



# FOCAL Point

Canada's Spotlight on the Americas

Canadian Foundation for the Americas | Fondation canadienne pour les Amériques | Fundación Canadiense para las Américas

www.focal.ca

April 2009, Volume 8, Issue 3 ISSN 1703-7964

## Cartel Leader Arrested

On the morning of April 2, Mexican police arrested Vicente Carrillo Leyva, 32, one of the alleged leaders of the infamous Juarez Cartel. He is the son of Amado Carrillo Fuentes, a leader of the Juarez Cartel who died during a plastic surgery procedure in 1997. Carrillo Leyva had been living in Mexico City under an alias.

Police apprehended him without a struggle as he jogged in a park. The arrest coincided with the arrival of U.S. officials in Mexico for talks on the cross-border criminal activity plaguing the neighboring countries. The Mexican government had recently announced large awards for information leading to the arrest of cartel members, with a price of US\$2 million on Leyva. Last year, 1,600 people died in drug trade-related violence in Ciudad Juarez, the home base of the cartel.

## PAN Mid-term Election Loss Could Cripple Calderón

Pamela Starr

On July 5, 2009 Mexicans will go to the polls to elect six governors, over 600 mayors and other local officials, and to renew the lower house of the national legislature.

The national mood in advance of this mid-term election is sour. After months in which the government insisted that Mexico would avoid serious fallout from the financial storm circling the globe, the reality of Mexico's enormous reliance on the U.S. economy belied these admonitions as merely wishful thinking. Industrial production plummeted last year, overall economic growth imploded in early 2009, unemployment reached its highest rate on record, remittances and tourism fell sharply, and the peso lost over a third of its value before recovering a bit. Although the government has responded with a stimulus package and a series of assistance programs, their impact has thus far been minor.

The security situation has also continued to deteriorate. Beyond the doubling of drug-related deaths last year (to over 6,000), bank robberies jumped 85 per cent, cases of extortion have soared, and Mexico has seen a rise in kidnappings. Although most of this increase in crime is concentrated in a handful of northern states, Mexicans' sense of their own personal security has suffered throughout the nation.

There is also a growing sense in Mexico that Felipe Calderón's presidency has lost its way. A president who quickly took charge of the nation following his highly disputed 2006 election victory and who oversaw the approval of a series of limited but significant economic, political, and security reforms now seems bereft of new initiatives, reacting to events rather than setting the agenda, follow-

(Continued on page 3)

### El Salvador's Alternative? 4

Celia Medrano asks whether the election of a FMLN president is alternation or a real alternative.

### Counting Race, Ethnicity 8

There are barriers and opportunities for collecting ethnic, racial data, says Marcelo Paixão.

### Aboriginal health data needed 12

Mixed methods are needed to improve Aboriginal health, say Eduardo Vides and Kim Bulger.

### Canada refuge for region's gays 14

Sulaimon Giwa tracks a new trend of gays fleeing from sexual discrimination in Latin America.

<b>Editor's Note</b>	<b>2</b>
<b>Peru</b>	<b>8</b>
<b>U.S.-Cuba</b>	<b>11</b>
<b>Brazil</b>	<b>13</b>
<b>Venezuela</b>	<b>14</b>

## Note from the Guest Editor — We Need Data to Make the Invisible Visible

The key to understanding any problem, let alone finding a solution to it, is having accurate, quality information. Yet, policymakers in the Americas lack this crucial information, particularly with regard to marginalized populations such as Afro-Latinos, Indigenous Peoples and those with non-heterosexual orientation.

Few would dispute that these three groups face tremendous inequality and discrimination in the Americas. But it is difficult to make the case and propose ideas to take action without information and knowledge. This lack of accurate, consistent and comparable data inhibits policymakers who want to make a difference and allows those who do not want to take action to plead ignorance. It is a primary barrier to developing policies and programs that can meet the needs of marginalized peoples for more literacy, better access to health and education, and improved opportunities to participate as citizens.

In this issue of *FOCALPoint*, Marcelo Paixão addresses this need of data for development in terms of Afrodescendants, as does Eduardo Vides and Kim Bulger with regard to Indigenous Peoples. Groups who face discrimination, such as gay, lesbian, bisexual, transgendered and transsexual people (GLBT), are also invisible in terms of data collection. Sulaimon Giwa notes that the people who are gathering data on this marginalized group are, with few exceptions, nongovernmental and advocacy groups. In the worst cases, decision-makers are turning a blind eye to the discrimination and the deadly violence they face, in effect making what should be visible, invisible. The consequence for Canada and other countries that protect GLBT rights is that they become places of refuge.

At the same time, civil society is stepping in to gather the data and demand the change required to ensure

all peoples' human rights are respected. This task is not easy and the responsibility that these groups take on themselves should be shared with government. Indeed, as Vides and Bulger suggest, building the capacity of discriminated against groups to participate and support this type of research would be not only beneficial, but it has the potential for empowerment and the generation of ideas to counter hard-set patterns of discrimination.

The obstacles for marginalized people to being counted statistically and to count as a part of society are many, but they are not insurmountable. However, doing so will require considerably more cooperation within and between countries in the Americas and the Caribbean. Lessons learned should be shared and joint plans of action should be taken. Indeed, one forum for an overarching commitment to enhance coordination and capacity of data collection and research methodologies with a hemispheric scope to meet the Millennium Development Goals would be the upcoming Summit of the Americas.

FOCAL's own researchers are trying to address this important question by proposing to create digital maps using Canadian-made Global Information System technology that would provide a new online tool for policy researchers to track the inequities in health and education for Afro-descendent populations in Latin America and the Caribbean. FOCAL has already made a successful Mapping the Media project, which provided interactive online maps of media ownership, electoral and socio-demographic information in 11 countries in the region, including Canada. Through this map, FOCAL and its partners were able to increase the transparency of the media's role in democratic processes in these countries. FOCAL now wants to do the same—to make visible the invisible—with Afrodescendant populations in the region. The concept paper is on [www.focal.ca](http://www.focal.ca).

Social inclusion must become a priority in the region and part of that is to include people not only in censuses and data gathering, but as researchers and policy developers themselves. In this way, all actors in the Western Hemisphere will be able to see the solutions that emerge to meet the challenge of human development and human rights in the Americas. 

### FOCALPoint Editorial Board

*Editor*

Peter Moore

*Executive Director*

Carlo Dade

*Peter Moore*

## PAN Midterm Election Loss Could Cripple Calderón

ing the opposition rather than leading the nation. Although President Calderón's personal approval rating remains high at 66 per cent, over half of this support emanates from the perception that he cares about Mexico's problems and is trying to fix them—less than half of Mexicans believe he can produce results. Forty-five per cent of Mexicans disapprove of Calderón's handling of the economy and 40 per cent are dissatisfied with his drug trafficking and broader security policies (*Reforma*, March 1, 2009).

As little as a year ago, the president and his advisers held out hope that his party could make significant gains in the 2009 mid-term elections; just three months ago they believed they could limit their losses. Polls now indicate that the National Action Party (PAN) is poised for a large defeat. This is bad news for President Calderón and potentially for governance in Mexico.

