



Mecanismo de Participación
de la Sociedad Civil de América
Latina y el Caribe para el
Desarrollo Sostenible - MeSCALC

Civil Society Organizations from Latin America and the Caribbean vis-a-vis COVID-19: Impacts, Recommendations and Challenges of Governments

The creation of the *Civil Society Participation Mechanism in the III Forum of the Countries of Latin America and the Caribbean on Sustainable Development* in 2018 was a major advancement, but has not been enough to ensure significant dialogue between government representatives and civil society organizations in regional forums. The governments of Latin America and the Caribbean in the current context of COVID-19 have moved even further from complying with the goals set by the SDGs. The critical situation created by the pandemic in our communities does not translate into an attitude of dialogue and exchange with the civil society, which are precisely more aware of the urgent gaps that need to be tackled in order to advance the 2030 Agenda and reduce the negative impact of the pandemic.

Five years after the approval of the 2030 Agenda for Sustainable Development, our region is still struggling with economic stagnation, which has worsened, as well as poverty; growth regression; uneven distribution; rising external debt; dismantling of public services and their privatization. These factors have coexisted with high rates of corruption in a context of impunity, violation of human rights, an increase in authoritarian trends, persecution and criminalization of human, economic, social, environmental, cultural and labor rights' advocates, and the repression and criminalization of citizen protest, which has increased considerably in the region as it became the epicenter of the pandemic since June 2020, according to the WHO.

The neoliberal measures adopted by most countries of our region hampered the fulfillment of SDGs; hence, today it is even more urgent that government radically change their course of action and launch a global compact for the implementation of new development models, ensuring the realization of human rights and the acceleration of the adoption of the 2030 Agenda. The pandemic deepens structural inequalities and exacerbates new gaps within countries and among nations. Now, governments have the opportunity to join the civil society in considering the necessary changes to prevent the deterioration of the planet and acknowledging the protection of life and the guarantee of human rights as government policies. From the civil society of LAC, organized through the Civil Society Participation Mechanism of the Forum of the Countries of Latin America and the Caribbean on Sustainable Development, we expect to be able to do it, from a horizontal and transparent dialogue, and the implementation of political and social transformations and changes in the development model.

We restate the need to:

1— Strengthen our democratic systems and tackle the coronavirus crisis from a human rights perspective, establishing progressive economic policies, with systems that ensure preventive measures are taken, without deepening economic damage, as is the case in most countries of the region. This requires national strategies that more effectively include non-governmental stakeholders, social and union movements, particularly the civil society organization and most vulnerable populations. We observe with concern that most countries in the region are not modifying the tax systems to make them more comprehensive and progressive, equitable and transparent, or to set up mechanisms to avoid tax evasion and avoidance, opacity and debt. Very few countries, such as Brazil and Argentina, are undergoing strong debates on the creation of tax on wealth and large fortunes to compensate for the unequal distribution of wealth, a gap between the marginalized and the rich that is widening during the pandemic. Opposition to these advances is still very strong.

2— The promotion of decent work is a demand that governments have not met in LAC countries. As a consequence of the pandemic and the health measures focused on the strict quarantine, it has increased unemployment and job losses in almost all the countries of the region. For example, one major concern is the labor reform passed in 2017, in Brazil, which criminalizes the rights of workers. The unemployment rate in Brazil is high, more than 13%, and the informality rate is 44,1%. These are challenges difficult to overcome without alignment with the 2030 Agenda. The two reforms, labor and social security, proposed by the government, will not comply with the pledges, as data reveals. Some governments of the region have taken measures to prevent small- and medium-size enterprises (SMEs) from bankruptcy, as well as to support and provide credits for SMEs. However, their coverage and impact are unknown. They are expected to be insufficient because a great number of those SMEs have closed and several multinational and big enterprises have announced that they are leaving many countries. For example, in Brazil, although the government passed a rescue package in April for small- and micro-sized enterprises, not all of them can design a project as is required. Moreover, aid was not in the form of a loan with a lower interest rate and is very difficult for entrepreneurs to access. According to SEBRAE (Brazilian Service to Support Micro- and Small-Size Enterprises), the pandemic changed the operations of 5.3 million small enterprises in Brazil, an equivalent of 31% of the total enterprises; and 58.9% temporarily interrupted their activities.

The promotion of decent work is urgent, as well as policies of social protection devoted to prevent unemployment, reduce informal labor and the bankruptcy of SMEs, and mechanisms to guarantee a minimum income for the most vulnerable populations in times of crisis as the one we are undergoing, something that will avoid a greater increase in poverty. The lack of acknowledgement of informal workers left them outside the supportive policies, which forced them to break confinement, with all the risks such action entails. Today more than ever **“not leaving anyone behind”** depends on achieving a development model that supports us all and which, without privileges, allows all sectors of society to contribute in equity.

