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**Wednesday, February 16, 2005**

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**Chair**

**The Honourable David Kilgour**

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## Subcommittee on Human Rights and International Development of the Standing Committee on Foreign Affairs and International Trade

Wednesday, February 16, 2005

• (1535)

[English]

**The Chair (Hon. David Kilgour (Edmonton—Mill Woods—Beaumont, Lib.)):** Colleagues, we actually have more witnesses than we do members, but I'm sure that balance will reverse. If the clerk and colleagues would allow, would it be all right if the witnesses were to move up to the table?

Please come up to the table if you like, especially those who are going to be answering questions.

We have a large number of very knowledgeable people. I think in the interest of simplicity, Mr. Neve is always a witness for every hearing, you'll notice, that we have on anything.

[Translation]

Four persons will make a presentation and the others will answer questions. Ms. Drost, you are the first speaker.

[English]

is the program officer for the Americas Policy Group for the Canadian Council for International Cooperation.

Thank you all for coming.

[Translation]

Ms. Drost, please.

[English]

**Ms. Nadja Drost (Program Officer, Americas Policy Group, Canadian Council for International Cooperation):** Thank you for the introduction.

I'm the coordinator of the Americas Policy Group at the Canadian Council for International Cooperation. We are a working group that brings together approximately 40 Canadian organizations that are concerned with human rights and social justice issues in the Americas.

We are also very pleased to have a Colombian partner of one of our members, KAIROS, with us here today, Lilia Solano.

The Americas Policy Group has been very active in working with several of you on issues surrounding Colombia, and I just want to say that we very much appreciate the opportunity to be here today.

I'm going to briefly give an overview of some of our concerns. I would like to mention, as I'm sure you've noticed, that we have several expert witnesses here who won't be making a presentation

but who are here as resource people to participate in the question and answer period.

Because this is a joint presentation, I would like to ask permission from the chair and the committee to make our one presentation and reserve questions until the end, if that's possible.

**The Chair:** Mr. Goldring, is that all right with you?

[Translation]

As always, there is unanimity.

[English]

**Ms. Nadja Drost:** We hope you will consider the information we're presenting here today and agree as a committee that there must be an in-depth examination of Colombia and the region and Canada's policies towards this increasingly serious conflict.

I'd like to present the following resolution, if I may, that we're proposing the subcommittee agree to, so that you have a better sense of the direction we're taking in this presentation.

May I read aloud the proposed resolution?

**The Chair:** Go ahead.

**Ms. Nadja Drost:** Thank you.

Given the important role of Canada as the Chair of the [group of 24 donor countries] in Colombia, from January 1, 2005 to June 30, 2005, and as past Chair for the remainder of 2005;

Given the grave humanitarian crisis in Colombia as a result of the ongoing armed conflict, characterized by Kofi Annan as second in severity only to that in Sudan, with continuing widespread human rights abuses, massive population displacement, massacres, assassinations;

Given the economic factors that underlie the conflict and the increasing income disparity that has worked to exacerbate the conflict;

Given the increasing militarization of the Andean region, and the threat to the stability of the region that the situation in Colombia represents;

Given the tensions between the Government of Colombia and the United Nations;

Given the Canadian government's commitment to multilateral action and human rights;

Given that the last study by this Sub-Committee of Colombia was in 2002, and the situation and Canada's role has continued to evolve since that time, as has the regional context;

Be it resolved:

That the Sub-Committee of Human Rights and International Development undertake a study of the situation in Colombia, and the regional context within which it is unfolding, with the view to assessing what further action Canada can take to contribute to addressing the humanitarian crisis, and promoting a negotiated peace with justice, within a strong human rights framework.

That the study include representations from Colombian civil society to ensure the Committee gains a full understanding of the impact of the conflict on those most affected.

That the study examine our relations with Colombia and within the region to ensure that the full range of Canada's international policy, from aid, trade and commerce, security, and diplomacy, are coherent with our human rights commitments, including labour rights.

Thank you.

This committee decided in 2002 that the human rights situation in Colombia warranted an examination. Commendably, an extensive series of hearings both in Canada and Colombia were carried out and a visit by members of this subcommittee to Colombia was made. Since that study, however, much has changed. The dynamic of the internal armed conflict in Colombia and the external context have changed significantly, and unfortunately, the struggle for human rights in Colombia is playing out within this new situation.

Before describing the ways in which the dimensions of the conflict have changed, it's important to underscore the analysis of our partners, that the fundamental roots of this conflict have persisted. There are profound and deep-seated struggles over resources and wealth, namely, who develops it, who controls it, and who profits from it. Colombia has one of the most inequitable distributions of wealth in Latin America. Profound social inequalities are exacerbated by Colombia's current economic model, whereby power and resources are increasingly consolidated in the hands of a very small ruling elite.

The gap between the rich and the poor is widening. There is profound disagreement within Colombian society on the kind of economic development that is required to address entrenched poverty and inequity and the acceptable social conditions that result from this. Large sectors of civil society, among them peasants, indigenous people, human rights defenders, and trade unionists, are actively resisting the economic agenda being pushed by the government. Those who challenge the economic policies proposed by this country's elite and the current government, and those who challenge the means used to enforce these policies, are targeted for violence, threat, mass detentions, and stigmatization.

The government's drive for structural reform is dictated by the International Monetary Fund and World Bank policies, resulting in the privatization of state enterprises, tax increases, higher rates of unemployment, and less job security for those who still have jobs in the formal sector. Privatization schemes serve to transfer public resources to the private sector, especially for foreign multinational companies. It remains the case that more trade unionists are murdered in Colombia each year than all other countries combined.

While underlying causes of this conflict remain, the government has adopted a new set of tactics to repress democratic debate and resistance to the government's economic agenda.

I'd like to draw attention to a few of these shifting dimensions.

First of all, while according to the government there's been a decrease in massacres, kidnappings, and forced displacement, other human rights violations, such as torture, forced disappearance, arbitrary detention, and violation of due process have increased. These violations are the direct responsibility of agents of the state.

Secondly, the government has introduced new laws and constitutional reforms that undermine fundamental institutions of the rule of law and democracy and that openly contradict human rights recommendations. These include limiting the way judges can protect fundamental rights, limiting the control of the constitutional court over the executive branch, weakening the mechanisms that guarantee due process and the right of defence, and providing judicial powers to the military, in open contradiction of a precise recommendation of the High Commissioner for Human Rights.

Thirdly, and you'll hear more about this from my colleague, Ms. Solano, there is a disappearance of neutral civic space for citizens to organize their dissent.

• (1540)

[*Translation*]

President Uribe is trying to refuse them any protection as civilians, by pretending there is no internal conflict and that all civilians must help the State in its fight against terror.

Civilians are drawn into the conflict through initiatives like the network of paid informers, the peasant soldier program and the bill that allows civilians to carry arms given by the army.

The refusal to recognize the distinction between civilians and combatants throws confusion in an already very complex conflict and makes it harder to come up with solutions. Under President Uribe's administration, officials have attacked NGO working for human rights, like Amnesty International, by calling them groups that assist terrorists or are useful to them.

Besides the attacks against the civil society, the Colombian government is increasingly criticizing the Office of the High Commissioner for human rights in Colombia and attacking personally its director. Following the Colombian government's request, the UN special representative to Colombia will put an end to his work there in April.

Canada should seriously consider the possible consequences and repercussions this situation will have on the possibility to start a global peace process.

