenders, journalists and civil society across the region.

He noted that these concerns had been repeatedly addressed in European Parliament resolutions and cautioned that, in several countries, political competition was being suppressed, opposition silenced and democratic alternation undermined, putting the foundations of the bi-regional partnership at risk.

He recalled the summit's pledges to promote resilient, inclusive and democratic societies, to uphold the universal and indivisible nature of human rights, to combat discrimination and to protect vulnerable and marginalised groups. He stressed the responsibility of parliamentarians to ensure these commitments were implemented, notably through support for independent electoral observation, judicial independence, separation of powers and accountability.

He concluded that human rights must remain central to EU–CELAC cooperation and guide the forthcoming 2025–2027 roadmap, so that the partnership could deliver tangible progress beyond rhetoric for citizens on both sides of the Atlantic.

**Arkadiusz Mularczyk (Vice-Chair, ECR, Poland)** argued that Venezuela had become a key transit corridor for cocaine trafficking to Europe, facilitated by corrupt, state-linked security structures, which he framed as both a security and a human rights crisis affecting Venezuelans, transit regions and vulnerable communities in Europe. He contended that the fusion of state power, organised crime and socialist governance models had fuelled instability, repression and criminal economies in parts of Latin America, citing Venezuela as a central example.

He claimed that the Maduro government had become intertwined with organised crime networks, and that Cuban security support contributed to regime stability and the repression of civil society and democratic actors. By contrast, he pointed to recent public security and reform efforts in countries such as El Salvador, Argentina and Ecuador as evidence of alternative approaches centred on dismantling criminal networks and pursuing economic and anti-corruption reforms.

He called for stronger transatlantic coordination, including sustained pressure on the Maduro government, which he stated the EU did not recognise as legitimate. He concluded by urging the Human Rights Subcommittee to take a clear stance against what he described as the criminalisation of the Venezuelan state and invited members to support coordinated sanctions, investigations and asset freezes targeting those responsible.

**Catarina Vieira (The Greens/EFA, Netherlands)** condemned reports and allegations of extrajudicial killings associated with the Trump administration, arguing that such practices undermined international law, and warning that they risked exacerbating insecurity rather than resolving it. She encouraged further discussion of specific human rights situations in the region, with particular emphasis on the continued prevalence of femicides in Latin America.

She also drew attention to the risks faced by environmental and human rights defenders, especially those opposing corporate activities or the use of force, and highlighted the ongoing vulnerability of Indigenous

peoples. In addition, she urged reflection on the EU's own policy instruments, expressing concern about perceived regressions in human rights due diligence, including recent changes affecting corporate accountability.

She stressed the importance of maintaining robust rules to ensure that European companies and their supply chains did not contribute to human rights violations in Latin America or elsewhere. She concluded by thanking the panel for the discussion and excused herself to attend another meeting.

**Danilo Della Valle (The Left, Italy)** raised concerns about serious human rights and international law violations in Ecuador, focusing on the arrest of former Vice President Jorge Glas during a police raid on the Mexican embassy in Quito in April 2024. He stated that the arrest violated the Vienna Convention on Diplomatic Relations and that Mr Glas had been held in isolation without access to legal counsel or medical care; he added that these conditions had been described by international bodies as amounting to psychological torture and had reportedly been documented by UN mechanisms, alongside allegations of physical harm.

He questioned why such violations had received limited international attention and warned against the selective application of human rights standards based on geopolitical considerations. He also referred to what he described as external threats to sovereignty in the region, including by the Trump administration, particularly towards Honduras and Venezuela.

Finally, he highlighted the deterioration of security conditions in Ecuador, noting the sharp rise in homicide rates since the Correa administration and citing a significant number of killings in the first half of 2025. He concluded that human rights and international law should be applied consistently as tools to improve living conditions for people across South America, rather than used selectively.

**Mounir Satouri** raised questions concerning the follow-up to the summit conclusions, specifically how they would be translated into an action plan. He sought clarification on the scope and timeline of the plan and asked whether there would be opportunities for discussion between the responsible services and the parliamentary committee, including the possibility of a presentation followed by a parliamentary debate.

### 3.6 Responses from the panel

**Par Engstrom** addressed the situation of environmental and human rights defenders, emphasising the close links between their work, organised crime and underlying economic interests. He noted that many defenders operated in contexts where threats stemmed from the economic activities they opposed, highlighting the need to understand the broader political economy in which organised crime, economic actors and state authorities interacted at local and regional levels.

Using Brazil and the Amazon as an example, he explained that illicit economies such as illegal gold mining and timber extraction were driven by international demand, including from Europe, and were associated with human rights abuses and, in some cases, state complicity. He stressed that addressing organised crime required not only law-enforcement responses but also targeting its financial foundations to achieve effective action.

**Christian Burgsmüller** stressed the importance of 'following the money' to combat organised crime, while noting the challenges faced by public authorities that had to operate fully within legal and procedural constraints. He emphasised that efforts to disrupt criminal networks, particularly in the Caribbean, required strong maritime security cooperation but had to be conducted in full respect of international law, territorial integrity and state sovereignty.

He reaffirmed the EU's commitment to combating drug trafficking and dismantling criminal business models through cooperation with regional partners. Regarding the follow-up to the EU-CELAC Summit, he noted that governments had taken into account the concerns raised during the Santa Marta civil society forum and were working to translate them into an operational roadmap, with judicial and police cooperation as a central pillar.

He highlighted the lack of effective cooperation among law-enforcement bodies in Latin America and pointed to AmeriPol, the region's nascent police cooperation mechanism, as a key priority. He underlined the need for further ratifications to enable AmeriPol to function fully and to facilitate cooperation with Europol. He concluded by noting that civil society would continue to have opportunities to contribute, including through the work of the EU-LAC Foundation.

**Juanita Goebertus Estrada** emphasised the protection of environmental defenders and the urgent need to phase out fossil fuels, halt new oil, gas and coal projects, and adopt concrete, binding timelines at events such as COP30 and the EU-CELAC conference. She highlighted the importance of protecting forests by addressing economic incentives for environmental destruction and implementing supply-chain traceability to ensure products were not linked to human rights abuses or illegal deforestation.

She stressed the rights of Indigenous and forest-dependent communities, advocating for stronger protection programmes, the investigation and prosecution of crimes against them, the eviction of illegal occupants from protected lands, and fair mechanisms to grant communities legal title to their traditional lands. She urged all regional countries to ratify and implement the Escazú Agreement to enhance access to environmental information, public participation and justice, and called on EU countries to support these efforts while respecting Indigenous rights within their own borders.

## 4 Panel 2

**Mr Satouri** opened the second panel, dedicated to recent developments in regional and national human rights mechanisms in Latin America, as well as to the tools available to the European Union to cooperate with these mechanisms in support of human rights.

He noted the relevance of international agreements currently under negotiation or recently concluded, including agreements with Mercosur and Mexico, which include human rights clauses and related mechanisms.

The Chair welcomed the speakers: Ms Jimena Reyes, Director for the Americas at the International Federation for Human Rights (FIDH); Ms Roberta Clarke, Commissioner of the Inter-American Commission on Human Rights, who intervened online; and Ms Maria Garcia, Associate Professor at the University of Bath (United Kingdom).

Before opening the discussion, the Chair invited Mr Engstrom to introduce the topic.

### 4.1 Par Engstrom, Associate Professor of Human Rights at the Institute of the Americas, University College London

**Par Engstrom** began by outlining the focus of this second study, which sought to identify trends in accountability mechanisms in Latin America and the Caribbean. He defined accountability as the justification of actions, acceptance of consequences, and, in human rights terms, adherence to legal obligations and enforcement mechanisms that provide remedies when standards are not met.

He presented four main trends. First, he observed that real progress had been made in the region, with numerous innovative accountability mechanisms producing tangible results. However, he stressed that this progress was uneven, political momentum was slowing, and gains remained fragile and vulnerable to reversal. He described the region's 'accountability mosaic', highlighting a diverse array of mechanisms—including UN treaties, International Criminal Court proceedings, regional human rights systems, the International Commission Against Impunity in Guatemala, the Colombian Special Jurisdiction for Peace, specialised prosecution units, national search commissions for disappearances, and protection systems for journalists, human rights defenders, and indigenous justice institutions. This diversity, he argued, strengthened resilience, expanded opportunities for recourse, and created multiple entry points for EU engagement.

He used Colombia as a case study, noting the country's dense and overlapping accountability framework alongside ongoing armed conflict, persistent inequalities, structural violence, and entrenched interests. He highlighted Colombia's ratification of international treaties, engagement with the ICC, monitoring of the peace process, human rights clauses in trade agreements, landmark rulings from the Inter-American Human Rights System, and strong domestic institutions. He argued that this complexity made accountability more resilient, expanded impact for vulnerable populations, and provided entry points for international engagement.

Nonetheless, the speaker emphasised significant gaps in the region. Many Caribbean states were outside the jurisdiction of the Inter-American Court of Human Rights, urban areas were often controlled by organised crime, and peasant communities faced climate and displacement pressures. Authoritarian contexts in Venezuela, Cuba, Nicaragua, and El Salvador exemplified entrenched impunity and resistance to international oversight. He also cited setbacks in Guatemala, Argentina, and other contexts where institutional and policy reversals undermined prior human rights gains.

The speaker concluded that, while progress was real, it was fragile. Persistent impunity, uneven enforcement, institutional weaknesses, democratic erosion, and social inequalities threatened advances. He argued that consistent international engagement, particularly by the EU, was crucial in a context where other actors, notably the US, had withdrawn from human rights leadership. He stressed that multilateral engagement and 'smart incentives', rather than coercion or sanctions, were the most effective means of sustaining and advancing human rights in the region.

## 4.2 Roberta Clarke, Commissioner, Inter-American Commission on Human Rights (IACHR)

**Roberta Clarke** began by thanking the delegation of the Euro-Latin American Parliamentary Assembly for convening the meeting. She noted that, despite ongoing challenges in the Americas and the Caribbean, the Inter-American Commission on Human Rights had identified progress across the region, particularly regarding equality and non-discrimination for women and LGBTI communities. She highlighted greater inclusion of marginalised groups, improvements for people with disabilities and older persons, and legislative advances in addressing gender-based violence, including comprehensive laws in at least 14 countries and the criminalisation of femicide in 19. Legal reforms had also recognised forms of violence in specific contexts, such as political, obstetric, and technology-facilitated violence.

Regarding criminal justice reform, she observed that several Caribbean states had worked to reduce delays in their justice systems and had established initiatives to support reintegration, such as promoting female entrepreneurship. However, she emphasised that social and legal restrictions on women's safety and

reproductive autonomy persisted, although litigation challenging restrictive abortion laws was ongoing in countries like Antigua and Barbuda and Dominica. She also noted successful constitutional challenges decriminalising same-sex sexual intimacy in at least five Caribbean states over the past decade.

The speaker attributed policy progress on gender-based violence to consistent civil society activism and the Commission's use of cases and petitions to develop standards in line with the Belém do Pará Convention. Yet she warned that persistent challenges remained, including high rates of homicide and gang-related crime, largely influenced by organised criminal networks and the flow of illegal weapons. She drew particular attention to the severe insecurity in Haiti, where women and girls faced daily threats of violence, including sexual assault, amid a collapse of policing and access to justice. She also noted that even in countries with functioning institutions, impunity remained prevalent, with most domestic and sexual violence unreported or unresolved.

The speaker highlighted ongoing gaps in human rights protections for vulnerable populations, including LGBTI people, migrants, children, and persons deprived of liberty. She reported that arbitrary arrests were being used to persecute individuals exercising freedoms of expression, assembly, and association. The Commission's third report on human rights defenders documented increasing restrictions on civil society, the criminalisation of those challenging power abuses, and targeted reprisals against women, environmental, and land defenders, as well as racialised policing against Afro-descendants and indigenous peoples.

She expressed concern about violations of international human rights and humanitarian law, including attacks on non-state vessels by the United States and the treatment of asylum seekers and irregular migrants. The speaker warned that regional trends—such as power consolidation, weakening judicial independence, militarised crime responses, political polarisation, social inequality, and corruption—threatened both regional and international human rights systems.

She concluded by stressing the importance of robust universal and regional human rights institutions, which provide technical guidance, enable civil society dialogue with the state, and offer protection measures. Sustaining these institutions, she argued, required political will, civil society engagement, and international attention.

### 4.3 Professor Maria Garcia, Associate Professor, University of Bath, United Kingdom

**Professor Maria Garcia** broadened the focus to include social and environmental rights, noting that recent International Court of Justice jurisprudence had recognised their importance for the protection of human rights, including the right to life. She examined how these rights intersected with EU trade agreements with Latin American countries, which serve as the key legally binding instruments in the interregional relationship. The speaker highlighted the EU-CELAC summit's reaffirmation of commitments to human rights and sustainable development and suggested that preferential trade agreements could act as levers to influence government behaviour regarding human, social, and environmental rights.

She explained that most EU trade agreements included association or political agreements recognising fundamental human rights as essential elements, allowing recourse to punitive measures in cases of breaches, although such measures had never been applied and their implementation remained uncertain. Social and environmental rights were generally included in the sustainable development chapters, which relied on cooperative dispute settlement through consultations and expert panels, rather than strong

enforcement mechanisms. Recent reviews in 2018 and 2022 had increased emphasis on monitoring and reporting, requiring parties to inform each other and civil society about the implementation of recommendations.

The speaker highlighted several developments, including the EU-New Zealand agreement, which subjected sustainable development chapters to general dispute settlement, and the revised EU-Mercosur Partnership Agreement, which made the Paris Agreement an essential element, albeit with limited enforceability. Other agreements, such as the modernised EU-Chile Advanced Framework, included traditional human rights provisions but not some newer environmental or climate obligations. The interim trade agreement with Chile introduced the first gender chapter and improved monitoring and reporting in sustainable development, although enforcement remained largely promotional rather than punitive.

She observed that, in practice, EU engagement prioritised dialogue and cooperation over sanctions, noting that issues in countries such as Colombia often reflected state capacity and security challenges rather than legal compliance. The speaker also highlighted the potential of trade agreements to reinforce environmental protection, such as through initiatives on deforestation-free supply chains, and noted the increasing use of unilateral EU measures, including corporate due diligence and deforestation regulations, which shifted responsibilities onto companies rather than states but remained contested by partner countries.

Finally, she cautioned that the EU's leverage in the region could be limited and emphasised that EU and Latin American states do not always share the same priorities or values, as evidenced by recent disassociations from the Santa Marta Joint Statement.

#### 4.4 Jimena Reyes, Director for the Americas, International Federation for Human Rights

**Jimena Reyes** outlined her focus on three key challenges for the Americas identified at the EU-CELAC summit: climate change, violence by armed actors and organised crime, and the defence of democracy.

On climate change, she highlighted the recent advisory opinion of the Inter-American Court of Human Rights, which established that action on climate change was a legal obligation integral to the right to a healthy environment and a safe climate. States, she noted, were required to protect current and future generations and implement ambitious and equitable climate goals. She welcomed the announcement by Colombia and the Netherlands to co-host an international conference on just transition and the phase-out of fossil fuels in April 2026, and stressed the importance of including a credible timetable for eliminating subsidies and investments contrary to sustainability in the roadmap for the EU-CELAC Summit.

Regarding violence by non-state armed actors, she emphasised the centrality of victims in shaping public policy, noting pervasive impunity in Latin America. She cited Mexico, Colombia, Haiti, Argentina, Chile, and Ecuador as countries experiencing forced disappearances, recruitment of minors, displacement, and rising homicide rates. She also noted the growing problem of organised crime in Europe. The speaker warned against relying solely on repression, citing militarisation and punitive measures in Latin America that disproportionately affected young, marginalised populations, and stressed that such measures must comply with international human rights standards. She advocated for stronger focus on high-ranking criminal actors, forced recruitment, human trafficking, and murders, proposing the use of international criminal law and instruments such as the International Criminal Court and the UN Committee on Enforced Disappearances to address systemic abuses.

Finally, on democracy, she highlighted the capture of state institutions by corruption, organised crime, and powerful economic actors, giving examples from Guatemala, Peru, Nicaragua, and Venezuela. She called for continued EU support for targeted sanctions, universal jurisdiction, and measures to protect refugees and uphold democratic accountability, referencing UN reports on individual perpetrators in these contexts.

## 4.5 Questions from MEPs

### Questions from MEPs

**Isabel Wiseler-Lima (EPP, Luxembourg)** observed that funding allocated to Latin American countries had decreased, while the EU's Global Gateway initiative was placing greater emphasis on energy infrastructure and development projects. She suggested that some countries were seeking less traditional development aid and more support for infrastructure that would enable self-development.

She stressed the continued necessity for the EU to support human rights defenders and requested clarification from the Commission on this point. Additionally, she highlighted the ongoing challenge of combating organised crime and armed groups, emphasising the need for closer cooperation between the EU and Latin American partners. She concluded by expressing interest in hearing specific proposals on how the EU could address these issues.

**Marco Tarquinio (S&D, Italy)** observed how the presentations had demonstrated the links between environmental protection, human rights, Indigenous peoples' rights, social organisation and the fight against crime, all of which he described as intertwined with political institutions in countries such as Nicaragua, Venezuela and El Salvador. He raised a question related to his colleague's point about combating organised crime, noting that EU Member States such as France, Spain and Italy had experience in developing pacts to reorganise and humanise prison systems and to establish cooperative networks among police forces.

He spoke from the perspective of someone from Italy and referenced the significant global presence and criminal activities of the 'Ndrangheta, one of the most powerful organised crime networks, which has expanded internationally and remains deeply involved in drug trafficking and related offences, sometimes in partnership with Latin American groups. He acknowledged that criminality of this scale could undermine human rights and social stability, and he expressed uncertainty about the effectiveness of existing instruments, asking for experiences and opinions regarding measures to address organised crime directly.

**Marta Temido (Vice-Chair, S&D, Portugal)** noted the difficulty of summarising the discussion but emphasised the panel's focus on recent developments in human rights accountability mechanisms in Latin America and how the EU could better support them. She highlighted concerns about international consistency, citing recent US operations against drug traffickers in the Caribbean, and questioned how the EU could develop incentives rather than rely on restrictive measures to promote human rights. She observed that the use of preferential trade agreements as a tool to enforce human rights could be limited, particularly given differing positions among EU Member States.

She also raised questions regarding the capacity of Latin American states to implement effective measures, and the role of political and police cooperation in combating organised crime. She suggested that such cooperative measures could serve as positive incentives to address the pervasive violence affecting the region, and invited further elaboration from a colleague on the disconnect between partners' principles and priorities.

**Mounir Satouri (Chair, The Greens/EFA, France)** asked whether there were examples from other states or regions where alternative methods had been employed to ensure respect for human rights clauses, and whether these approaches had proven more effective than the mechanisms included in EU trade agreements. He suggested that research-based insights could help identify better practices for promoting human rights through international agreements.

## 4.6 Responses from the panel

**Professor Par Engstrom** thanked participants for their questions and comments and outlined three main points. First, he emphasised the importance of sustained high-level engagement and the articulation of shared values in fora such as EU–CELAC meetings, noting that this provided a counterpoint to other strategic relationships maintained by Latin American and Caribbean countries with actors such as the United States, China, Russia and Turkey.

Second, he observed that conflicting interests and policy objectives—particularly in trade—were to be expected but argued that opportunities remained for the EU to advance human rights, citing the ‘care pact’ as an example. He noted that while Latin American and Caribbean partners approached the issue from a rights-based perspective, EU institutions still had work to do to integrate human rights considerations more systematically.

Third, he addressed organised crime, arguing that it could not be effectively tackled through repression alone. Instead, the conditions that enabled organised crime—such as restrictive migration policies, drug markets, and environmental degradation—needed to be addressed, since policy restrictions often created markets for criminal activity, resulting in a vicious cycle. He stressed that transnational cooperation and attention to political economy were essential to genuinely combat organised crime, rather than focusing narrowly on drug trafficking.

**Roberta Clarke** addressed the cooperation needed to tackle organised and transnational crime. She distinguished between technical measures and broader political solutions, emphasising that root causes had to be addressed. Central among these, she argued, were inequalities—both within countries and between the Global North and the Global South—as well as structural underdevelopment linked to colonial legacies.

She argued that fairer and more equitable trade agreements were essential, noting that current agreements often reduced Global South countries to consumers rather than producers, fostering poverty and the growth of illicit economies. Climate finance was another critical concern, particularly for small island developing states in the Caribbean, which faced severe climate impacts despite minimal carbon emissions. She suggested that concessional finance and post-disaster support from actors such as the EU were necessary to address these vulnerabilities.

The speaker also highlighted the need to curb the supply of weapons in the Americas and the Caribbean, largely sourced from the United States, and stressed the importance of technical measures such as following financial flows, building capacity in criminal justice systems, strengthening legislation, and improving border and financial controls to disrupt organised crime.

**Professor María García** addressed the issue of shared values and how different countries in Latin America and the European Union prioritised them. She noted that recent studies had shown both convergence and divergence in voting patterns. While there was less consistency on issues such as political freedoms, security, and conflicts, there was notable alignment on matters such as children’s rights.

She observed that, although care had been mentioned in the context of a pact, joint statements—such as that by the United States and Argentina—had explicitly dissociated themselves from references to gender, highlighting areas for further examination in trade and sustainable development chapters. Regarding environmental issues, she emphasised the shared understanding of the importance of combating climate change, with some countries working actively on deforestation and Central America focusing on agriculture and the circular economy.

The speaker stressed the importance of balancing priorities and responding to Latin American requests for greater financial support to implement employment and environmental initiatives. She linked this to broader efforts to combat inequalities, organised crime, and human rights violations. While recognising the role of the United Nations and sanctions, she cautioned that sanctions were often less practical over time if they did not produce immediate effects.

Turning to trade agreements, she cited the Mexico–Canada agreement on employment, which had established a rapid response mechanism enabling states or interested parties to address labour violations in factories, citing a case against General Motors to improve working conditions. She argued that such mechanisms demonstrated that multiple instruments could be combined, and that the focus should not only be on states but also on companies or non-state actors, including organised crime. She noted, for example, Brazil's regulation of deforestation, which aimed to promote sustainable agricultural products over illicit coca cultivation. She concluded by emphasising the need to listen to local priorities and avoid worsening existing problems.

**Jimena Reyes** addressed the defence of European democracy and the role of conditionality in international governance. She noted that several Latin American states, such as Peru and Argentina, sought OECD membership, and stressed that European Union diplomats serving on evaluation committees should carefully consider governance standards, the fight against impunity, and anti-corruption measures when assessing these applications.

She highlighted the dire situation of prisons in Latin America, citing organised crime's control over many facilities, and recommended a report on Coahuila that detailed criminal activity within prisons. She argued that support from the EU support was needed, not only to improve prison management but also to address poverty and provide education for incarcerated individuals. She emphasised that the focus should extend beyond low-level perpetrators to the 'high command' of organised crime, while also protecting vulnerable young prisoners.

Regarding the United States, she criticised extrajudicial actions, such as the bombing of ships, noting that some victims appeared to be fishermen rather than drug traffickers, and stressed that proper investigation, arrest, and punishment should be followed instead.

On incentives to combat organised crime, she referenced the possibility of using the International Criminal Court and universal jurisdiction as tools for investigation. She also highlighted human rights obligations in trade, citing French and German due diligence laws that required companies to exercise oversight, and observed that Peru, Brazil, and Chile had considered aligning with such standards. She concluded by referring to limitations arising from a recent Ombudsman decision, suggesting that further action would need to be reconsidered in light of that development.

## Annex – Speakers' bios

**Edmundo González Urrutia** is **President-elect of Venezuela according to the opposition as well as a diplomat from Venezuela**. He has been dedicated to the cause of Venezuelan democracy and freedom, representing Venezuelans both inside and outside the country. As a respected civil society leader, González Urrutia has worked to unite Venezuelan society, and foster solidarity among citizens, especially in the face of governmental repression. He has worked to build international support and alliances that could pave the way for a democratic transition in Venezuela. In 2024, he was awarded the Sakharov Prize by the European Parliament alongside María Corina Machado, leader of Venezuela's democratic opposition. Since a Venezuelan court issued an arrest warrant for him on 2 September 2024, drawing international condemnation, he moved to Spain where he was granted asylum.

**Par Engstrom** is **Associate Professor of Human Rights at University College London's Institute of the Americas** and serves as **Vice-Dean (Impact) in the Faculty of Social and Historical Sciences**. He also leads the Latin America course for the International Academy at the UK Foreign, Commonwealth and Development Office (FCDO). His work bridges academia, policy, and practice. Dr Engstrom has collaborated extensively with human rights organisations and has advised institutions including the Association for the Prevention of Torture, the FCDO, and the European Parliament. Beyond his advisory roles, he sits on the Non-Executive Board of Directors of ABColombia, a UK- and Ireland-based advocacy initiative supporting civil society programmes in Colombia. Before joining academia, Dr Engstrom worked at the United Nations Office of the High Commissioner for Human Rights (OHCHR) in Geneva. He holds a BA from UCL, an MSc from the University of London, and a DPhil from the University of Oxford.

**Christian Burgsmüller** is **Head of Division, Americas 1 – Regional Affairs, European External Action Service (EEAS)**, a role he assumed in September 2024. He brings more than two decades of experience across EU institutions and diplomatic postings in the Americas. Before taking up his current position, he served as Deputy Head of the EU Delegation to Canada in Ottawa from 2020 to 2024. His earlier overseas assignments include senior roles at EU Delegations in Washington, DC, where he led the Global Issues section, and in Brasília, where he headed the Political and Press section, as well as an earlier posting at the German Embassy in Buenos Aires. In Brussels, Burgsmüller worked as Cabinet Expert to EU Trade Commissioner Cecilia Malmström between 2014 and 2019, overseeing trade relations with the United States, Canada, Japan, Australia, and New Zealand. He began his career with the European institutions in 2000, initially focusing on internal market and trade policy within the European Commission before joining the EEAS. Trained as a lawyer, he studied law in Freiburg im Breisgau, Geneva, and Cologne, qualified at the bar in Düsseldorf, and holds a PhD in constitutional law from the University of Cologne.

**Juanita Goebertus Estrada** is the **Director of the American Division at Human Rights Watch**. Her career spans senior roles in human rights advocacy, peacebuilding, and public service in Colombia. From 2018 to 2022, she served as a member of the Colombian Congress, where her work focused on advancing the implementation of the peace agreement between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC). Prior to her time in Congress, she played a central role in the Havana peace negotiations as head of the transitional justice group at the Office of the High Commissioner for Peace. She has also held advisory positions to Colombia's National Security Advisor and Undersecretary of Defence, and previously served as Deputy Director of the Institute for Integrated Transitions. She trained as a lawyer and political scientist at the Universidad de los Andes in Colombia and later earned a Master of Laws degree from Harvard Law School.