3— In spite of the evidence of the increase of violence, especially against women and children in the context of COVID-19, governments did not take significant measures to stop the violence. In some few cases, alternative reporting channels for women and girls were reinforced,

but no reductions were seen, just progressive and alarming increases in the statistics of violence against women, young girls and girls in the region. In Brazil, the situation is very critical, as policies in effect on violence against women were eliminated. Between 2014 and 2019, in Brazil the resources for women's policies were reduced by 75%. In 2018, femicides accounted for 29.6% of intentional homicides of women, 4% more compared to 2017. The government did not share the data on femicides in 2019 and the periodic and systematic disclosure of data on rape, as the one from the Center for Women's Services, was abandoned.

Protection, promotion, respect and the guarantee of human rights is urgent to live a life free of violence, as well as the sanction and effective enforcement of laws and policies that tackle the needs of the most vulnerable groups, and ensure the eradication of any type of violence and/or discrimination.

The civil society of all the LAC countries warns that human rights are not being respected for all vulnerable groups as in Brazil, Chile, Honduras and Guatemala. There is evidence and reports on the violation of human rights, such as those of housing, education, access to water, free transit, land and territory, and a life free of violence. It is alarming that many countries treat the perpetrators of violations of human rights with impunity. With no employment, education and social security, violence grows. Given the fact that laws to protect LGBTI people did not pass in the Federal Congress, or in the Executive branch, due to the initiative of the civil society in Brazil, the Supreme Federal Court ruled in June that discrimination on sexual orientation and gender identity are crimes. Moreover, the civil society claims that 64.1% of people have suffered a form of stigma or discrimination because they live with HIV/AIDS. Brazil, just as the other countries, has limited the state financing of programs against violence and for LGBTI population. Brazil even promoted programs with a discriminatory and unlawful approach to human rights for example, through "sexual reconversion" programs. Additionally, the standards implemented by governments that ensure the wellbeing and respect to dignity of the elderly, other high vulnerability groups in the context of COVID-19, have only been done to promote social and compulsory isolation as the only health measure to prevent the disease. In many countries, the information distributed reinforces the need of social distancing for this population. However, there is great concern over the increase of violence against the elderly. In Brazil, for example, the amount of attacks against women in April shot up to 40% nationally. Geriatric violence has almost increased fivefold and went from 3000 reports in March to 17,000 in April, according to data from the Ministry on Women, Family and Human Rights in Brazil.

It is important to stop widespread violence, mainly towards children, adolescents, young people, the elderly, women, the LGBTQI+ population, indigenous people, Afro-descendent, migrants, informal workers, such as street vendors, sexual workers, people with disabilities and people living with or affected by HIV/AIDS. This must change in order to avoid the deterioration of our populations.

4– The protection of land and environmental advocates, journalists and human rights advocates is urgent due to the criminalization, persecution, penalization and violation of fundamental rights advocates suffer,

a situation that has worsened in the context of the pandemic. Latin America is the most lethal region for people defending the land and the environment; Colombia, Brazil, Mexico, Honduras and Guatemala are the countries with the highest number of assassinations in 2019 according to Global Witness. This is observed in Colombia, especially in terms of assassinations of social leaders. The case of Brazil is very critical, as it is the fourth country with the highest number of human rights activists in general. Moreover, the government of Brazil is in a fight against indigenous people and the Quilombolas, promoting the attack to their lands. It is imperative that measures are taken to protect, promote, respect and ensure the human rights of human rights advocates, ensuring the wellbeing of the entire population, with laws and policies that address the need of people and ensure the eradication of any type of discrimination. Never has it been so important to have comprehensive and coordinated responses that reinforce the territorial anchoring of policies to expand their coverage, relevance and efficacy while responding to the multiple needs and demands of all people, in all their diversity and at all stages of their life cycle.

5– The lack of disaggregated data in the countries of the region on human rights to plan concrete and inclusive answers under the perspective of interculturality and intersectionality is the rule, except some national governments, such as Argentina, but whose policies do not reach provincial or local governments. In Brazil, the studies to map the profile of people affected by COVID-19 were elaborated by other stakeholders, not by the government. Most marginalized people, especially Afro-descendent and indigenous people, are the most affected. Federal public agencies that collect and process statistics do not disclose gender and race disaggregated data of people affected by COVID-19, which is a constant demand from civil society. It is necessary to implement concrete actions based on disaggregated data by ethnic origin, race, disability, to plan responses under the perspective of the intersectionality and interculturality, as well as programs and services to reduce inequalities that benefit us all equally. Especially, when ECLAC has warned that the amount of poor people in the region had gone from 185 to 220 million and that extreme poverty would rise from 67.4 to 90 million people in the context of the coronavirus.