[*English*]

Having identified some of the key shifts that have occurred in the context of the Colombian conflict since this committee's last study, I would like to allow our expert panellists to go into greater depth. If I could briefly introduce them: Lilia Solano from Proyecto Justicia y Vida in Colombia will describe the key impacts that are being sought by civil society and why; Alex Neve from Amnesty International will speak to the multilateral approaches and key institutions involved in improving human rights in Colombia; and Jean Symes from Inter Pares will examine the conflict in Colombia within a broader context.

Lastly, I'd like to leave you with a quote from Mr. Jan Egeland, the UN undersecretary general for humanitarian affairs. At a press conference in May 2004, he defined Colombia as "the biggest humanitarian problem, human rights problem, the biggest conflict in the Western hemisphere". We hope you agree that Canada, with its commitment to human rights and multilateralism, cannot ignore this and urgently needs to re-examine its policies toward Colombia and the region.

Thank you.

• (1545)

[Translation]

**The Chair:** Thank you very much.

Who is next? *Señora Solano, por favor.*

[English]

**Mrs. Lilia Solano (Director of Proyecto Justicia y Vida, and Professor, Faculty of Law, National University of Colombia):** *Gracias.*

Thank you for this opportunity to share with you some of the experiences and also the thoughts we have about the Colombian context and conflict. I think most of you have the two pages that are being passed around.

**The Chair:** Do you have this material, Ms. McDonough?

**Mrs. Lilia Solano:** I want to be sure that you all understand what it is I'm trying to say. I apologize for my broken English, but it is becoming the universal language now.

**The Chair:** Don't say that.

**Mrs. Lilia Solano:** I just want to quickly mention that I'm a teacher. I'm a professor in one of the Colombian universities in the law and political science faculty. I also work very closely with a movement for victims of crimes against humanity that has been built in Colombia. So I know these topics not only by research but also by personal experience and involvement and the struggle with my people in Colombia.

Two key factors that currently shape the Colombian context need to be highlighted in order to understand the most recent developments of the Colombian conflict. They are (a) the tactical steps on the part of the government of President Álvaro Uribe in order to limit civil society's space, and (b) the practical initiatives that Colombian civil society takes in order to maintain its alarmingly diminishing civil and political rights.

On the Colombian government's tactical steps regarding the social movement, after President Uribe's proposed referendum was defeated by a massive mobilization of the social movement in 2004, the central government resorted to enforcing its own version of a patriotic act in order to keep the social movement at bay. The anti-terrorist act, which has been heavily questioned by national and international human rights organizations, the international community, and the United Nations, criminalizes political opposition and violates civil and political rights and freedoms that are enshrined in the Colombian constitution and international treaties and conventions.

As a result, a massive escalation of the tensions became the norm, as the army was intent upon showing immediately results in its war against the armed insurgency. Rights of due process were violated on a daily basis while the media orchestrated a campaign to ensure a supposedly high popularity rating for the government. That is creating an artificial atmosphere of security in the country. However, trade unions continue under legal and physical attacks. NGOs and human rights defenders were and still are continually harassed and threatened while President Uribe keeps on trying to change the legislation in order to provide a legal framework through the implementation of the IMA dictates.

In this context, Álvaro Uribe has started to unfold his negotiation process with the paramilitary while his policy of privatization continues—for example, TELECOM, Inravisión, Ecopetrol, etc.—under terms that militate against unions, labour rights, state ownership, and sovereignty.

On civil society initiatives, different mobilizations of unions, persons, and aboriginal organizations made it clear last year that President Uribe's policies are harmful and do not foster a culture of democracy, freedom, and justice. For the Colombian social movement the central government speaks a deceitful discourse whenever it describes the Colombian conflict in terms of terrorism, thus aligning itself with the Bush post-9/11 rhetoric.

Colombian armed insurgency is but one of the many symptoms of a profound malady whose root causes are not being addressed but rather exacerbated by the implementation of policies that follow the agenda of multinational corporations. Therefore, for Colombian civil society, the current negotiations between the government and the paramilitaries are attempts at providing legal shelters and impunity to the most recent perpetrators of crimes against humanity in Colombia. The government is seated at the table with renowned drug traffickers who have been able to build up strong private armies with the sometimes not so subtle support of the state's agents and organism.

• (1550)

As the dialogues progress, it becomes clear that the paramilitary respond to a well-crafted strategy to which the central government must be held accountable. When he was running for the presidency, President Uribe himself made it explicit that a central piece in his peace agenda was the incorporation of the members of the paramilitary back into society. His promise entailed a great deal of impunity, not only with regard to the crimes against humanity committed by the paramilitary, but also with regard to the drug-related financial structure upon which it operates.

This process of keeping the paramilitary out of legal hassles has also raised the concern of the international community up to the point that there are some within the establishment who question such negotiations. The mobilization of civil society, especially of the victims of crimes against humanity, has reached the Colombian congress and has forced President Uribe's ministers to expose to the public their promises to the paramilitary.

The Colombian civil society clearly believes that the dialogue with the paramilitary is not detached from free trade agreements that are being imposed on Colombia by the United States, acting as an agent of transnational capital.

I know the time is running, so I will just jump to the last paragraph.

Contrary to our own wishes, the dominant propaganda...the Colombian conflict has not diminished in intensity under President Uribe's administration. Internal displays and selected killings continue, due mostly to the predominant role the paramilitary has playing in recent years. Therefore, it is vital that the international community act as a watchdog and express its support for civil society. The Colombian government dealing with the paramilitary must be strongly denounced by the international community. Such a process cannot be used as a justification to criminalize the mobilization of the civil society, which demands truth and integral reparation as a first step toward reconciliation and peace.

I am very aware that the Colombian government uses numbers to prove that the human rights situation is improving, and we who work with peasants, with union leaders, with black communities know firsthand that this is not true and it is totally the opposite. A whole process of impunity and forgiveness of crimes is in the agenda right now.

**The Chair:** *Gracias.*

Who is next?

Alex Neve.

You don't have to identify yourself, Mr. Neve.

**Mr. Alex Neve (Secretary General, English Speaking Branch, Amnesty International (Canada)):** Thank you. It's a pleasure to be with you again this afternoon. I feel like this is my standing Wednesday afternoon date. There are obviously many dimensions to any strategy that is going to seek to improve Colombia's distressing human rights situation. There is, for instance, clearly a vital, absolutely central role that Colombia's courageous and indefatigable civil society groups have played and will continue to play in seeking those solutions.

Another critical aspect, however, is pressure from the international community. Colombia is concerned about its international image and reputation, including because of deepening trade and investment links and possibilities with other countries. So there is absolutely no doubt in our mind that international pressure can make a difference in responding to this crisis.

To be effective, that international pressure must be sustained, it must be concrete, and it must be genuine. It also needs to be exerted both bilaterally and multilaterally.

The international community has been engaged with respect to the Colombian crisis in many important ways. One important example at the global level is that the United Nations has had a human rights field presence in Colombia since 1996, a presence that over time has expanded to various parts of the country. Based on the work of that office, the United Nations High Commissioner for Human Rights has proposed a comprehensive blueprint for human rights reform in Colombia. I'll briefly summarize that blueprint in a moment.

Those recommendations have been presented to the Colombian government. They've also been included in annual reports that are submitted to the UN Commission on Human Rights. Importantly, the Colombian government has accepted the recommendations. The

international community has accepted the recommendations and urged compliance, and this acceptance by all concerned is reflected, for instance, in the various chairpersons' statements that have been adopted by the Commission on Human Rights in recent years.