Should the PAN lose badly in the July elections, the former ruling Institutional Revolutionary Party (PRI) will reap the benefits. The real impact of the election outcome, however, depends on the size of the PAN loss and the PRI victory. Should the PAN defeat the PRI in the race for governor in Nuevo León state while losing just 50-60 seats in the 500-seat Chamber of Deputies, the PAN would save face and likely preserve much of its power. Under

this scenario, the president and his party would be weakened tangibly, the PRI would be entrenched in the legislative driver's seat, and the Calderón/PRI legislative alliance that made the administration's early gains possible would be damaged. But the PRI's desire to brand itself

**Mexico's mid-term election is unlikely to build the power or the political will needed to resolve Mexico's pressing economic and security challenges.**

as the "responsible opposition" and the only party capable of leading the country effectively should allow this alliance to survive a bit longer, until the campaign for the 2012 presidential election begins to heat up.

If the PAN instead loses to the PRI in Nuevo León and drops 80-90 legislative seats giving the PRI an absolute majority in the Chamber of Deputies, the impact would be enormous. President Calderón would become a virtual lame duck and a victorious, empowered PRI would focus almost exclusively on regaining the presidency in 2012.

This outcome would not obviate future progress on needed reforms, especially if these might benefit the next president. But it would ensure that the reform agenda would be that of the PRI, not Calderón.

Cognizant of this unpleasant potentiality, the PAN initiated an aggressive attack campaign accusing the PRI of harboring corrupt politicians in league with the drug cartels. This rhetoric has infuriated the PRI and generated some fiery rhetoric in reply. The short term impact of this dispute is apt to be small since little legislative work will get done in advance of the July elections. The tone of this exchange, however, suggests that there could be long-term damage to the working relationship between these two parties. It also seems likely that the PAN will persist with these attacks given

the party's inability to counter a PRI campaign focused on the country's economic difficulties, the effectiveness of PAN attack ads during the 2006 presidential election, and the PRI's long-standing reputation for corruption and accommodation with the drug cartels which make it vulnerable to this kind of attack. The greater the resulting damage to the PRI/Calderón alliance, the harder it will be to govern in post-election Mexico.

The economic crisis has also revived the fortunes of Calderón's political nemesis—former presidential

candidate Andrés Manuel López Obrador. As a politician who has built his political career as the protector of the poor against a predatory elite, López Obrador is well-positioned to capitalize politically from Mexico's economic misfortunes. Although polls suggest the PRD will suffer a resounding defeat in the July 2009 mid-term elections, this will weaken party moderates, rather than López Obrador and his allies. Their power has never been based on the party's legislative position but rather on López Obrador's populist appeal to an important segment of the Mexican population, the organizing prowess of the Mexico City political machine, and the consequently credible threat to block "neoliberal" reforms from the streets. López Obrador will thus remain a potent antagonist of President Calderón.

This suggests that Mexico's mid-term election is unlikely to build the power or the political will needed to resolve Mexico's pressing economic and security challenges. While Mexico does not seem to be at serious risk of falling into political paralysis, an economic crisis that rivals those of 1983-84 or 1995-96 or broad instability, the outcome of the election seems likely to position the country to muddle through the remaining three and a half years of the Calderon presidency, able to evade crisis but unable to promote renewal. 🌐

*Pamela Starr is the Director of the U.S.-Mexico Network, Senior Lecturer in Public Diplomacy and International Relations, and Senior Fellow at the Center on Public Diplomacy of the University of Southern California.*

## Alternation or Alternative in El Salvador?

*Celia Medrano*

The 20-year succession of governments led by the right-wing party Nationalist Republican Alliance (ARENA) was interrupted when, on March 15, it was confirmed that Mauricio Funes, the candidate of the Farabundo Martí Front for National Liberation (FMLN), will become President of El Salvador on June 1, 2009.

Having invited the citizens to "vote for change", the accession to power via the ballot box of an ex-guerrilla force like the FMLN is significant. It is being said that democracy has passed the test of allowing alternation in the executive branch without violent confrontation. Thus, the period that followed the armed conflict, a period that started in 1992 with the signature of the Peace Accords, may be considered closed.

However, it is necessary to analyze the conditions in which the new government will have to function as well as the negotiations and alliances that led to this point. From this analysis, we can see whether we can expect that the change of political party at the head of the executive branch will be the start of a model which would be an alternative to the capitalist model or whether it will be a transition towards the socialism spelled out in the governmental pronouncements of the Bolivarian Alliance for the Americas (ALBA) or rather a group of left-wing parties identified with the project of the

Southern Common Market (MERCOSUR) member states.

March 15 was a day without violent incidents, something that would have been difficult to expect had ARENA won with the tight margin of 2.54 percentage points that the FMLN obtained, given the FMLN's repeated reports of possible electoral fraud. The approximately 62,000 vote difference that gave the victory to Funes over the ARENA candidate, in a universe of 2,638,588 voters, may explain the conciliatory tone of the statements made by both winner and loser. The tone may also be explained by the clear alignment of current strength between ARENA, now in opposition, and the FMLN.

In the coming Legislative Assembly, the alignment of parties ideologically identified as right wing—ARENA, the Party of National Conciliation (PCN) and the Christian Democratic Party (PDC)—will be able to control the most important decisions, which require a majority vote of a minimum of 56 of the 84 elected members of the Assembly. Although the largest number of elected members belongs to the FMLN, its 35 members fall short of the number needed for decisions requiring even a simple majority of 43 votes.

With this alignment capable of blocking the initiatives of the executive branch from the Assembly floor,

there are other state organizations also controlled by the right-wing; for example, the Court of Government Accounts, the Solicitor General of the Republic, the Attorney General, and the majority of magistrates on the Supreme Court of Justice.

Even before the full definition of these conditions, Mauricio Funes had already announced that his government would not take initiatives leading to the removal of the controversial amnesty law in force since 1994 or to a backing away from the ratification of the Free Trade Agreement between Central America and the Dominican Republic (RD-CAFTA) with the United States. It could be concluded that these statements stem from the influence exerted by the combination of alliances generated from the candidacy of Funes known as “Mauricio’s Friends”. Within this group there is a broad ensemble of entrepreneurs, as well as military and ex-military personnel linked to one of the times of major counterinsurgency repression in the country, the Christian Democrat government of the Eighties.

In mid-2008, Roberto Lorenzana, responsible for alliances within the FMLN, showed his revolutionary and socialist colours when he stated that “the statutes establish that we are a socialist party.” However, Gerardo Cáceres, entrepreneur, coffee businessman, and cattle rancher in the western part of the country, and a member of “Mauricio’s Friends”, in an interview published by the *El Mundo* newspaper, pointed out that

“in the country, socialism cannot be constructed... one has to be realistic: what can be achieved and what cannot be achieved.”

Both positions will have to work together in what might be called the Funes-FMLN alliance. It is an alliance that probably would have dissolved with the loss of the presidential election but, having won the election, it now must face the challenge of governing. For now, a first incident that reflects this tension came to light when the future president published an open letter dis-

## Democracy has passed the test of allowing alternation in the executive branch without violent confrontation.

avowing the declarations made by Gerson Martínez, FMLN member of the Assembly and also coordinator of the Funes government plan, about his evaluation of the need to renegotiate the time frames of the country’s foreign debt.

A week later, the Secretariat of the Political Committee of the FMLN issued a “Manifiesto to the Nation” in which it points out that it had offered the party’s capabilities and organization to seek an alliance which had the support and the distinguished contribution of the now president-elect. With this watershed

declaration, the Front assumed its new role as the government party.