**Roberta Clarke** serves as **Commissioner of the Inter-American Commission on Human Rights**, having been elected by the OAS General Assembly for a four-year term running from January 2022 to December 2025. Her career has been shaped by long-standing engagement in social justice and gender equality at both international and regional levels. **She has held senior leadership roles with UN Women**, leading Regional Offices in East and Southern Africa, Asia Pacific, the Caribbean and Libya. Prior to her career at the United Nations, she practiced as a lawyer in Trinidad and Tobago, where she has been engaged in civil society and the national and international levels including as the Chair, Executive Committee, International Commission of Jurists and President of the Coalition against Domestic Violence. She is the Chair of the Harassment Committee of the Caribbean Court of Justice. She is a citizen of Barbados.

**Maria Garcia** is an **Associate professor of international political economy at the University of Bath, United Kingdom**. Her research focuses on the intersections between trade, trade agreements and environmental and social sustainability. She addresses how trade agreements generate new forms of international governance of evolving areas like sustainability and digital trade, including provisions, implementation and novel regulatory contexts that these can create.

**Jimena Reyes** is the **Director for the Americas of the International Federation for Human Rights (FIDH)**. She is a lawyer registered on the List of Counsel before the International Criminal Court (ICC) and the author of numerous reports on human rights, the rule of law, crimes against humanity, indigenous peoples, corruption, and business and human rights. Her litigation work includes representing victims from Mexico, Chile, Honduras, and Nicaragua before the Inter-American Court of Human Rights, as well as appearances before UN human rights committees and the ICC. In addition to her advocacy and legal practice, she is a Harvard Fellow and holds academic degrees from King's College London, the College of Europe, and Université Paris I Panthéon-Sorbonne.

## BRIEFING

# Human rights in Latin America and the Caribbean in the context of the 4th EU–CELAC summit (Santa Marta, Colombia, 9 November 2025) and its follow-up: Overall picture, key indicators and major trends

### ABSTRACT

Human rights trends in Latin America and the Caribbean between 2020 and 2025 are characterised by a complex combination of progress and regression shaped by political, socio-economic and global dynamics. This period was marked by profound disruptions, including the COVID-19 pandemic, economic stagnation and escalating violence, which deepened inequalities and eroded confidence in governance. Governments frequently adopted militarised security responses, exacerbating rights violations, while structural and gender-based violence, restrictions on civic space and mass migration compounded challenges. Despite these adverse trends, notable advances were made in a number of areas, including transitional justice and consolidation of accountability mechanisms, underscoring the resilience anchored in democratic institutions and vibrant social mobilisation. Five overarching human rights patterns emerge: (1) significant, yet (2) uneven advances, (3) persistent vulnerabilities, (4) backlashes against reforms, producing (5) overall clear markers of resilience. Situating these trends within global dynamics, this briefing assesses implications for European Union external action following the 4th EU–CELAC summit, drawing on diverse sources to inform strategies aimed at strengthening rights protections and inclusive governance across Latin America and the Caribbean.

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## List of abbreviations

CELAC	Community of Latin American and Caribbean States
EU	European Union
IAHRS	Inter-American Human Rights System
LAC	Latin America and the Caribbean
NHRIs	National human rights institutions
UN	United Nations
USA	United States of America

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## Executive summary

Latin America and the Caribbean (LAC) have reached a pivotal juncture marked by profound disruptions and mounting global pressures. Between 2020 and 2025, the region experienced significant setbacks in poverty reduction and governance stability due to the COVID-19 pandemic, economic stagnation and escalating violence. These dynamics have deepened structural inequalities, eroded public trust in democratic institutions and intensified political volatility, with Governments increasingly resorting to militarised security responses, thereby fuelling widespread human rights violations. Meanwhile, organised crime and corruption have further destabilised fragile institutions.

However, despite these adverse trends, the region's human rights landscape is not uniformly bleak. Current developments are characterised by a complex combination of progress and fragility, shaped by five overarching trends. There have been (1) notable advances in areas such as transitional justice and consolidation of accountability mechanisms. Yet (2) progress remains uneven across countries and social groups, reinforcing structural disparities. Reform efforts increasingly face (3) backlashes amid political polarisation and external pressures, while (4) human rights themselves remain fragile and reversible under adverse conditions. Still (5) signs of resilience persist, anchored in democratic institutions and vibrant civil society engagement.

Global dynamics amplify these challenges. LAC faces heightened exposure to international instability, an increasingly transactional and coercive foreign policy by the United States of America and sharp reductions in international development assistance. Regional fragmentation and polarisation have stalled collective responses to transnational crises, exemplified by a planned summit of the Americas having to be postponed.

In this context, the European Union (EU)–LAC partnership assumes strategic importance. The 4th EU–Community of Latin American and Caribbean States (CELAC) summit, which took place in November 2025, reaffirmed shared commitments to democracy, rule of law and human rights, while outlining an agenda on issues such as trade, transnational organised crime, climate action, the care sector and migration. However, gaps persist between declared principles and operational priorities – particularly in citizen security, incipient cooperation around care, digital governance and migration – where human rights considerations remain marginal.

Narrowing this implementation gap requires systematic monitoring of summit outcomes and alignment with the EU Action Plan on Human Rights and Democracy (2020–2027). Leveraging political dialogues, human rights clauses in agreements and targeted support for civil society and central accountability mechanisms such as the Inter-American Human Rights System will be critical. Strengthening resilience through inclusive governance and rights-based cooperation is essential to reverse the rise of authoritarianism and consolidate democratic norms in an increasingly volatile regional and global environment.

# 1 Introduction

Identifying human rights trends in Latin America and the Caribbean (LAC) is inherently complex. The region's profound political, social, economic and cultural heterogeneity produces significant variation in outcomes across countries, between groups and over time. For example, human rights violations that result from patterns of state repression in Venezuela and Nicaragua substantively differ from those generated by the violence and corruption prevalent in Northern Central America and parts of the Caribbean, legacies of Colombia's armed conflict and Argentina's socio-economic deterioration. Nonetheless, while this diversity complicates efforts to identify overarching trends, regional analysis remains meaningful because of various shared characteristics that continue to shape human rights trajectories. Most states in LAC have formally committed to a wide range of international human rights instruments and maintain at least minimally effective governance structures and competitive electoral systems, even if institutional strength varies widely. Common political histories, exposure to external economic and geopolitical pressures, together with the high political salience of human rights, create a basis for comparative analysis. The region also features a dynamic civil society and extensive community mobilisation, which play a critical role in accountability and fostering reform.

The period 2020–2025 has been marked by profound disruptions in the region. The COVID-19 pandemic's uneven impact not only reversed substantial progress in poverty reduction but also deepened existing inequalities. It exposed systemic gaps in education, healthcare and social protection, while economic stagnation and rising unemployment fuelled widespread social protests. These socio-economic pressures have contributed to the continuing erosion of confidence in democratic governance and intensified political volatility. Simultaneously, escalating violence, organised crime, entrenched corruption and impunity continue to destabilise already fragile public institutions. Governments have frequently resorted to militarised security responses, which undermine the rule of law and generate pervasive human rights violations. Structural and gender-based violence, targeted attacks on activists, the rise of digital surveillance technologies and unprecedented migration flows driven by many interlocking factors compound these challenges.

However, despite these adverse trends, it is crucial to recognise that the region's human rights landscape is not uniformly bleak. Significant differences exist among countries in LAC. For example, in response to organised crime and popular demands for citizen security, some governments – such as those in Ecuador, El Salvador and Mexico – have adopted emergency measures lacking adequate oversight, resulting in high levels of serious human rights violations. Conversely, countries such as Chile and Uruguay continue in broad terms to uphold rule of law principles. Moreover, notable progress has been achieved in various human rights areas: Colombia's transitional justice system issued its first rulings under the 2016 peace accords; a number of states advanced reproductive and sexual orientation rights reforms; and independent bodies were established to monitor detention facilities. These substantial human rights gains reflect not only sustained social mobilisation as well as strong public demand for accountability and rights protection, but also the political will and state capacity for human rights reform.

This study highlights five overarching trends underpinning human rights developments in LAC between 2020 and 2025:

1. Across various countries in the region, significant advances have taken place in key human rights areas;

2. However, there is unequal progress across countries and social groups, reinforcing existing structural disparities;
3. An emerging trend of backlashes and resistance to human rights reforms is consolidating – this is not only driven by political polarisation and deepening political dissatisfaction with democratic governance, but also exacerbated by external political and economic pressures;
4. Rights remain persistently vulnerable and reversible under adverse conditions; and
5. Nevertheless, signs of resilience continue to be evident, anchored in democratic institutions, existing accountability mechanisms and vibrant civil society engagement.

The region's human rights trajectory is shaped both by domestic factors and global dynamics. LAC faces heightened exposure to international instability as well as the United States of America's (USA) increasingly coercive and transactional foreign policy. Moreover, sharp reductions in development assistance from traditional partners, including the USA and various European countries, have further constrained resources for rights protection. In this context, the European Union (EU)–LAC partnership assumes particular significance. The EU can leverage political dialogues, human rights clauses in bi-regional agreements and development cooperation to strengthen protection.

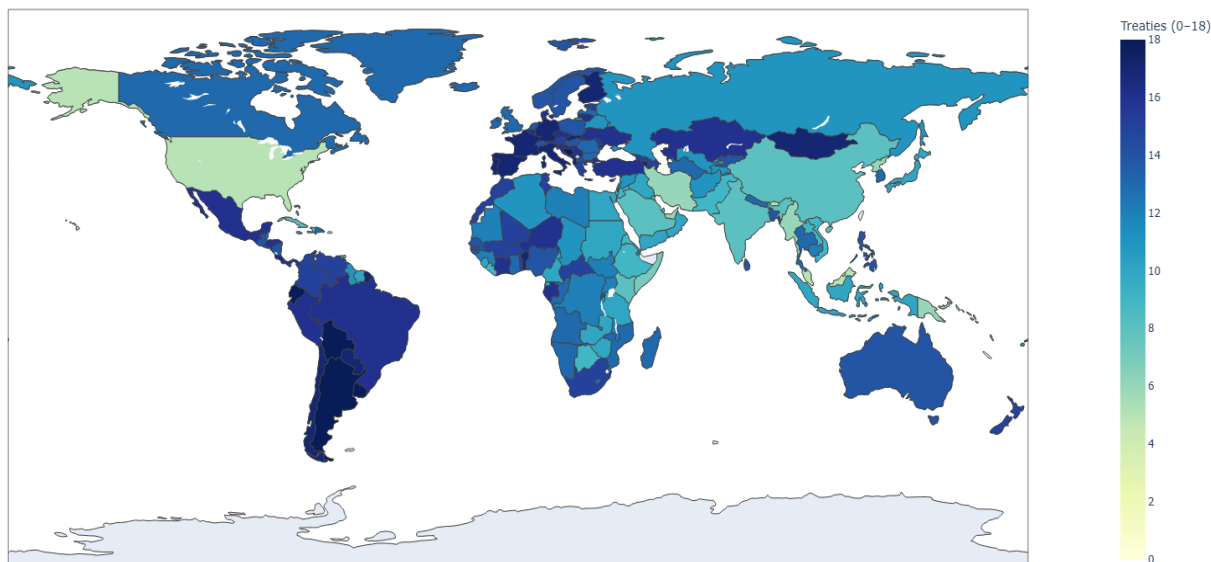
This paper identifies and assesses key human rights trends across LAC from 2020 to 2025, highlighting areas of progress and regression together with their underlying drivers. It also examines the implications of these trends for EU external action and institutional commitments following the 4th EU–Community of Latin American and Caribbean States (CELAC) summit (9 November 2025) held in Santa Marta, Colombia. The paper is based on desk-based research and systematically draws on a diverse range of sources – including recent academic literature, reports by government and international institutions, media sources, as well as studies from reputable non-governmental organisations and think tanks. This material is critically cross-referenced and complemented by insights gathered through selected online interviews and expert feedback, ensuring a robust and triangulated evidence base. By situating regional developments within a global context, the paper aims to inform policy decisions that strengthen human rights protections and promote inclusive governance across LAC.

## 2 Regional and international human rights frameworks

Human rights in LAC are supported by sophisticated institutional frameworks at international, regional and domestic levels, designed not only to bind states together around shared commitments but also to enforce accountability. However, while these structures often appear formally robust, their effectiveness in practice remains uneven, revealing persistent gaps between institutional design and implementation.

**Figure 1: Ratification Map of UN Human Rights Treaties<sup>1</sup>**

UN Core Human Rights Treaties: Number Ratified (0–18) Source: OHCHR Indicators / OLA Treaty Database



**United Nations (UN) commitments and monitoring.** Countries across LAC generally demonstrate a high rate of ratification for international human rights treaties, signalling broad formal adherence to international human rights standards (see Figure 1). Most states participate in the UN Human Rights Council’s Universal Periodic Review (UPR) process, which subjects all members to regular peer review of their human rights performance<sup>2</sup>. Many have also extended standing invitations in line with UN Special Procedures, under which independent experts conduct country visits and issue recommendations<sup>3</sup>; thus providing an important institutional layer of external scrutiny, albeit compliance with recommendations varies significantly<sup>4</sup>.

**The Inter-American Human Rights System (IAHRS).** At regional level, the IAHRS stands out as one of the most institutionalised human rights mechanisms worldwide<sup>5</sup>. Comprising the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, this system offers binding jurisdiction over states that have accepted its competence. Individuals and groups can petition these bodies directly, thus creating avenues for redress beyond domestic courts<sup>6</sup>. IAHRS jurisprudence has shaped constitutional interpretation and legislative reforms across the region, reinforcing protections for vulnerable groups and advancing standards on issues such as due process, freedom of expression and indigenous rights<sup>7</sup>.

<sup>1</sup> Author’s elaboration based on OHCHR, ‘[Status of Ratification: Interactive Dashboard](#)’, webpage, nd.

<sup>2</sup> For information on UPR performance by LAC country, see: UPR, ‘[UPR Database](#)’, webpage, nd.

<sup>3</sup> For list of standing invitations to UN Special Procedures, see: OHCHR, ‘[Standing Invitations](#)’, webpage, nd.

<sup>4</sup> V. Carraro, ‘[Promoting Compliance with Human Rights: The Performance of the United Nations’ Universal Periodic Review and Treaty Bodies](#)’, *International Studies Quarterly*, Vol 63, No 4, 2019, pp. 1079–1093; S. Shah and S. Sivakumaran, ‘[Complementing UN Human Rights Efforts Through Universal Periodic Review](#)’, *Journal of Human Rights Practice*, Vol 16, No 3, 2024, pp. 794–818.

<sup>5</sup> P. Engstrom, ‘[The Impact of the Inter-American Human Rights System beyond Latin America](#)’, in A. Von Bogdandy et al. (eds), *The Impact of the Inter-American Human Rights System: Transformations on the Ground*, Oxford University Press, Oxford, 2024.

<sup>6</sup> P. Engstrom and P. Low, ‘[Mobilising the Inter-American Human Rights System: Regional Litigation and Domestic Human Rights Impact in Latin America](#)’, in P. Engstrom (ed), *The Inter-American Human Rights System: Impact Beyond Compliance*, Palgrave Macmillan, New York, 2019.

<sup>7</sup> P. Saavedra Alessandri, ‘[A Broader Look at the Transformative Impact of the Inter-American Court of Human Rights’ Decisions](#)’, in A. von Bogdandy et al. (eds), *The Impact of the Inter-American Human Rights System: Transformations on the Ground*, Oxford University Press, Oxford, 2024.

**Domestic institutions and preventive mechanisms.** At national level, most LAC countries have established national human rights institutions (NHRIs), tasked with monitoring compliance, investigating violations, advising governments and promoting public awareness. These bodies are critical for translating international norms into domestic practice. However, their independence, resources and enforcement capacity vary widely, thus limiting their effectiveness in some contexts<sup>8</sup>. Complementing NHRIs are National Preventive Mechanisms created under the UN Optional Protocol to the Convention Against Torture<sup>9</sup>. National Preventive Mechanisms conduct regular, independent visits to places of detention – such as prisons, police stations and psychiatric facilities – to monitor conditions and issue recommendations aimed at preventing torture and ill-treatment<sup>10</sup>. While these mechanisms strengthen oversight, their operational capacity is uneven, with resource constraints and political interference undermining their preventive mandate in certain countries<sup>11</sup>.

**Specialised agencies and domestic constitutional incorporation.** Many governments maintain extensive human rights apparatuses, including ministries and agencies dedicated to gender equality, indigenous and Afro-descendant rights as well as child protection. Targeted programmes also exist for safeguarding human rights defenders and journalists, thus reflecting the recognition of systemic risks in these areas<sup>12</sup>. A distinctive feature of LAC is the constitutional incorporation of international human rights instruments, and in much of the region the monist design of constitutional systems grants these treaties constitutional status, enabling courts to apply international norms directly<sup>13</sup>. This trend is less pronounced in the Caribbean, where incorporation remains more limited. Nonetheless, in general terms domestic judiciaries across the region increasingly cite international and regional standards, adopting interpretative doctrines such as conventionality control, which obliges judges to align rulings with Inter-American jurisprudence<sup>14</sup>. These developments position domestic courts as central actors in advancing rights, though adoption varies across countries and judicial levels<sup>15</sup>.

**Persistent accountability gaps and the role of external mechanisms.** Despite the sophistication of these institutional frameworks, it is important to recognise that a persistent gap exists between formal commitments and practical enforcement. Institutional fragility, political interference and resource shortages often undermine accountability mechanisms, prompting reliance on external actors and *ad-hoc* arrangements during crises. For example, in recent years UN fact-finding missions in Venezuela and

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<sup>8</sup> T. Pegram, '[National Human Rights Institutions in Latin America: Politics and Institutionalization](#)', in R. Goodman and T. Pegram (eds), *Human Rights, State Compliance, and Social Change*, Cambridge University Press, Cambridge 2011.

<sup>9</sup> L. González Pinto, '[The United Nations Subcommittee on Prevention of Torture: The Effects of Preventive Action](#)', *Journal of Human Rights Practice*, Vol 14, No 1, 2022, pp. 134–159.

<sup>10</sup> R. Carver and L. Handley, '[Evaluating National Preventive Mechanisms: A Conceptual Model](#)', *Journal of Human Rights Practice*, Vol 12, No 2, 2020, pp. 387–408.

<sup>11</sup> P. Engstrom and T. Pegram, '[Torture Prevention in Latin America: Rights of Persons Deprived of Liberty and the Role of National Preventive Mechanisms](#)', in C. Burbano Herrera and Y. Haeck (eds), *Human Rights Behind Bars: Tracing Vulnerability in Prison Populations Across Continents from a Multidisciplinary Perspective*, Springer International Publishing, Cham, 2022.

<sup>12</sup> T. S. Mitchell, '[Human Rights, Impunity and Anti-Press Violence: How Journalists Survive and Resist](#)', Taylor & Francis, New York, 2025.

<sup>13</sup> A. von Bogdandy et al. (eds), '[The Impact of the Inter-American Human Rights System: Transformations on the Ground](#)', Oxford University Press, Oxford, 2024.

<sup>14</sup> E. Ferrer Mac-Gregor, '[Conventionality Control: The New Doctrine of the Inter-American Court of Human Rights](#)', *American Journal of International Law Unbound*, Vol 109, 2015, pp. 93–99; E. Gonzalez-Ocantos and W. Sandholtz, '[Constructing a Regional Human Rights Legal Order: The Inter-American Court, National Courts, and Judicial Dialogue, 1988–2014](#)', *International Journal of Constitutional Law*, Vol 19, No 5, 2021, pp. 1559–1596.

<sup>15</sup> A. A. Aguiar Aguilar, '[Courts and the Judicial Erosion of Democracy in Latin America](#)', *Politics & Policy*, Vol 51, No 1, 2023, pp. 7–25; D. M. Brinks, '["A Tale of Two Cities": The Judiciary and the Rule of Law in Latin America](#)', in P. Kingstone and D. J. Yashar (eds), *Routledge Handbook of Latin American Politics*, Routledge, New York, 2012.

Nicaragua, UN-sponsored anti-corruption commissions in Guatemala as well as Organization of American States initiatives in Honduras have all sought to address acute governance failures<sup>16</sup>. Similarly, the Inter-American Commission has played a pivotal role in cases such as the Ayotzinapa investigation in Mexico, underscoring how regional bodies frequently compensate for domestic shortcomings<sup>17</sup>. These *ad hoc* responses highlight the fragility of national accountability mechanisms and the structural challenges facing human rights protection in LAC. While international and regional mechanisms provide critical safeguards, their effectiveness depends on state cooperation, sustained political will and adequate resources; such conditions remain uneven across the region.

### 3 Overall human rights situation in LAC (2020–2025)

Identifying overarching human rights trends in LAC is analytically challenging due to the region's profound heterogeneity. Political, social and economic diversity produces wide variations in rights outcomes – across countries, between social groups and over time – making any attempt to construct a single, unified narrative inherently complex. For example, in Venezuela and Nicaragua, patterns of human rights violations are dominated by state repression, including restrictions on civil liberties and political persecution<sup>18</sup>. In Northern Central America and Mexico, as well as parts of the Caribbean, pervasive criminal violence and entrenched corruption represent the primary threats, undermining governance and eroding public trust<sup>19</sup>. Colombia's rights conditions remain deeply shaped by the enduring legacies of armed conflict, despite recent progress under the country's innovative transitional justice mechanisms<sup>20</sup>. In Argentina, socio-economic deterioration – exacerbated by government economic policies – has driven rising poverty and deprivation<sup>21</sup>. Meanwhile, Chile illustrates how electoral dynamics can empower political forces by advocating restrictive migration measures and security policies that risk rights abuses<sup>22</sup>.

Despite this variation, certain important commonalities stand out. With few exceptions, countries in the region have formally committed to international human rights standards, embedding these norms within their legal and institutional frameworks<sup>23</sup>. LAC states also share certain historical trajectories and face similar external pressures – economic volatility, geopolitical shifts and migration flows – that shape their approaches to rights protection. Moreover, most countries maintain at least minimally effective state institutions and competitive electoral systems, even though the quality of democracy varies considerably.

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<sup>16</sup> Open Society Justice Initiative, [Against the Odds: CICIG in Guatemala](#), 2016; A. M. Calderón Boy, 'The Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH) and Its New Integrated Criminal Investigation Model', in J. Pozsgai-Alvarez (ed), *The Politics of Anti-Corruption Agencies in Latin America*, Routledge, New York, 2021; A. Hudson and A. W. Taylor, 'The International Commission against Impunity in Guatemala: A New Model for International Criminal Justice Mechanisms', *Journal of International Criminal Justice*, Vol 8, No 1, 2010, pp. 53–74.

<sup>17</sup> M. Patrón et al., 'An Unprecedented Exercise of International Supervision: The Ayotzinapa Case and the Experience of the Interdisciplinary Group of Independent Experts (GIEI) in Mexico', *Sur - International Journal on Human Rights*, Vol 14, No 25, 2017, pp. 189–206; M. Velasco-Pufleau, 'The Ayotzinapa Case (Mexico) and the Role of the European Parliament as a Moral Tribune to Promote Human Rights Worldwide', *The International Journal of Human Rights*, Vol 28, No 5, 2024, pp. 713–737.

<sup>18</sup> IACHR, [Venezuela: Serious Human Rights Violations in Connection with the Elections](#), OEA/Ser.L/V/II, Doc. 253/24, 2025; IACHR, [Chapter IVB: Nicaragua Country Report, Annual Report](#), 2023.

<sup>19</sup> J. M. Cruz, 'Police Legitimacy and Hybrid Security Orders in Central America', *Social Forces*, Vol 100, No 4, 2022, pp. 1833–1855; G. Trejo and N. Skigin, 'Silencing the Press in Criminal Wars: Why the War on Drugs Turned Mexico into the World's Most Dangerous Country for Journalists', *Perspectives on Politics*, 2024, pp. 1–22.

<sup>20</sup> V. Roza Ángel and P. Ball, [Asesinatos de líderes sociales y defensores de derechos en Colombia: una estimación del universo - Actualización 2019 - 2023](#) [Assassinations of social leaders and human rights defenders in Colombia: an estimate of the universe - Update 2019 - 2023], 2024.

<sup>21</sup> Center for Legal and Social Studies, [Informe especial: Milei. 1 año](#) [Special report: Milei. 1 year], 10 December 2024.

<sup>22</sup> IACHR, 'IACHR Concerned About Migration Reforms That Restrict the Right to Asylum in Chile', Press Release, 7 May 2024.

<sup>23</sup> P. Engstrom, 'The Impact of the Inter-American Human Rights System beyond Latin America', in A. Von Bogdandy et al. (eds), *The Impact of the Inter-American Human Rights System: Transformations on the Ground*, Oxford University Press, Oxford, 2024.

As a result, human rights have significant political and institutional relevance across the LAC region, and their relative strength carries profound implications. In a context marked by deep inequalities and persistent state weaknesses, the potential impact of robust human rights enforcement would be transformative. Put differently, the stakes for implementing and sustaining human rights in LAC are exceptionally high, underscoring their central role in shaping the region's political and developmental trajectory.

Hence, understanding regional human rights patterns is crucial, while at the same time recognising often substantial country-specific differences. Overall, human rights across the region are under considerable pressure, situated within a context of heightened uncertainty and overlapping structural challenges. Despite these adverse conditions, there have been notable – albeit uneven – advances in protecting rights across countries and social groups. Recent human rights backlashes highlight the fragility of these gains, yet evidence of political and societal resilience endures.

### 3.1 Adverse regional human rights trends

The trajectory of human rights in LAC is clearly concerning. Authoritarianism is gaining ground, criminal governance is expanding and societies remain deeply unequal as well as violent. Economic growth is sluggish; poverty levels remain high and global conditions – marked by geopolitical uncertainty and economic volatility – offer little relief. Added to this complexity is the prevalence of hybrid regimes, states that are neither fully democratic nor fully authoritarian, creating governance environments that are unstable and prone to rights violations (see table 1 for a comparative overview of LAC governance indicators).

**Pandemic impacts and structural inequalities.** This period began with the profound COVID-19 pandemic impact<sup>24</sup>. The crisis infused existing inequalities and government responses, often deepening patterns of discrimination against politically marginalised and socially vulnerable groups, including women, children, Afro-descendants and indigenous communities<sup>25</sup>. The pandemic reversed progress in poverty reduction and exposed systemic gaps in education, healthcare and social protection<sup>26</sup>. However, it is important to recognise that these disparities were not created by the pandemic; they were long-standing structural weaknesses that the crisis effectively revealed and exacerbated.

