Elaborated by:
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Since January 2018, the working team of Scholars at Risk in the Americas at University of Ottawa has focused on identifying, verifying, and tracking incidents in certain countries of the Americas. A thematic framework defines our research, focusing on governmental and social tensions or in some cases political crises in which forces in power may use coercive methods to prevent or limit academic freedom. Our work has also revolved around creating advocacy strategies to improve protection and reduce attacks in the region.
We mapped out the region identifying specific indicators to consider in each country.

**CANADA:** Challenges related to freedom of speech / Potential rights violations of Indigenous people.

**MEXICO:** High level of corruption / Mexican security forces presumably implicated in human rights violations / Impunity / Freedom of expression at risk.

**HAITI:** Humanitarian crisis (cholera and natural disasters) / Electoral crisis / Haiti diaspora may be at risk.

**HONDURAS:** Human rights defenders at high risk / Impunity / Reported threats against student movement.

**COLOMBIA:** Political polarization / A complex peace process / Human rights defenders at risk.

**VENEZUELA:** Dictatorship / No room for opposition / Social and humanitarian crisis.
<table>
<thead>
<tr>
<th>Country</th>
<th>Most tracked cases are related</th>
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<tr>
<td>Canada</td>
<td>to violations of freedom of speech.</td>
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<tr>
<td>Mexico</td>
<td>to killings and disappearances.</td>
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<tr>
<td>Haiti</td>
<td>Universities are currently focused on initiatives of reconstruction.</td>
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<tr>
<td>Honduras</td>
<td>Most tracked cases are linked to violence and wrongful prosecution.</td>
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<tr>
<td>Colombia</td>
<td>Most tracked cases are related to sexual harassment and gender violence.</td>
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<td>Venezuela</td>
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In the first stage of our project, before starting our monitoring, we elaborated a search log with 194 global, regional and local sources related to Higher Education, Human Rights, Universities, and Media in the six countries of our scope. Reviewing our sources, we prepared a preliminary list of incidents from 2010 until 2018. After identifying potential cases, we conducted a process of corroboration looking for documentary, testimonial, and physical sources to determine the veracity and relevance of the information. At the end, this compilation had a total of 20 violations that have been reported to SAR’s Academic Freedom Monitoring Project.

It is important to highlight that incidents in Haiti have been difficult to track due to the lack of communications and resources after natural disasters. In fact, according to our research, only 12% of the country has an effective Internet connection; universities are no exception.
What we had learned of our monitoring in Canada

According to Human Rights Watch, “Canada enjoys a global reputation as a defender of human rights, aided by a solid record on core civil and political rights protections that are guaranteed by the Canadian Charter of Rights and Freedoms”¹. However, Canadian universities are permanently struggling with finding a harmonious balance between ensuring students’ and professors’ rights to freely express their ideas on campus (whether polarizing or not), while at the same time assuring a safe academic space of dialogue where different perspectives can be shared and discussed.

In our monitoring, one case illustrates this debate. In 2017, Lindsay Shepherd², a university teaching assistant from Wilfrid Laurier University, in Ontario, was reprimanded for showing her students a televised debate featuring the controversial University of Toronto’s professor Jordan Peterson. Jordan Peterson is well-known for his criticism of gender-neutral pronouns and “PC

¹ https://www.hrw.org/americas/canada/

https://www.macleans.ca/lindsay-shepherd-wilfrid-laurier/
culture”. Faculty members accused Shepherd of creating a toxic environment for students. The school reprimanded Shepherd by demanding that she have all her work preapproved prior to presenting it to students. Needless to say, there was public outcry regarding the school’s treatment of Shepherd. Wilfrid Laurier University responded, stating that they would introduce administrative bodies to properly deal with future situations of the same calibre, and vowed to conduct a review of the new gendered and sexual violence policies.

Another tracked incident exemplifies how Canadian universities are also facing challenges related to freedom of expression when finding ways to deal with faculty strikes on campus. During a 143-day faculty strike at York University, in Ontario, many protestors complained about restrictive surveillance and York’s use of additional private security. In response to the strike, students staged a Senate sit-in and were subsequently threatened with possible disciplinary consequences. What protesters claimed was that if students and faculty fear that they may be disciplined for protesting, then a breakdown of communications between administration, faculty, and students may occur with severe consequences for the democratic environment on campus. Although the strike was resolved, the use of “subtle” restrictions such as hiring private security personnel and installing video surveillance during the crisis raises questions about the real state of academic freedom at Canadian universities. Are they allowing their students and professors “to freely express their opinions about the institution or system in which they work [or study],

3 See more: https://briarpatchmagazine.com/articles/view/strike-surveillance

https://www.macleans.ca/education/york-university-strike-students-occupy-senate-chamber-for-second-week/
to perform their functions without discrimination or fear of repression by the State or any other institution” as the Committee on Economic, Social and Cultural Rights of the United Nations established in 1999?

