



Economic Inequality and Gender-Based Violence: The Double Burden on Women in Latin America

- Zahra Farooqi (III B.A.LL.B)

The interplay of economic inequality and Gender-Based Violence (GBV) in Latin America has resulted in a storm affecting women disproportionately, especially those from disadvantaged backgrounds. Economic inequality limits women's financial independence, making it even more difficult to flee abusive circumstances. Economic dependency on a spouse, along with insufficient career possibilities and limited access to education, binds many women to their abusers, compelling them to tolerate violence out of financial need.

Indigenous women in nations like Guatemala and Bolivia face particularly jarring situations, confronting a 'triple burden' of discrimination, which incorporates violence, because of their gender, ethnicity, and poor socioeconomic status. According to a United Nations Development Programme (UNDP) research, women coming from rural and indigenous regions

in Latin America are three times more likely to face gender-based violence than women in metropolitan cities. Women in rural areas have limited access to healthcare, legal protections, and economic resources, leaving few avenues for escape.

Legislation aimed at combating GBV, such as Brazil's Maria da Penha Law, has made tremendous progress in increasing awareness and enhancing women's safeguards. The law was named after a woman who survived repeated assassination attempts by her husband and has acted as a model for other countries in the area. However, the application of such legislation is inconsistent. It has been claimed that widespread corruption and a lack of resources frequently prevent these rules from being successfully implemented, particularly in rural regions and disadvantaged communities. Many women who seek help face an uncaring or underfunded court system that fails to protect them, allowing perpetrators to act without consequences. The United Nations (UN) and Human Rights Watch have frequently called for greater action from Latin American countries. They underline the significance of introducing policies

News at a Glance

Israel's ban on the United Nations Relief and Works Agency (UNRWA) was condemned by Amnesty International, which warned it criminalizes humanitarian aid and risks worsening an already dire humanitarian situation. The ban also drew international criticism, with countries including the US, UK, Ireland, and the EU expressing concerns. For more information see [here](#).

A joint EU Ministers' statement condemned the Georgian election for violating EU standards, warning of setbacks to Georgia's EU membership. The International Election Observation Mission noted that Georgia's EU induction has been stalled since June 2024 due to democratic concerns. Georgian Dream was declared the winner in the election despite polls favoring the opposition. The OSCE cited widespread voter intimidation, biased media, and limited transparency in electronic voting audits. For more information see [here](#).



that address both gender violence and the underlying economic conditions that render women vulnerable. This includes investing in women's economic empowerment by improving access to education, creating more job opportunities, and offering financial help to women who have fled abusive situations.

Gender-based violence will continue to be a systemic and chronic issue in Latin America, unless the underlying reasons of economic disparity are addressed. It is important for the domestic governments to not only reinforce their legislative frameworks, but also improve women's access to economic opportunities. By pulling down the structural disparities that confine women in the cycles of abuse, true progress can be made toward reducing gender-based violence.

Navigating Crisis: The Challenge of Refugee Protection in Latin America amidst the Venezuelan Exodus

- Varun Gavande (III B.A.LL.B) and Rajvansh Deshmukh (I B.B.A.LL.B)

The consequence of World War I left the world in disarray, particularly Europe, where war

and invasions forced numerous to leave their homes, resulting in significant humanitarian crises. Because of this dire situation, the requirement for a comprehensive treaty to protect those evacuated by conflict became evident. This prompted the establishment of the 1951 Refugee Convention, which [defined](#) a refugee as any individual who, "owing to a very much established fear of being persecuted because of reasons of race, religion, nationality, membership of a particular social gathering, or political opinion, is outside the country of his nationality and can't or, owing to such fear, is unwilling to avail himself of the protection of that country". The Convention's scope was subsequently extended by the 1967 Protocol, providing international protection past geographical limitations.

In the contemporary context, Latin America faces a significant challenge with one of the [biggest refugee crises](#) in the world, primarily driven by the ongoing [Venezuelan crisis](#). Despite existing regional frameworks like the 1984 [Cartagena Declaration](#), which expanded the definition of a refugee to include individuals fleeing generalized violence and

News at a Glance

Sanctions were imposed by the UK against three Russian agencies and senior figures for orchestrating disinformation campaigns targeting Ukraine. The sanctions, through an amendment to the Russia (Sanctions) (EU Exit) Regulations 2019, target the "Doppelganger" network as part of a coordinated international response. Sanctioned entities include the Social Design Agency, Structure National Technologies, and Ano Dialog, along with individuals Ilya Gambashidze, Nikolay Tupikin, and Andrey Perla, accused of spreading false posts, forged documents, and deepfake content. For more information see [here](#)



massive human rights violations , the situation continues to deteriorate. Since 2014, Venezuela has experienced quite possibly one of the most serious humanitarian crises in modern history, displacing approximately 7.7 million individuals . Overall, around 2,000 Venezuelans leave their country daily, making this the biggest exodus in Latin America's history. An excess of 211,000 Venezuelans have been officially recognized as refugees, with north of 1 million really submitting asylum claims worldwide.