**Political dynamics since 2020.** Political developments since 2020 have been marked by considerable variation. Regular democratic elections continue to provide citizens with opportunities for accountability, yet widespread protests and social unrest reveal deep dissatisfaction with governance systems<sup>27</sup>. Persistently low economic growth, stagnant labour markets and entrenched socio-economic inequalities have fuelled perceptions that democracies are failing to deliver. This discontent intersects with the enduring 'hybrid' character of LAC states<sup>28</sup>. While state capacity has expanded in some respects – for

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<sup>24</sup> Economic Commission for Latin America and the Caribbean (ECLAC), [The Sociodemographic Impacts of the COVID-19 Pandemic in Latin America and the Caribbean](#), LC/CRPD.4/3, 2022.

<sup>25</sup> UNDP, [Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean](#), 16 September 2025.

<sup>26</sup> O. Kaplan et al., 'How Covid Changed Latin America', *Journal of Democracy*, Vol 36, No 1, 2025, pp. 109–122.

<sup>27</sup> CLAD and UNDP, [Estado, Democracia y Desigualdades en América Latina y el Caribe](#) [State, Democracy and Inequalities in Latin America and the Caribbean], 26 February 2025.

<sup>28</sup> S. Mainwaring and A. Pérez-Liñán, 'Why Latin America's Democracies Are Stuck', *Journal of Democracy*, Vol 34, No 1, 2023, pp. 156–170; R. Duarte Villa et al., [Violent Nonstate Actors and the Emergence of Hybrid Governance in South America](#), *Latin American Research Review*, Vol 56, No 1, 2021, pp. 36–49.

instance, tax revenues rose by 40 % between 1990 and 2020, enabling increased social spending<sup>29</sup> – bureaucracies remain plagued by inefficiency, corruption and elite capture<sup>30</sup>. Innovations such as conditional cash transfers and participatory budgeting continue to be developed, yet improvements in human welfare remain limited<sup>31</sup>. More specifically, although access to education has broadened, the quality of schooling is often poor. Furthermore, even countries with comparatively strong health systems, such as Brazil, struggled to manage the pandemic effectively<sup>32</sup>. These shortcomings have eroded confidence in democracy and discredited establishment parties, fuelling widespread discontent.

**Authoritarianism, organised crime and rule-of-law fragility.** Rising authoritarianism and organised criminality have deepened political challenges, destabilising already fragile institutions and undermining the rule of law<sup>33</sup>. Widespread insecurity, entrenched corruption and pervasive impunity have enabled criminal networks to infiltrate governance structures, particularly at local levels, as seen in Honduras, Ecuador and Mexico<sup>34</sup>. Severe human rights violations – including extrajudicial killings and enforced disappearances – are widespread in these contexts<sup>35</sup>. These dynamics have strengthened popular support for authoritarian leaders – including, alarmingly, among the youth<sup>36</sup> – amid a broader democratic decline. According to recent Latinobarómetro surveys, trust in democratic institutions is declining, while support for authoritarian governance is rising<sup>37</sup>. Government responses to escalating violence and public demands for security have often eroded legal safeguards<sup>38</sup>. Militarised policing and emergency measures have led to arbitrary detentions, torture, ill-treatment and enforced disappearances<sup>39</sup>. El Salvador offers a stark illustration of these dynamics with mass arrests under emergency powers leading to widespread violations of due process and fundamental rights<sup>40</sup>. Violence also targets activists and civil society organisations

<sup>29</sup> S. Mainwaring and A. Pérez-Liñán, '[Why Latin America's Democracies Are Stuck](#)', *Journal of Democracy*, Vol 34, No 1, 2023, pp. 156-170.

<sup>30</sup> J. Behrend and L. Whitehead (eds), [Mounting Pressures on the Rule of Law: Governability for Development and Democracy in Latin America](#), Routledge, New York, 2025.

<sup>31</sup> S. Legard and B. Goldfrank, '[The Systemic Turn and Participatory Budgeting: The Case of Rio Grande Do Sul](#)', *Journal of Latin American Studies*, Vol 53, No 1, 2021, pp. 161-187; M. Stampini et al., '[Cash Transfers, Poverty and Inequality in Latin America and the Caribbean](#)', *Oxford Open Economics* Vol 4, No Suppl 1, 2025, i481-i509.

<sup>32</sup> ECLAC, '[The Sociodemographic Impacts of the COVID-19 Pandemic in Latin America and the Caribbean](#)', LC/CRPD.4/3, 2022; M. A. Cameron et al., '[A Tale of Two Crashes: Pandemic Politics in Brazil and Peru](#)', *Latin American Perspectives*, Vol 50, No 4, 2023, pp. 248-267.

<sup>33</sup> J. Corrales and W. Freeman, '[How Organized Crime Threatens Latin America](#)', *Journal of Democracy*, 35, No 4, 2024, pp. 149-161.

<sup>34</sup> P. M. Bisca et al., '[Violent Crime and Insecurity in Latin America and the Caribbean – A Macroeconomic Perspective](#)', *International Monetary Fund*, 2024.

<sup>35</sup> Amnesty International, '[Ecuador: It Was the Military. I Saw Them: Enforced Disappearances in Ecuador at the Hands of the Armed Forces](#)', 23 September 2025; L. Guercke, [Failure of the State: Organised Crime and Mexico's Disappeared](#), Springer, Cham, 2025; OHCHR, '[Visit to Honduras – Report of the Working Group on Enforced or Involuntary Disappearances](#)', A/HRC/54/22/Add.2, 9 August 2023.

<sup>36</sup> N. Lupu, '[The Kids Are Alright: Political Generations, Authoritarian Legacies, and Democratic Attitudes in Latin America](#)', in M. V. Murillo and G. Kessler (eds), *The Social Underpinnings of Political Discontent in Latin America*, Cambridge University Press, Cambridge, 2026.

<sup>37</sup> Available at [Latinobarómetro](#), website.

<sup>38</sup> K. Ansolabehere et al. (eds), [Disappearances in the Post-Transition Era in Latin America](#), Oxford University Press, Oxford, 2021.

<sup>39</sup> G. A. Flores-Macías, '[The Consequences of Militarizing Anti-Drug Efforts for State Capacity in Latin America: Evidence from Mexico](#)', *Comparative Politics*, Vol 51, No 1, 2018, pp.1-20; G. A. Flores-Macías and J. Zarkin, '[The Militarization of Law Enforcement: Evidence from Latin America](#)', *Perspectives on Politics*, Vol 19, No 2, 2021, pp. 519-538.

<sup>40</sup> J. Pappier, '["We Can Arrest Anyone We Want": Widespread Human Rights Violations Under El Salvador's "State of Emergency"](#)', *Human Rights Watch and Cristosal*, 2022; S. C. Bishop and M. Gellman, '[Hidden in Plain Sight: The In/Visibility of Human Rights in El Salvador's Prisons Under the State of Exception](#)', *Latin American Research Review*, 2025, pp. 1-19.

through killings, harassment<sup>41</sup> and newer forms of repression such as digital surveillance<sup>42</sup>. Civic space has shrunk dramatically in Nicaragua, Venezuela and El Salvador<sup>43</sup>. Large protest movements in Argentina, Chile and Colombia have faced state repression, underscoring the fragility of democratic guarantees<sup>44</sup>. Mexico's recent judicial elections, intended to address systemic dysfunction, exemplify the region's institutional volatility, offering little evidence of delivering effective or legitimate solutions<sup>45</sup>.

**Persistent inequality, structural violence and migration.** LAC remains marked by persistent inequality and structural violence, with gender-based and other forms of violence disproportionately affecting marginalised groups, including indigenous and Afro-descendant populations<sup>46</sup>. While there has been progress – such as advances in reproductive rights in Argentina and expanding LGBTIQ+ protection<sup>47</sup> – discriminatory violence and backlashes continue<sup>48</sup>. Conflicts over extractivism and indigenous rights further exacerbate tensions, often resulting in violent confrontations and rights abuses<sup>49</sup>. High levels of insecurity, limited socio-economic opportunities and political repression have also driven unprecedented migration flows, raising urgent concerns about refugee protection and the rights of displaced persons<sup>50</sup>. This migration crisis spans Venezuela, Central America, Mexico, Cuba and Haiti, with significant impacts on receiving countries such as Colombia, Peru, Argentina and Chile, where migrants often face additional vulnerabilities, including discrimination and lack of access to basic services<sup>51</sup>.

**Regional patterns and shared drivers.** Overall, the region demonstrates a pronounced trend of deterioration, most evident in countries such as Argentina, Cuba, Ecuador, El Salvador, Haiti, Nicaragua and Venezuela. Although these patterns of decline stem from different underlying factors, a number of common challenges persist, such as deep inequality and violence, low economic growth and productivity,

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<sup>41</sup> Comisión Interamericana de Derechos Humanos, [Tercer Informe: Situación de Personas Defensoras de Derechos Humanos En Las Américas](#), [Third report: Situation of human rights defenders in the Americas], 2025.

<sup>42</sup> M. Meyer and C. Welch, [Curtailing Civic Space: Tightening Restrictions on Civil Society in the Americas](#), WOLA, June 2025; OECD, [Reinforcing Civic Space in Latin America and the Caribbean](#), *OECD Public Governance Policy Papers*, 6 March 2025.

<sup>43</sup> M. Meyer and C. Welch, [Curtailing Civic Space: Tightening Restrictions on Civil Society in the Americas](#), WOLA, June 2025.

<sup>44</sup> International Crisis Group, [The Pandemic Strikes: Responding to Colombia's Mass Protests](#), 2 July 2021; M. D. Bonner and L. Dammert, [Constructing Police Legitimacy during Protests: Frames and Consequences for Human Rights](#), *Policing and Society*, Vol 32, No 5, 2022, pp. 629–645; Center for Legal and Social Studies, [Bala y cárcel. Criminalización de manifestantes y restricción de libertades democráticas en Argentina](#) [Bullets and jail. Criminalisation of protesters and restriction of democratic freedoms in Argentina], 10 July 2024.

<sup>45</sup> IACHR, [IACHR Expresses Concerns over Judiciary Reform in Mexico and Warns of Threats to Judicial Independence, Access to Justice, and Rule of Law](#), Press Release, 12 September 2024; Human Rights Watch, [Mexico: Electoral Process Undermines Judicial Independence](#), 1 September 2025.

<sup>46</sup> Organization of American States, [Gender-Based Violence Against Afro-Descendant Women in Latin America](#), MESECVI/CEVI/doc.294/24, 24 January 2025.

<sup>47</sup> C. Fernández Anderson, [Legalising Abortion in Argentina: Social Movements and Multi-Party Coalitions](#), *Journal of Politics in Latin America*, Vol 14, No 2, 2022, pp. 143–165; J. Díez and A. Ruibal, [The Decriminalization of Abortion in Latin America: A Tale of Gradual Judicialization](#), *PS: Political Science & Politics*, Vol 58, No 1, 2025, pp. 48–51.

<sup>48</sup> J. Corrales, [The Expansion of LGBT Rights in Latin America and the Backlash](#), in M. J. Bosia et al. (eds), *The Oxford Handbook of Global LGBT and Sexual Diversity Politics*, Oxford University Press, Oxford, 2019; S. Botero et al., [The Limits of Judicialization: From Progress to Backlash in Latin America](#), Cambridge University Press, Cambridge, 2022; Human Rights Watch, ["Why Do They Want to Make Me Suffer Again": The Impact of Abortion Prosecutions in Ecuador](#), 14 July 2021.

<sup>49</sup> P. Engstrom and E. Perez, [Confronting Extractivism: The Inter-American Human Rights System and Indigenous Rights in Latin America](#), in J. Behrend and L. Whitehead (eds), *Mounting Pressures on the Rule of Law*, Routledge, New York, 2025.

<sup>50</sup> D. Chaves-González et al., [Rising Migration in Latin America and the Caribbean Has Ushered in a Volatile New Era](#), *Migration Policy Institute*, 2 October 2025.

<sup>51</sup> S. Cecchini and J. Martínez Pizarro, [International Migration in Latin America and the Caribbean: A Development and Rights Perspective](#), *Economic Commission for Latin America and the Caribbean*, Review No 141, 2023, pp. 215–230; M. Luzes et al., [Beyond Borders: Stigmas and Challenges in the Integration of Women Migrants in Latin America and the Caribbean](#), *Inter-American Development Bank*, 2024.

high poverty levels affecting nearly one-third of the population<sup>52</sup> and widespread corruption. Shared drivers of regression include political discontent, structural inequalities impacting marginalised groups, organised crime and associated violence, backlashes against rights gains, extractivist economic models and governance fragilities – all in turn compounded by increasingly unfavourable global conditions. Yet, as Table 1 illustrates, these dynamics vary significantly across countries, underscoring the regional landscape’s complexity and the need for nuanced, context-specific analysis.

**Table 1:** Governance indicators in LAC<sup>53</sup>

Country	Population (2024)	GDP pc growth (% , 2024)	Homicide rate (2023)	Control of Corruption (2023)	Gov. Effectiveness (2023)	Rule of Law (2023)
Antigua and Barbuda	93,772	3.2%	10.7	62	64	60
Argentina	45,696,159	-1.7%	4.5	42	36	38
Bahamas	401,283	2.9%	32.2	88	62	56
Barbados	282,467	2.4%	7.4	90	64	62
Belize	417,072	2.0%	28.1	48	37	28
Bolivia	12,413,315	-2.5%	4.4	22	29	12
Brazil	211,998,573	3.0%	19.3	34	32	42
Chile	19,764,771	2.1%	6.3	81	76	71
Colombia	52,886,363	0.5%	24.9	45	48	36
Costa Rica	5,129,910	3.8%	17.7	73	61	60
Cuba	10,979,783	-0.7%	4.5	52	33	36
Dominica	66,205	2.5%	27.1	67	61	71
Dominican Rep.	11,427,557	4.1%	10.9	38	57	48
Ecuador	18,135,478	-2.8%	45.7	28	33	19
El Salvador	6,338,193	2.1%	7.9	32	54	39
Grenada	117,207	3.9%	13.7	68	51	69
Guatemala	18,406,359	2.1%	23.4	14	18	16
Guyana	831,087	43.0%	19.1	41	40	41
Haiti	11,772,557	-5.3%	41.2	6	1	8
Honduras	10,825,703	1.8%	31.4	15	23	15
Jamaica	2,839,175	-0.5%	49.4	51	66	45
Mexico	130,861,007	0.6%	24.9	17	43	24
Nicaragua	6,916,140	2.2%	11.3	7	13	9
Panama	4,515,577	1.5%	11.7	28	43	40
Paraguay	6,929,153	3.0%	6.8	16	34	29
Peru	34,217,848	2.2%	8.6	25	33	30
St. Kitts and Nevis	46,843	0.1%	64.2	65	64	66
St. Lucia	179,744	3.6%	39.0	67	56	70
St. Vincent and the Grenadines	100,616	4.8%	51.3	76	56	68
Suriname	634,431	0.8%	6.5	39	16	52
Trinidad and Tobago	1,368,333	2.4%	40.4	41	50	42
Uruguay	3,386,588	3.2%	11.2	92	79	76
Venezuela	28,405,543	4.9%	12.6	1	6	0

<sup>52</sup> J. Chang et al., [Ten Findings about Poverty in Latin America and the Caribbean](#), *Inter-American Development Bank*, November 2024.

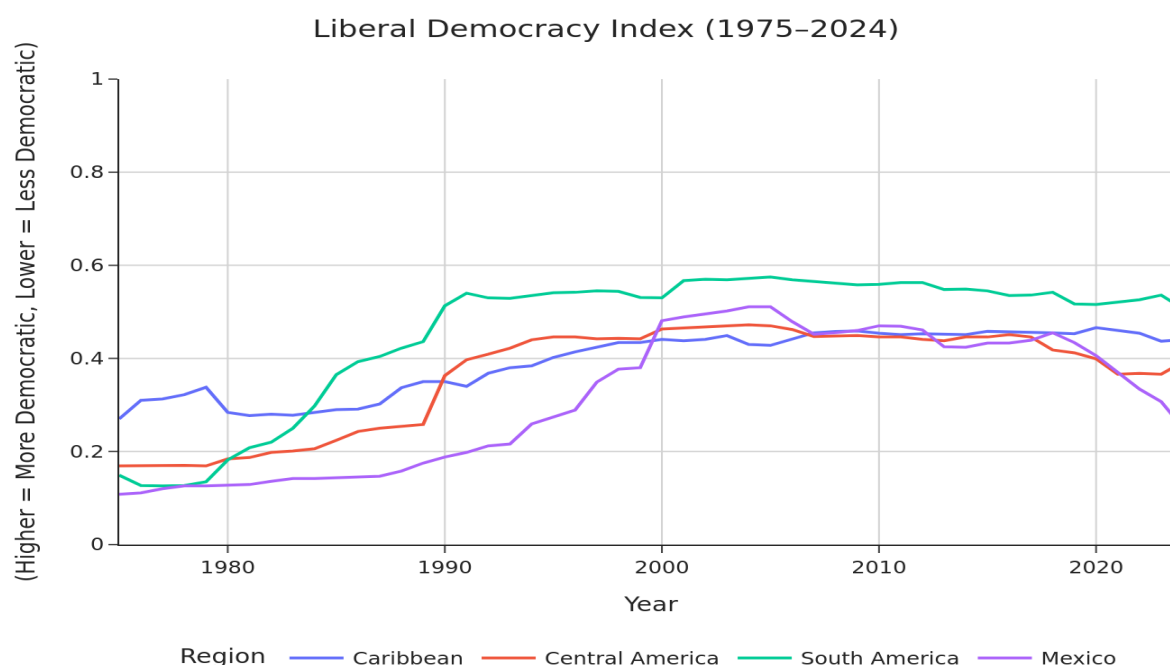
<sup>53</sup> Author’s own elaboration. Data years and sources from World Bank Group, [‘Data Bank – World Development Indicators’](#), webpage, nd.

## 3.2 Resilience amidst adversity

While recent trends in LAC undeniably paint a bleak picture, resilience persists as a fundamental characteristic shaping outcomes in the region<sup>54</sup>. Citizens continue to vote, demand accountability and mobilise for rights. State capacity and ‘reform-mindedness’ remain present, and many human rights gains have proved remarkably resilient, resisting reversal even under adverse conditions. These dynamics underscore that, despite setbacks, democracy and rights protections remain contested but enduring features of regional governance.

**Electoral accountability and democratic spaces.** Despite mounting challenges, elections across LAC remain consequential. They provide mechanisms for accountability and enable regular alternation of governments, even in contexts of political turbulence. While legitimacy is under strain and authoritarian actors are gaining political momentum, the potential for democratic strengthening persists. Even limited democracies create spaces for actors to strengthen institutions and counter authoritarian influences. Moreover, situating current developments within a broader historical perspective is crucial. Over time, LAC has navigated different political cycles, with its democracies consolidating electoral institutions and securing meaningful progress along the way. For example, V-Dem’s Liberal Democracy Index indicates that the long-term trajectory of democracy in LAC is one of general strengthening and improvement (Figure 2). Given the recent downward trend in democracy – albeit unevenly manifested across the region – recalling these achievements is vital<sup>55</sup>.

**Figure 2:** V-DEM Liberal Democracy Scores for LAC, 1974–2024<sup>56</sup>



**Civil society and accountability dynamics.** Active civil societies together with functioning checks and balances in many countries offer additional safeguards against democratic backsliding. Citizens continue

<sup>54</sup> See Corporación Latinobarómetro, [Informe Latinobarómetro 2024: La Democracia Resiliente](#) [Latinobarometer Report 2024: Resilient Democracy], 1 May 2025.

<sup>55</sup> S. Mainwaring, ‘[The Third Wave’s Lessons for Democracy](#)’, *Journal of Democracy*, Vol 36, No 2, 2025, pp. 144–158.

<sup>56</sup> Author’s own elaboration. Data source: [Varieties of Democracy \(V-Dem\)](#), website, nd.

to demand human rights and better governance, while local communities mobilise to defend rights and influence policy. These efforts form what can be described as ‘accountability mosaics’ – networks of institutions and actors pushing for human rights and the rule of law<sup>57</sup>. Public demand for accountable governance remains strong: significant majorities still support democracy as the preferred form of government and sustained social mobilisation demonstrates broad-based backing for more transparent governance and stronger rights protections<sup>58</sup>.

**State capacity and policy innovations.** State capacity and public policy choices have played a pivotal role in shaping democratic dynamics. Notable innovations at the local level – such as community councils, participatory budgeting and active civic engagement – have strengthened governance, improved service delivery and demonstrated that democracy in the region is not only intrinsically valuable but also instrumental for progress. Over the past three decades, despite the COVID-19 pandemic’s severe impact, LAC achieved significant gains in human development. According to the United Nations Economic Commission for Latin America and the Caribbean, poverty fell sharply between 1990 and 2014, dropping from 51.2 % to 27.7 %. Although this downturn stalled as the region’s second ‘lost decade’<sup>59</sup> began and then reversed during the pandemic to 32.8 % in 2020, poverty subsequently declined to 28.8 % in 2022 and 27.3 % in 2023, the lowest level recorded since comparable data became available<sup>60</sup>. These advances were driven not only by periods of economic growth but also by public policy decisions, including expanded social investment often shaped by electoral accountability. In other words, accountable policymaking matters, albeit its quality remains uneven across the region’s countries.

**Institutional infrastructure and human rights gains.** The LAC region benefits from a sophisticated infrastructure of accountability mechanisms, including a robust regional human rights system<sup>61</sup>, extensive networks of NHRIs and vibrant civil society organisations. Despite largely negative trends in human rights and democracy, important progress has been achieved in some areas. For instance, Colombia’s transitional justice system, created under the 2016 peace accords, has issued its first rulings, marking a significant step toward accountability for violations committed during the country’s protracted armed conflict. Additionally, notable legal and institutional reforms have advanced reproductive rights, sexual orientation rights and established independent bodies to monitor detention facilities in various countries<sup>62</sup>. These developments demonstrate that while rights reversals are real, many human rights gains are resilient. Decades of democratic experience have consolidated a political culture rooted in citizens’ rights and persistent demands for effective governance<sup>63</sup>. Progress may appear slow and uneven, but the evidence of political and social resilience is strong. Rights remain under pressure, yet they continue to shape public discourse and policy agendas across the region.

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<sup>57</sup> P. Engstrom, ‘Latest developments in core regional and national human rights accountability mechanisms in Latin America and the Caribbean. What are the best ways for the EU to engage?’, *Directorate-General of External Policies of the Union, European Parliament*, 2026 (Forthcoming).

<sup>58</sup> C. Gao et al., [Who Perceives Insufficient Human Rights Protections in the Americas?](#), USAID, Vanderbilt, LAPOP and AmericasBarometer, Insights, Series No 141, 17 July 2019.

<sup>59</sup> J. A. Ocampo, [‘Can Latin America Escape Its Second Lost Decade?’](#) Project Syndicate, 3 January 2024.

<sup>60</sup> ECLAC, [Social Panorama of Latin America and the Caribbean, 2024: The Challenges of Non-Contributory Social Protection in Advancing towards Inclusive Social Development](#), 31 December 2024.

<sup>61</sup> P. Engstrom, [‘The Impact of the Inter-American Human Rights System beyond Latin America’](#), in A. Von Bogdandy et al. (eds), *The Impact of the Inter-American Human Rights System: Transformations on the Ground*, Oxford University Press, Oxford, 2024.

<sup>62</sup> P. Engstrom and T. Pegram, [‘Torture Prevention in Latin America: Rights of Persons Deprived of Liberty and the Role of National Preventive Mechanisms’](#), in C. Burbano Herrera and Y. Haeck (eds), *Human Rights Behind Bars: Tracing Vulnerability in Prison Populations Across Continents from a Multidisciplinary Perspective*, Springer International Publishing, Cham, 2022.

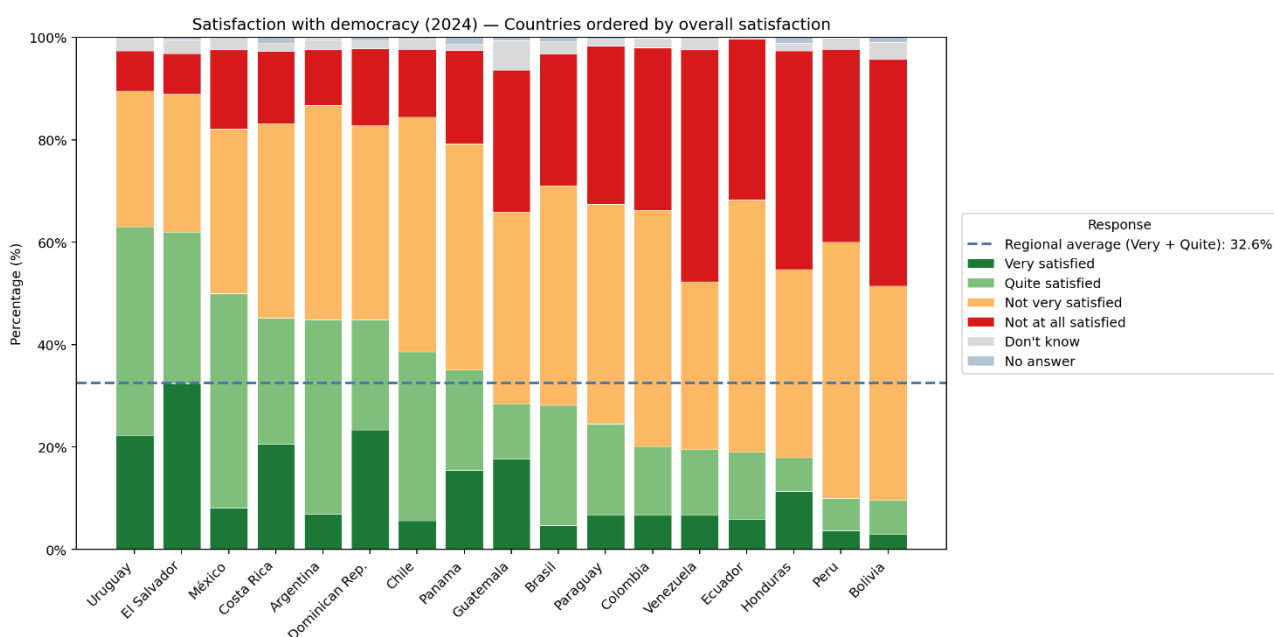
<sup>63</sup> See, for example, N. Lupu et al., [Pulse of Democracy](#), USAID, Vanderbilt, LAPOP and AmericasBarometer, 27 November 2023.