Moreover, as our monitoring showed, the risks to academic freedom apparently come not only from within campuses but also from external sources. A couple of reported cases detailed how the federal and provincial governments in Canada have repeatedly politicized academic freedom attacking funding and curriculums. Although the federal government has been outspoken about protecting the rights of citizens such as the Iranian-Canadian professor Kavous Seyed Emani, who is wrongfully detained in Iran, the provincial government has directly inserted itself on issues surrounding academic freedom on campuses. Ontario’s provincial government enacted controversial “free speech” policies in early 2019, and threatened that if post-secondary institutions failed to adhere to their rules then the schools could suffer a reduction in funding. Academic and labour groups have stated that these policies infringe on academic freedom, and actually threaten staff, faculty, and students’ rights to express themselves and oppose controversial speech on campus.

Our monitoring and the subsequent process of analysis of cases are based on a socially engaged view that embraces the social responsibility that both students and professors have with their communities. Every mem-


ber of higher education institution has a crucial role in strengthening democracy and building a critical and free society. They have the duty to use their freedoms and opportunities to seek and impart knowledge and help find solutions to contemporary problems. They are protected by academic freedom: to teach and discuss, to carry out research, disseminate, and publish the results thereof; to express freely opinions about the academic institution or system in which one works or study, and freedom from institutional censorship.

Although Canadian universities are leaders of knowledge production, our analysis reveals that it is imperative that Canadian higher education institutions work towards finding the correct balance between freedom of expression on campus and the need to respect all students’ and professors’ rights to have a safe exchange of opposite opinions. Finally, Canadian student movements need to open further spaces for their members to keep expressing their views about government policies that may put academic freedom at risk.

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What we had learned of our monitoring in Mexico

Our monitoring echoes the agitated and complex framework of human rights violations in Mexico. Violence, repression to protests, and impunity are common themes among our tracked cases. The well-known incident of 43 college students from Guerrero who were assaulted, illegally taken, and then murdered has exemplified the severe deterioration of academic freedom in this country.

Guerrero students’ case is unfortunately not unique in this country. In fact, Amnesty International reports that violence increased throughout Mexico in 2017 to 2018. The case of Salomón Aceves Gastélum, Daniel Díaz, and Marco Avalos, film students from Universidad de Medios Audiovisuales (CAAV) in Guadalajara, Jalisco, who were kidnapped on March 2018, after finishing an academic project illustrates the increasing violence. One month after their disappearance, local officials reported that the three students were killed, and their bodies dissolved in acid. Local officials claimed those

6 SEE MORE: https://elpais.com/internacional/2018/03/22/mexico/1521744565_067870.html
assassinations were perpetrated by a cartel gang, who likely confused students with rival gang members. However, it is not just students who are affected by violence in Mexico. In 2017, the rector of the Angelópolis University, Roberto Corvera, was murdered by a gunman in his office. A year later, an economics professor was also shot (but not killed), while she was leaving UNAM’s Faculty of Higher Studies campus.

According to Human Rights Watch\textsuperscript{7}, violence in Mexico comes from not only illegal groups but also governmental security forces. Those forces have been implicated in numerous serious human rights violations—including extrajudicial killings, enforced disappearances, and torture—in the course of efforts to combat organized crime. As stated by Times Magazine\textsuperscript{8}, some 80,000 people have been killed in the Mexican drug wars, sometimes by cartels, sometimes by local police they have paid off. In this tumultuous climate, Mexico has also experienced cases of repression in protests. One of our tracked incidents reports how Juarez Police Department violated students’ right to protest when arrived in Mexico Autonomous University (UNAM)’s campus armed with guns and wearing ski masks in order to repress demonstrations. 10 shots were fired, putting at risk the lives of students who were protesting, along with others who were also in the vicinity.

Police repressions to students demonstrating on UNAM campus is sadly not new. In 2014, a well-known incident reports how Juarez Police Department violated students’ right to protest when arrived in Mexico Autonomous University (UNAM)’s campus armed with guns and wearing ski masks in order to repress demonstrations. 10 shots were fired, putting at risk the lives of students who were protesting, along with others who were also in the vicinity.