6– ECLAC, the World Bank, FAO, OXFAM and other international and national organizations have provided evidence on the generalized and alarming increase of hunger and poverty in the region. In this regard, governments have not responded to those needs. The World Bank estimates that poverty in Nicaragua has progressively increased by more than 3% between 2016 and 2019 and the figures for 2020 are still unknown. In Honduras, it is estimated that 75% of the population will fall into poverty in 2020. In El Salvador, there is evidence of a reduction in family income and the living conditions of the most vulnerable groups are deteriorating and 1% of Salvadorians will fall into poverty and this will particularly affect women. In Guatemala, according to OXFAM, there will be five million people with no food security, a figure that will double in the pandemic. According to ECLAC/FAO, extreme poverty in the country will increase by 3%. The Bank of Mexico reported that this year nine million people will fall into poverty in Mexico, and the total amount of people in poverty will be 70 million. In Argentina, according to the data for September from the Census Institute, 47% of the population live below the poverty line and 14% are living in extreme poverty. In Brazil, the Report from the Civil Society on the 2030 Agenda since 2017 that monitors the compliance with the SDGs, exposes a deterioration of

the indicators on hunger. The 2020 report, finally, highlights this and, in September, the Brazilian Institute of Statistical Geography —IBGE— published data that confirm that the country is again on the Hunger Map since 2018.

The current crisis requires that the government be a key axis of development to end famine and reduce poverty. The scarce attempts to guarantee a minimum income for all people only apply to some groups. We need social protection for all groups, including informal workers, in the form of subsidies that currently only exist for those most at risk, are not universal and in many countries still do not exist.

In Brazil, for example, COVID-19 sparked off the debate on social protection, especially after a Social Security Reform that does not ensure security for all. For three months, the government provided emergency income of R\$600, a benefit hard to access and paid in split payments. The President authorized just half of what the Congress had approved, and now he is reluctant to continue supporting it. We advocate for a universal social protection that allows sufficient minimum income and simultaneously active employment programs for social inclusion through employment and equal opportunities.

Although in many countries there is a constitutional right to free, universal and quality public health services, they have suffered from a widespread deterioration and a lack of budget for years, a situation that has worsened due to increasing privatization. In some cases, such as Brazil, a great influence of non-scientific and fundamentalist approaches that have penetrated a progressively underfinanced education, especially after the passing of the 95 Constitutional Amendment in 2016, hampering the increase of investment in particular in technology and science. Since the pandemic, care services for COVID-19 are the only ones which have been improved. Public education, which is secular and free, is not universal in many countries such as Nicaragua, Honduras, El Salvador, Guatemala and Mexico, among others, and its quality has deteriorated. In many countries of the region, the virtual mode of education shows the digital divide due to lack of access to technology, which affects the majority of children and adolescents who will have great difficulty in continuing their schooling and will be very difficult to recover. In Guatemala, access to technological resources only reaches 30% of the population, concentrated in the capital city. In Mexico, figures of school dropouts are alarming and unprecedented. It is estimated that 2.5 million of children and young people will leave school permanently due to the pandemic; 800,000 adolescent students of 15-17 years old attending the third grade of middle school and 593,000 higher education students will not complete their school level. This situation disproportionately affects virtual education for children in rural areas of the countries in the region. The health crisis will still make evident the turning point in terms of neglect and the absence of educational and health public policies and the supremacy of unregulated markets in production and distribution of wealth and environmental degradation.

7— The **advance of religious and other forms of fundamentalism** in political spaces, which deny scientific evidence, promote hatred and discrimination, and make it difficult to implement policies with a rights perspective. Governments do not fight back these groups; they balance them with Catholic, new Pentecostal and other religious groups that have penetrated popular sectors. Therefore, we demand that the increasing influence of religious fundamentalisms and of any kind in the political sphere be contained. By political sphere, we also mean

education and health, areas where scientific evidence and informed policies are denied, which promote inequalities, hatred, heteronormativity, cisnormativity and hamper the implementation of public policies ensuring full exercise of rights, such as comprehensive sexuality education and other policies that define and support sexual autonomy and the emancipation of largely marginalized populations. The government of Brazil nowadays supports fundamentalist sectors, even many ministers and authorities belong to these groups. It makes partnerships with them and policies and services based on fundamentalist approaches, limiting rights, especially sexual and reproductive rights.