## 4 Major human rights challenges and developments

### 4.1 Democracy and civic space under pressure

Since 2020, political developments in LAC have been marked by sharp contrasts. Regular democratic elections continue to provide citizens with opportunities to hold leaders accountable, yet these coexist with widespread protests and social unrest<sup>64</sup>. Dissatisfaction with democracy has grown significantly: support for democracy declined from 60 % in 2000 to 52 % in 2024<sup>65</sup>, while 65 % of citizens express dissatisfaction with democratic performance and a concerning 41 % are open to authoritarian alternatives<sup>66</sup>. These figures underscore a profound legitimacy crisis; however, the level of dissatisfaction varies across countries in the region, as shown in Figure 3.

**Figure 3:** Satisfaction with Democracy in Latin America (2024)<sup>67</sup>



**Drivers of democratic decline.** Public discontent with democratic governance is rooted in material conditions and governance quality. Weak economic growth, persistent inequality, corruption and poor institutional performance have eroded trust. Satisfaction is lowest among highly educated groups and in countries with weak economies<sup>68</sup>, where expectations of democratic delivery remain unmet. While most citizens still view democracy as the best system, confidence in its ability to solve essential problems is waning. Support rises when institutions are perceived as fair and effective but collapses in contexts of widespread corruption and elite capture<sup>69</sup>.

<sup>64</sup> CLAD and UNDP, [Estado, Democracia y Desigualdades en América Latina y el Caribe](#) [State, Democracy and Inequalities in Latin America and the Caribbean], 26 February 2025.

<sup>65</sup> M. Muschett, [‘Revamping Democracy: from unfulfilled promises to resilient human development’](#), UNDP, 15 September 2025.

<sup>66</sup> M. Muschett, [‘Revamping Democracy: from unfulfilled promises to resilient human development’](#), UNDP, 15 September 2025.

<sup>67</sup> Author’s elaboration based on Latinobarómetro, [‘Latinobarómetro 2024: Data & Documentation’](#), webpage, nd.

<sup>68</sup> M. M. Singer, [‘Fiddling While Democracy Burns: Partisan Reactions to Weak Democracy in Latin America’](#), *Perspectives on Politics*, Vol 21, No 1, 2023, pp. 9–26.

<sup>69</sup> M. M. Singer, [‘Fiddling While Democracy Burns: Partisan Reactions to Weak Democracy in Latin America’](#), *Perspectives on Politics*, Vol 21, No 1, 2023, pp. 9–26.

**Authoritarian drift and institutional erosion.** Electoral democracy across the region is weaker than it has been for decades<sup>70</sup>. Venezuela, Nicaragua and Cuba now exhibit fully consolidated authoritarian regimes<sup>71</sup>, while El Salvador demonstrates clear democratic backsliding. The greatest threats to democracy increasingly come from within: elected leaders concentrate power, undermine checks and balances and restrict opposition rights. Rather than coups, democratic breakdowns occur through incremental erosion, judicial interference, manipulation of electoral rules and restrictive legislation<sup>72</sup>.

**Shrinking civic space and repression.** Civic space is contracting in many places across LAC. Human rights defenders, journalists and activists face escalating harassment, surveillance and lethal violence; this affects particularly women, indigenous peoples, Afro-descendants and environmental defenders<sup>73</sup>. In Brazil's Amazon, killings linked to illicit economies such as industrial deforestation illustrate the decentralised yet systematic nature of repression, sustained by criminal-political networks that impose extra-legal governance and violently retaliate against resistance<sup>74</sup>. Governments have largely failed to protect human rights defenders and, in some cases, have intensified restrictions on civil society. Recent bills in Paraguay and Venezuela increase state control over non-governmental organisations, enabling arbitrary closures and criminal proceedings, with similar proposals in Peru<sup>75</sup>. Digital surveillance compounds these risks<sup>76</sup>. Reports from Argentina<sup>77</sup> and Chile<sup>78</sup>, for example, indicate mass facial-recognition monitoring, while Colombia has faced controversy over the alleged purchase of Pegasus spyware in 2021<sup>79</sup>.

**Media freedom and protest rights under pressure.** According to many reports, freedom of expression is subject to mounting pressures across the region<sup>80</sup>. Journalists face harassment, criminalisation and killings<sup>81</sup> – most notably in Mexico<sup>82</sup> and Colombia – while media outlets are stigmatised and targeted, as seen in Nicaragua<sup>83</sup>. In its 2025 Press Freedom Index, Reporters Without Borders highlights the severe challenges facing press freedom in many Latin American countries, while noting a comparatively more open environment for media workers in Caribbean countries such as Trinidad and Tobago as well as Jamaica (see Figure 4). Protest repression remains widespread with law enforcement agencies obstructing and violently

<sup>70</sup> S. Mainwaring and A. Pérez-Liñán, '[Why Latin America's Democracies Are Stuck](#)', *Journal of Democracy*, Vol 34, No 1, 2023, pp. 156-170.

<sup>71</sup> S. Mainwaring and A. Pérez-Liñán, '[Why Latin America's Democracies Are Stuck](#)', *Journal of Democracy*, Vol 34, No 1, 2023, pp. 156-170.

<sup>72</sup> M. M. Singer, '[Fiddling While Democracy Burns: Partisan Reactions to Weak Democracy in Latin America](#)', *Perspectives on Politics*, Vol 21, No 1, 2023, pp. 9-26.

<sup>73</sup> Comisión Interamericana de Derechos Humanos, '[Tercer Informe: Situación de Personas Defensoras de Derechos Humanos En Las Américas](#)' [Third report: Situation of human rights defenders in the Americas], 2025.

<sup>74</sup> J. Albarracín et al., '[Violence against Civil Society Actors in Democracies: Territorialization of Criminal Economies and the Assassination of Social Activists in Brazil](#)', *Journal of Peace Research*, Vol 62, No 5, 2025, pp. 1411-1427.

<sup>75</sup> Amnesty International, '[Americas Regional Overview](#)', webpage, 2024.

<sup>76</sup> R. A. Wilson, '[Digital Authoritarianism and The Global Assault on Human Rights](#)', *Human Rights Quarterly*, Vol 44, No 4, 2022, pp. 704-739.

<sup>77</sup> C. Caeiro, '[Regulating Facial Recognition in Latin America: Policy Lessons from Police Surveillance in Buenos Aires and São Paulo](#)', *Chatham House*, 2022.

<sup>78</sup> M. Badillo, '[Navigating the Complexities of Facial Recognition for Public Security in Latin America](#)', *International Bar Association*, 9 May 2023.

<sup>79</sup> P. Vaca Villarreal, '[The Impact of Digital Surveillance on Freedom of Expression in the Americas](#)', *IACHR and Office of the Special Rapporteur for Freedom of Expression*, 2025; Amnesty International, '[Americas Regional Overview](#)', webpage, 2024.

<sup>80</sup> P. Vaca Villarreal, '[Exile of Journalists and Freedom of Expression](#)', *IACHR and Office of the Special Rapporteur for Freedom of Expression*, OEA/Ser.L/V/II CIDH/RELE/INF.30/25, 15 April 2025.

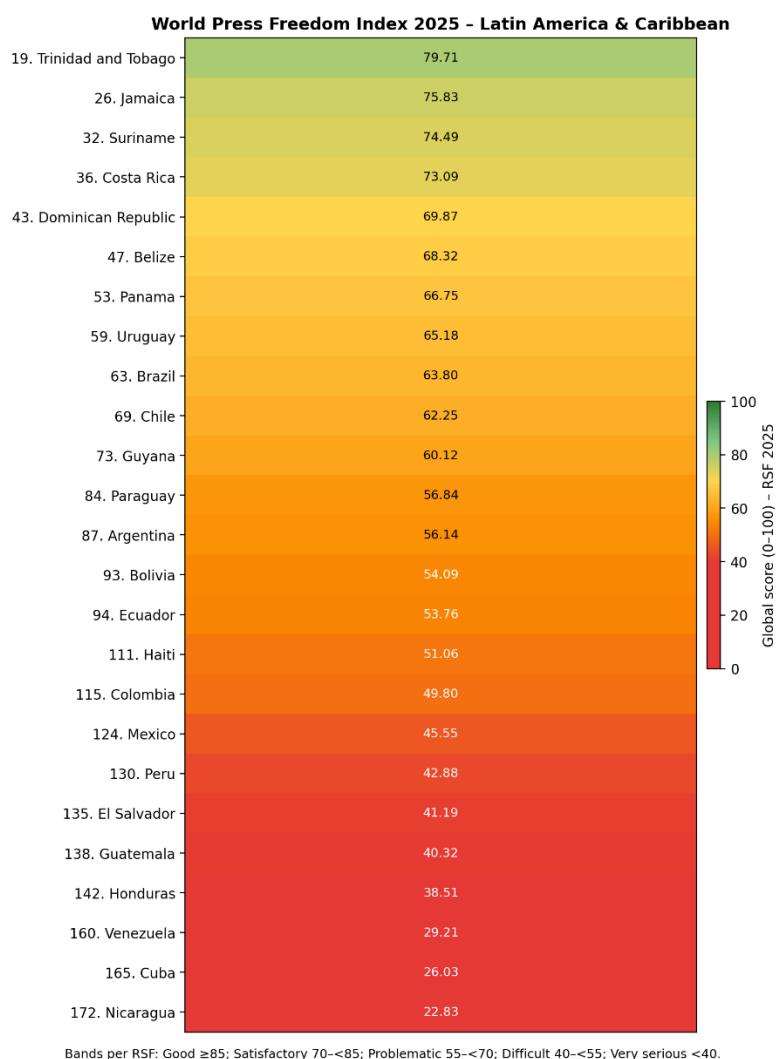
<sup>81</sup> T. S. Mitchell, '[Human Rights, Impunity and Anti-Press Violence: How Journalists Survive and Resist](#)', Taylor & Francis, New York, 2025.

<sup>82</sup> C. Dorff et al., '[Does Violence Against Journalists Deter Detailed Reporting? Evidence From Mexico](#)', *Journal of Conflict Resolution*, Vol 67, No 6, 2023, pp. 1218-1247.

<sup>83</sup> Human Rights Watch, '[Critics Under Attack: Harassment and Detention of Opponents, Rights Defenders, and Journalists Ahead of Elections in Nicaragua](#)', 22 June 2021.

dispersing demonstrations in Argentina, Colombia, Cuba, Mexico and Venezuela<sup>84</sup>. New restrictive regulations on assembly rights in Argentina, Nicaragua and Peru signal further deterioration of civic space<sup>85</sup>.

**Figure 4: Press Freedom Index in LAC, 2025<sup>86</sup>**



**Signs of resilience.** Despite these challenges, democratic resilience persists. Regular alternation of governments continues and local innovations – such as participatory budgeting and community councils – can strengthen governance at grassroots level<sup>87</sup>. Public opinion still favours democracy as the preferred system, even amid growing pressures, underscoring an enduring commitment to democratic principles. These dynamics suggest that, although democracy in LAC is under considerable pressure, it continues to function as a contested set of institutions with an inherent and lasting capacity for political and social renewal.

<sup>84</sup> International Crisis Group, [The Pandemic Strikes: Responding to Colombia’s Mass Protests](#), 2 July 2021.

<sup>85</sup> G. R. Klein et al., [‘The Nicaragua Protest Crisis in 2018–2019: Assessing the Logic of Government Responses to Protests’](#), *Journal of Politics in Latin America*, Vol 14, No 1, 2021, pp. 55–83.

<sup>86</sup> Author’s elaboration based on Reporters Without Borders, [‘Media Freedom Index’](#), webpage, nd.

<sup>87</sup> M. Ardanaz et al., [‘Does Information about Citizen Participation Initiatives Increase Political Trust?’](#), *World Development*, Vol 162, 2023; B. Goldfrank et al., [‘“More” or “Better” Institutionalization? Lessons From Latin American Institutions of Citizen Participation’](#), *Politics and Governance*, Vol 14, 2026.

## 4.2 Public security, violence, crime and the rule of law

LAC remains one of the most violent regions globally, with high homicide rates and expanding organised crime posing severe risks to democratic stability and human rights. While public commitment to democratic norms persists, this support is fragile and increasingly threatened by punitive security approaches that often exacerbate violence rather than reduce it.

**Scale and distribution of violence.** Although the region only has 9 % of the global population, it accounts for nearly 33 % of all homicides worldwide<sup>88</sup>. In 2024, the Igarapé Institute's Homicide Monitor reported that eight of the ten countries with the highest global homicide rates were in LAC (Haiti, Trinidad and Tobago, Saint Lucia, Jamaica, Ecuador, The Bahamas, Venezuela and Honduras)<sup>89</sup>. At city level, 12 of the top 13 most violent cities in the world are in LAC<sup>90</sup>. Beyond homicide, crime victimisation is widespread: roughly one-third of the region's population (200 million people) experiences crime annually<sup>91</sup>. Violence is unevenly distributed, though. In 2023, homicide rates exceeded 30 per 100 000 in a number of Caribbean nations (Jamaica, Trinidad and Tobago, Saint Lucia and Haiti), while remaining below 10 per 100 000 in Chile and Peru. Brazil, Colombia and Mexico – home to 60 % of the region's population – account for about 70 % of all homicides, albeit trends also vary sharply. Colombia saw major improvements between 2001 and 2020, while Ecuador is currently facing an unprecedented surge in lethal violence driven by drug-trafficking competition<sup>92</sup>. In El Salvador, although figures remain disputed amid the government's security crackdown – marked by widespread human rights violations<sup>93</sup> – the official homicide rate has reportedly fallen from over 100 per 100 000 in 2015 to fewer than 10 per 100 000 in 2022<sup>94</sup>. More generally in LAC, violence is highly localised, with 50 % of crime occurring in just 2.5 % of street space<sup>95</sup>.

**Organised crime and risks of state capture.** Criminal groups and gangs are responsible for roughly 50 % of homicides in LAC, twice the global average<sup>96</sup>. These networks dominate illicit markets, including drug trafficking, illegal gold mining, logging and wildlife trafficking in the Amazon basin. Such activities converge with corruption, extortion, fraud and sexual violence, often penetrating state institutions and corrupting public officials, some at high levels, creating forms of state capture at different governance levels<sup>97</sup>. In the Caribbean, rising homicide rates reflect gang proliferation and widespread firearm availability; 70 % of homicides in LAC involve firearms, compared to 47 % globally<sup>98</sup>. Criminal revenues are staggering. In 2021, organised crime in Brazil, Mexico and Colombia generated an estimated USD 68–170 billion, rivalling the

<sup>88</sup> UNDP, [Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean](#), 16 September 2025.

<sup>89</sup> Igarapé Institute, ['Homicide Monitor'](#), webpage, nd.

<sup>90</sup> S. Mainwaring and A. Pérez-Liñán, ['Why Latin America's Democracies Are Stuck'](#), *Journal of Democracy*, Vol 34, No 1, 2023, pp. 156-170.

<sup>91</sup> K. Casas-Zamora, ['The Travails of Democracy in Latin America'](#), Inaugural Lecture of the Academic Year, Latin American Centre, Oxford University, 15 October 2024.

<sup>92</sup> P. M. Bisca et al., ['Violent Crime and Insecurity in Latin America and the Caribbean – A Macroeconomic Perspective'](#), *International Monetary Fund*, 2024.

<sup>93</sup> IACHR, [State of Emergency and Human Rights in El Salvador](#), 2024.

<sup>94</sup> According to official data provided by the United Nations Office on Drugs and Crime, ['Office on Drugs and Crime – Data Portal'](#), webpage, nd.

<sup>95</sup> P. M. Bisca et al., ['Violent Crime and Insecurity in Latin America and the Caribbean – A Macroeconomic Perspective'](#), *International Monetary Fund*, 2024.

<sup>96</sup> UNDP, [Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean](#), 16 September 2025.

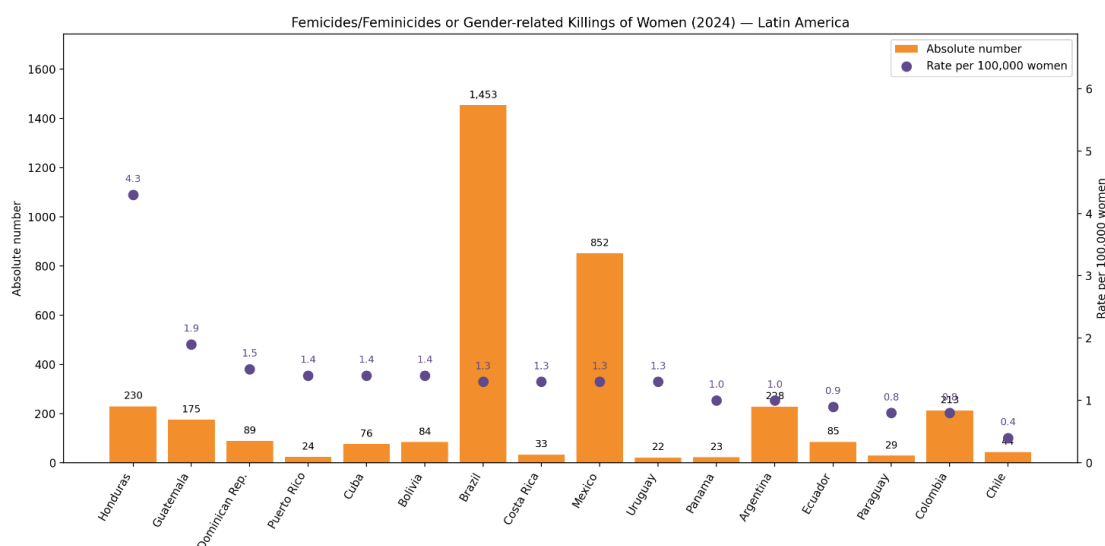
<sup>97</sup> P. M. Bisca et al., ['Violent Crime and Insecurity in Latin America and the Caribbean – A Macroeconomic Perspective'](#), *International Monetary Fund*, 2024.

<sup>98</sup> P. M. Bisca et al., ['Violent Crime and Insecurity in Latin America and the Caribbean – A Macroeconomic Perspective'](#), *International Monetary Fund*, 2024.

region’s largest corporations<sup>99</sup>. Even historically safe countries – such as Uruguay, Chile and Costa Rica – now face sharp increases in homicide rates linked to organised crime, underscoring a region-wide surge in criminal violence<sup>100</sup>.

**Impact on vulnerable groups.** Violence disproportionately affects marginalised communities, deepening inequalities in health, education and income. Gender-based violence is alarming: the Gender Equality Observatory for LAC reports that in 2024, at least 3 828 women were victims of femicide, feminicide or gender-related killings in the region<sup>101</sup> and estimates indicate that about one in three women and girls has experienced physical or sexual violence in their lifetimes<sup>102</sup>. Obtaining comparable data is challenging because countries differ in how they criminalise this offence and in the methodologies used for data collection, which limits cross-country comparability. However, as the following Figure 5 illustrates, in 2024 the highest rates were observed in Honduras (4.3 cases per 100 000 women), Guatemala (1.9), and the Dominican Republic (1.5). In contrast, Chile recorded the lowest rate at 0.4 cases per 100 000 women<sup>103</sup>. Indigenous and Afro-descendant populations face heightened risks, while environmental defenders are targeted in conflicts over extractivism. In Brazil’s Amazon, killings linked to industrial deforestation illustrate how illicit economies sustain lethal repression<sup>104</sup>.

**Figure 5: Gender-based killings in LAC, selected countries in 2024**<sup>105</sup>



**Governance risks and policy failures.** High crime and insecurity undermine democratic governance. Public fear fuels support for punitive measures, reinforcing cycles of impunity and empowering authoritarian

<sup>99</sup> J. Corrales and W. Freeman, ‘How Organized Crime Threatens Latin America’, *Journal of Democracy*, Vol 35, No 4, 2024, pp. 149–161.

<sup>100</sup> UNDP, *Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean*, 16 September 2025.

<sup>101</sup> ECLAC, *Towards substantive gender equality and the care society: acting with urgency to ensure women’s and girls’ right to a life free from violence*, 24 November 2025.

<sup>102</sup> Pan American Health Organization, ‘Nearly 123 Million Women and Girls Have Experienced Physical or Sexual Violence in the Americas’, 4 December 2025.

<sup>103</sup> ECLAC, *Towards substantive gender equality and the care society: acting with urgency to ensure women’s and girls’ right to a life free from violence*, 24 November 2025.

<sup>104</sup> J. Albarracín et al., ‘Violence against Civil Society Actors in Democracies: Territorialization of Criminal Economies and the Assassination of Social Activists in Brazil’, *Journal of Peace Research*, Vol 62, No 5, 2025, pp. 1411–1427.

<sup>105</sup> Data and illustration from ECLAC, *Towards substantive gender equality and the care society: acting with urgency to ensure women’s and girls’ right to a life free from violence*, 24 November 2025.

leaders advocating *'mano dura'* policies<sup>106</sup>. Militarised crackdowns escalate violence and erode legal safeguards, while fragile judicial systems fail to deliver justice. Most crimes go unreported, conviction rates remain extremely low and prisons – overcrowded and poorly managed – have become incubators for criminal networks rather than deterrents. Mass incarceration has failed to reduce crime; instead, offences are increasingly orchestrated from within prison facilities<sup>107</sup>. The region's criminal justice systems rank near the bottom globally on rule-of-law metrics, reflecting decades of underinvestment and policy neglect<sup>108</sup>. These structural weaknesses perpetuate impunity and undermine public trust in the capacity of democratic institutions to meet popular demands for citizen security more generally<sup>109</sup>.

**A critical public security juncture.** Persistent violence and organised crime pose existential threats to democracy and human rights in LAC. Heavy-handed security responses risk deepening authoritarian tendencies, while weak institutions struggle to contain criminal networks. Yet, despite evidence of support for authoritarian law enforcement in response to the region's citizen security crisis, public commitment to democratic norms remains robust, offering hope for a more effective and less violent pathway out of the region's insecurity crisis. However, this will need to be paired with evidence-based strategies that prioritise prevention, institutional strengthening and education on the risks of punitive approaches<sup>110</sup>. Without such measures, the persistent cycles of violence will continue to erode governance and human rights across the region.

### 4.3 Migrants, refugees and internal displacement

Migration in LAC has surged in recent years, reflecting overlapping crises and structural vulnerabilities. Between 2019 and 2024, the number of migrants from the region grew by 7.5 %, rising from 40 million to 43 million people<sup>111</sup>. This increase is driven by a complex interplay of factors – economic instability, democratic backsliding, climate disruption and social fragmentation – that compound and intersect, creating uncertainty and intensifying human mobility<sup>112</sup>.

**Drivers and patterns of human mobility.** High levels of violence, insecurity, limited socio-economic opportunities and political repression have combined to produce unprecedented migration flows, blurring the traditional distinction between voluntary migration and forced displacement in the region. Outmigration to traditional destinations such as the USA, Canada and Europe continues but at a slower pace than in previous decades. By contrast, intraregional migration has expanded dramatically, with the number of people living in another LAC country nearly tripling – from 6 million in 2015 to over 14 million in 2024 (a 135 % increase)<sup>113</sup>. Countries once considered sources of emigration now serve as transit hubs or destinations. The displacement of 7.7 million Venezuelans since 2015 exemplifies this trend, with more than 6 million of them having settled across the region, particularly in Colombia, Peru and Ecuador, thereby

<sup>106</sup> UNDP, [Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean](#), 16 September 2025.

<sup>107</sup> M. Bergman and G. Fondevila, [Prisons and Crime in Latin America](#), Cambridge University Press, Cambridge, 2021.

<sup>108</sup> J. Behrend and L. Whitehead (eds), [Mounting Pressures on the Rule of Law: Governability for Development and Democracy in Latin America](#), Routledge, New York, 2025.

<sup>109</sup> World Justice Project, ['Rule of Law Surveys in 26 Latin American and Caribbean Countries Capture Authoritarian Trends and Widespread Mistrust'](#), Press Release, 17 May 2023.

<sup>110</sup> J. Masullo et al., ['Does Crime Breed Authoritarianism? Crime Exposure, Democratic Decoupling and Political Attitudes in Brazil'](#), *Journal of Peace Research*, Vol 62, No 5, 2025, pp. 1393–1410.

<sup>111</sup> UNDP, [Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean](#), 16 September 2025.

<sup>112</sup> D. Chaves-González et al., ['Rising Migration in Latin America and the Caribbean Has Ushered in a Volatile New Era'](#), *Migration Policy Institute*, 2 October 2025.

<sup>113</sup> UNDP, [Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean](#), 16 September 2025.

placing significant pressure on social protection systems and integration mechanisms<sup>114</sup>. Since 2021, migration from Cuba has been equally dramatic, with estimates suggesting that more than one million Cubans (around 10–15 % of the population) have left the island, most of them working-age adults<sup>115</sup>. Haitian migration has also intensified due to political instability, gang violence and repeated natural disasters<sup>116</sup>, with the Dominican Republic hosting over 500 000 Haitians, while Chile and Brazil have also received substantial numbers despite restrictive immigration policies and rising xenophobia<sup>117</sup>. Transit migration has become a defining feature of regional mobility. The Darién Gap between Colombia and Panama illustrates this dramatically, with crossings surging by 1 200 % between 2019 and 2024, involving migrants not only from South America and the Caribbean but also from Africa and Asia<sup>118</sup>. These pressures are likely to persist as economic hardship, violence and environmental degradation remain strong drivers of human mobility in the region.

**Governance responses and gaps.** Migration governance in LAC has evolved in response to large-scale displacement and economic migration, albeit approaches remain fragmented. At national level, responses vary widely, with some governments adopting humanitarian measures such as temporary protection or regularisation programmes, while others lean toward restrictive policies, including criminalisation of irregular migration<sup>119</sup>. This policy paradox – progressive legal frameworks coexisting with punitive enforcement – creates significant barriers for the protection of rights for migrants and refugees<sup>120</sup>. For example, in the Dominican Republic, authorities impose undue obstacles for visas and residence permits, fail to inform new arrivals about asylum procedures and carry out collective expulsions of Haitians under discriminatory policies<sup>121</sup>. In Peru, expulsions persist without guarantees of safety, while in Chile, legislative proposals seek to criminalise refugees and migrants, thereby deepening vulnerability. Beyond administrative hurdles, migrants face violence, harassment and exploitation<sup>122</sup>. External pressures compound these challenges. The USA has increasingly externalised its migration management, pushing border enforcement beyond its territory through agreements with Central American countries, Mexico and Ecuador<sup>123</sup>. This strategy reshapes migration routes, creating new zones of containment and vulnerability across the region.

**Regional coordination and policy implications.** Despite years of significant human mobility, LAC lacks a formal, comprehensive multilateral regime for migration governance. Instead, this is coordinated through nonbinding mechanisms for dialogue and exchange. International organisations – including the Organization of American States, the International Organization for Migration, International Labour Organization and UN High Commissioner for Refugees – provide technical assistance and policy guidance,

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<sup>114</sup> UNDP, [Under Pressure: Recalibrating the Future of Development in Latin America and the Caribbean](#), 16 September 2025.