In the March 17 *La Prensa Gráfica*, Funes indicated that “the relations of the FMLN, as a political party, with Cuba and Venezuela are one thing, the relations established by the next government of El Salvador are another.” A telephone call from U.S. President Barack Obama, the visit of Assistant Deputy Secretary for Hemispheric Affairs Thomas Shannon, and a telephone call from U.S. State Secretary Hillary Clinton, all within a three-week time frame, underlined the American interest in strengthening its relationship with a moderate left-wing government.

Another element is the left-wing forces that are not integrated into the FMLN, such as Revolutionary Tendency (Tendencia Revolucionaria). One of its representatives, Dagoberto Gutiérrez, openly recommended that the FMLN’s militants and sympathizers organize public meetings to “build a national organizational structure in defense of the government” and warned the president-elect that “without popular support your government will be unable to move, no matter how much it wants to push (its) programs.”

For the moment, we have to wait until the new president assumes power on June 1, and expect that during his tenure the answers to the questions will become clear of whether he will govern, or the sectors represented in “Mauricio’s Friends”, or the FMLN and whether a radical socialist leadership or a

moderate, social democratic and reformist left will prevail. Up to now, in his favour is a record that has shown ethical and courageous conduct, qualities that made him a good candidate, and that will be put to the test anew over the next five years.

Meanwhile, all signs indicate that one of the main outstanding issues in these elections, the necessary electoral reform, will continue to be postponed, because none of the legislative groups, the FMLN included, seem willing to promote that initiative in the current legislative session, which is about to end. This will mean that the elections for mayors and assembly members in 2013 will again be held according to the same rules of the game which everybody questions but nobody changes. It is a situation in which alternation is possible but in which there is no room for an alternative. 🌐

*Celia Medrano is a journalist and specialist in human rights, governance and citizenship with experience in Central America.*

## ¿Alternancia o Alternativa en El Salvador?

*Celia Medrano*

La continuidad de 20 años de gobiernos del partido de derecha Alianza Republicana Nacionalista (ARENA) fue frustrada cuando se confirmó el 15 de marzo que Mauricio Funes, candidato del Frente Farabundo Martí para la Liberación Nacional (FMLN), asumirá el próximo primero de junio la Presidencia de El Salvador.

Invitando a la ciudadanía a “votar por el cambio,” la llegada al poder formal por la vía electoral de una fuerza ex-guerrillera como el FMLN es trascendente. Se habla de que la democracia ha superado la prueba de dar lugar a la alternancia en el ejecutivo sin que prevalezca la violencia. Con ello puede darse por cerrado el periodo pos-conflicto armado iniciado en 1992 al firmar los Acuerdos de Paz.

Conviene, sin embargo, analizar las condiciones que regirán al nuevo gobierno, así como las negociaciones y alianzas que se conjugaron para llegar a este punto. De este análisis podemos discernir si del cambio de partido político al frente del órgano ejecutivo puede esperarse el inicio de un modelo alternativo al capitalista o de transición hacia el socialismo que caracteriza el discurso de los gobiernos integrantes de la Alianza Bolivariana para las Américas (ALBA) o veremos más bien un conjunto de izquierdas identificadas con el proyecto de los Estados partes del Mercado Común

del Sur, MERCOSUR.

Efectivamente, el 15 de marzo transcurrió sin hechos violentos lo que difícilmente se hubiera esperado si ARENA hubiese ganado con el ajustado margen de 2.54 puntos porcentuales de ventaja con que ganó las elecciones el FMLN, dadas las insistentes denuncias de un posible fraude electoral por parte de este partido. La diferencia aproximada de 62,000 votos que dieron el gane a Funes sobre el candidato de ARENA en un universo de 2 millones 638,588 de votantes puede explicar el tono conciliador de los discursos tanto de ganadores como de perdedores. También puede explicarlo la claridad de las correlaciones de fuerzas actuales entre ARENA, ahora partido de oposición como del FMLN.

En la futura Asamblea Legislativa la correlación de partidos identificados ideológicamente como derecha, ARENA, el Partido de Conciliación Nacional (PCN) y el Partido Demócrata Cristiano (PDC) podrán controlar las decisiones más importantes, las cuales deben tomarse con el voto de un mínimo de 56 de los 84 diputados electos. Pese a que el FMLN cuenta con la fracción legislativa mayoritaria, sus 35 diputados ni siquiera son suficientes para decisiones que requieren la mayoría simple de 43 votos.

A esta correlación capaz de bloquear desde el legislativo las iniciati-

vas del órgano ejecutivo, se agregan instancias del Estado también controladas por fuerzas partidarias de derecha, como la Corte de Cuentas, la Procuraduría General de la República, la Fiscalía General y la mayoría de magistrados de la Corte Suprema de Justicia.

Sin que se hubieran configurado aún estas condiciones, Mauricio Funes ya había anunciado que en su gobierno no se tomarían iniciativas tendientes a la derogación de la cuestionada ley de amnistía vigente desde 1994 ni se daría marcha atrás a la ratificación del Tratado de Libre Comercio entre Centroamérica y la República Dominicana con Estados Unidos (RD-CAFTA). Puede interpretarse que tales afirmaciones responden a la influencia del conjunto de alianzas generadas desde la candidatura de Funes conocida como “los amigos de Mauricio.” A este grupo pertenecen una amplia gama de empresarios como también militares y ex militares relacionados con una de las épocas de mayor represión contrainsurgente en el país durante el gobierno demócrata cristiano en la década de los años 80.

A mediados del 2008, Roberto Lorenzana, encargado de alianzas del FMLN, confirmó su identidad revolucionaria y socialista al plantear que “los estatutos establecen que somos un partido socialista.” No obstante, Gerardo Cáceres, empresario, cafetalero y ganadero del occidente del país integrante de “los amigos de Mauricio,” en una entrevista publicada por el diario *El Mundo* señaló que “en el país no se puede construir el socialismo... hay que ser realistas: qué se puede lograr y qué no se puede lograr.”

Ambas posiciones serán las que convivirán en lo que puede denomi-

narse la alianza Funes-FMLN. Una alianza que probablemente se hubiera diluido al perder las elecciones presidenciales, pero que al haberlas ganado afronta ahora el reto de gobernar. Por ahora, ya un primer incidente de tensión ha trascendido al publicar una carta abierta el futuro presidente desautorizando las declaraciones que el diputado del FMLN, Gerson Martínez, coordinador además del plan de gobierno de Funes, hiciera sobre su valoración de la necesidad de renegociar los plazos de la deuda externa del país.

Una semana después, el Secretariado de la Comisión Política del FMLN emitió un “Manifiesto a la Nación” en el que plantean que pusieron a disposición las capacidades y organización de su partido para hacer una alianza que contó con el impulso y la destacada contribución del ahora presidente electo. En este parteaguas, el Frente asume su nueva condición de partido de gobierno.

En *La Prensa Gráfica* el 17 de marzo, Funes señaló que “...una cosa son las relaciones del FMLN como partido con Cuba y Venezuela y otra las relaciones del próximo Gobierno de El Salvador.” Una llamada del Presidente Barack Obama de los EEUU, la visita del subsecretario adjunto para Asuntos Hemisféricos, Thomas Shannon, y la llamada de la Secretaria de Estado, Hillary Clinton, todo junto en un lapso no mayor de tres semanas, marcan el interés estadounidense de reforzar relaciones con un gobierno de izquierda moderada.