Neighboring countries, particularly Colombia, have been significantly impacted, accepting the biggest number of displaced Venezuelans. Colombia's open-border policy, alongside various permits, for example, the Special Stay Permit (PEP) and Temporary Protection Permit (PPT), enable displaced Venezuelans to access essential services and work opportunities. Colombia has likewise allowed citizenship rights to Venezuelan children brought into the world within its borders. Brazil, despite facing less arrivals because of geographical and social variables, has experienced difficulties, especially in the northern state of Roraima, which battles to provide

protection and assistance because of limited assets. The beginning phases of the crisis overpowered Brazil's National Refugee Committee (CONARE), prompting the government to adapt its refugee policies to more readily answer the influx (Refugee Survey Quarterly, 2020). On the other hand, despite liberal hosting endeavors, countries like Peru have seen their capacities to provide basic services increasingly strained. This has prompted changes in their refugee laws to adapt to the evolving crisis.

The Venezuelan crisis highlights significant shortcomings in regional refugee protection laws, particularly the Cartagena Declaration. The Declaration, albeit a progressive document, has brought about an absence of coordination among Latin American countries due to its non-binding nature, leading to disproportionate burden-sharing. Countries like Colombia, Peru, and Ecuador endure the worst part of the crisis, while Brazil has not experienced a similar size of refugee arrivals. To effectively address the ongoing crisis, Latin American countries should coordinate their endeavors and either consistently implement the

News at a Glance

UN humanitarian coordinator Clementine Nkweta-Salami reported severe rights violations by Sudan's RSF in Al Jazirah from October 20-25, with 124 civilians allegedly killed. These attacks mirror prior abuses in West Darfur and violate international humanitarian law. A recent OECHR report attributed abuses to both RSF and Sudanese Armed Forces, prompting an arms embargo extension and calls for ICC involvement. Sudan's conflict has left millions food insecure and displaced, with conditions worsening. For more information see [here](#)



Cartagena Declaration or establish a legally binding regional refugee protocol.

Latin American Organizations and their role in Integration and Development in the region

- Shriyash Mashalkar (I B.A.LL.B) and Parth Jadhav (I B.A.LL.B)

The issue of organized crime in South America continues to pose a significant challenge for regional stability and public safety. The 2019 United Nations Office on Drugs and Crime (UNODC) report highlighted a rising rate of homicides, underscoring an escalating trend of violence in the region. Alarmingly, violence in South America is three times the global average, reflecting the dire situation faced by people who are already grappling with high levels of poverty and income inequality. This situation presents a paradox, as South American inter-state relations remain largely peaceful, with no regional wars between neighboring countries. It is also the only region in the world that declared itself a nuclear weapon-free zone as early as 1967. However, despite peaceful inter-state dynamics, the UNODC's 2019 report and the UN Global Study on Homicide reveal that eight out of

ten countries with the highest murder rates are in South America or the Caribbean.

Sadly, this trend of violence and organized crime appears to be worsening. At the core of this crisis lie powerful drug trafficking networks and criminal organizations. The influence of organized crime has grown to such an extent that in 2023, a criminal gang attempted to overthrow the democratically elected government in Haiti and seize control of the nation. Such groups have gained a foothold in politics as well, exemplified by the assassination of Ecuadorian presidential candidate Fernando Villavicencio, a tragic event that shocked Ecuador's democracy and highlighted the violent reality in the nation.

Recognizing the gravity of the issue, Latin American countries have taken steps to address it, though with limited success. The Organization of American States (OAS) members signed the "Declaration on Security in the Americas," which emphasized a cooperative approach to combating threats like transnational crime. Member states committed to strengthening each nation's capacity to prevent,

News at a Glance

Rights organizations criticize 'flawed' assessment of Saudi Arabia 2034 World Cup bid concerns over Saudi Arabia's FIFA 2034 World Cup bid were raised by several human rights organizations, including Amnesty International, citing a "flawed" human rights assessment by AS&H Clifford Chance. The July 2024 report, which supports Saudi Arabia's expected approval as host, is criticized for omitting extensive rights abuses and disregarding unrecognized international human rights standards. Saudi Arabia's lack of commitment to key treaties, such as the ICCPR, is highlighted, along with claims of selective reporting and lack of credible external input, resulting in a "misleadingly positive" portrayal. Without significant reforms, critics, women, LGBT individuals, and workers may face severe rights violations during the event. FIFA has yet to respond. For more information see [here](#).



punish, and eliminate transnational organized crime and its connections to terrorism, drug trafficking, and arms trafficking. The states agreed to work toward improved cooperation and coordination on this issue.