The recommendations were also endorsed in July 2003 at the London meeting on international support for Colombia. The declaration adopted at the end of that meeting noted, with satisfaction, the Colombian government's pledge to implement the recommendations made by the UN High Commissioner for Human Rights and urged the Colombian government to implement these recommendations promptly.

So we have lots of fine words, but what is the reality? Within Colombia and internationally, civil society groups are gravely concerned that there have been far too many statements and declarations in recent years welcoming the UN recommendations, lauding the Colombian government's willingness to cooperate, and urging that implementation take place in short order. There have been too many statements and declarations and not enough action and real progress towards meaningful human rights reforms.

Considering what seems to start to become a fairly predictable dance at the UN Commission on Human Rights, for instance, here are three quick quotes from the chairperson's statements adopted by the UN Commission on Human Rights over the past three years.

In 2002, the Commission on Human Rights "urges" the Government of Colombia "to comply with the recommendations".

In 2003, the Commission on Human Rights "urges the Government of Colombia to comply fully with the recommendations".

In 2004,

[*English*]

the Commission urges all interested parties to quickly implement the concrete urgent recommendations made by the High Commissioner for Human Rights, as well as the recommendations the Commission has adopted at its 59<sup>th</sup> session and that still have not been put into effect.

• (1555)

[*English*]

And of course the echoing refrain of those words, "urge to comply, urge to comply, urge to comply", is not just about words. Those words are uttered against a backdrop that you've already heard much about, a backdrop of disappearances, political killings, torture, death threats, and other serious human rights violations against trade unionists, human rights defenders, indigenous communities, government human rights investigators, women, and many, many others.

It is time to move beyond the rhetoric that has characterized the international community's engagement with Colombia with respect to human rights, be it at the Commission on Human Rights, be it within the G-24 meetings, be it with any number of other multilateral venues. It is time now to ensure and enforce compliance.

Sadly, the international community does not appear to be moving in that direction. Earlier this month a follow-up to the London meeting on international support for Colombia was, as you all well know, held in Cartagena, Colombia. The resulting Cartagena declaration is a disappointment and it does not intensify the pressure on Colombia to live up to its promise to implement the UN's human rights recommendations.

Quite the contrary. In our view, that declaration sends a signal of diminishing international pressure. The declaration suggests that there have been advances made in implementing the recommendations and it encourages Colombia to continue to move forward with implementation in the shortest possible time period. Particularly distressing is that the Cartagena declaration backs away from earlier international statements that highlight the role the Colombian government itself plays in the Colombian crisis, such as through the well-documented links between paramilitary groups and security forces.

Civil society groups, both in Colombia and abroad, consider that Colombia has, at best, taken only the most minimal of steps towards the implementation of these important UN recommendations, and in fact, new laws and practices, rather than advancing implementation, have undermined some of the key recommendations and have seriously set back the process of compliance.

So what has the UN recommended that needs to be done to restore human rights protection in Colombia? I have made copies for you both in English and in French. I don't know if they've been circulated, but it's from the 2004 report of the UN to the Commission on Human Rights, and it's a good overview of the recommendations.

Those recommendations have been formulated in six general areas.

The first is prevention and protection. Here the UN has talked about the need for a number of things to be done to improve the security situation for human rights defenders and other vulnerable groups in Colombia. Proposals have also been made for a strengthened and better coordinated early warning system when it comes to human rights violations and for a wider nation-wide presence of a variety of governmental human rights offices.

The second area is internal armed conflict. Here there are a number of recommendations directed at all parties to the conflict that urge compliance with all relevant international legal obligations.

The third area is the rule of law and impunity. Here the UN has urged, for instance, that links between public officials and members of paramilitary groups be severed, that military criminal jurisdiction be limited to crimes related to military service, and that the independence of prosecutors be safeguarded. And there are other measures meant to ensure the effective functioning of a justice system capable of bringing perpetrators of human rights violations to account.

The fourth area is economic and social policies. Here the UN has laid out the need for a consistent policy to be developed to reduce inequality, to confront extreme poverty, and to make specific reference to the need for free primary education and increased subsidies for health services and housing.

The fifth area is the promotion of a human rights culture. Here there are strong suggestions made for the need for a concerted plan of action on human rights and international humanitarian law to be put in place. Last year the UN, I think growing impatient at the failure for that plan to be developed, specifically urged that at least a timetable for developing the plan should be agreed to in early 2004, with an eye to developing the action plan by the end of 2004. That hasn't happened.

The last area is technical cooperation. There are a number of recommendations here, but importantly, the UN has called for a timetable to be developed for the implementation of the UN recommendations. Again, the UN suggested that this should be developed in early 2004, and it has not happened.

• (1600)

So that's what the UN has said.

As I say, progress towards implementation of any of those important recommendations has been minimal. At the same time, we've actually been seeing developments that actually undermine the recommendations. For instance, the justice and reparation law 906 of 2004 threatens to increase the impunity that security forces are able to enjoy in the country and sets back some of the progress towards trying to ensure effective prosecution of human rights cases.

Secondly, there are ongoing concerns that senior government officials still often question the legitimacy of human rights work, which very much puts human rights defenders at risk in the country. There are continuing nation-wide reports, which you've already heard about, of human rights violations against human rights defenders and vulnerable communities and an ongoing high rate of killings and other serious human rights violations against trade unionists, for instance.

In our view, the approach of the international community to date has sadly been a failure. Colombia continues to face a dire human rights crisis. Ongoing bilateral and multilateral exhortations to Colombia to take up the UN's blueprint for human rights reform are accepted in theory and ignored in practice.

Canada has been very involved in a wide variety of multilateral initiatives, and we certainly laud Canada for pursuing that approach. When this subcommittee last studied Colombia in depth, in 2002, the recommendations very much urged Canada to work with international organizations and institutions, as well as like-minded countries, to resolve the crisis in Colombia.

Three years later we certainly continue to urge that Canada's strategy should be one of acting in concert with other states; however, that international strategy needs a new approach.

A number of steps should be taken in that regard.

First, we believe it's time to increase the pressure exerted on Colombia at the international level in bodies such as the Commission on Human Rights. One way to do so would be to move beyond this predictable dance of the chairperson's statement at the commission and actually adopt a resolution this year.

Second, it's also time to bring the issue of Colombia to the UN General Assembly as well. A first step in that direction would be for the UN High Commissioner for Human Rights to be requested to submit a report to the General Assembly, thus laying the ground for General Assembly attention and a resolution.

Third, it's absolutely critical that a human rights plan of action with a clear timetable be developed immediately by the Colombian government. This must become a clear, unequivocal, and consistent demand of the international community.

Fourth, the mandate of the office of the High Commissioner for Human Rights in Colombia will be up for renewal next year, in 2006. There are already some signs that Colombia may look for ways to scale back that presence. Now is certainly the time to lay the ground to ensure that Colombia will be receptive to renewal so that a strong and well-funded UN office is maintained throughout the country.

Beyond those very quick suggestions, it is apparent that the question of the right strategy and approach for Canada vis-à-vis Colombia would benefit from an updated study and review by this subcommittee.

The work done in 2002 was very important and useful. The recommendation that Canada work closely with the international community was vital. Three years later, as the international strategy risks stagnating and as human rights violations continue at an alarming rate, Canada needs to press for a reinvigorated and revised international approach, an approach that also closely considers the wider regional context in which the Colombian crisis is situated.