Otro elemento lo constituyen las fuerzas de izquierda no integradas en el FMLN, tales como la Tendencia Revolucionaria. Uno de sus exponentes, Dagoberto Gutiérrez, públicamente recomendaba a la militan-

cia y a los simpatizantes del FMLN organizar asambleas populares para “construir un andamiaje organizativo nacional en defensa del gobierno,” advirtiéndole al presidente electo que “sin el apoyo popular su gobierno no podrá caminar por más que quiera impulsar programas.”

Por ahora, toca esperar a que el primero de junio el nuevo presidente asuma sus funciones y que durante su desempeño vayan apuntándose las respuestas a las preguntas si gobernará él, los sectores representados en “los amigos de Mauricio” o el FMLN; si prevalecerá una conducción radical socialista o una izquierda moderada, social democrata y reformadora. Hasta ahora tiene a su favor una trayectoria que ha demostrado una conducta ética y valiente, cualidades que lo hicieron un buen candidato y que estarán a prueba nuevamente durante los próximos cinco años.

Mientras tanto, todo apunta a que una de las principales deudas de estas elecciones, la necesaria reforma electoral, continuará posponiéndose, dado que ninguna de las fracciones legislativas, la del FMLN incluida, parece impulsar esta iniciativa en la legislatura que está por concluir. Esto dejará a las elecciones para alcaldes y diputados de 2013 nuevamente con las mismas reglas del juego que todos cuestionan, pero que nadie cambia. Una situación en la que puede darse alternancia, pero no hay lugar para la alternativa. 🌐

*Celia Medrano es periodista, especialista en derechos humanos, gobernabilidad y ciudadanía, con experiencia en la región centroamericana.*

# Ethnic/Racial Variables Matter in Census Systems

*Marcelo Paixão*

In the 2000 Census Round, throughout the Western Hemisphere, a total of 21 nations included a question that allowed the interviewees to reveal his or her ethnic or racial affiliation. This opened the possibility of getting an answer that would address the identity of the people investigated, with designations that could reveal their African ancestry.

In alphabetical order, these countries were: Anguilla, Belize, Bermuda, Brazil, Canada, Costa Rica, Colombia, Cuba, Ecuador, El Salvador, Honduras, Guatemala, Guyana, Jamaica, Nicaragua, Puerto Rico (politically related to the U.S.), Santa Lucia, Suriname, Trinidad & Tobago, the Turks and Caicos Islands, and the United States. It should be outlined that both Peru and Uruguay have in-

cluded the same sort of question in their surveys (encuestas) throughout the last decade in order to collect information.

On the other hand, several of the countries in the hemisphere with large population ratios, were not part of that list of countries that collect social indicators about Afrodescendants. The outstanding ones being: Bolivia, Chile, Dominican Republic, Haiti, Mexico, Panama, Paraguay, and Venezuela. In these cases, except for the two countries located in the island of Santo Domingo, it was possible to obtain dissociated information about the native groups, taking as a variable the language, either spoken or from upbringing.

As far as the Afrodescendants groups in the Western Hemisphere were concerned, the 2000 Census Round was characterized by a vast range of features, from the ways of

asking questions up to the possibilities of giving answers. Countries like Brazil and Cuba asked questions about the colour of the person's skin; Brazil, for instance, used the word race specifically whenever addressing the question. In the United States and Bermuda, that question was only addressed to the person itself. In scenarios like Anguilla, Colombia, Jamaica or Santa Lucia, the question was a combination of ethnic designations, inquiring about the physical features or racial denominations. In most of the countries of Central America, the question implicated a strict investigation as to the affiliation of ethnic or cultural groups. The surveys in Peru and Uruguay dealt with the ancestral perspective. Countries like Canada, Ecuador or El Salvador, when asking about the ethnic/racial identity, merely questioned "what are you?" and "how do you consider yourself to be?", followed by multiple choices.

The terms used for the Afrodescendants to insert themselves were equally heterogeneous. In the case of Brazil, the reference was the colour of the skin (black or mulatto). In the U.S. and other countries colonized by the British, the questionnaire indicated the terms Black, African-American or Negro. In Cuba and Ecuador, besides black there was the word mulatto. Guatemala, Honduras and Nicaragua only mentioned the ethnic groups, the Garinagu, Creole or Black English (depending on the country), leaving

## Peru's Supreme Court convicts Fujimori

Peru's Supreme Court convicted former Peruvian President Alberto Fujimori, 70, to 25 years for ordering the country's security forces to kill and kidnap in 1991 and 1992. The incidents — 15 dead at Barrios Altos in 1991, 10 dead at La Cantuta in 1992, and the kidnapping of entrepreneur Samuel Dyer and journalist Gustavo Gorriti (later released)— were proven beyond all reasonable doubt, according to the head judge.

"This is an historic day. It's not every day that we see a former head of state being convicted for human rights violations such as torture, kidnapping and enforced disappearances," said Javier Zuniga, a special adviser for Amnesty International who monitored the 15-month televised trial. "We hope that it's just the first of many trials in both Latin America and throughout the world." Fujimori announced he would appeal the ruling. "I completely reject that I gave any orders in an allegedly parallel system to put into practice a dirty war to defeat terrorism."

the criteria of physical appearance out. In Colombia, the terms used in the Colombian census survey were: blacks, mulattos or Afrodescendents, the ethnic groups of African ancestry, the Raizal people and the Palenqueiro. The answers did not consider any other options.

Even taking into account this set of experiences, the reality is far from meaning that the quality or the reliability of the information produced is good enough or that the access to such results by scholars, activists and other agents of the civil society is fully assured or even systematized.

#### **Why is the inclusion of the ethnic/racial variable important in the census?**

Currently, several initiatives are taking place, trying to reflect on how the experience of including the ethnic/racial survey in the 2000 Census Round went. In an identical manner, civil society and the black movement in several countries of the hemisphere have become aware that the statistics analysing the population by ethnic/racial groups, leading to more accurate conclusions about the veracity and the structure of a common agenda of pretensions, is a relevant starting point, but not a means to an end.

After the census conclusions that came to light, we may conclude that, as a rule, Afrodescendents of the whole Western Hemisphere do live under worse conditions than those of European background. Therefore, in this decade since 2000, and according to the respective demographic census, the infant death rate among black people, if compared

with the national average, is higher: 99.6 per cent in Colombia and 26.3 per cent in Ecuador. In Brazil, in 2005, the same indicator among Afrodescendents was 25.8 per cent higher than in the white population. With regards to the illiteracy rates in 15-year-olds and higher, both in Brazil (6.5 per cent among white

## **The government can count on more precise tools to better understand reality and, with political will, adopt structural measures to improve lives.**

people and 14.6 per cent among black people), as in Ecuador (4.7 per cent among white people and 10.3 per cent among black people), the indicators showed more than double for the Afrodescendents. In Brazil, in 2006, the unemployment rate among black women (12.8 per cent) also represented more than twice the rate among black men (5.9 per cent). A quite similar situation could be observed in Ecuador, where in 2006 the unemployment rate among black women was 13.4 per cent (against 4.2 per cent among white men), and in Peru, in 2001, where the unemployment rate was 10.1 per cent among Afrodescendents, against 5.1 per cent among white men.