<sup>115</sup> International Crisis Group, ['Hunger in Havana: Can the U.S. Cutoff Bring Change to Cuba?'](#), 2 March 2026.

<sup>116</sup> Human Rights Watch, ["Living a Nightmare": Haiti Needs an Urgent Rights-Based Response to Escalating Crisis](#), 14 August 2023; International Crisis Group, [Locked in Transition: Politics and Violence in Haiti](#), 19 February 2025.

<sup>117</sup> N. Khaly Silva, ['HRC54: Chile Must Recognise Institutional Racism against People of African Descent'](#), *International Service for Human Rights*, 10 October 2023.

<sup>118</sup> OHCHR, ['Monitoring in Motion for Migrants in the Darien Gap'](#), 8 May 2025.

<sup>119</sup> N. Fernández-Rodríguez, ['Foreign or Domestic Affairs? Unpacking Mechanisms Behind Colombia and Peru's Policies on Venezuelan Displacement'](#), *International Migration Review*, 2025.

<sup>120</sup> T. J. Boerman et al., ['Absent, Repressive, and Criminalized States: Forced Internal Displacement and Irregular Migration in El Salvador, Honduras, and Guatemala'](#), *Latin American Perspectives*, Vol 52, No 1, 2025, pp. 63–86.

<sup>121</sup> Amnesty International, [Dominican Republic: Recommendations to the Government of the Dominican Republic for the 2024 Universal Periodic Review](#), 3 April 2024.

<sup>122</sup> Amnesty International, [Americas Regional Overview](#), webpage, 2024.

<sup>123</sup> S. Ardan, ['US Border Externalisation Through Funding: Implications for the Right to Seek Asylum and Refugee Protection in the United States'](#), *Journal of Immigrant & Refugee Studies*, Vol 23, No 1, 2025, pp. 135–146.

but efforts are constrained by weak regional coordination and reactive national responses<sup>124</sup>. This fragmentation undermines consistency and effectiveness in rights-based governance and complicates responses to shared transnational policy challenges. The consequences are clear: migrants and refugees across the region generally face opaque and constantly changing asylum procedures, arbitrary expulsions and systemic rights violations. These gaps reinforce informal and criminalised migration routes, exposing people to heightened risks of violence, exploitation and discrimination. Addressing these challenges requires innovative, coordinated strategies that balance security concerns with humanitarian obligations and long-term integration goals.

#### 4.4 Socio-economic rights and equality

The COVID-19 pandemic struck the LAC region at a moment of economic fragility, amplifying structural weaknesses and reversing hard-won social gains<sup>125</sup>. After a decade-long commodities boom that had driven growth, reduced poverty and narrowed inequality, progress had already begun to stall around 2012<sup>126</sup>. The pandemic then delivered the region's sharpest economic contraction in 120 years: Gross Domestic Product fell by 6.9 % in 2020 and Gross Domestic Product *per capita* dropped by 7.7 %<sup>127</sup>. Stringent and enduring lockdowns, collapsing trade and falling export prices triggered widespread job losses, disrupted education, deepening poverty and inequality. By 2021, 86 million people were living in extreme poverty and 201 million in poverty, which are levels unseen for a decade. Although economic activity rebounded after 2020, the recovery did not produce sustained growth<sup>128</sup>, with the crisis exposing systemic gaps in education, healthcare and social protection<sup>129</sup>.

**Entrenched inequalities and pandemic impact.** Significantly, the pandemic did not create but rather revealed and intensified inequality in LAC. Over time, inequality has followed an inverted-U trajectory: rising through the 1970s and 1980s, peaking in the 1990s and declining until around 2015<sup>130</sup>. As a result, this region continues to display one of the highest levels of inequality globally. Disparities span income, wealth, land, education, health and opportunity, all of which are being reinforced across generations<sup>131</sup>. They also intersect with horizontal cleavages – race, ethnicity, gender and geography – leaving women, Afro-descendants and indigenous communities particularly vulnerable<sup>132</sup>. These structural inequalities make LAC highly susceptible to crises and undermine a range of socio-economic rights.

**Why inequality persists.** The endurance of high inequality reflects political and institutional failures to challenge entrenched disparities<sup>133</sup>. Tax and social protection systems are mildly redistributive but limited

<sup>124</sup> S. Cecchini and J. Martínez Pizarro, '[International Migration in Latin America and the Caribbean: A Development and Rights Perspective](#)', *Economic Commission for Latin America and the Caribbean*, Review No 141, 2023, pp. 215-230.

<sup>125</sup> ECLAC, '[The Sociodemographic Impacts of the COVID-19 Pandemic in Latin America and the Caribbean](#)', LC/CRPD.4/3, 2022.

<sup>126</sup> S. Mainwaring and A. Pérez-Liñán, '[Why Latin America's Democracies Are Stuck](#)', *Journal of Democracy*, Vol 34, No 1, 2023, pp. 156-170.

<sup>127</sup> S. Mainwaring and A. Pérez-Liñán, '[Why Latin America's Democracies Are Stuck](#)', *Journal of Democracy*, Vol 34, No 1, 2023, pp. 156-170.

<sup>128</sup> ECLAC, '[The Sociodemographic Impacts of the COVID-19 Pandemic in Latin America and the Caribbean](#)', LC/CRPD.4/3, 2022.

<sup>129</sup> O. Kaplan et al., '[How Covid Changed Latin America](#)', *Journal of Democracy*, Vol 36, No 1, 2025, pp. 109-122.

<sup>130</sup> O. Attanasio et al., '[Inequality in Latin America and the Caribbean: A Wide-Ranging Review](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i1-i8.

<sup>131</sup> O. Attanasio et al., '[Inequality in Latin America and the Caribbean: A Wide-Ranging Review](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i1-i8.

<sup>132</sup> ECLAC, '[The Sociodemographic Impacts of the COVID-19 Pandemic in Latin America and the Caribbean](#)', LC/CRPD.4/3, 2022.

<sup>133</sup> O. Attanasio et al., '[Inequality in Latin America and the Caribbean: A Wide-Ranging Review](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i1-i8.

by weak state capacity, low revenues and poorly designed fiscal structures<sup>134</sup>. Labour informality erodes tax bases and reduces the effectiveness of social programmes, particularly pensions<sup>135</sup>. While reforms to strengthen redistribution are urgently needed, they remain politically contentious. Recent surveys across eight LAC countries show that most citizens view income distribution as unjust and support taxing the wealthy, yet few are willing to pay higher taxes themselves<sup>136</sup>. Mistrust of the state – driven by perceptions of corruption – further undermines prospects for a stronger social contract<sup>137</sup>. Historical legacies compound these challenges. Inequality in many countries traces back to colonial systems of coerced labour and exclusionary institutions<sup>138</sup>. Successive governments have systematically underfunded education and public services, limiting mobility for descendants of enslaved and indigenous populations. Moreover, these patterns persist, shaping political culture and reinforcing distrust of state institutions.

**Democracy and the inequality trap.** Despite decades of democratic governance in LAC, wealth and opportunity remain concentrated. Even left-leaning governments have favoured incremental redistribution, layering new programmes onto existing structures rather than pursuing universal reforms. High inequality distorts democratic functioning, with weakly institutionalised parties lacking the capacity to build coalitions for progressive change<sup>139</sup>. Studies indicate that economic elites continue to dominate political systems whilst emerging elites often replicate exclusionary norms, turning democracy into a mechanism for elite circulation rather than genuine inclusion<sup>140</sup>. These dynamics create a paradox: LAC countries are generally democratic with citizens strongly supportive of redistribution overall, yet political systems fail to deliver. Fragile party systems and entrenched inequality reinforce each other, locking the region into a persistent equilibrium where democracy coexists with extreme disparities<sup>141</sup>.

**Cycles of inequality.** Two interlocking cycles sustain inequality in LAC. The first is a short cycle that unfolds across a few generations: children of wealthier parents access better schools and higher education, securing formal-sector jobs and sustaining privilege<sup>142</sup>. The second is a long cycle that spans centuries: descendants of colonial elites remain overrepresented among economic and political elites, while descendants of enslaved and indigenous labourers remain disproportionately poor. These disparities persist despite democratisation and middle-class growth, reflecting a social contract that evolves but retains exclusionary features<sup>143</sup>. However, it is important to recognise that while inequalities remain deeply

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<sup>134</sup> C. Pessino et al., '[Distributional Effects of Taxation in Latin America](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i447–i480; N. Lustig et al., '[Fiscal Policy, Income Redistribution, and Poverty Reduction in Latin America](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i426–i446.

<sup>135</sup> A. Altamirano et al., '[Calculating the Redistributive Impact of Pension Systems in Latin America and the Caribbean](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i510–i533.

<sup>136</sup> M. Busso et al., '[Preferences for Redistribution in Latin America](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i534–i545.

<sup>137</sup> O. Attanasio et al., '[Inequality in Latin America and the Caribbean: A Wide-Ranging Review](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i1–i8.

<sup>138</sup> O. Attanasio et al., '[Inequality in Latin America and the Caribbean: A Wide-Ranging Review](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i1–i8.

<sup>139</sup> N. Lupu, '[Weak Parties and the Inequality Trap in Latin America](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i585–i594.

<sup>140</sup> L. Fergusson et al., '[The Interaction of Economic and Political Inequality in Latin America: A View from Colombia](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i546–i570.

<sup>141</sup> N. Lupu, '[Weak Parties and the Inequality Trap in Latin America](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i585–i594.

<sup>142</sup> O. Attanasio et al., '[Inequality in Latin America and the Caribbean: A Wide-Ranging Review](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i1–i8.

<sup>143</sup> O. Attanasio et al., '[Inequality in Latin America and the Caribbean: A Wide-Ranging Review](#)', *Oxford Open Economics*, Vol 4, No Supplement 1, 2025, pp. i1–i8.

rooted in LAC, they are not entirely immutable. Social policies and political demands for inclusion have translated into tangible changes, as seen, for example, in the gradual reduction of socio-economic disparities through redistributive programmes<sup>144</sup> and the growing representation of women in political office<sup>145</sup>.

## 5 Human rights and the 4th EU–CELAC summit (2025): Context, outcomes and forward-looking conclusions

The LAC region stands at a pivotal juncture in its history, confronting heightened exposure to global instability, an increasingly assertive and transactional USA foreign policy, as well as sharp reductions in development assistance from traditional partners<sup>146</sup>. Geostrategic pressures have intensified and political shifts across the region encourage leaders to adopt approaches that threaten to undermine human rights progress. Democracy and human rights trends in LAC are deeply intertwined with global dynamics, while economic vulnerability to external shocks further compounds these challenges.

At the same time, regional fragmentation and growing polarisation among government leaders have stalled collective action on urgent issues with transnational implications – such as organised crime, migration, environmental crises, trade instability and the state collapse in Haiti – highlighting a widening disconnect in regional governance. This paralysis was starkly symbolised by a summit of the Americas having been postponed, originally scheduled for December 2025 in the Dominican Republic, despite mounting crises that demand coordinated regional responses.

This is therefore an opportune moment to assess key human rights trends across LAC, examining areas of progress, regression and their underlying drivers. **Five patterns have emerged in recent years: (1) notable advances have been achieved; (2) yet these gains remain uneven across countries and social groups; (3) progress increasingly faces political and social backlashes; (4) rights continue to be fragile and reversible; and while the regional outlook often appears bleak; (5) clear signs of resilience and commitment to human rights persist.** One of the most pressing challenges confronting the region is the **sharp escalation of violence and the growing influence of criminal governance**, now affecting even countries historically regarded as secure. This trend, coupled with pervasive public dissatisfaction with government performance, underscores the fragility of regional governance structures. **Nevertheless, the continued endurance of democracies across LAC remains a notable and significant feature of the region.**

In this context, **the EU–LAC partnership’s potential is particularly significant, as underscored by the EU–CELAC summit held in November 2025.** The summit reaffirmed shared commitments to democracy, the rule of law and human rights; this reaffirmation is notable in its own right, given the challenging regional and global environment. While the summit declaration clearly reflected deepening ideological divides, with a number of reservations from participating countries, the declaration’s **core message continued to stress strong commitments to multilateralism, democratic governance and the rule of law** (paragraphs 5–6). This declaration also set out a substantive agenda with direct implications for human rights, including, *inter*

<sup>144</sup> M. Stampini et al., '[Cash Transfers, Poverty and Inequality in Latin America and the Caribbean](#)', Oxford Open Economics Vol 4, No Suppl 1, 2025, i481-i509.

<sup>145</sup> M.C. Araujo et al., '[Expanding Opportunities: Policies for Gender Equality and Inclusion](#)', *Inter-American Development Bank*, 2024.

<sup>146</sup> See, for example, C. Kenny, '[US Funding of International Organizations Has Collapsed](#)', *Center For Global Development*, 12 September 2025.

*alia*, commitments to combat discrimination (paragraph 9), support the Colombian peace process (paragraph 10), strengthen international cooperation against transnational organised crime and drug trafficking (paragraphs 10, 36–38) and address state collapse in Haiti (paragraph 16). Other relevant provisions emphasised opposition to sanctions on Cuba (paragraph 18), multilateralism in trade (paragraphs 26–29), urgent climate action (paragraphs 30–35), the right to food and agricultural support (paragraph 39), governance of the digital space with human rights safeguards (paragraphs 42, 44), public care policies (paragraph 45), research and education for human development (paragraph 46), enhanced cooperation on migration management (paragraph 47) along with the central role of parliamentary diplomacy in bi-regional relations (paragraph 49).

Despite the EU–CELAC’s reaffirmation of shared values, **a persistent disconnect remains between these principles and concrete policy priorities**, as reflected in the summit declaration. For example, human rights considerations were largely absent from trade-related commitments and, while the right to food was acknowledged, no guidance was provided on operationalising this right within strategies for resilient food systems and agricultural trade. References to citizen security and combating transnational organised crime included a vague and brief reference to human rights, rather than as an integral component of cooperation frameworks, despite escalating threats from organised crime and illicit markets and their profound impact on human rights, including risks to human rights defenders. Similarly, commitments on digital governance fell short of engaging with emerging human rights-based regulatory frameworks in LAC<sup>147</sup> and migration provisions prioritised management and order over embedding human rights as a central concern. The Pact for Care, driven by civil society advocacy, recognised the importance of international cooperation in a sector critical to ageing societies and gender equality, yet lacked concrete measures to advance rights-based approaches such as those articulated by the IAHRs and the Inter-American Court’s recent advisory opinion on the matter<sup>148</sup>. Overall, this gap between declared commitments to multilateralism and human rights and their limited integration into substantive policy areas raises questions about the depth and operationalisation of shared human rights objectives within the EU–LAC partnership.

These concerns underscore **the need for concrete follow-up, including systematic monitoring of the EU–CELAC summit outcomes and ongoing implementation of the EU Action Plan on Human Rights and Democracy (2020–2027)**, which will be critical in assessing how effectively the EU’s external action strengthens human rights in LAC. **Article 3 of the summit declaration calls for the development of a roadmap** – an important step given that EU–LAC relations are formally anchored in shared commitments to democratic principles, human rights and the rule of law<sup>149</sup>. Both regions, as proponents of multilateralism and a rules-based international order, collaborate in global fora and bi-regional summits to advance these values. The European Parliament has recently reaffirmed this approach through a resolution emphasising democracy, human rights and multilateral cooperation, while urging increased funding for civil society and human rights initiatives as well as denouncing escalating repression and attacks on human rights defenders across LAC<sup>150</sup>. **The EU also has a range of leveraging tools in its strategic engagement, including political dialogues, human rights clauses in bi-regional agreements and development assistance.**

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<sup>147</sup> S. Smart, ‘[Corporate Power, Conflict and Transitional Justice: Addressing Business Human Rights Abuses in the Digital Era](#)’, *Business and Human Rights Journal*, Vol 10, No 2–3, 2025, pp. 318–334.

<sup>148</sup> IACHR, ‘[States in the Americas Must Recognize Care as a Human Right, IACHR Says](#)’, Press Release, 29 October 2025.

<sup>149</sup> European Commission, [Joint Communication: A New Agenda for Relations between the EU and Latin America and the Caribbean](#), JOIN(2023) 17 final, 7 June 2023.

<sup>150</sup> European Parliament, [Resolution on EU Political Strategy on Latin America](#), 2025/2083(INI), P10\_TA(2025)0221, 8 October 2025.

This is a pivotal juncture for EU–LAC relations, requiring **consistent and sustained political engagement, effective multilateralism** through bi-regional fora and **material incentives** linked to policy areas such as trade. **Strengthening partnerships with dynamic civil society actors** on both sides of the Atlantic will be essential to building resilience and ensuring that human rights commitments translate into tangible outcomes. The regional and global context remains exceptionally challenging for the protection of human rights and the consolidation of democratic governance. It is therefore more important than ever to recognise the achievements and potential of these shared values and commitments. Dismissing their shortcomings as evidence of failure risks legitimising authoritarian alternatives that may promise seductive solutions but ultimately erode fundamental freedoms.

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## BRIEFING

# Latest developments in core regional and national human rights accountability mechanisms in Latin America and the Caribbean. What are the best ways for the EU to engage?

### ABSTRACT

Accountability developments in Latin America and the Caribbean between 2020 and 2025 reveal complex and uneven trajectories. While innovative justice mechanisms have delivered notable progress in advancing human rights, persistent impunity and reversals of earlier gains underscore the fragility of these achievements. This dual reality reflects the contested nature of accountability politics in the region, where a sophisticated architecture of human rights institutions coexists with structural weaknesses and adverse political contexts. Authoritarian resurgence, fragile rule of law and external pressures – most notably in shifting policies by the United States of America – have further complicated efforts to consolidate accountability, which this briefing conceptualises as a multi-layered ‘mosaic’ of mechanisms. Drawing on desk-based research and expert insights, four key trajectories are identified: progress through innovative mechanisms, uneven advances, slowdown in momentum and persistent fragility. By mapping these trends, the briefing aims to inform strategic engagement by the European Union to strengthen accountability and reinforce human rights protections across Latin America and the Caribbean.

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## List of abbreviations

CICIG	International Commission against Impunity in Guatemala
EU	European Union
IAHRS	Inter-American Human Rights System
ICC	International Criminal Court
JEP	Colombia's Special Jurisdiction for Peace
LAC	Latin America and the Caribbean
NHRIs	National human rights institutions
NPMs	National Preventive Mechanisms
OPCAT	Optional Protocol to the United Nations Convention Against Torture
UN	United Nations
UPR	Universal Periodic Review
USA	United States of America

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## Executive summary

The Latin America and the Caribbean (LAC) region stands at a critical juncture in its history marked by global instability, geostrategic pressures and declining international development assistance. Despite a sophisticated architecture of human rights institutions, accountability outcomes remain uneven and fragile. Between 2020 and 2025, four trajectories define the region: (1) progress through innovative justice mechanisms; (2) uneven advances with persistent impunity; (3) slowdown and regression of earlier gains; and (4) enduring vulnerability to political and institutional shocks. The briefing argues that human rights accountability is foundational for democratic governance and from this perspective outlines a strategic framework for European Union (EU) and European Parliament engagement.

Special attention is given to **the complex 'accountability mosaic' of institutions which characterises the LAC region**. This multi-layered accountability system, comprising a network of mechanisms – such as the Inter-American Human Rights System, national human rights institutions, transitional justice bodies and civil society actors – offers resilience yet also experiences fragmentation and capacity gaps. Coordinated, principled engagement by the EU can reinforce this mosaic, thereby strengthening human rights accountability and democratic governance.

Strategic priorities for EU engagement should include:

1. **Principled political engagement.** Consistent, high-level political dialogue signals credibility in an era of transactional geopolitics and rapid retrenchment of multilateralism. Actions could include expanding and diversifying bi-regional relations, consistent reiteration of principled and deeply integrated human rights commitments, embedding human rights clauses in trade and political agreements, supporting the Inter-American Human Rights System and funding civil society initiatives.
2. **Effective multilateralism.** Investing in regional accountability mechanisms and capacity through technical assistance and peer exchanges is critical. Support for national human rights institutions, protection mechanisms for defenders and journalists and coordination frameworks linking domestic and regional bodies can reduce fragmentation. Backing victim-centred accountability processes, such as Colombia's Special Jurisdiction for Peace, can help to consolidate fragile gains.
3. **Smart incentives in bi-regional agreements.** Embedding positive incentives – preferential trade terms, access to EU development funds and technical cooperation tied to anti-corruption reforms – would align values with interests. Joint action against transnational illicit economies, including intelligence-sharing and law enforcement capacity-building, could address structural drivers of violence and institutional erosion.
4. **Civil society support.** Human rights leaders and civil society organisations face extreme risks in many LAC contexts. EU engagement should provide emergency protection through rapid diplomatic action, capacity-building together with safeguards for human rights defenders and journalists. Linking anti-corruption efforts to human rights frameworks and supporting indigenous legal systems could enhance local accountability and societal ownership.

At a time of rising authoritarianism and interlocking transnational challenges, EU engagement with LAC can transform shared values into tangible human rights accountability. By coupling principled diplomacy with smart incentives and multilateral coordination, the EU can contribute to the construction of resilient institutions, strengthen protections of vulnerable groups and reinforce human rights accountability as well as democratic governance across LAC.

# 1 Introduction

In recent years, accountability developments across Latin America and the Caribbean (LAC) have been complex and uneven. On the one hand, innovative justice mechanisms have delivered tangible progress in advancing human rights; yet on the other hand, persistent patterns of impunity and some reversals of earlier gains underscore the fragility of these achievements. This dual reality reflects the dynamic and contested nature of accountability politics in LAC. At regional level, a sophisticated architecture of human rights institutions exists, complemented by significant domestic institutional frameworks in many countries. However, this institutional progress has not translated into consistent accountability outcomes. Persistent impunity, fragile rule of law and adverse political contexts continue to challenge institutional efforts to consolidate and deepen human rights accountability.

The LAC region faces a complex combination of structural and political pressures. Authoritarian resurgence, fragile institutions and anaemic economic growth have eroded public confidence in democratic governance. While popular demands for accountability remain strong across the region, external dynamics have unsettled the landscape, particularly recent policy shifts by the United States of America (USA). These are most evident in the US government's prioritisation of coercive strategies towards Venezuela<sup>1</sup> but are also reflected in its withdrawal of support for accountability efforts in Central America<sup>2</sup> and efforts to undermine judicial processes in Brazil<sup>3</sup>. These adverse developments reinforce the urgency of renewed engagement by international actors committed to human rights accountability.

This current regional and international environment represents a critical juncture at which to review recent trends and identify overarching patterns in accountability across LAC. For the European Union (EU) and the European Parliament, such a context makes strategic engagement both timely and essential. This paper seeks to provide an empirically grounded assessment of accountability processes together with mechanisms and outcomes, aimed at informing policy approaches that can strengthen human rights protection.

Analysis draws primarily on desk-based research, including recent academic literature as well as reports commissioned by governments and international organisations. It also integrates insights from media sources, reputable non-governmental organisations, think tanks and selected online interviews with experts and stakeholders. Accountability is understood here as a social relationship in which actors must explain and justify their actions (answerability), accepting the consequences (responsibility) within an institutional framework of laws, monitoring bodies and reporting systems<sup>4</sup>. In the human rights context, this means that states and other actors have legal duties to uphold agreed human rights standards. Those failing to do so can be held responsible through institutional mechanisms that not only ensure transparency and enforcement but also provide remedies.

Given the complexity and multitude of relevant institutional frameworks in LAC, accountability can be pictured as a 'mosaic' – a multi-layered architecture of mechanisms operating across global, regional,

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<sup>1</sup> A. Ahn, '[U.S. Says First Boat Strike Since Maduro's Capture Killed 2 in Eastern Pacific](#)', *The New York Times*, 24 January 2026.

<sup>2</sup> M. Camilleri and C. Christie, '[How the "Art of the Deal" Hurt Latin America's Corruption Fight](#)', *Americas Quarterly*, 30 January 2020.

<sup>3</sup> WOLA, '[U.S. Civil Society Raises Concern About the Implications of U.S. Attempts to Interfere in Brazilian Judicial Process](#)', 17 September 2025.

<sup>4</sup> K. Henrard and M. Duin, [Research Handbook on Accountability for Human Rights Violations](#), Edward Elgar Publishing, Cheltenham, 2025.

transnational, hybrid and domestic levels. These mechanisms perform distinct yet sometimes overlapping functions, including standard-setting, monitoring, enforcement, fact-finding, reparations and capacity-building. They draw authority from diverse institutional sources, reflecting the pluralistic and dynamic character of accountability politics in the region.

This multi-level engagement of accountability mechanisms strengthens resilience and expands opportunities for human rights protection. The resulting 'mosaic' matters because its layered structure extends the scope and potential impact of protection for individuals and groups most at risk. It also creates various entry points for EU engagement. However, the region's accountability mosaic also introduces complexity and risks of fragmentation, making coordination among actors and stakeholders essential. Despite notable advances, the mosaic still remains uneven and fragile, characterised by persistent impunity and frequent reversals of previous gains.

This paper identifies four main trajectories in the evolution of accountability in LAC over the period 2020-2025:

1. Significant progress through innovative justice mechanisms and tangible outcomes;
2. Uneven advances across countries and social groups, with enduring impunity;
3. Slowdown in momentum, including regression in previously achieved gains; and
4. Persistent fragility, leaving achievements vulnerable to reversal.

Understanding these dynamics is essential for shaping effective EU engagement. By mapping trends and identifying entry points for action, this study aims to inform strategic policy measures that can strengthen accountability and reinforce human rights protection across the region.

## 2 Regional human rights accountability mechanisms in LAC: Developments 2020–2025

The LAC region is generally characterised by an institutionally sophisticated set of accountability mechanisms. Most countries have ratified core United Nations (UN) human rights treaties, embedding themselves deeply within the international human rights system. This engagement subjects states to the full range of UN accountability processes - monitoring, reporting and enforcement - creating a formally robust framework for oversight. However, gaps still remain: various Caribbean states have not ratified key instruments and engagement with UN human rights bodies is uneven<sup>5</sup>.

UN human rights monitoring in LAC operates through treaty bodies, special procedures and fact-finding missions, which review compliance, issue recommendations and investigate violations. A central actor in this system is the Universal Periodic Review (UPR), a peer-review process assessing every country's human rights performance. LAC states consistently participate in UPR cycles and submit reports on time, though implementation varies widely. Countries such as Argentina, Chile, Costa Rica and Uruguay stand out for integrating UPR recommendations into legal and policy reforms, often driven by strong civil society engagement. More specific details are: Argentina implemented measures against gender-based violence, torture and trafficking following its 2023 review<sup>6</sup>; Costa Rica adopted reforms on reproductive rights and

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<sup>5</sup> P. Chaney, '[Exploring Civil Society Perspectives on the Human Rights Situation of LGBT+ People in the Caribbean Community](#)', *Journal of Civil Society*, Vol 18, No 4, 2022, pp. 369–89.