With that in mind, it is very much our hope that this subcommittee will agree to embark on an update to its 2002 study.

Thank you.

• (1605)

**The Chair:** Thank you, Mr. Neve.

Ms. Symes.

**Mrs. Jean Symes (Program Coordinator, Inter Pares):** I'm Jean Symes and I work for Inter Pares.

Thank you very much for having us here today and for your attention to the situation in Colombia.

As Alex was saying, and as you know, we would like very much for the committee to be able to do an in-depth study into Colombia and the regional context in which the whole thing is unfolding. To complete this presentation on behalf of the Americas Policy Group, I'd like to address some of those regional stakes in the issues discussed today and Canada's interest and role.

The dynamics at stake are not solely national—and we've been concentrating very much on Colombia—but the dynamics are actually regional and they involve all five Andean countries. Increasingly, they also involve the countries of the Southern Cone. The issues are also hemispheric and geopolitical and they implicate Canada quite directly. They have to be understood this way and they have to be approached strategically to account for the intense and complex factors at play. Canadian policy does need to be reviewed

and reformulated to take that reality into account. As Alex was saying, things have changed since the last study you did.

In this, we, of course, are assuming that certain goals prevail in Canada's approach to Colombia and the Andean region: the search for democratization; protection of human rights; social, economic, and political stability; all this within the context of national sovereignty, self-determination, and the rule of law; and relying on the clear and visible legitimacy and integrity of the institutions of state. In furthering these goals, Canada needs to be clear about the other major protagonist in this dynamic, and that's the United States.

Strategic Forecasting, Stratfor, the U.S. security intelligence corporation based in Austin, Texas, issued a bulletin in January called *The Andes: The Year of Living Dangerously*. This bulletin is a fairly blunt warning that U.S. interests are balanced on the razor's edge of growing tensions in the region and that historic shifts could be imminent. If this is so, it's also an historic moment for Canada. A close review is necessary—we feel it's necessary—to make sure that Canada does the right thing to promote a just and peaceful outcome in the region.

In the conflict that's taking place there, Colombia is not the only prize, if I could put it that way. The prize is the Americas, and in particular the Andean region. Canada has to question its interest in this conflict and in the outcome. When we focus solely on Colombia and on that terrible decades-long internal conflict, we obscure two elements that are very important. One is that the contest is regional, as I've said, and two, that the U.S. is a critical actor in this contest and it is determined to define the outcome.

In this context, Canada ought to form common cause with those promoting a non-violent process of negotiated social and economic transformation toward permanent peace with justice. We believe it will be necessary for parliamentarians, and for this subcommittee in particular, to undertake a significant investigation of the issues at stake to develop an effective policy framework for the coming period to address the issues of human rights that we're raising with you today.

The stakes of the U.S. as declared in the ongoing interventions are stark. What are they? In a few words, they are military, economic, and political dominance in the hemisphere, as has been its policy historically. More specifically, the United States has three major stakes in the region: an unchallenged domain for the free market economic ideology that it does promote globally, the dominance of U.S. economic interests, and the integration of the countries in the Americas within the U.S. economic sphere.

Also at stake is a U.S. style war on drugs. The current edition of the weekly business news magazine *The Economist* documents the failure of this policy and the extent to which the campaign in Colombia has once again led to massive increases in the cultivation and production of illicit crops in the neighbouring countries of Peru, Bolivia, and Ecuador.



Finally, the war on drugs is now officially conflated with the United States' third crucial stake in the region, which is the war on terrorism. As you've heard in the previous presentations, the carnage that has resulted from the military approach has not only caused significant loss of life among combatants, but because of the profound involvement of irregular forces, the worst effects have been felt by non-combatants and by very specific sectors—especially labour leaders, human rights defenders, and journalists—who have been targeted to such an extent that Colombia now ranks first in the world for murders in these sectors. That these are the stakes is not controversial, and we've prepared a written submission that we've given to the clerk that has further sources and elaborates on these issues further.

● (1610)

We emphasize that the United States is an increasing protagonist in the conflict, because this fact beyond all else will influence how Canada decides to relate to Colombia and to the Andean region. It's also one determining factor in how history will pan out in the Americas.

Last November, Donald Rumsfeld revealed that the second Bush administration would pay much more attention to Latin America and the Caribbean. The man in charge is SOUTHCOM's new commander, who has spent the previous two years as Rumsfeld's senior military aide. Stratfor, the strategic forecasting that I mentioned earlier, notes that SOUTHCOM will focus its energies on Colombia and on Venezuela, the two countries within SOUTHCOM's domain most important to the United States foreign policy-makers.

I have a quote from Stratfor. They say:

The U.S. military footprint will continue to expand there over the next several years. Before the Nov. 2 elections, the U.S. Congress approved an extension of military aid to Colombia.... As part of the U.S. mission in Colombia, Southcom also is working with Ecuador, Panama and Peru to strengthen defenses on their borders with Colombia.

It's evident that the U.S. will be increasingly and more overtly engaged militarily in Latin America, and this process has already started in the border regions of Ecuador and Venezuela. Our written submission contains more details and sources.

The U.S. is now positioned to, if it so chooses, conduct operations with Colombian troops inside the border in Venezuela. Regardless of the objective likelihood of that happening, the Government of Venezuela certainly believes that such an event is possible. It announced in late January a new national security strategy, which is based on the assumption that the U.S. would some day invade Venezuela to seize control of the crude oil and natural gas reserves. The upshot is that tensions are rising on all sides, and the actors are not dismissing any possibility.

So in light of these developments, Canada needs to clarify to what extent it shares the American interests and whether this is a case in which it's important to clarify the divergences in Canadian interests. We argue that in the present case, the interests of Canada are not identical to those of the United States. Our position is that Canada needs to play an independent role and that it won't be easy. The options we choose have to take into account our relationship with other countries in the Americas, of course, and also with our friends

in Europe. It's for this reason that we urge this committee to seek advice from all quarters.

We're not alone in considering this moment critical. An important article appeared in *The Financial Times* in January. The writer is a Latin American specialist in the study of transnational terrorism, drug trafficking, and organized crime.

In this article, he said:

The largest countries in the Americas - the US, Canada, Mexico, Brazil and Argentina - will soon face a serious security threat if they do not deal quickly with the deteriorating situation on South America's Andean ridge.

I'm going to quote him a bit further. He said:

[These countries] must come together to lead a...sustained effort to address the underlying social, economic and political issues driving the widespread chaos and lack of governance on the Andean ridge.

He concluded his piece by saying:

If the politics of denial prevail, as they did in the first Bush administration, a mixture of territorial, ethnic and political "balkanisation" of the Andean region looms on the horizon. The result will be a fast and frantic export of violence, volatility, narcotics and migrants to the north and south of the western hemisphere.

In taking this warning to heart, the committee needs to examine for itself the rapidly shifting context. The Canadian government needs to take into account important developments that are now unfolding in the region.

A new South American Community of Nations, involving 12 countries, including Colombia, came into being on January 1. It aims for political and economic integration, modelled on the European Union. The countries of South America are engaged in initiatives to work together to address issues of social, economic, and political development from their own perspectives. These historic initiatives represent an opportunity for Canada to be able to support and encourage local concerted solutions to the problems they face. The Andean Community of Nations is another important focus for consultation in the region. These bodies are all aiming to address mutual problems through Latin-American-centred economic development and political alliance-building.