From the examples above, one may easily conclude that it is possible to better understand the gaps emerging in each life pattern, provided there is enough statistical in-

formation and that this information covers a diversity of ethnic/racial groups. Sieving the pretensions of every social movement somehow falling into such discriminated contingents will also be feasible. On the other hand, in possession of this sort of information the State will feel the pressure to enforce the required mitigating measures, since the State will have the necessary instruments to assess the reality of facts. Should there be political drive, the lives of those historically discriminated may certainly be improved.

From these examples, it is easy to conclude that, if statistical data of the various ethnic/racial groups is available, it is possible to better understand the gaps in their patterns of life. Moreover, it is feasible to achieve the refinement of the agenda and demands of the social movements linked to these discriminated groups. In this way, due to this information, the government is not only pressed to adopt mitigating measures, but, at the same time, it can count on these more precise tools to better understand the reality and —with the political will— adopt the structural measures to improve the lives of those groups historically discriminated against. 

*Marcelo Paixão is a Professor in the Economics Institute of the Federal University of Rio de Janeiro and Coordinator of the university's LAESER, the Laboratory of Economic, Historic, Social and Statistics Analysis of Racial Relationships (Laboratório de Análises Econômicas, Históricas, Sociais e Estatísticas das Relações Raciais).*

# A Importância da Variável Étnico-Racial nos Sistemas Censitários

Marcelo Paixão

**N**a Rodada de Censos de 2000, em todo o Hemisfério Americano, um total de vinte e uma nações incluíram alguma pergunta na qual não somente o entrevistado podia revelar sua afiliação em termos étnicos ou raciais; como se abria a possibilidade da resposta remeter à identidade, das pessoas investigadas, com denominações que pudessem revelar sua ascendência africana.

Por ordem alfabética estes países foram: Anguila, Belize, Bermudas, Brasil, Canadá, Costa Rica, Colômbia, Cuba, Equador, El Salvador, EUA, Honduras, Guatemala, Guiana, Jamaica, Nicarágua, Porto Rico (politicamente associado aos EUA), Santa Lucia, Suriname, Trinidad & Tobago e Turcos & Caicós. Vale frisar que em suas pesquisas amostrais (Encuestas), realizadas ao longo desta década, Peru e Uruguai, também incluíram o mesmo tipo de pergunta em seus questionários de coleta de informações.

Por outro lado, verifica-se que diversos países do Hemisfério, donos de grandes contingentes populacionais, estiveram ausentes daquela listagem dos países que coletam indicadores sociais sobre os afrodescendentes. Os mais notórios: Bolívia, Chile, Haiti, México, Panamá, Paraguai, República Dominicana e República Bolivariana da Venezuela. Nestes casos, com as exceções dos dois países localizados na Ilha de Santo Domingos, em todos

os demais países era possível obter informações desagregadas para os grupos indígenas, tomando-se por parâmetro a língua praticada ou de criação.

No que tange aos grupos afrodescendentes do Hemisfério Americano, caracterizou a Rodada de Censos do ano 2000 a ampla gama, tanto dos modos de se fazer as perguntas, como as correspondentes possibilidades de respostas. Países como o Brasil e Cuba indagaram sobre a cor da pele da pessoa, sendo que no primeiro o termo raça, quando da pergunta, também era expressamente mencionado. Nos EUA e Bermudas perguntava-se exclusivamente à pessoa sobre sua raça. Realidades locais como Colômbia, Jamaica, Anguila ou Santa Lucia, a pergunta contida no questionário mesclava denominações étnicas com indagações sobre os traços físicos ou denominações raciais. Na maioria dos países da América Central a pergunta englobou a estrita indagação sobre a filiação a grupos étnicos ou culturais. As Encuestas do Peru e do Uruguai fizeram perguntas sobre a ancestralidade. Países como o Canadá, Equador e El Salvador, na pergunta sobre a identidade étnico-racial, tão-somente indagavam “como você é?” ou “como se considerava?”, abrindo-se em seguida as opções de respostas.

Os termos empregados para que as pessoas afrodescendentes pudessem se definir enquanto tal foram ig-

ualmente heterogêneos. No caso do Brasil a referência era a cor da pele (preto ou pardo). Nos EUA e demais países de colonização britânica, no questionário, havia menção aos termos Black, Afro-american or Negro. Em Cuba e no Equador, além de negro, havia o termo mulato. Nações como Guatemala, Honduras e Nicarágua somente faziam menção aos grupos étnicos Garífuna, Creole ou Black English (dependendo do país), deixando-se de lado critérios de aparência física. Na Colômbia, da mesma forma que: negros, mulatos ou afrodescendentes (termos expressamente empregados no questionário censitário colombiano), os grupos étnicos de ancestralidade africana Raizales e Palenqueiros; encontravam opções específicas de respostas. De qualquer maneira, mesmo levando em conta este conjunto de experiências, tal realidade está longe de significar que a qualidade, ou confiabilidade das informações geradas sejam igualmente boas, ou que o modo de acesso a estes resultados, por parte dos estudiosos, militantes e demais atores da sociedade civil, estejam plenamente garantidos ou sistematizados.

Nos dias atuais diversas iniciativas vêm ocorrendo, buscando refletir sobre o que foi a experiência da inclusão do quesito étnico-racial na Rodada de Censos do ano 2000. De igual maneira, no seio da sociedade civil e do movimento negro de diversos países do Hemisfério,

nos últimos anos, veio ficando cada vez mais consensual a idéia de que a produção de dados estatísticos sobre a população decomposta pelos grupos étnico-raciais, embora não seja um fim em si mesmo; é um importante ponto de partida para a construção de diagnósticos mais precisos da realidade e a conformação de uma agenda comum de reivindicações no espaço público.

A partir das informações censitárias hoje disponíveis, pode-se constatar que, via de regra, os afrodescendentes de todo o Hemisfério Americano padecem de condições de vida piores do que os descendentes de europeus. Assim, ao longo

da presente década (que se iniciou em 2000), segundo os respectivos censos demográficos, taxa de mortalidade infantil entre os negros, em comparação com a média nacional, era superior em: 99,6 por cento na Colômbia e; 26,3 por cento, no Equador. No Brasil, no ano de 2005, o mesmo indicador, entre os afrodescendentes, era 25,8 por cento superior ao verificado no seio da população branca. No que diz respeito às taxas de analfabetismo da população com idade superior a quinze anos de idade, tanto no Brasil (6,5 por cento, entre os brancos, 14,6 por cento, entre os negros); como no Equador (4,7 por cento, entre

os brancos; 10,3 por cento, entre os negros), os indicadores entre os afrodescendentes era mais do que o dobro. No Brasil, em 2006, a taxa de desemprego entre as mulheres negras (12,8 por cento), também correspondia a mais que o dobro que a verificado entre os homens brancos (5,9 por cento). Um quadro bem semelhante também era observado no Equador, em 2006, onde a taxa de desemprego de mulheres negras era de 13,4 por cento (frente a uma mesma taxa de 4,2 por cento entre os homens brancos); e no Peru, em 2001, onde a taxa de desemprego das afrodescendentes era e 10,1 por cento, frente a 5,1 por cento entre os homens brancos.