\textsuperscript{7}https://www.hrw.org/world-report/2018/country-chapters/mexico
\textsuperscript{8}http://time.com/4363162/mexico-politics-election/
dent occurred when approximately 500 anti-riot police officers forcefully entered UNAM campus clashing with protesters. The group of students was congregated near the Che Guevara Auditorium — “a historic stronghold for social movements — to discuss their participation in an upcoming action” to support the 43 students who had disappeared. Two students were struck by bullets. Whether it is murders, attempted murders, or attempted kidnappings, our analysis has revealed that impunity aggravates those cases of violence because victims do not find justice and, in many cases, incidents remain unsolved for many years. For example, when examining the case of Lesvy Berlin, who was murdered by her boyfriend on the UNAM’s campus in 2017, it was evident that the Mexican justice system failed to properly address the issue of violence against women studying at a higher education institution. The Attorney General’s office (PGJ) published information about her alleged drug use, and conducted an inadequate investigation into her death. Lesvy is


seemly not the only one neglected by the Mexican judicial system, in August 2017, “the government reported that the whereabouts of more than 32,000 people who had gone missing since 2006 remain unknown”10.

To counter this ensemble of violations, the most visible movement working on the defense of academic freedom was through student mobilization. UNAM students stood in solidarity after the murder of Lesvy, and took

to social media to fight back when the Mexican authorities blamed her for her own death. They launched the hashtag SiMeMatan (If I’m murdered) on social media as a sign of their discontent and to express how they must defend their own right to safety and respect. They also took the streets to claim for justice for Guerrero and Jalisco students. Mexican students are evidence of how the defense of higher education should be a priority when human rights are at risk.

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What we had learned of our monitoring in Honduras

Honduras remains as one of the most dangerous countries in Latin America for human rights defenders, especially for environmental and land activists. According to the NGO ACI-PARTICIPA, more than 90% of all killings and abuses against human rights defenders remains unpunished. The UN Commission on Human Rights has repeatedly expressed its concerns at increasing impunity related to violent acts against civil society and members of academic communities. This impunity is reportedly linked to corruption in law enforcement. One of the most relevant incidents in our monitoring reports is the case of 19 university students from the Universidad Nacional Autónoma de Honduras (UNAH) of 19 university students from the Univer-

1 https://www.refworld.org/docid/58b033f318.html

sidad Nacional Autónoma de Honduras (UNAH) who were detained in May 2018 after taking over the administrative building in an act of protest against the privatization of universities across the country. According to witnesses, when the military officer and UNAH’s head of security Roger Aguilar arrived, he gave the order of chemically gassing the students; leaving them with no way out. Soon after, the students were taken to the Metropolitan Headquarters No. 1 (Core 7) of Tegucigalpa with neither an official order nor the presence of a judge, and, later, suspended for five years from the higher education institution. According to the Honduran defenders of public education, the order by political forces was to kill the students.

This recent event, part of the mass protests which began on 29 November 2017 around the country to denounce the lack of transparency around the presidential election, was one of many student demonstrations brutally repressed by security forces. As reported on the CIVICUS Monitor, “the criminalisation of student protests is a growing concern in Honduras, as evidenced by the recent murders of student activists as well as threats against and arrests of students participating in protests.” Student movements in Honduras demand the end of criminalization and judicialization of the protest, as well as the end of persecution and repression against them.

Currently there are 45 young people with judicial processes. Bertha Oliva, coordinator of the Committee of Relatives of the Disappeared in Honduras (Cofadeh),

3 https://criterio.hn/2017/12/15/hernandez-euu-crearon-escuadrones-la-muerte-honduras/

3 https://monitor.civicus.org/country/honduras/
told Resumen Latinoamericano⁴, a digital media, “in Honduras, authoritarianism has taken over all institutional spaces. What is happening at the UNAH is no more than a reflection of this dictatorial exercise... There is a campaign of criminalization and stigmatization of the students... University authorities do not want to implement a true dialogue, but to measure their strength, show their claws, and grow their muscles against those who have dared to challenge the dictatorship.”

Most tracked cases in Honduras revolve around illegal detentions, attempts to silence opposition, and militarization of academic spaces during or following student protests that express defiance to the current government. Governmental forces seemly keep attacking higher education communities because they know they are one of the primary sources of critical thinking and healthy political debate.

Colombian conflict has been ongoing since 1958. According to Grupo de Memoria Histórica (GMH)¹, guerrilla and paramilitary groups have “conceived and implemented a repertoire of violence” involving selective assassination, massacres, abuse, torture, forced disappearance, abduction, hostage-taking, forced displacement, extortion, sexual violence, unlawful recruitment, anti-personnel mines, assaults on civilian property, sabotage, and terrorist attacks.