● (1615)

The Uruguayan president-elect, Tabare Vazquez, was recently quoted as saying that Latin America needs to develop its own political project to genuinely improve the living conditions of the population. He said this task would require the combined efforts and wills of both MERCOSUR and the Andean community. I think this is a goal with which Canada could easily form common cause.

Today we're examining the specific issues of human rights in Colombia and the region, but it's clear from all of our wider experiences that the issue of human rights is intimately connected to the struggle for the right to define such political projects. That's what's at stake in Colombia today. Peace and stability will only be built through these processes to achieve social justice and democratic economic development. This is a process that needs to be clearly analyzed and understood by Canada in refining its own policies and outreach in the region.

I would like to conclude by reiterating my colleague's request that the committee undertake an investigation into the current situation in Colombia in the context of the Andean region and the issues that were presented here today.

Thanks very much.

**The Chair:** Thank you very much,

Ms. Drost, is there somebody in your group who hasn't spoken? Or do you wish to make a comment on what you heard the other day from the officials we had here? I understood somebody wanted to say something about that.

**Ms. Nadja Drost:** I think if you have questions on what you heard at the hearing, we would be happy to answer those questions.

If I might just be able to take half a minute, I would like to emphasize the expertise we do have around this table. I'm privileged to work with people who know a lot about a wide variety of issues in Colombia, but some of us also have specific areas we work on.

**The Chair:** Would you like to introduce them, by the way?

• (1620)

**Ms. Nadja Drost:** I would love to, if I could.

I would like to start with Ken Luckhardt from the Canadian Auto Workers. Ken can speak to labour issues. We have Sheila Katz, who is the Canadian Labour Congress representative for the Americas. She is working on the Uribe government's attempt to annihilate Colombia's labour unions. We also have Keith Rimstad from Amnesty International, who is their Americas campaigner. And then there's John Jones, also from Amnesty International, who can speak to you about security concerns in Colombia. Alex you know very well. Alex can obviously speak to the multilateral approaches to improving human rights in the country. Lilia Solano has much expertise in issues of impunity and justice issues. Jean Symes is able to speak to the regional context. John Lewis from KAIROS is well versed in impunity and justice issues as well as women's rights. Marlen Mondaca from Save the Children can speak to the impact the conflict has had on children and adolescents. David Bruer from Inter Pares is able to speak to issues of displacement and confined communities.

**The Chair:** Thank you all very much for coming. Would you like to indicate who you want to answer a particular question?

**Ms. Nadja Drost:** I think we'll just play it by ear, if we could.

**The Chair:** Mr. Day has the floor.

**Mr. Stockwell Day (Okanagan—Coquihalla, CPC):** Thank you, Mr. Chairman.

At the risk of appearing overwhelmed, I can tell you we are. This particular committee meets regularly, as you know, once or twice a week with groups from around the world that are quite honestly and sincerely crying out for intervention with devastating situations they face. That's not to diminish our responsibility or willingness to somehow be involved effectively. I think there are ways we can be involved to ameliorate some of these difficulties in Colombia and in the region. I think Ms. Symes' comments there, that this is regional also, are very important. I preface that to let you know I think we're quite limited in what we can do. In spite of that, I want to do all we can do.

Speaking for myself now, I am very jaded and cynical when it comes to another study. We study a lot of stuff around here. I don't know yet what we have done as a country to act on the last one. I sincerely agree with what you're asking us to do. I need to know our past involvement, especially financial. We need to have some kind of a performance audit. It's not your responsibility, but from our own government we need some kind of performance audit to show if we have done anything that's been proven to be effective to ameliorate any one of these situations. If we could even improve on one situation, I'd feel like, great, we've done something. That's why we, as a committee, will later on discuss another study. I'm just giving you a sense of where I'm coming from. It's somewhat cynical, somewhat jaded, even though your request is 100% sincere.

I think our government should be involved in terms of increased pressure on the governments, especially in Colombia, related to the United Nations Commission on Human Rights. However, there's some cynicism that creeps in there. When I see the list of countries who share even chairmanship of the commission, I don't bubble up with excitement. I think it's a venue we need to explore.

Can I just say too that the language we use is always politically charged. We need to be careful of that, of the so-called anti-Bush rhetoric, and how the word "privatization" always gets tossed around as a pejorative. There are some big issues to face in Colombia, and as far as possible I believe we should look at what works and avoid some of the political language that immediately would drive little wedges here and there.

I'll close my remarks at this time, but if what I've said does not really bring waves of hope washing over you about what we can do, let me tell you this. Two years ago when I was in Cartagena I was in a commercial area and I was trying to extract money from a bank machine that was broken. I asked somebody beside the machine, do you know where there's one that works? They said, no, they didn't. Two college-aged—I was corrected when I found out later they went to college—young women approached me. They said, "So you want to know where there's a bank machine that works?" I said, "That would be great." They said, "You'll have to come with us; the ones in this area are broken, but come with us and we'll show you." I was a little nervous, not a lot, but I thought, okay. So we walked out of that area into another area and they brought me to a bank machine.

Ms. Solano, your so-called broken English is way better than my fractured Spanish.

They showed me how it worked, but then they stood well back from the machine so I wouldn't think they were looking at the number I was putting in. I got my money. I thought, do they want a tip? They said, "You're probably wondering why we did this?" They read my mind. I said, "Yes, I am." They said, "Are you from the United States?" I said, "No, I'm from Canada." They said, "Either way, all you've ever heard about Colombia is that we're corrupt, we have drug problems, and it's a big mess down here, and we just wanted you to know there's a whole lot of us who have hope for our country and we believe things can be turned around."

• (1625)

I'm closing my remarks by giving you this, and I know it's anecdotal. I don't know if it reflects a poll of hope, but that's why I do have hope that some things can be done. I'm suggesting to you our limitations. I'd like to see us do an audit of some kind to find out what we have done that works. And I've shared with you my reservations on a study.

Those are my comments.

**The Chair:** I suppose everyone wants to comment on that, do they? Who is going to start?

**Mrs. Jean Symes:** In terms of the very quick performance assessment, the last study this committee did, as Alex was saying, was extremely important and very useful. We saw a complete revamping of the international cooperation program that Canada had towards Colombia, very much in the way the committee had said, focused around human rights and the role of civil society. And it was a very important study.

There was one point the ambassador made when he was here on Monday that I would agree very strongly with. He said a huge success was the way all sectors of civil society were able to come together to say this is how we see the problem in our country and this is how we see the international community assisting us on it.

That was because of the kinds of people you were talking about, Mr. Day.

Colombia is a country of mostly wonderful, dedicated, amazingly courageous people, and good people. It's a small but significant minority that cause the problems.

The civil society organizations in Colombia have been assisted very importantly by international cooperation from Canada, from Europe, from other places. I think it's important that this committee understand that this has been an absolutely crucial support. I think Lilia can speak more to that.

I also want to take you up a little on the anti-Bush rhetoric. This isn't anti-Bush rhetoric. Stratfor is a fairly well-known business, a security intelligence organization, and they're just telling it like it is. They have to, because they deal with people who are investing. In fact they give information and intelligence to other governments, including the United States.

This isn't anti-Bush rhetoric, but I think you all know, in this subcommittee of the foreign affairs committee, that how the United States behaves in the world and in our hemisphere does affect how things pan out, and Canada has to deal with that.