A partir destes exemplos, evidencia-se que se dispendo de informações estatísticas dos distintos grupos étnico-raciais presentes na sociedade, se consegue tanto conhecer melhor os hiatos existentes nos padrões de vida dos diferentes contingentes, como se alcança o refinamento da agenda de reivindicações dos movimentos sociais ligados aos contingentes discriminados. Do mesmo modo, contando com este tipo de informação, o Estado, não apenas se vê pressionado para adotar medidas mitigadoras do problema, mas, igualmente, pode contar instrumentos mais precisos de compreensão da realidade e —havendo vontade política— de adoção de medidas estruturais de promoção das condições de vida dos grupos historicamente discriminados.

*Marcelo Paixão, Professor do Instituto de Economia da Universidade Federal do Rio de Janeiro. Coordenador do Laboratório de Análises Econômicas, Históricas, Sociais e Estatísticas das Relações Raciais (LAESER), da mesma Universidade.*

## Will the Summit be a US-Cuba Turning Point?

While Cuba will be physically absent at the Summit of the Americas it may be the centre of much attention. Circumstances and political forces appear to be aligning for U.S. President Barack Obama to announce a new approach to relations with Cuba at the April 17-19 Summit. The 50-year “destructive disengagement” approach of the U.S. is a failure and unpopular in the region. If the Obama Administration began the difficult process of reconciling with Cuba, it would resuscitate the U.S. reputation. The December 17, 2008 Rio Group summit of the Presidents, Prime Ministers and top officials from 46 countries of the region —including Cuba— issued a strong joint declaration calling for an end to the embargo and a repeal of the Helms-Burton legislation. Costa Rica and El Salvador —the last empathizers with the U.S. regarding Cuba— have established full diplomatic relations with Cuba.

Already the Obama Administration has lifted the restrictions placed by his predecessor on travel and remittance payments to Cuba by Cuban-Americans. This policy change, while virtually ignored in the Cuban media, is of substantial help to Cuba in increasing foreign exchange inflows from family reunification tourism and remittance payments at a time when Cuba is slipping into recession. Cuba could have responded to this gesture by lifting the punitive 10 per cent tax placed on remittance payments in U.S. dollars —a tax designed to retaliate or the Bush tightening of remittance restrictions— but it did not. Still, former president Fidel Castro asserted on April 5: “We do not fear dialogue with the United States. Nor do we need the confrontation to exist as some foolish people think: we exist precisely because we believe in our ideas and we have never feared dialogue with the adversary. It is the only way to secure friendship and peace among peoples.” This may signal a more conciliatory approach to the U.S. on the part of Cuba.

# Data Collection and Health Research on Indigenous People in Latin America

*Eduardo Vides and Kim Bulger*

Indigenous populations throughout Latin America face extraordinary health inequities exacerbated by living in conditions of extreme poverty. However, flaws in analysis, interpretation and data collection make existing information inadequate.

The disaggregation of indigenous data from that of the general population is essential in order to unmask inequities. Many in indigenous communities regard knowing the health of their own population as a basic right. While fundamental, this right is complex as education, housing, social support, and food security, amongst other factors, all impact community health.

Data collection methods should be enhanced in order to gather more accurate information for policy development by ensuring common methods are used for the identification of indigenous peoples across Latin America and combining qualitative and quantitative approaches. The involvement of indigenous communities in data collection methods and research is necessary to ensure accurate and quality decisions are made.

## **Lack of Common Identifiers**

The Pan-American Health Organization (PAHO) data reports that indigenous people represent 10 per cent of the total population of Latin America. However, this figure is an estimate because of the lack of indigenous identifiers and differences between the health information sys-

tems of Latin American countries.

Empirical data from national surveys is a common source for socioeconomic and health researchers. The analysis of most household survey data is defined in terms of ethnic self-perception, language and geographical concentration in regards to identifying indigenous status. For instance, in 1994, George Psacharopoulos and Harry Anthony Patrinos used census and household survey data, to calculate the proportion of Indigenous Peoples living in poverty. The poverty marker garnered from the first Millennium Development Goal identified that the proportion of Indigenous Peoples in poverty were: Bolivia 45 per cent, Guatemala 38 per cent, Mexico 46 per cent, and Peru 79 per cent. These researchers identified two significant shortcomings: gaps in data collection and a lack of common hemispheric methodology. Some Latin American countries have agreed that speaking an indigenous language is the most reliable ethnic indicator available. Yet critics claim that significant numbers of Indigenous Peoples do not speak an indigenous language; therefore the actual population is underestimated.

Currently, quantitative research on Indigenous Peoples is difficult to extract, due to factors such as the absence of an indigenous registry or list of residents within each country. Critics of quantitative research also think it is not designed to consider the 'lived' world of the individual and it excludes the indigenous tra-

ditional knowledge and oral tradition from the research design and development.

## **Qualitative Research Methods**

Indigenous Peoples are growing more vocal with their concerns not only about how an indigenous person is defined in the census, but also about the research methods imposed on indigenous communities that do not respond to their communities' needs. The legitimacy of qualitative data comes into question when Indigenous Peoples are excluded from participating in the development of survey instruments and defining questions of heritage and ethnicity. Latin American Indigenous Peoples want to be defined not only as a vulnerable group or population at risk but also people who are ethnically, culturally and/or socially distinct from the politically dominant society.

Indigenous Peoples' unique history and culture, ought to be captured in culturally relevant ways. Participatory research based on respect for the diverse cultural and geo-political experience of Indigenous Peoples and knowledge exchange and transfer is necessary, particularly in the area of governance and traditional systems.

Qualitative research is often the method of choice among Indigenous people as it is more congruent with their world view, it includes the opportunity to involve the community at all stages of the research process, and it seeks to understand "how"

things happen, not only “what” happens.

The disadvantages of qualitative research are that it is subjective, expensive, and time consuming. Moreover, indigenous research can have complex protocols to ensure adherence to high ethical standards and prevent exploitation. The subjective element of qualitative research is often cited as a disadvantage as it does not follow the rigorous standards adhered to by its quantitative counterpart.

### Mixed Approaches

In response to the shortcomings of both methods, researchers are creating mixed qualitative and quantitative methodologies in indigenous research. While the mixed approach may yield better results, many challenges remain, including:

- The lack of indigenous-specific health data and information;
- Inaccurate or incomplete data sources and the inability to extrapolate or access data;
- Limited opportunity for individuals to self-identify as indig-

enous due to a lack of identifiers within the public or private health systems.

- Differing opinions on how to identify and count Indigenous Peoples among different countries in Latin-America.

- Minimal indigenous-specific health research and funding.

- The lack of capacity of indigenous organizations and Latin American governments.

With resources, Latin American governments could strengthen information systems for monitoring, management, evaluation and policy development. This can be accomplished by focusing on:

1. Building capacity by improving access to data; providing infrastructure; ensuring adequate human resources and training; carrying out Indigenous data analysis by addressing gaps, focusing on both the national and regional levels; and, increasing public awareness.

2. Addressing barriers to access and use of existing data, such as resources for technology and registry linkages;

3. Linking policy and decision-making to best practices; and,

4. Creating a system that allows for the evaluation of effectiveness such as patient outcomes, interventions and policy.

Future research ought to combine quantitative and qualitative research methods to get an accurate picture of Indigenous Peoples. However, the different definitions of Indigenous Peoples in Latin American countries prevent generalization of research. Building the capacity of indigenous organizations and communities would incrementally improve opportunities for participatory research. This improved process would lead to more effective health policies, potentially transforming the lives of individuals, families, communities and nations. 