In the wake of numerous attempts at peace dialogue and a partial paramilitary demobilization between 2003 and 2006, the Colombian government and the Fuerzas Armadas Revolucionarias de Colombia (FARC) finally reached a peace agreement in 2016 after four years of negotiation. Despite Colombian citizens narrowly

reviewed, signed, and implemented a few months later. However, the peace process still seems blurry. There has been an increasing mistrust in the State institutions and escalating violence. According to Amnesty International\(^2\), “doubts remained over whether the peace agreement with the FARC would ensure that all those suspected of criminal responsibility for crimes against humanity and war crimes would be held accountable in line with international law … There are continued reports of unlawful killings by the security forces, as well as claims of excessive use of force, especially by the ESMAD anti-riot police, during protests. Threats against and killings of human rights defenders, especially community leaders, land rights and environmental activists and peace and justice campaigners, continued to be reported in significant numbers”. In addition, the public opinion is divided and there is a palpable political polarization.

Within this confusing landscape, Ivan Duque came into power in 2018. Students then took the streets in November engaging in the “Pencil March” that rallied across Colombia in more than a half-dozen street protests demanding that the government boost public funding for education\(^3\). “The students’ protests have converged with other demonstrations against proposed tax changes that critics say will be a blow to the middle class by increasing the cost of basic goods”\(^4\). Our monitoring revealed

\(^2\) https://www.refworld.org/docid/58b0340d13.html

\(^3\) See more: https://www.semana.com/noticias/paro-estudiantil/115542

that a series of academic freedom violations occurred when security forces tried to repress those demonstrations. Dozens of people were injured during ESMAD and students’ clashes in a demonstration of excessive use of force.

Our analysis has also revealed something unexpected: there are not many cases of violations of academic freedom in Colombia. Apart from the restrictions on the 2018 protests, neither professors nor student movements have reported many relevant incidents. It could be inferred that violations of academic freedom in Colombia are whether not disclosed, not resolved legally, or significantly overshadowed by other related violations of human rights. We strongly believe that the apparent silence regarding academic freedom has prevented organizations that work in the defense of education rights from placing the protection of higher education in the analysis and that the role played by universities in strengthening democracy and in building a critical and free society has somehow been relegated to the background. However, there seems to be an emerging movement against gender violence in institutions of Colombian higher education. Maybe this is a reflection of what has happened in other Latin American countries. Indeed, most of Colombian tracked cases are related to gender violence. “The different types of violence against women are not isolated cases. On the contrary, they are part of the daily life of [Colombian] students. It is a silenced

https://www.tn8.tv/america-latina/421262-aumenta-riesgo-violen

https://www.tn8.tv/america-latina/421262-aumenta-riesgo-vio
cia-sexual-contra-mujeres-colombia/
and invisible reality, which has normalized. There are many who suffer and remain silent in this situation,” claims Laura Páez, a student from Universidad Libre in Bogotá during the first public hearing against sexual violence in universities that took place in the Congress of Colombia in November 2018⁵.

In April 2018, a report published by the newspaper El Tiempo⁶ regarding the increasing reports of sexual harassment in universities showed that although in Colombia sexual harassment was criminalized since 2008, the courts have not acted effectively in the resolution of reported incidents. According to data from the Attorney General’s Office, in the last 10 years 11,518 cases have been reported, 49% of which have been filed.

We have tracked cases of scholars and students who, trying to create a safer academic environment against gender violence, ended up being sanctioned. This was the case of Mónica Godoy in Colombia: a professor who wanted her university to adopt protocols to sanction cases of sexual violence and ended up being fired. This was not only an arbitrary dismissal, because she was discharged due to her feminist training, but also a violation of her right to participate in the management of the University when preventing her from demanding her institution to adopt measures against sexual violence. The Colombian Constitutional Court resolved her case in May 2018, reintegrating her to her work⁷. However, this legal victory seems to be an exception.

In recent years, student movements such as Pairs of Accompaniment against Harassment (PARES in Spanish), It is not Normal, Polyphony, Rosary without Panties, to mention some, have taken the lead in making visible the cases of violence against women in Colombian universities. They suggest that campuses have become hostile scenarios for women since the frequent cases of sexual violence threaten their academic future and professional performance.

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⁷ SAR in the Americas and our HRREC/HR Clinic were coauthors of an amicus related to the case of professor Mónica Godoy.
What we had learned of our monitoring in Venezuela

In Venezuela, there has been a dramatic shift in how academics and students in higher education have been able to conduct academic endeavours over the period of 1999, when Hugo Chavez came into power, to present. Our tracked cases illustrate that there are three major themes that directly affect academic freedom in the country. These factors are the current political, social, and economic obstacles that Venezuelan academic communities must overcome.