I think it's important that we look at it wide-eyed and be able to see clearly what actually is happening and what we have to deal with. It's one of the reasons we think a study would be very important. We think this has to do with Canada's role in the hemisphere.

[*Translation*]

**The Chair:** Thank you very much, Madam.

Madam Bourgeois.

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Thank you, Mr. Chair.

Ladies and gentlemen, good afternoon.

Many people have come here this afternoon. This means something for me. Personally, I think that when so many people decide to appear before a committee to talk about a problem, it means the problem must be very important. I do think the problem of Colombia is not a simple one. I agree with you that we should devote more time to it.

I am a visual person and I would have liked to be able to look at diagrams, pictures and places on maps, while you talked. I confess that when you speak like you do, things go a bit fast and it is sometimes difficult to see the relationships. We probably will have to come back to that, or, simply, to ask the Standing Committee of Foreign Affairs and International Trade to deal with this question. This is a technical question that should perhaps be discussed with the Chair.

You have said Colombia is concerned by its reputation. You were quite right. I spoke in the House last week and, less than two days later, I received a letter from the Ambassador of Colombia, I think, telling me I did not know the problem. I had based my comments on what Amnesty International had said, and I know this organization does not fiddle with the truth. I must probably have been right on that. That's the reason I was immediately sent a letter to protest against what I had said in the House.

That being said, you mentioned earlier that the Declaration of Cartagena was disappointing. Somebody told us that earlier. On the other hand, Ambassador Duval seemed very happy with the document which was signed. This is why, ladies and gentlemen, I would like to know how come you find this declaration so disappointing.

• (1630)

**The Chair:** Alex, go ahead.

[*English*]

**Mr. Alex Neve:** I can provide some points in response to that, and others may want to add to it.

I think I was one of the speakers who indicated that we found the Cartagena Declaration to be a disappointment. There were a number of reasons.

The declaration does not acknowledge the Colombian government's role in the human rights crisis. For example, there's no expression of concern over mass detentions, extrajudicial executions, and, importantly, the continuing links that exist between paramilitaries and the security forces.

That last point I would particularly stress, because the London declaration in 2003 did acknowledge that—the question of collusion between the military and the paramilitary. It's a critical piece of the human rights dynamic in Colombia, and to see a backing away from that recognition in the Cartagena Declaration is very problematic.

There's no explicit recognition in the declaration that there's an internal armed conflict in Colombia, that there exists a human rights and humanitarian crisis. The declaration does mention the UN human rights recommendations that I was underscoring in my presentation and it does express support of the role of the UN Secretary General, but it makes no supportive statement of the office in Colombia, the UN High Commissioner for Human Rights' office in Colombia. We think it's absolutely vital that governments be seen as very strongly endorsing the role that office plays and the work they do.

There's no explicit reference to continuing violations of the ceasefire by paramilitaries in areas where they have supposedly demobilized. There's growing concern about that becoming a pattern in Colombia—of supposedly, allegedly, demobilized paramilitaries continuing to commit human rights violations.

That's a sampling of some of the ways in which we found the declaration to be disappointing. I think the disappointment is compounded by the fact that, in some respects, it was a retrenchment. It was not as strong as what had been said in 2003 in London, and there's absolutely no basis for being more positive and less concerned in 2005 than had been the case in 2003.

I don't know if anyone else wants to add anything to that.

• (1635)

**The Chair:** Just to be clear, you've actually said that you do not think we should have signed it, haven't you? Is that a fair statement?

**Mr. Alex Neve:** Speaking for Amnesty, we wouldn't say yea or nay that Canada should or should not have signed it, but we certainly do very strongly express our disappointment that the declaration was as weak as it was.

[Translation]

**The Chair:** Ms. Katz.

[English]

**Mrs. Sheila Katz (National Representative for the Americas, International Department, Canadian Labour Congress):** Yesterday afternoon a number of us, not all of us, participated in a consultation with Ambassador Duval, leading up to the United Nations Human Rights Commission's meetings in Geneva next month. He told us yesterday that the document that was signed in Cartagena, that was issued in Cartagena, is not a legal document. He excused the frailties of the document by saying it's not going to have any impact, basically.

To answer your question about why he seemed to be so enthusiastic about it, he is a diplomat and probably learned in diplomatic school that you always express satisfaction with the work you undertake. I think that might explain some of the questions around it.

[Translation]

**The Chair:** Thank you.

Ms. Bourgeois, you have a minute left, please.

**Ms. Diane Bourgeois:** Somebody just said something very important. I would like to know why the document that has been signed is not a legal document. Can somebody explain that to me? If this document is not legal, the Committee has met with the ambassador and could ask him to come back to try to know what should be done to make it legal.

[English]

**The Chair:** I don't know whether there are any other lawyers here, but I'm a non-practising lawyer. There are lots of things that are signed that have no legal effect whatsoever. They're just pretty words on a page.

**Mrs. Sheila Katz:** It was a communiqué that was issued after the departmental meeting.

Is that correct?

**Mr. Alex Neve:** I think the point would be that it doesn't have the force of law that something like a treaty would have, which clearly has binding legal effect within the international legal system. But the vast majority of international law doesn't. The vast majority of international law is what's called "soft law". It does take the form of resolutions and declarations and statements and principles, and while those are not legally binding in the fact that you can take a government to court if it has contravened the statement, they're incredibly important and persuasive documents when it comes to political work around countries. Also, those statements play an important role in sometimes eventually leading to the development of hard legal principles as well.

It is an important document. It shouldn't be dismissed, and it should be something that governments take seriously when they sit down to negotiate.

**The Chair:** Perhaps you would like to finish.

It's Ms. McDonough's time at this point.

**Mrs. Sheila Katz:** It's important to add that this is a group of donor countries. This is a group of countries that are getting together to talk about the criteria on continuing the flow of international resources to the Colombian government.

This was an opportunity for the Colombian government to continue its process of whitewashing the disastrous situation and humanitarian crisis in the country. That's the important thing to remember about the document.

**The Chair:** Ms. McDonough.

**Ms. Alexa McDonough (Halifax, NDP):** Thank you, Mr. Chairman.

I really apologize for having to leave in the middle of your presentation for a prior commitment that I couldn't change. And I bring greetings and apologies from Ed Broadbent, who is the member of my party on this committee and who had to be out of town.

I want to try to get a little better understanding of the weakening of the declaration in the February 3 and 4 meetings in Cartagena. I feel doubly disadvantaged because just about that time I left to go to the Middle East, so I really didn't get an update on what actually happened.

I am just trying to take into account what I've read and what I've been hearing. It seems to me we need to be concerned about why there was the weakening of the position by the donors. What does it mean? Who beat up on them to weaken them? Was Canada insufficiently strong to stand up to those pressures? Were we not prepared to use our role as chairman to push forward? Of course, the weakening of the declaration simply implies that the situation has improved in Colombia, and I certainly am not hearing that.

So I'd be interested in any comments on that.

Secondly, although I don't totally agree with the tenor of the position of my colleague Stockwell Day on this, I am desperately struggling to get a more concrete sense of what it is Canada can be doing that we can contribute to in this committee. I don't think it's a study per se. It is a question of what actions we can take, and through what means, to press for the humanitarian action plan, for example, to actually be carried out. It doesn't sound like Canada had either the strength or the political will to be a strong partner in pushing for this in Cartagena. So the question is, who are the multilateral partners? Who are some of the other countries among the 24 with whom we can be working?