However, beyond this declaration, no substantial mechanism or security framework has been established to address organized crime comprehensively. The declaration itself, signed in 2003, has yet to adapt effectively to address today's organized crime challenges. While the region has various collective security arrangements, their success has been more pronounced when driven by a few like-minded states rather than as a unified regional effort.

In some cases, security cooperation has proven effective in bilateral contexts. For example, Brazil's federal police have supported Paraguay and Argentina in combating the operations of the Primeiro Comando da Capital, Brazil's largest criminal organization, which has expanded its activities into neighboring countries.

To combat transnational crime effectively, increased cooperation and information sharing among security services are essential. The

future of regional cooperation hinges on building trust, developing joint partnerships, and ensuring good governance. Furthermore, regional integration and coordination among like-minded states can foster bilateral or multilateral efforts that address the specific issues fueling organized crime-related activities.

Historical Justice: Exploring humanitarian legal frameworks to provide justice for victims of human rights abuse in Latin America

- Radhika Dahalkar (I B.A.LL.B) and Gyanakshi (I B.A.LL.B)

The postcolonial instability in the Latin American region has led to widespread human rights violations. Apathy and negligence on the part of the government was one of the major reasons for it to continue well into the 21st century. A majority of state agencies were involved in atrocities, tortures, enforced disappearances, and unwarranted arrests, hence, there was little that could be done. On top of that, the existence of political mafias,

News at a Glance

Mandla Mandela's UK visa was denied by the Home Office on Friday, citing his stance on the Israel-Palestine conflict and alleged "support for Hamas." Mandela, the grandson of Nelson Mandela, had planned to speak at pro-Palestine events across the UK but was informed he required a visa. A letter from the Home Office, dated October 21, stated that his presence was "not conducive to the public good" due to statements supporting Hamas, which the UK designates as a terrorist organization. Mandela criticized the decision as an infringement on his freedom of expression and movement. The Home Office has not yet commented. For more information see [here](#).



and the influence of drug cartels, further exacerbated the condition. With weak administrative systems and high levels of corruption, justice seemed elusive. This sadly still remains the reality for many who reside in countries like Venezuela, Bolivia, Brazil, Mexico and El Salvador.

Additionally, none of the Latin American Countries have recognised the past perpetration of egregious abuses or Human Rights violation. For instance, the state of El Salvador refuses to even recognise the crimes committed, let alone bestow justice. Brazil witnessed democracy's disintegration underneath President Bolsonaro, with executions of the opposition candidates and critical media personnels. In Chile, police brutality, rape and violence against the indigenous people is an everyday occurrence. The Cuban government continues to engage in systematic abuse against critics, artists, and abuse ridden criminal proceedings. In Venezuela, human rights defenders have experienced an increase in government repression and coercion such as closure of the OHCHR, (Office of the High Commissioner for Human Rights). The move was described as a turning point amidst a shift

towards a more violent phase of repression by Venezuelan authorities. Human rights defenders urged the States to prioritise human rights accountability in Venezuela over other interests.

Meanwhile, Nicaragua saw a spike in cases of intimidation, stigmatisation and even detention, a point that was highlighted by the Group of Experts on Human Rights in Nicaragua (GHREN). The levels of impunity and the lack of cooperation from the governments of Venezuela and Nicaragua has placed greater responsibilities on the shoulders of the international community, that is looking to conserve human rights in both states equally. This is also how current state policies for curbing crimes, suppress the citizens more than they suppress the organised mafia or cartels.

Golden years of Latin America in mining

- Jesal Karanjawala (I B.A.LL.B)

"Will you stop exploring yours?" Brazilian president Lula Da Silva at a recent event in Rio de Janeiro defended the oil exploration in the country because it is a huge source of income and all the countries in that region are engaged in oil

Upcoming Activities

Call for Submissions: The Journal of Trade, Law and Development Special Issue – Navigating the Murky Waters of Economic Treaties in International Trade

This Special Issue (Vol. XVI, No. 1) is open to receiving submissions on all aspects related to the theme relating to PTAs and their impact both on the international trade regime and the global trading system. Manuscripts received by 16 November 2024, pertaining to any sub-theme within the purview of challenges faced by international trade, will be reviewed for publication in the Winter '24 issue. For more information, see [here](#).