The first factor is the current political crisis that is affecting academic freedom within the Venezuelan context. The increase of corruption and illegitimate usage of power through false elections and imprisonment of opposition actors have been a reflection of the attitude that the Chavista government has had in their policies on education, academic freedom, and academic integrity in the region’s once most economically successful country. Hugo Chávez implemented policies that regulate university activity through collective agreements, and faculty salaries of all public universities in the country have been at a standstill since prior to the hyperinflationary crisis that started in the early 2010s.¹ This has resulted in low salaries and poor working conditions for professors and university workers. This predicament has resulted in both institutional and ideological restrictions to academic freedom in Venezuela as a result of the current political climate.

This political framework, in turn, has a trickle-down effect on the second and third factors; the social and economic context. The creation of new Bolivarian institutions, such as the Bolivarian University of Venezuela, are a demonstration of legalized institutions of politi-

¹ https://venezuelablog.org/higher-education-venezuela-skirting-university-autonomy-creation-parallel-system/
cal entities created for social control. These institutions are considered to be experimental universities, which means that faculty and authorities appointments can be strictly controlled by the MPPEU (Ministerio del Poder Popular para la Educación Universitaria); including the content of the university courses. Worst of all, due to these universities open support of the government, students and faculty are expected to show government support, as demonstrated in the digital presence of the university. This not only impacts the academic integrity of the students, professors and scholars working within these institutions, but also puts into question the quality of the academic work they output, their academic integrity to be bias in their work and their intellectual capacity of critical analysis due to the training they receive in said institutions2.

If academics or students do not participate in these “Bolivarian revolution” institutions, there is consistent and aggressive repression from physical violence to imprisonment by government entities such as police and military forces (for instance, the National Bolivarian

2 https://venezuelablog.org/higher-education-venezuela-skirting-university-autonomy-creation-parallel-system/
Guard GNB). Furthermore, the Chavista government has reduced funding to the traditional autonomous universities of Venezuela over the last 20 years, eliminated their ability to elect authorities within their own institutions, and has attacked academic freedom and persecuted professors and students. With little to no funding available to these once autonomous institutions, faculties are experiencing a severe case of brain-drain, with students and professors leaving the country due to the scarcity of food and medicine and the increase of violence, economic hyperinflation and political uncertainty. Those academics and students that do stay have much difficulty to conduct research with the limited resources that are available to them, and without risking their lives and those of their families. The economic context to the academic crisis that Venezuela is experiencing has resulted in the Venezuelan academic institutions staving of knowledge and academics who were once one of the major contributors to academic research in Latin America.

The more visible victims of violations of academic freedom in this country are the students that attend post-secondary institutions. Repression had been evident in 2010, but has exponentially grown since 2017 with the injury of hundreds of students at protests or on-campus by government bodies such as police and military forces, and the killing of more than 20 students. This is to say that the major risks to academic freedom in this country is the government policies and physical repression.


3 https://www.derechos.org.ve/actualidad/coalicion-de-catedras-y-centros-universitarios-de-ddhh-el-pensamiento-bajo-amenaza-en-las-universidades-venezolanas
sion of academics via the policies and military bodies. Within the tracked cases in Venezuela, there is a visible tendency on the kinds of violations that academics and students are experiencing. Most of the cases that have been reported are related to wrongful imprisonments. One reason that could be associated to this factor is the social responsibility that academics and individuals in academic institutions feel to protest against social repression that has been increasingly evident over the last 20 years. As a result, they will bravely speak against the government repression they experience within their academic institutions and the repression that the average citizen feels as a result of the government’s mismanagement of its resources and controlling nature. There have been several cases that show evidence of repression of professors and university students who have been wrongfully arrested after major protests, or public resistance to the government via on-campus arrests like that of UCV’s Dr. José Marulanda in the University Hospital of Caracas on May 24th, 2018.  

If the political climate does not allow for the average citizen to protest against the government policies, it comes to no surprise that student groups and academic producing work on analysis of the government and its detrimental effects on the Venezuelan population are being forcefully repressed and hopefully silenced. The most visible movement working on the defense of academic freedom is that of university student movements. These groups have been supported by opposition
leaders and groups, however it is the students and academicians that have been in the line of fire of getting injured or imprisoned for speaking out. Universities are often left with their hands tied due to the restrictive nature of the government policies associated with high education, however Venezuelan students and academics have bravely defied and resisted them through their work and activism for academic freedom, democratic political institutions and social harmony. These students are aware of the possible consequences of their efforts, but also know that having autonomous education and institutions are one of the fundamental pillars in a prosperous society and a reflection of a healthy and thriving democracy.

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