Finally, are there avenues through the United Nations that we should be trying to use to greater effect? It sounds as though the UN is pulling back somewhat in terms of removing its special representative. Should there be a push by Canada, among others, multilaterally, for the General Assembly to take this up? What are some of the multilateral avenues that would make sense? I don't know that Canada has either the strength or the will to do it alone.

Finally, on the role of the U.S. in all of this, we constantly talk about our closest friends and neighbours, but are there some avenues that we could use to try to stiffen the spine of the U.S., in fact to back off in some of the ways they've pulled the plug here?

•(1640)

**The Chair:** We can't give all the questions to Mr. Neve.

Who wants to answer this one?

Ms. Lilia Solano.

**Mrs. Lilia Solano:** I want to make two comments. Maybe you are right when you say you dislike all Bush comments in the presentation. We could say not only "Bush" but "North American" foreign policy for Colombia is a disaster. The United States is still fighting in Colombia an anti-communist war, an anti-terrorist war, and an anti-narcotics war. They have so many interests in my country that they can rule the country in many ways. One of the roots of the conflict has to do with the interests of the United States in my country. I use the name of Bush because he is there recently, but it has been so through history.

We use political language because I believe this is a place to discuss politics. Many of the Colombian problems have to do with people who want to participate in rebuilding the country, and who

are being exterminated because they want to do it, not by bullets but by politics.

It is a problem. We have to name it; we have to say it. And we cannot be alone in the country in this kind of fight for our very country. That's why we call upon friends around the world.

On the point about the Cartagena declaration, I mentioned in the beginning that Uribe's government is going around the world, especially to Europe and sometimes to Canada and the United States, proving with numbers and surveys that human rights are good now, that everything is improving, and that there are no real human rights violations, so that people might give him money for the peace process with the paramilitaries.

We know another version of history and we have to say it. The process—the negotiation table with the paramilitaries—is a way to forgive crimes against humanity. We have to say it. We have to tell people that this is another side of the story: that the president made a strong commitment to provide a framework, a law, to forgive crimes. We have to say it; we have to look for people who can stand with us and fight against impunity.

And that's one thing we are asking right now: to join us in what we are calling the fight for justice, truth, and reparation for the many crimes in Colombia. It's one avenue.

Cartagena reflects the governments. They listen to Uribe's numbers, they listen to human rights organizations and unions, and sometimes they have to deal with the two parts of the story and come out with something that is not totally strong with the government, not totally strong with civil society. We are asking for something else: for a stronger position in favour of human rights and against impunity.

This will not come easily. It has to be by fighting, because as I said yesterday, blood is running in Colombia. And it's not only our problem; we have to have people who care about that.

•(1645)

**The Chair:** *Gracias.*

That's seven minutes. Ms. Torsney is next.

**Hon. Paddy Torsney (Burlington, Lib.):** Thank you. First of all, can I make sure all members have a copy of the Cartagena Declaration? I believe it was distributed.

The fourth point says they "reaffirmed" the London declaration, Mr. Neve. It builds on the language, so the things that were in the London declaration are continued in the Cartagena declaration, and I think that's something everyone should recognize. It doesn't say "notwithstanding what we said in London, this is how we're going forward". It says we reaffirm everything that was committed to in London.

So I'd ask a question about whether or not you supported the London declaration, because that would be telling, if it isn't helpful as well.

Second, I would hope we can get a copy of what Mr. Rishchynski said in Cartagena, because I think it is available to committee members. In fact, he spoke specifically to the Columbians present, saying that London went further still, committing us not only to shared responsibility but a shared accountability for demonstrable progress in these important endeavours. He said, we encourage you to intensify and expand these efforts to mobilize all Colombians in the search for peace and to give higher priority to social programs and issues of justice and human rights.

So there was a specific Canadian intervention to push for more accountability, and I would encourage all members of the committee who are interested in this issue to read what Mr. Rishchynski said, because Canada was at the table.

To clarify as well what Mr. Duval said before this committee, he reiterated that Cartagena reaffirmed the London declaration, that it recognized the work of civil society, and that it emphasized the work of the UN. Those things are important to us, so I guess I'm left asking.... We all want to do the best to make sure peace and security really do break out in Colombia, and that there is respect for human rights and people have the opportunity not to be under such a constant threat.

I listen to what happens there and I can't imagine having to live with those conditions, so please understand where I'm coming from.

I guess the question is, in terms of what Canada does going forward, are you satisfied that we should continue to be involved, to invest in civil society, to make sure we do everything we can? How do you want us to move forward?

**The Chair:** Mr. Neve, I guess the important question was directed to you.

**Mr. Alex Neve:** I'll start with the question of the Cartagena declaration and the London declaration and the relationship between the two.

Clearly it's important that there is that statement in the declaration. Yes, we did for the most part support the London declaration and felt there were some very positive things said, and we have been highlighting that in a lot of the campaigning and reports that Amnesty has issued since that time.

Our concern was that many of these problems are of such a serious and ongoing nature that the fact that since London progress hadn't been made—for instance, on this point around collusion between the military and the paramilitary—was such that we needed more than a simple reaffirmation in Cartagena of that previous declaration. We needed some strong statements that indicated the disappointment, the concern, the fact that promises that had been made around some of those issues in London had not been complied with.

A few words simply reaffirming that the London declaration was still current didn't go far enough. Many of those issues needed very specific attention and expression of concern in the Cartagena document.

• (1650)

**The Chair:** Yes, Ms. Symes, or...?

Mr. Lewis.

**Mr. John Lewis (Program Coordinator, Human Rights, KAIROS):** Just quickly, to pick up on something Alex mentioned, but to go a little further, Cartagena is a symptom of what we've seen over the last year or so in our relationships with the Colombian government. We heard yesterday from Ambassador Duval that there were five or eight hours of discussion on the term "internal conflict", and that's not because it's not important. The Colombian government really won the battle to take that out.

While the document is not legally binding in the sense that these are not the Geneva conventions we're talking about, they do have moral weight in future discussions. The weakening of the document, in our eyes, is a culmination of the shift that's happened in Colombia under President Uribe, and that is not only direct rhetorical attacks on civil society, including peace brigades and Amnesty International, but also a concerted attempt by the Colombian authorities to reduce international scrutiny at all levels bilaterally but also at the United Nations.

While the Cartagena thing in isolation might not seem that important, it is part of this ongoing attempt on the part of the government. That's one of the reasons we'd like this committee to really study the matter, because there has been this shift with the new government.

**The Chair:** We're just about out of time actually.

Ms. Symes, would you like to have a last word? Then we have to go to someone else.

**Mrs. Jean Symes:** Yes, I have one other thing about Cartagena. One of the key things that wasn't in the document that is of great concern to our Colombian friends as well as ourselves is that there was not a strong statement of support for the role of the UN system, in particular the role of the UN High Commission on Human Rights. That is a crucial, crucial body. It's one that has been undermined by the current government.

If the committee is looking for something quite proactive to do, one of the things that would really help on the whole issue of perception is to ask for Canada to lead a resolution in Geneva on the issue of Colombia. That would assist our partners in Colombia and it would assist the work of the folks in the UN to be able to do their work and to be able to show very clearly that the international community does support the work of the UN there, and specifically the work of the high commissioner. It's extremely important work, and that would be very helpful.

**The Chair:** Thank you very much.

Mr. Goldring.

**Hon. Paddy Torsney:** On a point of order, Mr. Chair, I just want to clarify that we're going to get a copy of the UN statement.