8– Demand the **ratification of the Inter-American Convention on Protecting the Human Rights of Older Persons and ensure a dignified life in old age; the adoption of the OAS Plan of Action for the Decade ; the ratification and fulfillment of key ILO covenant, such as Covenant 169 and the World Food Security Guidelines (UN); the acceleration of a plan to implement the UN Decade of Family Agriculture and the Rights of Farmers and the International Decade for Afro-Descendants; the ratification of the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Affairs in Latin America (Escazú) and the Caribbean, the Incheon Declaration and the World Education Forum in 2015; and the consideration of the demands exposed in the 2019 High-Level Political Forum and the LAC 2030 Youth Forum. Brazil has not yet ratified Escazú and is still perpetrating crimes against the environment.** The analysis of the civil society report Lights and Shadows in 2020 reveals that, before COVID-19, out of the 91 targets related to the environment, 35.2% are in decline, 18.7% are threatened and 15.4% are stagnant, only 9.9% show insufficient progress, worsening the situation in Brazil in that key and structuring axis of sustainable development.

9– In general, in the countries of the region, **the human right to migration is not ensured. Public policies neither respect security nor allow regular migration. The rights of migrants are not respected, regardless of their migratory status: refugee and/or displaced. There are multiple discriminatory practices against migrants, as well as extreme racism, xenophobia, serious restrictions and discrimination, especially against migrant women.** The situation is particularly dramatic in Mexico, a country that hosts Central Americans through the Remain in Mexico program, but does not offer decent living conditions, leaving a great deal of migrants in vulnerable conditions and putting them at risk, for example, at the mercy of organized crime at the border. Almost 50% of Central American migrants that pass through Mexico have suffered violence and have even been kidnapped. The southern border of Mexico concentrates a great number of people from Central America and other nationalities who are detained for not having the documents to legally stay and await deportation to their countries of origin. The migratory stays are based on their capacity with migrants living in overcrowding conditions, with no access to health services or information on legal proceedings. There, governmental bodies banned the access of organizations working for migrants' human rights. In Chile, the situation of migrants is also alarming due to multiple intolerance and discriminations worsened by the COVID-19 crisis. The Chilean government recently sent a Migration Bill to Congress for its review by the Human Rights Commission, a bill that does not respond to the minimum standards in line with the Human Rights International Conventions, as well as the

Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CRMW). Migrants in Chile still suffer violence at all levels and ages, criminalization by state agents reproduced by the media, that allow the existence of multiple forms of lack of protection and violence. Since 2019, Brazil was seriously denounced in international fora for systematic violation of fundamental rights, which has led to recommendations by the UN Special Rapporteurs. **Target 10.7** of the SDGs has worsened as the country has reduced its support to immigrants and refugees. Most are in the southeast and southern part of the country; until 2018, most people were from Haiti. Since 2018, Venezuelan represent 39% of immigrants. Discourses of hatred and xenophobia of the current Brazilian government create more concern in civil society.

We restate and demand financial, political and legal commitment to ensure the comprehensive accomplishment of the 2030 Agenda, especially to make the right to health a reality for all people and ensure full compliance with **target 3.8. "Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all."** It is an ethical and humanitarian duty to consider all the most vulnerable groups facing the COVID19 crisis. Among those most at risk are migrants, displaced persons, refugees, people living with HIV/AIDS and chronic diseases, people with disabilities, workers on daily wages who cannot work (including sexual workers), healthcare workers, caregivers (mostly women) and essential service providers, indigenous people, Afro-descendent, children and in particular, the elderly. Care must also be given to women, girls and LGBTQI+ communities as the risk to suffer multiple forms of gender-based violence is higher due to the forced quarantine.

10- We consider that the main response is to create **an environment where cooperation and solidarity under the 2030 Agenda has adequate capacities, regulatory frameworks and defined government resources to act. All this implies demanding that the pledges assumed by international cooperation for development and in particular South-South cooperation, between developed countries and middle- and low-income countries be revised, and is activated to effectively respond to the current widespread crisis in the region, without abandoning the SDGs and supporting the participation of civil society.**

In most countries, the SDGs targets have suffered setbacks. Historical inequalities require structural changes in countries, efforts that have to be reinforced due to the pandemic. Governments have still not proven to be effective in controlling the pandemic, which has worsened the economic situation, with no new development paradigm, based on freedom and democracy, solidarity, human development in harmony with our planet, decent work and social justice, happiness and the integral well-being of everyone.

This situation our region is facing is extremely critical and indicates that the recommendations of civil society have not been heard.

October 2020.