*Eduardo Vides is an Epidemiologist at the Public Health Agency of Canada and was a former Capacity Health Manager at the Métis National Council in Ottawa, Canada. Kim Bulger is the Executive Director of MATCH International.*

## Abortion Debate Raises Tensions in Brazil

The disturbing plight of a pregnant nine-year old Brazilian girl has given rise to intense abortion debate in predominantly Catholic Brazil. The pregnancy of the minor was the result of alleged rape by her stepfather. Following the abuse, the young girl became pregnant with twins, bringing the crime to light. Despite the dangers pregnancy poses to such a young girl, Jose Cardoso Sobrinho, a Catholic archbishop in the region publicly opposed an abortion. The criticism did not prevent the abortion.

The archbishop further roused public opinion by excommunicating the girl's mother and the doctors who performed the procedure, but not the stepfather who sexually abused the child. Brazilian President Luiz Inacio Lula da Silva was quick to express his disapproval of Sobrinho's actions. This controversy has drawn critical attention to the Roman Catholic stance on abortion in Brazil and throughout the world. Despite the Church's unequivocal anti-abortion position, over 3,000 legal abortions occur each year in Brazil. Furthermore, thousands of Brazilian women receive riskier, illegal abortions each year. Abortions are only legal in Brazil if the pregnancy is a threat to the mother's life or the result of rape. This case has proved a divisive one, even for upper-level Vatican officials. In Brazil, the widespread criticism of Sobrinho's conservative and seemingly unsympathetic response has revealed a gulf between the Church's teachings and women's realities in a country where Catholicism is an integral part of the culture.

## Venezuela offers to take Guantánamo Detainees

Since President Obama's January 22 announcement of his intent to close the controversial detention centre at Guantánamo Bay, what to do with the 240 current inmates has been a subject for debate. Venezuelan President Hugo Chavez announced on April 2 that he would be willing to accept former inmates when it closes in 2010.

It is proving difficult for the Obama administration to find homes for the detainees who will be released. The Guantanamo inmates are considered unwanted security risks by many countries, including their countries of origin. Chavez's announcement was made in Doha, Qatar, one of the president's stops on his current tour of the Middle East. On Friday, Chavez was in Tehran, where he and Iranian president Mahmoud Ahmadinejad celebrated the opening of a joint Iranian-Venezuelan development bank. Venezuela, as a member of OPEC, has strong relations with its mostly Middle Eastern membership.

The rocky relations between Venezuela and the U.S. make it unlikely that the latter will accept Chavez's offer. Ireland announced in March that it would accept a small number of detainees. France declared that it would take one. These offers are so far the exceptions to a world wary of accepting former terrorism suspects as citizens.

# Refugee Claims Based on Sexual Orientation Discrimination

*Sulaimon Giwa*

Canada is known as a country where human rights laws forbid discrimination on the basis of sexual orientation. Although gay, lesbian, bisexual, transgendered and transsexual (GLBT) people still face discrimination in Canada, they have legal recourse and state protection. This legal status, coupled with a liberal and progressive culture, makes Canada a popular destination for persons fleeing persecution over their sexual identity.

Statistics on violence against GLBT people in Latin America and the Caribbean are incomplete because officials keep few or no records of such incidents. According to Arturo Díaz Betancourt of the Mexican National Council for the Prevention of Discrimination, only Brazil and Mexico track the number of murdered GLBT people. The Shadow Report (2008) on the treatment of GLBT Costa Ricans, published by the International Gay and Lesbian Human Rights Commission, is sobering. Between 2000 and 2005, it documents that as many as 42 transvestites reported having suffered physical and verbal aggressions, robbery, rape, and extortion because of their gender identity. Despite legislative advances by the Costa Rican government, equal rights, as promised to all citizens, remains elusive to segments of that society. Similarly, Brazil's oldest gay rights organization, Bahia Gay Group, reported 186 murders of sexual minorities owing to homophobic ha-

tred between January and September 2008. That is an increase of 70 killings over the reported figure of 116 during 2007, according to the U.S. Bureau of Democracy, Human Rights, and Labor, 2009.

This situation has also been noted in parts of the Caribbean. Representatives of J-FLAG, the only GLBT organization in Jamaica, reported that between 1997 and 2000 as many as 30 gay men were murdered allegedly on the basis of their sexual identity. Indeed, the number of abuses and deaths may be much higher, as this does not account for disappearances or victims who have yet to report their abuse.

The number of refugee claimants from Costa Rica, El Salvador, Honduras, and Jamaica has increased over the last 10 years; however, there is disagreement about the reasons for this increase.

In 1994, Canada passed legislation allowing refugee claims from people fearing persecution because of sexual orientation. This legislation, combined with Canada's progressive image, is one possible reason for the increase.

People everywhere are increasingly aware that sexual orientation constitutes membership in a minority group that deserves rights. Canadian lawyer and gay rights activist Rob Hughes points out that people who are educated and have access to the Internet are more likely to make refugee claims based on sexual orientation.

Opinions differ about the legitimacy of claims based on persecution of sexual minorities. Some are concerned that many may be false, since this type of claim is not easily proven. No proof of mistreatment is necessary so claimants need not have been persecuted in the past; they need only to feel that they would face persecution upon return to their country of origin. The test for validity of refugee status in these cases is simply the individual's verbal testimony. Other tests—for example, questioning claimants' knowledge of gay culture in a particular setting—are unreliable. Other ways of testing or screening using appearance, mannerisms or stereotypical images of homosexual identity are problematic.

Canada must establish clear guidelines for acceptance of refugee claims by sexual minorities to preserve the option for those who genuinely need it. The surge in claims

(see Figure 1) signals that this is an emerging policy issue. Guidelines for what constitutes persecution need to be created. These would not necessarily be specific to persecution on the grounds of sexual orientation, but would overlap with all types of persecution. Discrimination as grounds for a refugee claim also needs to be clearly defined. For example, is it discriminatory for a state to refuse to legitimize same-sex marriages or civil unions? One could argue that it is, but that sort of discrimination might not be deemed reasonable grounds for refugee claims. On the other hand, discrimination that endangers life, livelihood, or safety would be valid reason.

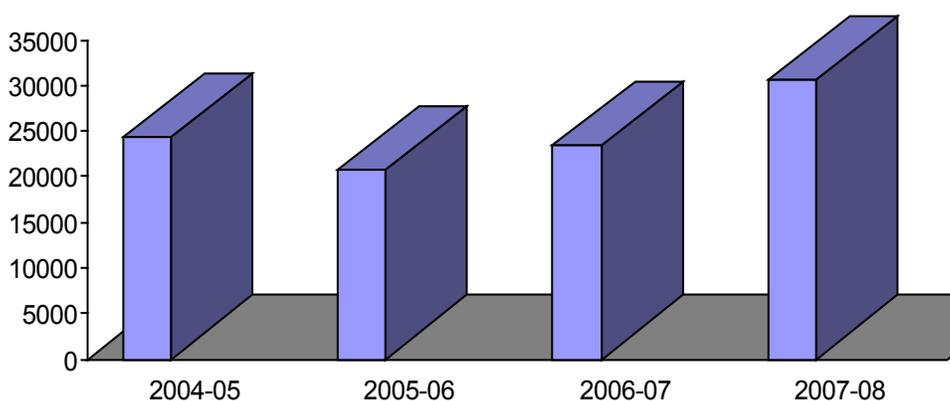
Tests for sexual minority status are difficult to devise, and potentially demeaning, but without them, refugee boards wanting to distinguish between valid and invalid claims may resort to stereotyping or essen-

tialist thinking. With stereotyping, there is the danger that claims could be denied based on how an individual looks or acts; this would be intolerable, and would perpetuate a narrow and antiquated notion of sexual identity. Essentialist thinking—assuming that sexuality is immutable, and that a person, therefore, either is or is not homosexual—leads to frequent refusal of valid claims of bisexual individuals. Both these mechanisms are ultimately harmful to society as a whole, as well as to the individual claimant.