<sup>6</sup> OHCHR, '[Human Rights Council Adopts Universal Periodic Review Outcomes of Czech Republic, Argentina, Gabon and Ghana](#)', 6 July 2023.

anti-trafficking measures, while institutionalising follow-up mechanisms<sup>7</sup> and Uruguay launched its first National Human Rights Plan<sup>8</sup>.

Despite these advances, structural limitations – *inter alia* weak enforcement and resource constraints – affect long-term outcomes<sup>9</sup>. Moreover, countries such as Cuba, Nicaragua and Venezuela maintain contentious relationships with the UN system, marked by selective engagement and limited follow-up<sup>10</sup>. Fact-finding missions mandated by the UN Human Rights Council have been critical in exposing violations in Venezuela and Nicaragua<sup>11</sup>, complemented by regional mechanisms under the Inter-American Human Rights System (IAHRS)<sup>12</sup> and ongoing investigations by the International Criminal Court (ICC) with respect to the former country<sup>13</sup>. In short, while UN monitoring has reinforced international commitments, generating notable legislative and institutional reforms in LAC, persistent implementation gaps and political resistance underscore the need for sustained and varied international engagement.

## 2.1 Hybrid accountability mechanisms: International Commission against Impunity in Guatemala

A notable feature of UN influence in LAC has been its support for hybrid accountability mechanisms, most prominently the International Commission against Impunity in Guatemala (CICIG)<sup>14</sup>. Established in 2007 through an agreement between Guatemala and the UN, CICIG aimed at strengthening domestic law enforcement and dismantling entrenched criminal networks. Although terminated in 2019 by then-President Jimmy Morales – while under investigation himself – CICIG nevertheless remains as a landmark example of international cooperation reinforcing fragile institutions. Working alongside independent prosecutors and judges, CICIG exposed collusion between state actors, illicit private interests and organised crime. Evidence suggests that its efforts contributed to a sharp decline in homicide rates, advancing the rule of law, democratic rights and anti-corruption measures<sup>15</sup>. High-profile prosecutions included former President Otto Pérez Molina, his vice president, as well as dozens of officials, judges and criminal leaders<sup>16</sup>. CICIG has also played a pivotal role in shaping international standards on the link between human rights and corruption, influencing both the IAHRS and UN standard-setting efforts<sup>17</sup>. As

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<sup>7</sup> UN, [Experts of the Committee on the Elimination of Discrimination against Women Commend Costa Rica on Legislative Progress; Ask About Violence Against Women and Digital Education for Girls](#), 21 February 2023.

<sup>8</sup> UN, [Launch of the National Human Rights Plan](#), 18 December 2023.

<sup>9</sup> V. Carraro, [‘Promoting Compliance with Human Rights: The Performance of the United Nations’ Universal Periodic Review and Treaty Bodies’](#), *International Studies Quarterly*, Vol 63, No 4, 2019, pp. 1079–1093.

<sup>10</sup> UN, [Detailed Findings of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela](#), A/HRC/57/CRP.5, 14 October 2024.

<sup>11</sup> OHCHR, [‘Group of Human Rights Experts on Nicaragua’](#), webpage, nd.

<sup>12</sup> IACHR, [‘Special Mechanisms’](#), webpage, nd.

<sup>13</sup> See ICC, [‘Venezuela I: Situation in the Bolivarian Republic of Venezuela I’](#), webpage, nd.

<sup>14</sup> T. Reinold, [‘How to “Make Law Count”: Lessons from the Comisión Internacional Contra La Impunidad En Guatemala \(CICIG\) for the Effectiveness of Hybrid Governance’](#), *International Journal of Law in Context*, Vol 19, No 4, 2023, pp. 540–558.

<sup>15</sup> G. Trejo and C. Nieto-Matiz, [‘Containing Large-Scale Criminal Violence Through Internationalized Prosecution: How the Collaboration Between the CICIG and Guatemala’s Law Enforcement Contributed to a Sustained Reduction in the Murder Rate’](#), *Comparative Political Studies*, Vol 56, No 9, 2023, pp. 1328–1364.

<sup>16</sup> T. Reinold, [‘How to “Make Law Count”: Lessons from the Comisión Internacional Contra La Impunidad En Guatemala \(CICIG\) for the Effectiveness of Hybrid Governance’](#), *International Journal of Law in Context*, Vol 19, No 4, 2023, pp. 540–558.

<sup>17</sup> Notable developments include: IACHR, [Corrupción y derechos humanos: Estándares interamericanos \[Corruption and Human Rights: Inter-American Standards\]](#), OEA/Ser.L/V/II, 6 December 2019; Inter-American Court of Human Rights, [Cuadernillo de jurisprudencia n° 23: corrupción y derechos humanos \[Case Law Booklet No. 23: Corruption and Human Rights\]](#), 2021; UN Human Rights Council, [Resolution 59/6 on the negative impact of corruption on human rights](#), A/HRC/RES/59/6, 16 July 2025.

such, CICIG's impact extended beyond Guatemala, contributing to advocacy and the development of normative frameworks<sup>18</sup>.

Beyond corruption cases, CICIG's legacy contributed to broader accountability efforts. Under Attorney General Claudia Paz y Paz, Guatemala pursued historic human rights trials, including the conviction of ex-dictator Efraín Ríos Montt for genocide (later annulled), the Sepur Zarco sexual violence case and prosecutions for civil war atrocities<sup>19</sup>. Despite its 2019 closure and subsequent democratic backsliding in Guatemala<sup>20</sup>, CICIG demonstrated that meaningful reform is possible even under adverse conditions. Its success inspired similar initiatives, such as the Organization of American States-backed Mission to Support the Fight against Corruption and Impunity in Honduras while it was operating (2016–2020)<sup>21</sup> and ongoing efforts to establish the UN-supported International Commission against Corruption and Impunity in Honduras<sup>22</sup>, reflecting the potential – yet contentious – role of hybrid models to strengthen domestic institutions through international support<sup>23</sup>.

## 2.2 National Preventive Mechanisms

LAC countries have made notable progress in implementing the Optional Protocol to the United Nations Convention against Torture (OPCAT), particularly through the establishment of National Preventive Mechanisms (NPMs)<sup>24</sup>. These bodies are mandated to conduct regular, independent inspections of detention centres, aiming to prevent torture and ill-treatment. OPCAT represents a new generation of international human rights law, requiring states not only to accept international oversight but also to embed monitoring structures within their domestic systems<sup>25</sup>. Since OPCAT came into force in 2006, while no Caribbean country has as yet ratified the Protocol, nearly all Latin American countries have. Furthermore, 14 states have designated NPMs (see Table 1 below)<sup>26</sup>. This uptake reflects a strong regional commitment to torture prevention and complements ratification of the Inter-American Convention to Prevent and Punish Torture. NPMs operationalise OPCAT obligations by examining detention conditions, reviewing legislation and engaging in dialogue with authorities on implementing recommendations. They enjoy extensive powers under OPCAT, including unrestricted access to detention facilities, confidential

<sup>18</sup> L. Zimmermann, '[Circular Dynamics of International Norms and Institutions: Localizations Beyond Their Original Contexts](#)', *Global Studies Quarterly*, Vol 5, No 1, pp.1-9.

<sup>19</sup> See International Justice Monitor, '[Guatemala Trials before the National Courts of Guatemala](#)', webpage, nd.

<sup>20</sup> Amnesty International, '[Guatemala: The Entire System against Us: Criminalization of Women Justice Operators and Human Rights Defenders in Guatemala](#)', 23 May 2024; R. Hatcher, '[From Aldana to Zamora and Everyone In-Between: Exploring the Guatemalan Far Right's Social Media Campaigns against Non-Allies](#)', *Journal of Politics in Latin America*, Vol 17, No 2, 2025, pp. 211-234; A. Starr, '[Guatemalan Prosecutors Target Top Colombians in Campaign against Corruption Probes](#)', *International Crisis Group*, 4 June 2025.

<sup>21</sup> C. T. Call, '[Ten Key Lessons from the OAS Mission in Support of the Fight against Corruption and Impunity in Honduras](#)', in *The Politics of Anti-Corruption Agencies in Latin America*, Routledge, London, 2021.

<sup>22</sup> A. M. Méndez Dardón, '[Honduras Needs an International Mechanism to Address Corruption](#)', WOLA, 11 December 2023.

<sup>23</sup> A. M. Calderón Boy, '[The Mission to Support the Fight against Corruption and Impunity in Honduras \(MACCIH\) and Its New Integrated Criminal Investigation Model](#)', in J. Pozsgai-Alvarez (ed), *The Politics of Anti-Corruption Agencies in Latin America*, Routledge, London, 2021.

<sup>24</sup> P. Engstrom and T. Pegram, '[Torture Prevention in Latin America: Rights of Persons Deprived of Liberty and the Role of National Preventive Mechanisms](#)', in C. Burbano Herrera and Y. Haecck (eds), *Human Rights Behind Bars: Tracing Vulnerability in Prison Populations Across Continents from a Multidisciplinary Perspective*, Springer, Cham, 2022.

<sup>25</sup> P. Engstrom and T. Pegram, '[Torture Prevention in Latin America](#)', 2022.

<sup>26</sup> See full list of NPMs at OHCHR, '[National Preventive Mechanisms: Subcommittee on Prevention of Torture](#)', webpage, nd.

interviews with detainees and subpoena authorities. The Geneva-based Subcommittee on Prevention of Torture provides guidance and conducts visits, reinforcing NPM independence and effectiveness<sup>27</sup>.

Despite these advances, NPMs' institutional performance varies significantly. While some NPMs, often housed within robust national human rights institutions (NHRIs), have developed credible monitoring practices, others face political resistance, resource constraints or risk becoming 'sham' bodies lacking independence<sup>28</sup>. The paradox of governments creating potentially intrusive mechanisms to monitor themselves underscores the importance of safeguards for autonomy and capacity. Evidence from Peru illustrates this dynamic: despite high official resistance, strong institutional capacity has enabled credible designation, though implementation remains uneven<sup>29</sup>.

Nonetheless, NPMs have demonstrated their potential to reduce risks of torture and ill-treatment by embedding preventive practices and fostering accountability. Challenges persist, though, including limited follow-up on recommendations and vulnerability to political interference.

**Table 1:** OPCAT ratification and NPM status (2025)

Country	CAT ratified	OPCAT ratified	NPM designated	NHRI active	NHRI status	NPM-NHRI
Argentina	1986	2004	2012	1994	A	No
Bolivia	1999	2006	2013	1998	A	No
Brazil	1989	2007	2013	No	---	No
Chile	1988	2008	2017	2010	A	Yes
Colombia	1987	2025	TBC	1991	A	TBC
Costa Rica	1993	2005	2005	1993	A	Yes
Ecuador	1988	2010	2010	1998	A	Yes
El Salvador	1996	No	---	1991	A	---
Guatemala	1990	2008	2010	1987	A	No
Honduras	1996	2006	2006	1992	A	No
Mexico	1986	2005	2007	1990	A	Yes
Nicaragua	2005	2009	2009	1999	B	Yes
Panama	1987	2011	2017	1998	A	Yes
Paraguay	1990	2005	2011	2001	B	No
Peru	1988	2006	2015	1996	A	Yes
Uruguay	1986	2005	2005	2012	A	Yes
Venezuela	1991	No (signed 2011)	---	1999	B	---

<sup>27</sup> L. González Pinto, 'The United Nations Subcommittee on Prevention of Torture: The Effects of Preventive Action', *Journal of Human Rights Practice*, Vol 14, No 1, 2022, pp.134-159. For details on the SPT's mandate, see OHCHR, 'Treaty Bodies: Subcommittee on Prevention of Torture', webpage, nd.

<sup>28</sup> P. Engstrom and T. Pegram, 'Torture Prevention in Latin America: Rights of Persons Deprived of Liberty and the Role of National Preventive Mechanisms', in C. Burbano Herrera and Y. Haeck (eds), *Human Rights Behind Bars: Tracing Vulnerability in Prison Populations Across Continents from a Multidisciplinary Perspective*, Springer, Cham, 2022.

<sup>29</sup> P. Engstrom and T. Pegram, 'Torture Prevention in Latin America: Rights of Persons Deprived of Liberty and the Role of National Preventive Mechanisms', in C. Burbano Herrera and Y. Haeck (eds), *Human Rights Behind Bars: Tracing Vulnerability in Prison Populations Across Continents from a Multidisciplinary Perspective*, Springer, Cham, 2022.

## 2.3 The Inter-American Human Rights System

LAC countries benefit from one of the most advanced regional human rights frameworks globally, namely the IAHRs<sup>30</sup>. Comprising the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, the system has evolved significantly since the American Convention on Human Rights came into force in 1978. Initially a quasi-judicial body with a broad mandate, the IAHRs now operates as a formal legal regime that empowers individuals to challenge state actions and hold governments accountable for violations of international human rights standards. Importantly, the IAHRs provides a transnational legal and political opportunity structure for human rights advocates across the Americas<sup>31</sup>. The system's accountability effects are reflected in the growing use of its mechanisms. For example, between 1997 and 2024, the Commission received 48 311 petitions, with annual submissions rising from 435 in 1997 to 2 883 in 2024. However, engagement varies widely: Colombia and Mexico each registered over 700 petitions in 2024, while countries such as El Salvador, Paraguay and Uruguay recorded fewer than 30<sup>32</sup>. This disparity reflects uneven access and capacity across the region, rather than differences in comparative human rights performance. The IAHRs has also codified an increasingly comprehensive set of rights and developed mechanisms for monitoring compliance, issuing recommendations and adjudicating cases<sup>33</sup>. Its rulings have addressed diverse issues – from accountability for historical atrocities to state obligations in responding to the global climate crisis<sup>34</sup> – and have supported accountability processes through dedicated monitoring mechanisms, for instance in Bolivia, Chile, Colombia, Mexico, Nicaragua and Venezuela<sup>35</sup>.

Despite its achievements, the IAHRs faces mounting challenges. Political resistance, resource constraints and attacks on judicial independence have strained its effectiveness<sup>36</sup>. Some states have openly defied rulings or delayed compliance<sup>37</sup>, while others have sought to weaken the system's autonomy<sup>38</sup>. In addition, even with increased efforts in recent years to integrate Caribbean countries into the IAHRs, their role within the system remains broadly marginal<sup>39</sup>. These pressures threaten the credibility and sustainability of a mechanism that has been central to advancing rights and accountability in the region. Moreover, both the Inter-American Commission and the Court are increasingly subject to the shifting political dynamics in LAC, particularly growing resistance to international human rights oversight and accountability. Rising political polarisation within the Commission has led to institutional weakening, with some evidence suggesting that new commissioners may align with political and ideological groups that challenge established standards,

<sup>30</sup> P. Engstrom (ed), *The Inter-American Human Rights System: Impact beyond Compliance*, Palgrave Macmillan, Cham, 2019.

<sup>31</sup> P. Engstrom and P. Low, '[Mobilising the Inter-American Human Rights System: Regional Litigation and Domestic Human Rights Impact in Latin America](#)', in P. Engstrom (ed), *The Inter-American Human Rights System: Impact Beyond Compliance*, Palgrave Macmillan, Cham, 2019.

<sup>32</sup> P. Engstrom and E. Perez, 'Assembling the Litigation Mosaic: Civil Society Strategies, Extractivism, and Corporate Accountability in the Inter-American Human Rights System', *International Journal of Human Rights*, forthcoming.

<sup>33</sup> J. L. Cavallaro et al., *Doctrine, Practice, and Advocacy in the Inter-American Human Rights System*, Oxford University Press, New York, 2019.

<sup>34</sup> Center for Justice and International Law, '[The IACHR Sets a Historic Precedent: A Legal Roadmap to Confront the Climate Emergency through a Human Rights Lens](#)', Press release, 3 July 2025.

<sup>35</sup> See IACHR, '[Mechanisms, platforms, and strategies to follow up on recommendations](#)', webpage, nd.

<sup>36</sup> E. A. Gonzalez-Ocantos and W. Sandholtz, '[The Sources of Resilience of International Human Rights Courts: The Case of the Inter-American System](#)', *Law & Social Inquiry*, Vol 47, No 1, 2022, pp. 95-131.

<sup>37</sup> J. Contesse, '[Judicial Interactions and Human Rights Contestations in Latin America](#)', *Journal of International Dispute Settlement*, Vol 12, No 2, 2021, pp. 271-290.

<sup>38</sup> W. Arévalo-Ramírez and A. Rousset-Siri, '[Undermining the Authority of the Inter-American Court of Human Rights: Cases of State's Weaponization of the Value of Transparency](#)', *Journal of International Dispute Settlement*, Vol 16, No 3, 2025.

<sup>39</sup> IACHR, '[IACHR on the Caribbean](#)', webpage, nd. P. Carozza, '[The Anglo-Latin Divide and the Future of the Inter-American System of Human Rights](#)', *Notre Dame Journal of International & Comparative Law*, Vol 5, 2015.

especially on sensitive issues such as reproductive rights and sexual diversity<sup>40</sup>. This trend may result in doctrinal revisions and more permissive approaches toward the increasing scope of state discretion in human rights matters. Although the Court has shown interpretative divergences in recent rulings, it has not yet mirrored the Commission's political polarisation. However, upcoming elections to the Court in 2027 could well lead to the majority of judges being inclined to roll back protections in areas contested by conservative governments, thereby leading to potential setbacks for the region's human rights framework.

### 3 National mechanisms for accountability: Mapping country experiences

Despite increasingly adverse political conditions, various LAC countries have achieved notable progress in strengthening domestic accountability mechanisms. Recent years have seen significant institutional reforms and innovative practices that reinforce human rights protections and advance accountability. There has been progress in diverse issue-areas, reflecting broader regional patterns. For example, Colombia has progressed transitional justice processes under its peace agreement and prosecutions of historical human rights crimes have continued apace in Argentina. In a number of LAC countries, NHRIs have played pivotal roles in monitoring and promoting accountability, alongside protection mechanisms for human rights defenders and journalists. Similarly, high-profile corruption cases in Brazil and elsewhere have reshaped accountability politics. Collectively, these developments underscore the resilience of domestic actors and institutions in advancing accountability, even amidst democratic backsliding and persistent governance challenges.

#### 3.1 Historical human rights accountability

Accountability for past human rights violations – commonly termed 'transitional justice' – remains a defining feature of Latin America's human rights landscape<sup>41</sup>. Across the region, countries continue to grapple with legacies of authoritarian rule and internal conflict, pursuing truth, justice and reparations through domestic prosecutions, truth commissions and institutional reforms. While progress has been significant, outcomes vary widely, shaped by factors such as the scale of violations, judicial independence, political will and civil society mobilisation both for and against accountability for past human rights crimes<sup>42</sup>. International and regional dynamics also play a role, with strong interaction effects fostered by shared legal traditions, regional advocacy networks and the IAHRs.

Recent advances illustrate this resilience. Argentina and Chile continue to prosecute dictatorship-era crimes<sup>43</sup>, while Mexico established a Mechanism for Truth and Historical Clarification, publishing reports on

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<sup>40</sup> Interview, international NGO representative, online, 2 December 2025.

<sup>41</sup> E. A. Gonzalez-Ocantos, *The Politics of Transitional Justice in Latin America: Power, Norms, and Capacity Building*, Cambridge University Press, Cambridge, 2019; E. Skaar et al., *Transitional Justice in Latin America: The Uneven Road from Impunity towards Accountability*, Routledge, London, 2016.

<sup>42</sup> J-M. Burt, *Transitional Justice in the Aftermath of Civil Conflict: Lessons from Peru, Guatemala and El Salvador*, Due Process of Law Foundation, Washington D.C., 2018.

<sup>43</sup> P. Edwards et al., 'Fixing the Past: The Effects of Human Rights Trials on Political Attitudes in Argentina', *British Journal of Political Science*, Vol 55, 2025; C. Collins, 'Justicia transicional en Chile: 25 años de avances y deudas' [*Transitional justice in Chile: 25 years of advances and deaths*], *CIPER Chile*, 5 September 2023.

grave abuses between 1965 and 1990<sup>44</sup>. In Peru, courts have initiated reparations for victims of forced sterilisation and strengthened mechanisms to search for disappeared persons<sup>45</sup>.

However, progress coexists with reversals and resistance. In Argentina, closure of the Special Investigation Unit for locating disappeared children signals a setback<sup>46</sup>. Peru introduced a statute of limitations for crimes against humanity, undermining prior gains<sup>47</sup>. Political shifts underpinned by a change of government in Chile could stall initiatives to locate dictatorship-era victims<sup>48</sup>. In Mexico, systemic impunity persists amid a severe crisis of forced disappearances (nearly 130 000 cases<sup>49</sup>), exemplified by the unresolved 2014 disappearances of the 43 Ayotzinapa students<sup>50</sup>. While Mexico's 2017 General Law on Disappearances marked progress, implementation remains uneven<sup>51</sup>. In El Salvador, annulment of the 1993 Amnesty Law reopened emblematic cases such as the El Mozote massacre, yet prosecutions face delays amidst general democratic backsliding in the country<sup>52</sup>. Guatemala has seen remarkable accountability processes taking place in domestic courts<sup>53</sup> but at the same time, there has been strong backlash, including attempts to enact blanket amnesty laws aimed at shielding those accused of past human rights violations<sup>54</sup>.

These developments reveal a complex picture with transitional justice in LAC continuing to be characterised by ebbs and flows in accountability<sup>55</sup>. Advances depend on judicial independence, civil society pressure and international engagement, while backlashes from entrenched interests remain strong.

## 3.2 Colombia's Special Jurisdiction for Peace: Innovation and uncertain future

One of the most significant innovations in LAC's transitional justice landscape is Colombia's Special Jurisdiction for Peace (JEP), created under the 2016 Final Peace Agreement<sup>56</sup>. Designed as a cornerstone

<sup>44</sup> J. Trevino-Rangel, *Policing the Mexican Past: Transitional Justice in a Post-Authoritarian Regime*, Palgrave Macmillan, Cham, 2022.

<sup>45</sup> A. Ballón Gutiérrez and M. Ortega-Breña, 'The Effects of Postconflict Memory: Forced Sterilization in Peru', *Latin American Perspectives*, Vol 50, No 6, 2022, pp. 210–223; J. Boesten, 'Transformative gender justice: criminal proceedings for conflict-related sexual violence in Guatemala and Peru', *Australian Journal of Human Rights*, Vol 27, No 3, 2021, pp. 487–504; International Commission of Jurists, *Peru: New ICJ Report Identifies Barriers to Accountability for Serious Human Rights Violations*, 2021.

<sup>46</sup> Buenos Aires Times, 'Milei Shuttles Special Unit Probing Dictatorship-Era Abduction of Minors', 14 August 2024.

<sup>47</sup> International Center for Transitional Justice, 'Peru Congress Approves Statute of Limitations for Crimes Against Humanity', 25 July 2024.

<sup>48</sup> C. Collins, 'Searching for the Disappeared in Transitional Justice Settings: Norms, Context, and Shifting Priorities', *Journal of Disappearance Studies*, Vol 1, No 1, 2025, pp. 115–138.

<sup>49</sup> Estimates of forced disappearances vary. Instituto Mexicano de Derechos Humanos y Democracia provides a figure of 128,064 in 2025. See Mexican Institute of Human Rights and Democracy, 'Informe Nacional de personas desaparecidas 2025' [National Missing Persons Report 2025], webpage, nd.

<sup>50</sup> A. Guillermprieto, 'Forty-Three Mexican Students Went Missing. What Really Happened to Them?', *The New Yorker*, 4 March 2024.

<sup>51</sup> S. Serrano and V. de Pina Ravest, 'The Legal Framework on Disappearances in Mexico: From Demands to the Law and Back to Demands', in K. Ansolabehere et al (eds), *Disappearances in the Post-Transition Era in Latin America*, British Academy Scholarship, London, 2021.

<sup>52</sup> Due Process of Law Foundation, *El Salvador's El Mozote Massacre: 43 years later, why we mustn't give up the fight for accountability*, December 2024.

<sup>53</sup> J-M. Burt, 'From Heaven to Hell in Ten Days: The Genocide Trial in Guatemala', *Journal of Genocide Research*, Vol 18, No 2–3, 2016, pp. 143–169; J-M. Burt, 'The Justice We Deserve: War Crimes Prosecutions in Guatemala', *Latin American Research Review*, Vol 56, No 1, 2021, pp. 214–232.

<sup>54</sup> J-M. Burt, *Hope amidst the Darkness: Victims Continue to Press for Justice for Wartime Atrocities in Guatemala*, WOLA, 2 December 2021.

<sup>55</sup> P. Engstrom and G. Pereira, 'From Amnesty to Accountability: The Ebbs and Flows in the Search for Justice in Argentina', in L. A. Payne and F. Lessa (eds), *Amnesty in the Age of Human Rights Accountability: Comparative and International Perspectives*, Cambridge University Press, Cambridge, 2012.

<sup>56</sup> See Observatory on the JEP and Colombian Commission of Jurists, *Boletín #87 Del Observatorio Sobre la JEP* [Bulletin #87 From the Observatory on the JEP], November 2025.

of the country's victim-centred approach to peacebuilding, the JEP addresses grave human rights violations committed during decades of armed conflict. Its mandate combines restorative and retributive justice, aimed at uncovering the truth, delivering reparations and imposing sanctions on perpetrators while fostering reconciliation.

The JEP has made notable advances. It has not only opened so-called macro-cases on crimes such as kidnappings, extrajudicial killings and recruitment of children but also held landmark hearings where survivors and victims' groups actively participated – an unprecedented step in empowering victims within judicial processes<sup>57</sup>. In 2022, the JEP issued its first rulings, imposing restorative sanctions on former commanders of the Revolutionary Armed Forces of Colombia - People's Army (*Fuerzas Armadas Revolucionarias de Colombia - Ejército del Pueblo*) for war crimes and crimes against humanity<sup>58</sup>. These sanctions include restrictions on liberty and obligations to carry out reparative projects for affected communities, marking a significant departure from traditional punitive models and reinforcing the system's restorative ethos<sup>59</sup>. The JEP has also pioneered intercultural mechanisms, recognising Afro-Colombian and Indigenous justice systems within its framework<sup>60</sup>. The mechanism even aligned its jurisprudence with international standards under the Rome Statute of the ICC to demonstrate the unique character of Colombia's transitional justice process<sup>61</sup>. Importantly, the JEP's judicial proceedings have evolved under the ongoing scrutiny of both the ICC and the Inter-American Court of Human Rights<sup>62</sup>. This oversight has significantly influenced its approach to accountability and reparations, offering an illustration of positive complementarity for national and international justice processes in practice.