Call for papers: The Journal of Transnational law

The JDT invites submissions for Volume 2, to be published in April 2025. The Board welcomes articles and case notes that engage with current themes in transnational law (broadly intended, see Editorial of Volume 0 and volume 1 of the Journal), as well as book reviews on recently published works. For more information, see [here](#).



projects. The oil exploration in the Amazon river is questioned repeatedly because of climate concerns, which has prompted Brazil to take a few initiatives mentioned later to curb the effects. The world is moving towards a sustainable lifestyle which means reducing our dependence on the non renewable resources like oil. But it is a slow and steady process since all the countries are dependent on natural gas, petroleum products etc.

The Oil and gas industry is of fundamental importance because they are the engines of social and economic development in developing countries. Oil extraction has been a game changer for countries like Guyana and Suriname, whose GDP expanded by 34% and 37% respectively since they discovered oil wells. Countries like France, United Kingdom etc advanced economically because of the industrial revolution but countries like Guyana were colonies of the British till 1966 and absorbed more carbon than it released due to its vast forest land. Hence now when the discoveries of oil wells are helping them advance they can be excused under the “legal right” to “continue increasing their emissions and

exploiting fossil fuels such as oil and gas for longer,” recognized by the UN. This legal right emerged after the 1992 Earth summit wherein the principle of “Common but differentiated responsibilities” was mentioned and later enshrined as a basic principle in article 3(1) of the 1992 United Nations Convention for Climate Change (UNFCCC). This principle states that developed countries contribute more to carbon emission because of the pressure their societies put on the global environment through advanced technologies and resources that they command so all the countries have different responsibilities towards controlling emissions. According to the global greenhouse emission report 2024 by Emissions Database for Global Atmospheric Research (joint project of the European Commission Joint Research Centre and the Netherlands Environmental Assessment Agency) the Latin American countries like Guyana, Peru and Suriname contribute just 0.2%, 0.18% and 0.01% respectively to the global emissions as against 30%, 11% etc by developed countries. Hence when it comes to sustainable development goals the underdeveloped/ developing

Upcoming Activities

International Webinar on the Intricacies of Military Artificial Intelligence and International Humanitarian Law through the Lens of Precautionary Principles

This two day event is being jointly organized by the University of Nairobi Law School, the International Committee of the Red Cross (ICRC) in Nairobi, the University of Fortaleza (UNIFOR) in Brazil, JSS Law College in Mysore, India, and the Institute of Legal and Policy Research (ILPR). It will take place 21 – 22 December 2024, 10 AM – 4 PM. For more information, see [here](#).

Call for Papers: The 9th Asian International Economic Law Network Conference

The 9th Asian International Economic Law Network Conference, to be held on 14 – 15 June 2025 at Senshu University, Tokyo, will feature “Geopolitical Risks and Geoeconomics in International Economic Law: Asian Perspectives and Beyond”. For more information, see [here](#).



countries must be given liberty as well as financial support according to the UN.

Despite their legal right as mentioned above, these countries are trying to move towards sustainable development because saving the planet is every country's responsibility irrespective of their contribution to global emission by issuing regulations and setting up net zero goals because renewable energy sources are the future demand of the world and the economies of these countries could spike up if they switched to sustainable development.

Countries like Chile introduced carbon taxes of \$5/metric ton of CO2 emission, Brazil has proposed a bill to set a cap on emission of CO2 from each sector which is 10,000 Mt CO2 for regulated operators and 25,000 Mt CO2 for large regulated operators and if they exceed it they would have to submit a monitoring plan and a reconciliation report to the government and they must also have compliance assets (Brazilian emission quota) - tradable asset that represents the right to emit one tonne of carbon dioxide equivalent.

Brazil also signed the "Fuel of the

Future program into law", which promises to unlock investments worth \$46.9 billion and prevent the emissions of 705 million metric tons of CO2 by 2037. These measures by Chile and Brazil are a good start towards regulating the emissions because if they weren't the cause of carbon emission earlier doesn't mean they have to fulfil it now, they can adopt sustainable measures. Brazil this year saved 250m tonnes of carbon, equivalent to the total for Argentina.

Latin American countries have one of the cleanest energy matrices in the world due to the abundance of hydroelectric and solar resources therefore, all the countries in that region should see carbon neutrality as an opportunity to attract investments and modernise their economies, boosting economic growth, improving productivity and creating better jobs. They might face trouble in the beginning due to the shift in their major revenue generating source but their geographical position is of great significance and will help them lead in the renewable energy sources market.

Upcoming Activities

Call for Papers: Human Rights Essay Award 2025

The Academy on Human Rights and Humanitarian Law at American University Washington College of Law invites lawyers worldwide to participate in the 2025 Human Rights Essay Award. This year's topic is "Human Trafficking and Human Rights," allowing participants to explore various aspects related to human trafficking within the broader framework of international human rights law, including international humanitarian and criminal law. For more information, see [here](#).

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