Clearly, there are no easy answers to these challenges facing Canada's immigration and refugee system, especially as related to the refugee determination process. Legitimate refugee claims must not fall through the cracks because of the Canadian government's unwillingness to institute the Refugee Appeal Division (RAD) as mandated by the Immigration and Refugee Protection Act, 2001. The introduction of this appeal mechanism would strengthen efforts to protect the most vulnerable, reduce the number of possibly false denials based on the subjective predilections of Immigration and Refugee Board members, and safeguard against fictitious refugee claims. Ultimately, taking care to not punish all refugee claimants because a few seek to take advantage of the system, and forgoing testing for sexual minority status in favour of the claimant's own testimony, might prove a better way forward.

*Sulaimon Giwa is a PhD student in social work at the Atkinson Faculty of Liberal and Professional Studies at York University, with interest in gender and sexually diverse populations, social inclusion, racism within the GLBT communities.*

**Figure 1: Refugee Protection Claims Referred**



**Source:** Immigration and Refugee Board Canada Departmental Performance Reports (2004–05, 2005–06, 2006–07, 2007–08). This chart represents the total number of Canadian refugee protection claims in the reported fiscal years, not the number of claims based on sexual orientation exclusively. Neither the Immigration Refugee Board nor Citizenship and Immigration Canada keeps a comprehensive website listing of refugee claims referred and admitted based on sexual orientation and country of claimant. Mexico surpassed Colombia as the country with the most claims for refugee protection during 2005–06 and 2007–08. Departmental projections indicate that in 2008–09, Mexico, Haiti, Colombia, and China are expected to be the top refugee source countries.

## ANNOUNCEMENTS

### Sixth International Summer School on the Americas May 10-16, 2009

Quebec City, Canada

Laval University is hosting its Sixth International Summer School on the Americas, which is open to professionals, journalists, NGO members, students, among others. Better your understanding of Inter-American cooperation surrounding democracy, security, immigration, and more. Visit [www.hei.ulaval.ca](http://www.hei.ulaval.ca) for more information or contact [Nicolas.Diotte@hei.ulaval.ca](mailto:Nicolas.Diotte@hei.ulaval.ca).

### Fifth Summit Civil Society Forum

April 15-16, 2009

Port of Spain, Trinidad and Tobago

The Western Hemisphere's civil society will be gathering in Port of Spain immediately before the Fifth Summit of the Americas with its theme of "Securing Our Citizens' Future by Promoting Human Prosperity, Energy Security and Environmental Sustainability."

Registration is required as is a separate application for accreditation. For more information, visit [fifth-summitoftheamericas.org](http://fifth-summitoftheamericas.org) or email the National Secretariat for the Fifth Summit [civilsocietyforum@opm.gov.tt](mailto:civilsocietyforum@opm.gov.tt) or the Summits of the Americas Secretariat via email ([summitcso@oas.org](mailto:summitcso@oas.org)) or by telephone 202-458-3127/3347/3456 or fax 202-458-3665.

### Trade Unions, Human Rights and Democracy in Cuba

April 22, 2009

Ottawa, Canada

Pedro Pablo Alvarez Ramos is a leading advocate of independent trade unions in Cuba. He was one of 75 people arrested on March 18, 2003, and sentenced to 25 years imprisonment for crimes against the state. His crime was to attempt to establish independent trade unions in Cuba. To register, email [pmoore@focal.ca](mailto:pmoore@focal.ca) or telephone Peter Moore at 613-562-0005 ext. 255.

### FOCAL publications, reports, and articles are available online at [www.focal.ca](http://www.focal.ca)

FOCALPoint is undertaken with the financial support of the Government of Canada provided through the Canadian International Development Agency (CIDA).

## WHO IS FOCAL?

### Board of Directors

#### Chair

John Graham, Consultant

Bob Anderson, former Vice President Americas, CIDA

Alain Berranger, Executive-in-Resident, Schulich School of Business

#### Secretary

Michael Bell, Consultant, Justice Solutions Inc.

#### Treasurer

Anthony M.P. Tattersfield, Partner, Raymond Chabot Grant Thornton

#### Executive Director

Carlo Dade, FOCAL (ex-officio)

### Directors of the Board

Charles P. Bassett, Former Canadian Executive Director to the Inter-American Development Bank

Pablo F.G. Bréard, Vice President, Head of International Research, Scotiabank group

Rt. Hon. Joe Clark, Former Canadian Prime Minister

Graeme Clark, Ambassador & Permanent Representative of Canada to the OAS (ex-officio)

Winston Cox, Alternate Director for the Caribbean at the Inter-American Development Bank

Jean Daudelin, Assistant Professor, Norman Paterson School of International Affairs, Carleton University

Paul Durand, OAS Resident Representative to the Dominican Republic

Kenneth N. Frankel, Attorney, Toronto

James M. Lambert, Director General, Foreign Affairs and International Trade, Latin America and Caribbean Bureau (ex-officio)

Jennifer L. McCoy, Associate Professor of Political Science (Georgia State) and Director of the Americas Program at The Carter Center

Elizabeth Spehar, Consultant, Washington, D.C.

Vinita Watson, Executive Director for Canada, Inter-American Development Bank (ex-officio)

### FOCAL Staff

Carlo Dade, Executive Director

Olga Abizaid, Program Director, Democracies that Deliver

Naume Matumbo, Manager of Finance and Administration

Barbara MacLaren, Project Manager, Labour Mobility and Development

Peter Moore, Director of Communications / Editor

Arch Ritter, Interim Program Director, Research Forum on Cuba

Ronald Rojas, Project Manager, Education and Health

Rachel Schmidt, Director of Communications (on maternity leave)

Tandy Shephard, Project Manager, Mapping Knowledge for Development

Racquel Smith, Project Manager, Civil Society and Governance

#### Research Associates and Interns:

Kaylee Cameron, Juan Camilo Sanchez, Ryan Dubé, Alison Steeve, Emily Wilson.



# FOCAL

Canadian Foundation for the Americas  
Fondation canadienne pour les Amériques  
Fundación Canadiense para las Américas  
Fundação Canadense para as Américas

1, rue Nicholas Street

Suite/Bureau 720

Ottawa, Ontario

K1N 7B7 Canada

Tel/Tél: 613.562.0005

Fax/Télé: 613.562.2525

Email/Courriel: [focal@focal.ca](mailto:focal@focal.ca)

[www.focal.ca](http://www.focal.ca)