Yet, these achievements unfold amid growing challenges. Political resistance to Colombia's peace accord, polarisation and attempts to weaken transitional justice institutions threaten the JEP's independence and credibility. Public trust remains fragile, particularly regarding restorative sentences, which some perceive as lenient<sup>63</sup>. Upcoming electoral dynamics in Colombia and persistent security concerns further heighten uncertainty, risking reversals of hard-won gains. Internal operational challenges to the JEP include the need to strengthen accountability while working under strict time constraints and addressing complex case-selection issues<sup>64</sup>. Financial hurdles are also particularly pressing. The JEP does not manage its own budget, leaving it dependent on the Colombian Executive, which has committed only a fraction of the necessary resources<sup>65</sup>. International cooperation is also under strain, as the USA's recent withdrawal of support for

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<sup>57</sup> R. Brett, '[Victim-Centred Peacemaking: The Colombian Experience](#)', *Journal of Intervention and Statebuilding*, Vol 16, No 4, 2022, pp. 475-497.

<sup>58</sup> JEP, '[75 Logros de La JEP Que Han Transformado El País En 7 Años](#)' [75 Achievements of the JEP That Have Transformed the Country in 7 Years], 14 November 2024.

<sup>59</sup> S. Michalowski et al., '[¿A quiénes sancionar? Máximos responsables y participación determinante en la Jurisdicción Especial para la Paz](#)' [Who should be sanctioned? Those most responsible and with decisive participation in the Special Jurisdiction for Peace], *Transitional Justice Network and Dejusticia*, 2024.

<sup>60</sup> N. Bries Silva, '[Discovering What Is Already Known: The Afro-Colombian Ancestral Justice System before the Special Jurisdiction for Peace](#)', *International Journal of Transitional Justice*, Vol 18, No 1, 2024, pp.141-149.

<sup>61</sup> W. Arévalo-Ramírez and P. Martini, '[When International Legal Standards Meet Transitional Justice Processes: Balancing Nationals Interests with International Criminal Law at the Colombian Special Jurisdiction for Peace](#)', *Journal of International Criminal Justice*, Vol 20, No 4, 2022, pp. 1001-1026.

<sup>62</sup> C. Hillebrecht et al., '[The Judicialization of Peace](#)', *Harvard International Law Journal*, Vol 59, No 2, 2018, pp. 279-330.

<sup>63</sup> S. Botero, '[Trust in Colombia's Justicia Especial Para La Paz: Experimental Evidence](#)', *Journal of Politics in Latin America*, Vol 12, No 3, 2020, pp. 300-322.

<sup>64</sup> Interview with a JEP official, online, 25 November 2025. See also: Dejusticia, '[Lo que está en riesgo con una sentencia interpretativa en la JEP](#)' [What is at risk with an interpretative ruling in the JEP], 24 October 2025.

<sup>65</sup> S. V. Quevedo Delgado, '["Los recursos para cumplir las sanciones no han sido asignados en el Presupuesto": Contraloría alerta sobre desfinanciación de la JEP](#)' [“The resources to comply with the sanctions have not been allocated in the Budget”: Comptroller's Office warns about the JEP's underfunding], *El Tiempo*, 28 August 2025.

the UN Verification Mission in Colombia has created gaps in monitoring compliance with sanctions and protecting victims and witnesses<sup>66</sup>. This places additional pressure on actors such as the EU and the United Kingdom (as the UN Security Council penholder on Colombia) to finance and support verification efforts<sup>67</sup>. These combined financial, political and operational constraints threaten the JEP's ability to fulfil its mandate effectively.

### 3.3 National human rights institutions: Key accountability actors in adverse contexts

NHRIs have become central pillars of domestic accountability frameworks across the LAC region, despite operating in often adverse political and institutional contexts<sup>68</sup>. Established to promote and protect human rights, NHRIs serve as critical intermediaries between citizens and the state, providing oversight, monitoring and advocacy functions that link international norms to domestic implementation<sup>69</sup>. Their evolution reflects a global trend: since the early 1990s, NHRIs have proliferated worldwide, gaining recognition as essential actors in the international human rights regime<sup>70</sup>. In Latin America, NHRIs are particularly well established. Beginning with Guatemala in 1985, nearly all countries in the region, except Brazil<sup>71</sup>, have established an NHRI, typically following the Iberian *Defensor del Pueblo* model<sup>72</sup>. This design confers broad mandates, robust investigative powers and independence safeguards. Most NHRIs in Latin America hold 'A status' accreditation from the UN-affiliated Global Alliance of NHRIs, signalling full compliance with international standards<sup>73</sup>. By contrast, with the exception of Haiti, no NHRIs in the Caribbean hold such status<sup>74</sup>, even though the UN continues to work on strengthening NHRIs in the English-speaking Caribbean<sup>75</sup>.

Latin American NHRIs enjoy extensive powers: they can receive complaints, conduct unannounced visits to detention facilities and subpoena information, whilst also referring cases to prosecutors and courts. Many also engage in legislative review, submit *amicus curiae* briefs and monitor security forces. These capabilities position NHRIs as vital accountability actors, particularly in contexts where judicial systems are weak or politicised. For example, Peru's *Defensoría del Pueblo*, one of the most institutionally robust NHRIs in the region, operates autonomously, with authority to: investigate *ex-officio*; access all public facilities and issue binding recommendations under OPCAT-related mandates.

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<sup>66</sup> US Mission to the UN, '[Explanation of Vote Following the Adoption of a UN Security Council Resolution on Colombia](#)', 31 October 2025.

<sup>67</sup> Interview with international NGO representative, online, 27 November 2025.

<sup>68</sup> T. Pegram, '[National Human Rights Institutions in Latin America: Politics and Institutionalization](#)', in R. Goodman and T. Pegram (eds), *Human Rights, State Compliance, and Social Change: Assessing National Human Rights Institutions*, Cambridge University Press, Cambridge, 2012.

<sup>69</sup> T. Pegram and N. Herrera Rodriguez, '[Bridging the Gap: National Human Rights Institutions and the Inter-American Human Rights System](#)', in P. Engstrom (ed), *The Inter-American Human Rights System: Impact Beyond Compliance*, Palgrave Macmillan, Cham, 2019.

<sup>70</sup> S. Cardenas, [Chains of Justice: The Global Rise of State Institutions for Human Rights](#), University of Pennsylvania Press, Philadelphia, 2014.

<sup>71</sup> While Brazil currently lacks an NHRI accredited by the UN-affiliated Global Alliance of National Human Rights Institutions, several institutions fulfil related functions, including the institutionally robust Ministério Público, enshrined in the 1988 Constitution, the Federal Public Defenders' Office, and the National Human Rights Council.

<sup>72</sup> T. Pegram, '[Diffusion Across Political Systems: The Global Spread of National Human Rights Institutions](#)', *Human Rights Quarterly*, Vol 32, No 3, 2010, pp. 729-760.

<sup>73</sup> OHCHR, '[Principles Relating to the Status and Functioning of National Institutions \(The Paris Principles\)](#)', Res. 48/134, 20 December 1993.

<sup>74</sup> Global Alliance of National Human Rights Institutions, '[Members](#)', webpage, nd.

<sup>75</sup> OHCHR, '[UN Human Rights in English Speaking Caribbean and Suriname](#)', webpage, March 2021. See further on NHRIs in the Caribbean: Commonwealth Forum of National Human Rights Institution, '[Caribbean and Americans](#)', webpage, nd.

However, NHRIs face mounting challenges across the region. Political interference, resource constraints and legislative reforms threaten their independence and effectiveness. In Peru, recent congressional actions – including the appointment of an ombudsman lacking human rights expertise and the removal of competitive selection processes for deputy positions – raise concerns about institutional integrity<sup>76</sup>. Similar pressures are evident in Colombia and Mexico, where NHRIs navigate polarised environments and shrinking budgets, while addressing complex human rights crises. Despite these obstacles, NHRIs remain crucial institutional actors for advancing accountability in the region. They have the potential to act as watchdogs and mobilise civil society, whilst serving as focal points for implementing international human rights standards.

### 3.4 National protection mechanisms for human rights defenders and journalists

Human rights defenders and journalists are essential actors in advancing accountability across LAC. Recognising their vulnerability in contexts marked by violence and impunity, various states have established national protection mechanisms aimed at safeguarding these groups<sup>77</sup>. Countries such as Colombia, Honduras and Mexico have adopted institutional frameworks to provide risk assessments, emergency measures and coordination with law enforcement. In principle, these mechanisms represent an important step toward embedding international human rights obligations into domestic practice and ensuring practical protection for those most at risk.

However, the effectiveness of these mechanisms remains highly uneven. Many fail to meet the needs of individuals they are designed to protect, often due to weak institutional capacity, lack of resources and political interference<sup>78</sup>. In Brazil, the Protection Programme for Human Rights Defenders operates in fewer than half of the country's states<sup>79</sup>. In Honduras, civil society organisations have raised concerns about the national mechanism's ineffectiveness<sup>80</sup>, while in Peru, the absence of a clear protocol for coordination with the police undermines timely protection<sup>81</sup>. Even where progress has occurred, such as Guatemala's recent reactivation of its risk-analysis body, implementation remains fragile<sup>82</sup>. These shortcomings are particularly concerning given the extreme risks faced by human rights defenders and journalists in LAC, including targeted killings, threats and harassment. Strengthening these mechanisms is therefore critical.

A recent major development in the region concerning protections for the human rights defenders is the Escazú Agreement, a landmark regional treaty that entered into force in 2021<sup>83</sup>. This treaty includes formal provisions for access to environmental information, public participation and justice, while explicitly affirming states' obligations to protect environmental human rights defenders. It introduces new accountability mechanisms and reinforces those already existing, linking environmental rights with access

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<sup>76</sup> C. Calderón, '[Defensoría del Perú en riesgo de perder acreditación internacional: GANHRI acuerda someter a revisión gestión de Josué Gutiérrez](#)' [*Peru's Ombudsman's Office at risk of losing international accreditation: GANHRI agrees to review Josué Gutiérrez's management*], *infobae*, 5 December 2025.

<sup>77</sup> T. S. Mitchell, *Human Rights, Impunity and Anti-Press Violence: How Journalists Survive and Resist*, Routledge, New York, 2025.

<sup>78</sup> Reporters Without Borders, '[Protection Mechanisms in Latin America: How to Strengthen the Fragile Shield Protecting Journalists](#)', December 2024.

<sup>79</sup> Amnesty International, '[Brazil 2024](#)', webpage, nd.

<sup>80</sup> Peace Brigades International - Honduras, '[The National Protection Mechanism, Five Years Later](#)', 6 April 2021.

<sup>81</sup> Reporters without Borders, '[Protection Mechanisms: RSF Report Analyses Journalist Safety Programs in Five Latin American Countries](#)', December 2024.

<sup>82</sup> Amnesty International, '[Human Rights in Americas Regional Overview: Americas 2024](#)', webpage, nd.

<sup>83</sup> UN, '[Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean](#)', Treaty Series Vol 3388C.N.195.2018, 2018.

to justice and broader human rights protections. Currently ratified by 18 countries, the Agreement establishes a non-judicial, consultative Implementation and Compliance Support Committee to promote transparency and assist states in meeting their international obligations under the treaty<sup>84</sup>. Importantly, a number of Caribbean countries have ratified this agreement, including Antigua and Barbuda, The Bahamas, Dominica, Grenada, St Kitts and Nevis, St Lucia, as well as St Vincent and the Grenadines. Since April 2024, individuals can submit communications to this Committee regarding non-compliance and at the 2024 Conference of the Parties, states adopted measures to integrate a gender perspective, acknowledging the heightened risks faced by women human rights defenders and committing to address gender-based violence and ensure women's participation<sup>85</sup>. The 2024 Action Plan further calls for urgent national action, capacity building and practical protections for defenders, underscoring the ongoing challenge of effective implementation despite the Agreement's ambitious framework<sup>86</sup>.

### 3.5 Indigenous justice systems: Expanding legal agency and accountability

Indigenous communities across LAC face many vulnerabilities, including systemic discrimination, land dispossession and violence<sup>87</sup>. Strengthening indigenous justice systems is therefore critical to advancing accountability and ensuring meaningful access to justice<sup>88</sup>. These systems, rooted in customary law and collective traditions, have gained increasing recognition under international frameworks such as the UN Declaration on the Rights of Indigenous Peoples, which affirms the right to autonomy, self-governance and the maintenance of distinct legal institutions<sup>89</sup>. As such, indigenous justice mechanisms provide an essential complement to state systems, offering culturally appropriate dispute resolution and reinforcing community agency. They embody a dual dimension of justice: external access to state courts; and internal jurisdiction through indigenous norms. This 'special jurisdiction' allows communities to adjudicate matters according to their own laws, traditions and procedures, often oral and distinct from formal state law<sup>90</sup>. Recent advances include interjurisdictional arrangements, such as those developed under the JEP and Peru's pioneering legislation on prior consultation, which formally empowers indigenous peoples to influence decisions affecting their lands and resources<sup>91</sup>.

Despite these developments, the role and impact of indigenous justice systems remain poorly understood. Many state-led initiatives still prioritise access to formal courts, which often deliver partial justice and fail to reflect indigenous conceptions of rights. Expanding the reach and recognition of indigenous legal systems is therefore crucial, not only to protect individual rights but also to strengthen collective autonomy and cultural integrity. Strengthening institutional protections for indigenous communities is particularly

<sup>84</sup> G. Medici-Colombo and T. Ricarte, '[The Escazú Agreement Contribution to Environmental Justice in Latin America: An Exploratory Empirical Inquiry through the Lens of Climate Litigation](#)', *Journal of Human Rights Practice*, Vol 16, No 1, 2024, pp. 160-181.

<sup>85</sup> U. Quero, '[Better Protection and Participation of Environmental Defenders through the Escazú Agreement](#)', *International Service for Human Rights*, 15 April 2025.

<sup>86</sup> M. Tigre, '[The Right to a Healthy Environment in Latin America and the Caribbean: Compliance through the Inter-American System and the Escazú Agreement](#)', in C. Voigt and C. Foster (eds), *International Courts versus Non-Compliance Mechanisms: Comparative Advantages in Strengthening Treaty Implementation*, Cambridge University Press, Cambridge, 2024.

<sup>87</sup> For a comprehensive overview, see: IACHR, '[Rapporteurship on the Rights of Indigenous Peoples](#)', webpage, nd.

<sup>88</sup> D. M. Brinks, '[Access to What? Legal Agency and Access to Justice for Indigenous Peoples in Latin America](#)', *The Journal of Development Studies*, Vol 55, No 3, 2019, pp. 348-365.

<sup>89</sup> M. Albertus, '[Indigenous Community Recognition and Identity: Evidence from Peru](#)', *Comparative Political Studies*, 2025.

<sup>90</sup> R. Sieder, '[Legal Pluralism and Fragmented Sovereignties: Legality and Illegality in Latin America](#)', in R. Sieder et al. (eds), *Routledge Handbook of Law and Society in Latin America*, Routledge, New York, 2019.

<sup>91</sup> A. Alva-Arévalo, '[A Critical Evaluation of the Domestic Standards of the Right to Prior Consultation under the UNDRIP: Lessons from the Peruvian Case](#)', *The International Journal of Human Rights*, Vol 23, No 1-2, 2019, pp. 234-248.

critical in the LAC region, where large-scale mining and other extractive activities frequently encroach on ancestral lands, threatening cultural survival and territorial rights. Such activities often generate social conflicts and deepen existing vulnerabilities<sup>92</sup>. To address these risks, robust legal and institutional safeguards are essential for ensuring accountability, preventing rights violations and guaranteeing indigenous peoples' meaningful participation in decisions affecting their territories.

### 3.6 Corruption accountability: Connecting anti-corruption efforts to human rights

Across LAC, corruption remains one of the most pervasive challenges to governance, democracy and human rights. It undermines the rule of law, erodes public trust in institutions and perpetuates systemic impunity, conditions that enable human rights violations. Increasingly, both international bodies and national courts recognise that corruption produces direct and indirect victims, harming communities and individuals by diverting resources, weakening public services and obstructing justice<sup>93</sup>. This shift has led to growing acknowledgement of victims' rights not only to participate in investigations and prosecutions but also to seek reparations in corruption cases.

The period 2020–2025 has seen significant judicial processes targeting large-scale corruption<sup>94</sup>. Landmark cases in Brazil, including prosecutions linked to the 'Car Wash' investigation illustrate the scale and complexity of corruption networks<sup>95</sup>. In Guatemala, the UN-backed CICIG helped dismantle entrenched criminal-political alliances, culminating in the historic resignation and prosecution of a sitting president during the 2015 'Guatemalan Spring'<sup>96</sup>. These cases demonstrate the potential for corruption trials to disrupt structural impunity and reinforce democratic norms. Notably, across LAC public attitudes toward corruption appeared to have hardened significantly. Data from the Latin American Public Opinion Project show that tolerance for bribery has declined sharply since the mid-2000s, increasing the political cost of corruption scandals<sup>97</sup>. This shift coincides with economic stagnation and social protests, amplifying demands for accountability.

However, accountability advances are fragile. According to Transparency International, the region's average score on the Corruption Perceptions Index in 2024 remains low at 42/100, highlighting the depth of the problem<sup>98</sup>. Moreover, corruption prosecutions have become highly politicised, raising concerns about selective enforcement and 'lawfare', in other words the instrumentalisation of judicial processes for political ends<sup>99</sup>. In polarised political contexts, anti-corruption trials risk being perceived as partisan tools

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<sup>92</sup> P. Engstrom and E. Pérez, '[Confronting Extractivism: The Inter-American Human Rights System and Indigenous Rights in Latin America](#)', in J. Behrend and L. Whitehead (eds), *Mounting Pressures on the Rule of Law*, Routledge, New York, 2025.

<sup>93</sup> Due Process of Law Foundation, '[Corruption and Human Rights](#)', webpage, nd.

<sup>94</sup> E. A. Gonzalez-Ocantos et al., *Prosecutors, Voters and the Criminalization of Corruption in Latin America: The Case of Lava Jato*, Cambridge University Press, Cambridge, 2023; F. Durand, '[The Odebrecht Tsunami](#)', *NACLA Report on the Americas*, Vol 51, No 2, 2019, pp. 146–152.

<sup>95</sup> L. Da Ros and M. M. Taylor, *Brazilian Politics on Trial: Corruption and Reform Under Democracy*, Lynne Rienner Publishers, Boulder, 2022.

<sup>96</sup> R. E. Bowen, '[The Weight of the Continuous Past: Transitional \(In\)Justice and Impunity States in Central America](#)', *Latin American Politics and Society*, Vol 61, No 1, 2019, pp. 126–147.

<sup>97</sup> K. Casas-Zamora and M. Carter, '[Beyond the Scandals: The Changing Context of Corruption in Latin America](#)', *The Dialogue*, February 2017.

<sup>98</sup> Transparency International, '[2024 Corruption Perceptions Index: Corruption Fuels Environmental Crime across the Americas](#)', Press release, 11 February 2025.

<sup>99</sup> C. Smulovitz, '[Del "descubrimiento de la ley" al "lawfare" o cómo las uvas se volvieron amargas](#)' [*From the "discovery of law" to "lawfare" or how the grapes turned sour*], *Revista SAAP*, Vol 16, No 2, 2022, pp. 231–259.

rather than impartial efforts to uphold justice. Such dynamics threaten to delegitimise accountability institutions and undermine public confidence, even as they expose powerful actors.

As a particularly concerning trend over recent years, organised crime has become one of the most pressing challenges to human rights accountability in LAC, driving widespread violence, corruption, and democratic backsliding. State responses to organised crime often oscillate between: heavy-handed security measures that restrict rights, as seen in Ecuador and El Salvador, as well as Brazil at state-level; and neglectful or impotent approaches that leave citizens vulnerable, as in Haiti, Peru and Mexico. Both types of responses result in serious human rights violations<sup>100</sup>. The expansion of criminal networks into illicit economies such as drug trafficking and illegal gold mining exacerbates conflict, displaces communities and causes severe environmental damage, while fuelling corruption and further strengthening armed groups through transnational financial flows<sup>101</sup>.

Moreover, organised crime in the Caribbean has become increasingly consolidated due to its strategic role as a transshipment hub for drugs and arms, compounded by weak governance, corruption and socio-economic vulnerabilities. These dynamics fuel violence, human trafficking and exploitation, severely undermining human rights and eroding the rule of law across the region<sup>102</sup>. Although regional human rights bodies have begun to address the implications of organised crime<sup>103</sup>, the complexity of this phenomenon requires more explicit guidance on state responsibility and the development of stronger mechanisms to tackle this major driver of rights violations and governance crises in the region. In short, for many observers, the fight against corruption in LAC is inseparable from the broader struggle against impunity. In countries such as El Salvador, Guatemala and Honduras, systemic corruption intersects with human rights violations, creating 'impunity states' where violence and abuse go unpunished<sup>104</sup>. Breaking this cycle requires sustained institutional strengthening, judicial independence and robust civil society engagement.

## 4 Comparative analysis: Effectiveness, challenges and trends

### 4.1 LAC's accountability mosaic: A multi-layered architecture

Recent developments highlight the dynamic and pluralistic nature of accountability politics in LAC. The region stands out globally for the sheer range and depth of mechanisms designed to advance human rights. This diversity forms an 'accountability mosaic', a layered system extending from global to domestic levels, with institutional mechanisms that assume distinct yet sometimes overlapping accountability roles, such as norm-setting, monitoring, enforcement, investigation, reparations and capacity-building.

At global level, institutions such as the UN and ICC provide normative frameworks and enforcement tools. Country-specific monitoring under UN treaty bodies and ICC investigations – as in Venezuela and Colombia – illustrate this dimension. Regionally, the IAHRs combines standard-setting with judicial oversight, offering individuals and civil society an international platform to challenge state actions. Hybrid bodies, Guatemala's CICIG for instance, integrate international expertise with domestic engagement to challenge entrenched corruption and impunity. Transnational instruments, notably the OPCAT, promote

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<sup>100</sup> See the remarks of Juanita Goebertus Estrada, Human Rights Watch, at: European Parliament, [Human rights dimension of EU-Latin America relations](#), Workshop, 3 December 2025.

<sup>101</sup> Interview with international NGO representative, online, 27 November 2025.

<sup>102</sup> L. Dammert, and C. Sampó. [What Do We Know about Organized Crime in Latin America and the Caribbean? Trends, Definitions and Risks for Democracy](#), LAC Working Paper Series, No 46, UNDP, 2025.

<sup>103</sup> Interview, international NGO representative, online, 2 December 2025.

<sup>104</sup> R. E. Bowen, 'The Weight of the Continuous Past: Transitional (In)Justice and Impunity States in Central America', *Latin American Politics and Society*, Vol 61, No 1, 2019, pp. 126-147.

cooperation through NPMs, embedding global torture prevention standards into domestic practice. At domestic level, innovations such as the JEP, Argentina’s prosecutions for dictatorship-era crimes, Mexico’s national search commission and indigenous justice systems exemplify efforts to strengthen domestic accountability mechanisms (see Figure 1 for a selection of mechanisms, illustrating LAC’s accountability mosaic).

**Figure 1:** LAC’s Accountability Mosaic (selection)



Source: Author’s own elaboration.

This accountability mosaic matters for three vital interlocking reasons. Firstly, it enhances resilience by spreading accountability across different levels, thereby reducing reliance on any single institutional mechanism. Secondly, it broadens the scope and impact for those most in need of protection, including victims of historical abuses, corruption and systemic violence. Thirdly, it creates a number of entry points for external engagement – such as the EU and European Parliament – to support and reinforce accountability initiatives.

However, such institutional complexity presents a number of key challenges. Coordination among different mechanisms and actors is essential to reduce risks of fragmentation and duplication. The existence of various overlapping institutions may also raise concerns that some merely create the appearance of addressing underlying policy problems, rather than functioning properly. Moreover, accountability in LAC remains uneven and vulnerable to reversals amid persistent patterns of impunity, authoritarian resurgence and resource constraints. Mechanisms often operate under intense political pressure, causing their effectiveness to vary widely.

Because formal institutional design often differs significantly from how institutions perform in practice, evaluating their effectiveness requires two distinct perspectives: establishing normative expectations (what the mechanisms are intended to achieve) and mapping empirical outcomes (what they actually

accomplish). Moreover, it is vital to recognise that accountability mechanisms rarely succeed in isolation; their greatest impact occurs when they work in concert to create political spaces for sustained dialogue and rights protection. In short, the LAC region possesses an accountability architecture which is unparalleled in scope and depth but this institutional mosaic is both uneven and fragile. Strengthening coordination, safeguarding independence and supporting capacity-building are critical in ensuring that these mechanisms fulfil their promise of advancing human rights accountability.

## 4.2 An uneven accountability mosaic

It is critical to note that while LAC's accountability architecture is extensive and innovative, it is far from complete. While the region boasts a dynamic mix of global, regional, hybrid and domestic mechanisms, recent years reveal a complex combination of advances and setbacks, requiring a balanced and holistic assessment. Progress in some areas contrasts sharply with reversals in others, leaving accountability uneven and fragile in various countries and for many groups.

Most notably, persistent impunity remains a defining challenge. Despite landmark achievements – such as Guatemala's CICIG dismantling criminal networks and JEP advancing transitional justice – these gains have often been fragile. CICIG's closure in 2019 triggered subsequent and ongoing attacks on judicial independence along with democratic backsliding, illustrating how quickly progress can unravel. Similarly, Argentina, once a leader in gender equality in the region, has seen rights rolled back amid economic crisis and regressive policies<sup>105</sup>. Regional governance and institutional gaps further fragment the mosaic. Much of the English-speaking Caribbean remains outside the IAHRs, while marginalised groups – such as rural communities and those affected by climate-related displacement – are generally unable to access justice. Authoritarian contexts in Cuba, Nicaragua, Venezuela and increasingly El Salvador show entrenched impunity as well as rejection of international monitoring. This unevenness matters as it weakens regional resilience, limits protections for vulnerable populations and creates uncertainty for external actors seeking to support accountability.

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<sup>105</sup> K. Fitz-Gibbon, '[Argentina's President Is Vowing to Repeal "Woke" Femicide Law. It Could Have Ripple Effects across Latin America](#)', *The Conversation*, 30 January 2025; Human Rights Watch, '[Argentina: Events of 2024](#)', in *World Report 2025*, 2024.

**Figure 2: Missing Pieces in LAC's Accountability Mosaic**



Source: Author's own elaboration.

### 4.3 Explaining accountability outcomes

Despite the uneven progress on accountability in LAC, it is important to recognise that the region has advanced significantly since the era of systematic human rights violations under military dictatorships and armed conflicts of the 1970s and 1980s. The past four decades have witnessed transformative changes: democratic transitions, the establishment of robust human rights institutions and the development of innovative accountability mechanisms. Yet, notwithstanding these significant achievements, recent years have revealed a concerning trend: a slowdown – and in some cases reversals – in accountability gains. Persistent impunity, democratic erosion and political polarisation threaten to undermine progress. To understand this dynamic, it is necessary to examine the uneven character of accountability across countries, social groups and policy areas, as well as the structural and political factors shaping these outcomes.

The region's accountability landscape is marked by striking heterogeneity. While some countries have consolidated strong institutions and advanced rights protections, others have experienced stagnation or regression. This variation can be attributed to a combination of interlocking factors.

Firstly, formal political structures – particularly constitutional design and electoral systems – play a critical role in shaping accountability processes and outcomes. For example, proportional representation, common in Latin America, is generally associated with inclusive legislation and coalition-building, which can strengthen mechanisms for rights protection. By contrast, majoritarian systems, prevalent in parts of the Caribbean, often concentrate power and weaken oversight, reducing the effectiveness of accountability

politics. In practice, though, the strong executive authority characteristic of Latin American politics frequently disrupts institutional balance, producing dominant presidents who are weakly accountable, providing political conditions that risk undermining human rights safeguards<sup>106</sup>. Territorial organisation also matters: federal systems such as those in Argentina, Brazil and Mexico create accountability arenas that can facilitate rights enforcement, whereas unitary systems centralise power, sometimes limiting local participation and reducing opportunities for rights-based accountability<sup>107</sup>. These structural dynamics help explain recent regional trends, where advances in legal frameworks coexist with persistent challenges in implementation, selective accountability and renewed risks of rights violations under concentrated executive power. Recent trends of democratic backsliding highlighted in this briefing illustrate how institutional design interacts with political practice to shape the trajectory of human rights accountability. These include: the erosion of judicial independence in El Salvador; the dissolution of effective checks and balances in Venezuela and presidential overreach in Nicaragua. Similar concerns have emerged in the Caribbean, where moves toward constitutional reform in Jamaica and Guyana have sparked debates over executive dominance<sup>108</sup>.

Secondly, democratic quality is a key determinant in accountability. Stronger democracies generally produce more inclusive laws and robust oversight mechanisms, which enhance human rights protections. By contrast, democratic backsliding in some of the region's countries has eroded judicial independence and curtailed civil society space, creating conditions for entrenched impunity and weakening enforcement of rights<sup>109</sup>. In Haiti, prolonged political instability and the collapse of state institutions have severely undermined any prospects for accountability<sup>110</sup>, while in the Dominican Republic, persistent corruption scandals highlight the fragility of checks and balances<sup>111</sup>. These developments reflect a broader regional trend: while legal frameworks for accountability have expanded, their effectiveness is often compromised by concentrated political power, weakened institutions and shrinking civic space, posing renewed risks for human rights accountability.

Thirdly, constitutional law, legislatures and courts are central to accountability in LAC. Over recent decades, constitutional law in the region has undergone significant transformation through 'neo-constitutionalism', a judicial interpretive trend that not only emphasises the primacy of fundamental rights but also empowers courts to interpret and enforce them<sup>112</sup>. Legislatures also play a key role in advancing rights-based reforms, while courts remain central in ensuring their implementation. Judicial activism has played a pivotal role in broadening access to justice across the region. This trend has been propelled by dynamic networks of legal advocates and non-governmental organisations, which have strategically leveraged litigation and public interest cases to challenge systemic barriers and promote rights-based

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<sup>106</sup> A. Pérez-Liñán et al., '[Presidential Hegemony and Democratic Backsliding in Latin America, 1925–2016](#)', *Democratization*, Vol 26, No 4, 2019, pp. 606–625.

<sup>107</sup> C. Smulovitz, '[Legal Inequality and Federalism: Domestic Violence Laws in the Argentine Provinces](#)', *Latin American Politics and Society*, Vol 57, No 3, 2015, pp. 1–26; J. Behrend and L. Whitehead, '[The Struggle for Subnational Democracy](#)', *Journal of Democracy*, Vol 27, No 2, 2016, pp. 155–169.

<sup>108</sup> D. Jackson Miller, '[Constitutional Reform Report Sets Out the Way Forward for Jamaica – or Does It?](#)', *ConstitutionNet*, 11 July 2024; T. Desmond, '[Igniting Guyana's Long-Awaited Constitutional Reform](#)', *Americas Quarterly*, 11 June 2024.

<sup>109</sup> L. Gamboa, '[Plebiscitary Override in Venezuela: Erosion of Democracy and Deepening Authoritarianism](#)', *The ANNALS of the American Academy of Political and Social Science*, Vol 712, No 1, 2024, pp. 124–136; S. C. Stokes, [The Backsliders: Why Leaders Undermine Their Own Democracies](#), Princeton University Press, Princeton, 2025.

<sup>110</sup> International Crisis Group, [Locked in Transition: Politics and Violence in Haiti](#), February 2025.

<sup>111</sup> M. Picard et al., '[What A Corrupt Police Network in the Dominican Republic Reveals About Arms Trafficking](#)', *Just Security*, 24 March 2025.

<sup>112</sup> A. Huneus, '[Constitutional Lawyers and the Inter-American Court's Varied Authority](#)', *Law and Contemporary Problems*, Vol 79, No 1, 2016, pp.179–207.

reforms<sup>113</sup>. In the Caribbean, courts have also shaped rights protections through decisions such as Belize's Supreme Court ruling decriminalising same-sex relations<sup>114</sup>, followed more recently by St Lucia's High Court of Justice<sup>115</sup>. Yet courts continue to face resource constraints, uneven quality and politicisation<sup>116</sup>. This creates a judicial paradox: greater visibility and influence in recent years co-exist with persistent vulnerability and fragile independence, which ultimately limits their capacity to address deep-rooted structural inequalities<sup>117</sup>.

Fourthly, state capacity is critical for effective accountability. Establishing formal institutional mechanisms alone is insufficient, as implementation and enforcement often lag due to weak institutions, corruption and resource constraints<sup>118</sup>. This persistent gap between formal commitments and practical outcomes remains one of the region's most enduring challenges, undermining efforts to translate legal frameworks into meaningful accountability. In practice, limited capacity has contributed to failures in investigating human rights violations, delays in prosecuting abuses and inadequate protection for vulnerable groups, which in turn allows impunity to persist and weakens trust in democratic institutions. For example, in Mexico chronic weaknesses in law enforcement and prosecutorial bodies have led to widespread impunity for disappearances and extrajudicial killings, despite robust legal frameworks<sup>119</sup>. In Haiti, the collapse of state institutions and severe resource shortages have paralysed the justice system, leaving grave human rights violations unaddressed and eroding public confidence in governance.

Fifthly, accountability is shaped not only by institutions but also by social and political dynamics. Civil society mobilisation has been decisive in advancing accountability reforms, such as Argentina's Grandmothers of the Plaza de Mayo driving truth and justice initiatives<sup>120</sup>, Brazil's feminist movements influencing gender equality legislation<sup>121</sup> and Mexico's grassroots campaigns pushing for the creation of search commissions to investigate the country's disappeared<sup>122</sup>. Across the Caribbean, sustained advocacy by LGBTQI+ organisations has been instrumental in achieving landmark court rulings that prohibit discrimination based on sexual orientation, as highlighted above. At the same time, conservative coalitions have resisted progress on reproductive rights in many countries<sup>123</sup> and have opposed transitional justice

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<sup>113</sup> S. Botero, *Courts That Matter: Activists, Judges, and the Politics of Rights Enforcement*, Cambridge University Press, Cambridge, 2023.

<sup>114</sup> J. R. A. Westmin, 'In Search of Progress: The Implications of *Caleb Orozco v. AG of Belize for the Commonwealth Caribbean*', *The International Journal of Human Rights*, Vol 22, No 5, 2018, pp. 640–663.

<sup>115</sup> UN in the Caribbean, '[UNAIDS Hails Historic Court Ruling in St Lucia Decriminalizing Consensual Same-Sex Relations](#)', Press Release, 30 July 2025.

<sup>116</sup> G. Pereira and C. Smulovitz (eds), *El uso del derecho como herramienta de transformación en América Latina [The use of law as a tool for transformation in Latin America]*, Dejusticia, Bogotá, 2025.

<sup>117</sup> D. A. Zambrano et al., '[How Latin America's Judges Are Defending Democracy](#)', *Journal of Democracy*, Vol 35, No 1, 2024, pp. 118–133.

<sup>118</sup> J. Behrend and L. Whitehead (eds), *Mounting Pressures on the Rule of Law: Governability for Development and Democracy in Latin America*, Routledge, New York, 2025.

<sup>119</sup> A. Anaya-Muñoz et al., '[More than Lack of Capacity: Active Impunity in Mexico](#)', *Journal of Human Rights Practice*, Vol 16, No 1, 2024, 374–396.

<sup>120</sup> S. Mosquera, '[Locating Children Appropriated by Dictatorships of the Southern Cone: Questioning Identities](#)', in E. Lira et al. (eds), *Human Rights Violations in Latin America: Reparation and Rehabilitation*, Springer International Publishing, Cham, 2022.

<sup>121</sup> G. Zaremborg and D. Rezende de Almeida, *Feminisms in Latin America: Pro-Choice Nested Networks in Mexico and Brazil*, Cambridge University Press, Cambridge, 2022.

<sup>122</sup> J. Gallagher, '[The Last Mile Problem: Activists, Advocates, and the Struggle for Justice in Domestic Courts](#)', *Comparative Political Studies*, Vol 50, No 12, 2017, pp. 1666–1698.

<sup>123</sup> L. A. Payne et al. (eds), *The Right Against Rights in Latin America*, British Academy Scholarship, London, 2023.

measures in Guatemala<sup>124</sup>. Political economy factors – including elite incentives, coalition dynamics and public opinion – further shape outcomes<sup>125</sup>. While recent surveys may indicate declining tolerance for corruption, raising the political cost of scandals<sup>126</sup>, economic crises often intensify polarisation, creating openings for authoritarian leaders who undermine accountability under the guise of restoring stability.

Finally, international dimensions play a significant, though uneven, role in shaping accountability in LAC. Global and regional institutions such as the UN, ICC and IAHRs provide normative frameworks and enforcement tools but levels of cooperation vary considerably. Authoritarian regimes such as Cuba, Nicaragua and Venezuela have rejected international monitoring, thereby limiting external influence. Geopolitical pressures – not least current US policies prioritising its perceived security interests over human rights – also fundamentally shape regional accountability dynamics. Hybrid mechanisms, such as CICIG and Honduras’s Mission to Support the Fight against Corruption and Impunity, demonstrate the potential for international-domestic partnerships to tackle entrenched corruption. Yet their dismantling under political pressure, alongside persistent regional and international inaction in response to Haiti’s state collapse, underscores the fragility of externally driven reforms and the difficulty of sustaining international engagement when confronted with domestic resistance.

#### 4.4 Resisting accountability: Shaping present and future trends

The LAC region has made significant progress in establishing accountability mechanisms since the era of widespread and open authoritarian rule. These achievements include transitional justice processes in Argentina, Chile and Colombia that have prosecuted historical crimes and advanced victim-centred approaches, with Colombia’s JEP standing out as a global innovation in restorative justice. NHRIs have proliferated, embedding international norms into domestic frameworks, while protection mechanisms for journalists and human rights defenders, along with recognition of indigenous justice systems, mark important steps toward inclusive accountability. To strengthen these gains and safeguard human rights still further, as discussed in the previous section, it is crucial to understand the interplay of institutional design, social mobilisation, political economy and international influence when crafting strategies of support.

However, accountability advances across the region remain fragile, uneven and vulnerable to reversal, as persistent impunity, politicisation of justice and democratic backsliding threaten recent gains. Between 2020 and 2025, the region has faced significant setbacks and growing resistance, highlighting persistent patterns of impunity. For example, in Peru the reversal of annulled amnesties for serious human rights crimes illustrates how progress can be undone<sup>127</sup>. Even in relatively reform-oriented contexts, such as Chile, initiatives to locate dictatorship-era victims coexist with resistance to broader accountability measures for historical human rights crimes.

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<sup>124</sup> E. Evrard and G. Mejía Bonifazi, ‘Supporting Reparations after Armed Conflict: How Discursive “Memory Battles” Affect Political Solidarity with Guatemalan Indigenous Survivors’, *Journal of Peace Research*, Vol 62, No 6, 2025, pp. 1801–1819; L. M. Morgan, ‘Global Anti-Abortion Coalition Targets the Organization of American States’, *NACLA*, 4 June 2021; P. Palacios Zuloaga, ‘Pushing Past the Tipping Point: Can the Inter-American System Accommodate Abortion Rights?’, *Human Rights Law Review*, Vol 21, No 4, 2021, pp. 899–934.

<sup>125</sup> A. Anaya-Muñoz et al., ‘More than Lack of Capacity: Active Impunity in Mexico’, *Journal of Human Rights Practice*, Vol 16, No 1, 2024, pp. 374–396.

<sup>126</sup> K. Casas-Zamora and M. Carter, *Beyond the Scandals: The Changing Context of Corruption in Latin America*, *The Dialogue*, February 2017.

<sup>127</sup> K. Ambos and G. Urquiza, ‘The New Peruvian Amnesty Law of August 2025: Old Wine in New Bottles’, *EJIL: Talk!*, 15 September 2025.

Moreover, ongoing political trends have further complicated accountability efforts in LAC, as democratic stagnation and erosion have intensified<sup>128</sup>. Entrenched authoritarian actors – including organised crime and paramilitary groups – undermine democratic rights and block reforms, creating zones of *de facto* impunity in parts of Mexico, Central America and Brazil, for example, with systemic corruption and violence rendering existing accountability mechanisms largely ineffective. In addition, poor economic performance, enduring inequalities as well as pervasive insecurity and corruption have fuelled public discontent, empowered authoritarian leaders and thereby accelerated democratic erosion through attacks on judicial independence, restrictions on civil society and concentration of executive power. These conditions have enabled systematic attacks on accountability institutions. Judges and prosecutors handling sensitive cases face harassment and even persecution<sup>129</sup>, as seen in Guatemala<sup>130</sup> and El Salvador<sup>131</sup>, where judicial purges and ‘court-packing’ have fuelled erosion of independence<sup>132</sup>. Furthermore, hybrid states that mix bureaucratic efficiency with corruption and authoritarianism weaken the rule of law and enable systematic attacks on accountability institutions.

These dynamics are further reinforced by external pressures, most notably from a US administration that claims to prioritise LAC and is increasingly willing to use its material power to advance its key objectives – curbing migration, combating crime and securing access to critical supply chains – and called for greater military attention to the region<sup>133</sup>. Meanwhile, the rise of alternative governance models, from illiberal democracies to authoritarian market economies, has diminished both the capacity and willingness of international actors to promote human rights accountability<sup>134</sup>. Persistent economic vulnerabilities further constrain states’ ability to sustain reforms across the region.

In short, challenges to accountability stem from a combination of structural conditions, such as weak institutions and resource constraints and contextual factors, including political interference, democratic erosion and geopolitical pressures. As a result, while accountability mechanisms exist, enforcement remains elusive in many contexts, reflecting entrenched non-compliance with international accountability norms and standards.

## 5 EU and European Parliament engagement: Options and recommendations

This is an opportune moment to take stock of human rights trends in LAC. The region is at a critical juncture, facing global instability, growing geostrategic pressures and severe cuts in international development assistance from traditional partners such as the USA and several European countries. It is in this context that the EU-LAC relationship is more important than ever. The EU has consistently declared its commitment to human rights accountability through long-standing institutional and financial support for

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<sup>128</sup> Diálogo Político, ‘[Lo que dice el nuevo Latinobarómetro: resiliencia y contradicciones](#)’ [*What the new Latinobarometer says: resilience and contradictions*], 27 January 2025.

<sup>129</sup> Associação dos Magistrados Brasileiros, ‘[Threats to the Judiciary in Latin America and Brazil](#)’, 23 November 2024.

<sup>130</sup> J. Chávez Alor and M. C. Martínez Armas, ‘[Criminalization of Justice Operators in Guatemala as a Strategy to Secure Impunity](#)’, *Cyrus R. Vance Center for International Justice*, December 2022.

<sup>131</sup> Due Process of Law Foundation, ‘[Muzzled Justice: The Capture of El Salvador’s Justice System](#)’, August 2024.

<sup>132</sup> A. A. Aguiar Aguiar, ‘[Courts and the Judicial Erosion of Democracy in Latin America](#)’, *Politics & Policy*, Vol 51, No 1, 2023, pp. 7-25.

<sup>133</sup> The White House, ‘[National Security Strategy](#)’, November 2025.

<sup>134</sup> S. Palestini et al., ‘[Autocracy Promotion in the Americas? Scrutinizing the Effect of China and Russia on Democracy Protection in Venezuela and Nicaragua](#)’, *Democratization*, Vol 32, No 7, 2025, pp. 1797-1819.

accountability mechanisms in the LAC region<sup>135</sup>. This support reflects the EU's position that accountability for human rights violations is essential in sustaining development and a stable, rules-based international order<sup>136</sup>. EU-LAC relations specifically are formally grounded in professed shared values of democracy, human rights, the rule of law and multilateralism, with the EU having identified accountability and rule of law reforms as key priorities<sup>137</sup>. However, the European Parliament, for its part, has repeatedly raised concerns about persistent impunity, democratic backsliding, erosion of judicial independence and widespread violations of fundamental rights across the LAC region. Moreover, it has urged the EU to enhance its support for human rights defenders<sup>138</sup>. Overall, the EU is seeking more effective engagement to strengthen human rights accountability in LAC, leveraging a range of foreign policy instruments including political dialogue, conditionality, development cooperation and the Global Human Rights Sanctions Regime<sup>139</sup>.

This briefing has highlighted the importance of an evidence-based analysis of trends, processes and outcomes in human rights accountability as a foundation for effective policy. By identifying priority areas for EU engagement, particularly for the European Parliament, it offers a framework for strategic approaches aimed at strengthening accountability mechanisms across the LAC region. Turning shared values into concrete accountability requires action, which the EU can leverage with the range of tools at its disposal, including fostering political dialogue and engagement, supporting regional and domestic accountability mechanisms through effective multilateralism, designing smart incentives in bi-regional agreements and providing development assistance as well as support to local civil society. These measures offer certain distinct yet overlapping pathways for the EU to translate principles into impact, strengthening human rights accountability throughout the LAC region.

## 5.1 Consistent and sustained political engagement

Firstly, **consistent and sustained political engagement** by the EU with LAC is essential to strengthening human rights accountability across the region. In an era dominated by overtly transactional international politics, acting on shared values – even when it entails costs – signals credibility and commitment. The EU's presence and engagement serve as a vital counterweight, reinforcing cooperation and mutual concern in a region where respect for international law, diplomacy and formal commitments to human rights, democracy and development are deeply rooted. This requires moving from declarations to concrete action: sustaining high-level dialogues such as the EU–CELAC Summits; supporting regional institutions such as the IAHR; integrating human rights clauses into trade and development agreements; as well as funding civil society initiatives. EU policy should build on and expand current priorities by: maintaining structured political dialogues at ministerial, parliamentary and ambassadorial levels; monitoring compliance with human rights, democracy and rule of law provisions in trade as well as cooperation agreements; providing targeted financial and technical support for accountability mechanisms and judicial bodies; as well as strengthening partnerships with local civil society to enhance monitoring and advocacy capacity. The European Parliament plays a pivotal role in scrutinising EU policies in these areas. By advancing principled engagement, the European Parliament can help safeguard human rights and democratic norms in a

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<sup>135</sup> EEAS, [EU Action Plan on Human Rights and Democracy \(2020-2027\)](#), 30 November 2020.

<sup>136</sup> EEAS, ['EU Priorities for UN Human Rights Fora in 2025'](#), Press Release, 31 January 2025.

<sup>137</sup> European Parliament, [REPORT on EU Political Strategy on Latin America](#), 2025/2083(INI), 26 September 2025.

<sup>138</sup> European Parliament, [REPORT on EU Political Strategy on Latin America](#), 26 September 2025.

<sup>139</sup> C. Portela et al., [Effectiveness of the EU Global Human Rights Sanctions Regime](#), Directorate-General for External Policies of the Union, PE 754.474, 10 June 2025.

currently volatile regional and global context, thereby creating the conditions for more resilient institutions and effective accountability mechanisms across LAC.

## 5.2 Effective multilateralism

Secondly, building on this principled engagement, the EU and the European Parliament can support LAC's accountability mosaic by developing and investing resources in **effective multilateralism**. In the LAC region, uneven capacity as well as fragmented policies and practice undermine regional resilience and protections for vulnerable groups. Sustained, principled and targeted EU engagement can counter this trend by backing credible institutions, reinforcing regional mechanisms and improving coordination to strengthen impact. The EU and European Parliament can play a pivotal role in strengthening LAC's accountability mechanisms through targeted, multilateral engagement, that builds on and expands existing support (for instance to the IAHRs and electoral assistance). Key priorities could include reinforcing judicial independence and capacity via technical assistance, peer-to-peer exchanges and training consortia, including, for example, ensuring effective OPCAT implementation and robust design as well as staffing of NPMs in the region. Supporting NHRIs and protection mechanisms for defenders and journalists through funding, legal safeguards and networking is equally critical, as these bodies have the potential to act as watchdogs and mobilise civil society. To reduce fragmentation, the EU could promote and support coordination among domestic courts, NHRIs and regional mechanisms. This could be achieved through the development of shared standard-setting practices and monitoring frameworks, which should also respond to emerging challenges such as climate and technology governance<sup>140</sup>. Backing victim-centred transitional justice processes, such as JEP, with technical assistance, funding for victim participation and diplomatic guarantees can help to consolidate fragile accountability advances. Reinforcing the IAHRs offers a strategic opportunity for the EU. Targeted engagement - through technical assistance, funding for compliance monitoring and support for civil society engagement with the IAHRs - can strengthen the system's independence and enhance its capacity to deliver effective human rights protections. The European Parliament can reinforce accountability mechanisms in LAC by supporting monitoring and channelling resources into effective multilateral engagement, supporting judicial independence, NHRIs and the IAHRs through technical assistance, funding and coordination initiatives.

## 5.3 Positive incentives

Thirdly, the EU can strengthen human rights accountability in LAC by embedding **smart, positive incentives into bi-regional agreements and cooperation frameworks**. These incentives would create clear, shared benefits for both regions, encouraging collaboration on governance and rights protection while advancing mutual economic and security interests. Practical mechanisms could include preferential trade terms linked to compliance with human rights benchmarks, access to EU development funds for countries demonstrating progress in judicial independence and accountability along with technical cooperation packages tied to anti-corruption and transparency reforms. Beyond governance, bi-regional agreements could prioritise joint action against organised crime and transnational illicit economies, such as drug trafficking and illegal mining, that erode democratic institutions and fuel violence against vulnerable populations on both sides of the Atlantic. This could involve intelligence-sharing platforms and capacity-building for law enforcement and judicial authorities, supported by EU expertise and funding, again expanding on existing cooperation frameworks. It is essential for European countries to recognise that they

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<sup>140</sup> Interview with a former IACHR official, online, 29 November 2025.

are also affected by the transnational illicit markets whose dynamics have devastating consequences for accountability and human rights across the LAC region. For example, with Europe now a major market for illicit drugs, historical trends show that rising consumption and the violence accompanying expanding markets often prompts more repressive policies both at the point of consumption and at source. Rather than curbing violence, these approaches tend to strengthen criminal governance actors and perpetuate serious human rights violations. Violence is not incidental but intrinsic to illicit economies and without acknowledging Europe's role in these transnational markets, efforts to strengthen accountability in LAC will remain incomplete<sup>141</sup>. Bi-regional cooperation should be framed as a mutually beneficial approach, ensuring that improvements in accountability and citizen security translate into shared economic and political gains for both regions. At this critical juncture of rapidly shifting geopolitics, marked by rising authoritarianism and transnational security threats, the European Parliament can position the EU-LAC partnership as a strategic, value-driven collaboration that not only delivers tangible benefits for both partners but also asserts EU leadership globally in reinforcing democratic norms and human rights<sup>142</sup>.

## 5.4 Supporting civil society

Fourthly, **supporting civil society** in LAC is essential for strengthening human rights accountability and democratic governance. Grassroots actors, human rights defenders and journalists often operate in contexts of extreme risk, facing threats, harassment and even targeted killings. The EU and European Parliament can play a critical role by providing capacity-building, promoting safeguards for independence and ensuring civil society participation in accountability processes. EU support to the strengthening of credible national protective mechanisms is also critical here. This includes political and technical support for public policies aimed at dismantling illegal armed groups and criminal organisations, as well as strategies for investigating crimes against human rights defenders and journalists. Linking anti-corruption efforts to human rights frameworks, as well as protecting investigative journalists and prosecutors can help break the prevailing cycle of impunity<sup>143</sup>. Beyond national contexts, the EU could also back civil society initiatives that monitor regional bodies such as the IAHR, ensuring transparency in appointments and defending institutional autonomy<sup>144</sup>. In addition, supporting indigenous legal systems and intercultural frameworks, through training, resources and inclusive participation, offers a strategic pathway for empowering marginalised communities and strengthening accountability at local levels. The European Parliament, specifically, can strengthen civil society actors in LAC by providing sustained funding, technical assistance and platforms for dialogue to enhance their monitoring and advocacy capacity. Through political engagement and support for networking initiatives, it can help these actors improve coordination and amplify their role in promoting accountability and human rights.

This paper has highlighted the dual character of accountability developments in LAC; while important advances have clearly been made, these coexist with signs of regression, with any gains remaining uneven and vulnerable to reversal. This is, therefore, a defining moment for the EU and the European Parliament specifically. There is an opportunity to lead by example in a shifting international order fraught with instability and uncertainty by: expanding political support for human rights accountability; deploying innovative incentives to strengthen democratic governance; and forging strategic partnerships with LAC's

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<sup>141</sup> Interview with a citizen security and organised crime expert, online, 27 November 2025.

<sup>142</sup> Interview with a former IACHR official, online, 29 November 2025.

<sup>143</sup> Interview with international NGO representative, online, 27 November 2025.

<sup>144</sup> Interview with international NGO representative, online, 2 December 2025.

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accountability mechanisms and civil society in ways that embed human rights at the centre of EU–LAC relations.

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