**The Chair:** Well, it's not the clerk's responsibility.

Do you not have a copy of this?

**Hon. Paddy Torsney:** It's not the clerk. I'll make sure it's available, because in fact Canada did state our support.

**The Chair:** Please do.

Mr. Goldring.

**Mr. Peter Goldring (Edmonton East, CPC):** Thank you, ladies and gentlemen, for your presentation.

I suppose I'll be echoing some concerns of others, but I find it difficult to understand—perhaps with a little more explanation we can all understand a little better—how so many countries can gather together for the Cartagena declaration and come up with a declaration loaded with statements reaffirming support, recognizing the advances, and going on and on giving the impression that there have been real advances made from 25 years of Canada's contribution and 50 years of international contribution into circumstances of the situation.

Reading through your resolution I certainly can subscribe to most of the written words of the resolution. But I have difficulty in understanding how that in itself will evolve into another declaration or another understanding of what more we can be doing without going back and analyzing, ourselves, as previous comments indicated, what we have been doing as a country and maybe taking other directions and ideas to determine what other ways we can approach this drastic situation in the future.

The question really is, what can we do to instigate or to be part of a more far-reaching and conclusive declaration or movement forward on this, when some 25 countries have spent time discussing this and have come up with this declaration, on which I sense from your comments you have strong concerns and reservations? What can we do better?

• (1655)

**The Chair:** Mr. Neve, again.

**Mr. Alex Neve:** Well, perhaps Ken could have a chance to respond.

**The Chair:** Ken Luckhardt.

**Mr. Ken Luckhardt (National Representative, International Department, Canadian Auto Workers Union):** As we ask for your support for the continuing study of Colombia in this committee, I'd like to remind the members of the committee why the first committee was set up in the first place. Some of you may not have been a member of that committee. I would say it came as a result of two issues. The first is that of impunity. I can give figures from the trade union movement, but I won't focus exclusively on that, except to say that in the last 20 years, 4,000 trade unionists have been killed, just for being a trade unionist, and in only 5 of those cases—5 out of 4,000—has there been any effort by the Colombian authorities to find out who was responsible for those murders. That continues in every sector.

The reason this subcommittee was formed, back in the earlier part of 2001, was because we had a civil society in Canada—faith groups, human rights groups, labour groups—that responded to a call from Barrancabermeja, where, after a particular massacre, 32 people disappeared and 7 were killed. The people of Barrancabermeja could not get justice in their own community. They asked the Canadian civil society to set up a Bertrand Russell style of tribunal that would investigate that particular massacre and deal with it in a very serious way. We put a lot of resources into that. We had human

rights lawyers from Canada who gave their work pro bono. We had a cast of nine judges, prominent people from across Canada, from different sectors, who heard all the evidence. We had witnesses come from Barrancabermeja to provide evidence, one of whom was killed subsequently, after going back to Colombia. We had all of that happening.

The report from that tribunal went back to Barrancabermeja and participated in a tribunal there, which was very much of concern to the Colombian government because they understood that suddenly the question of impunity was being dealt with by the international community.

That issue remains in front of us.

During the course of that subcommittee hearing many of the committee members had the opportunity to meet Kimy Pernia, who is the leader of the Embera Katío. He had come to Canada to tell all of us, parliamentarians and Canadians together, about the effects of the Urrá hydroelectric project that had been partially funded by the EDC.

I suggest to you that, for a thousand reasons, this subcommittee should continue to focus on Colombia because of the questions of impunity and because of the questions of Canadian connections. This is a conflict zone. We don't have the time today to talk about the various ways in which Canada, its corporations, its EDC, its government, its CIDA, connects to Colombia, but it should surely be a major focus of this parliamentary subcommittee. That's why we're making a special case and urging you to continue on with Colombia.

Finally, with regard to Mr. Day's comments regarding privatization—I guess he's left the room—we can have debates in countries like Canada and Switzerland, democratic countries, about privatization, but when it happens in Colombia, people get killed for opposing privatization. If they're not killed, or if they don't disappear or become displaced or are forced into exile, they lose their jobs. To lose a job in Colombia is adding to the precarious situation for workers. The case of TELECOM, the case of the oil industry, the case of the mining industry, the case of changing mining laws to make it more amenable to Canadian mining companies are all issues that directly bear upon Canada's connection to a tragedy in our hemisphere.

That's why we urge you to seriously consider our request.

**The Chair:** Mr. Goldring, you have two minutes left.

**Mr. Peter Goldring:** Thank you.

I have concerns when we see declarations such as this coming forward, giving us some kind of guidance and direction on it, and then finding out from others that it really is missing...and indicating that the government itself is not making these advances that are claimed in this declaration.

My basic premise here is that we should not just be putting more resources into it, but we should also be reassessing where our resources have been applied. One of the comments here is on teaching in the schools, and on democratization, and on looking at other ways to channel our resources. In other words, audit what we've been doing and understand that after 25 or 50 years, depending on which country has been involved...the reports from your very group here suggest that the situation is indeed worse than it was before. This would strongly suggest that we have to stop, analyse what we're doing, check the effectiveness of what we have been doing, and see if we aren't prepared, yes, to help further, absolutely, but to also look at other ways we can perhaps be better engaged in helping to bring about the sensitivity in the country for democracy, for human rights, for civil order. Perhaps that's the area we should be focusing our direction on, so that over a period of the next 20 years, the next generation coming up and going through the schools will be a better part of society.

Is this the area we should be putting more focus on?

• (1700)

**The Chair:** Ms. Symes.

**Mrs. Jean Symes:** Thank you.

The problem in Colombia is not that there is an unawareness of human rights. The problem in Colombia is not that people need to have more education about what human rights means. The problem in Colombia is that there's a conflict of interests, and when there is such overwhelming power on the part of one side and almost no power on the part of the other, as Ken was saying, people who oppose what the very small elite in Colombia want to do in terms of economic growth and the social consequences of that are killed.

That's why in fact it's trade unionists who are one of the target sectors; that's why it's journalists, the people who are reporting on it; that's why it's human rights defenders—those are the people who are targeted specifically.

Peasants, the people who live in rural communities and farms, are kicked off their land because they're living on land that has oil underneath it, has minerals, is really good pasture land, or is good for growing coca. That's actually one of the things that Canada has been concentrating on I think fairly well.

Ms. Torsney is right that in the Cartagena declaration Canada did make a very strong push to get some of the language in, but they were unable to because of various forces. As you were saying, 25 countries were sitting around the table and were unable to come up with a resolution. Well, actually there were various interests, and I think as politicians you probably understand what those interests are.

I think that's what this committee ought to be looking at. If you want to be figuring out what in the longer term Canada needs to be doing, those are the kinds of issues I think you need to be dealing with.

**The Chair:** Well said.

Mr. Bains.

**Mr. Navdeep Bains (Mississauga—Brampton South, Lib.):** I want to first of all thank the panel members for coming out today. I know that sometimes we forget to do that. I want to also take this

opportunity to apologize for being late. I was part of a historic discussion or debate that was taking place in the House of Commons.

With that said, I want to focus my question not on Colombia but rather to elaborate on what Ms. Symes was saying. It seems to be a regional issue. I think when we focus on one country specifically, it's not going to be resolved in that manner.

I know Mr. Day is not here, but I want to acknowledge that we can't overlook the fact that the United States plays a major role in this issue. They invest about \$42 million, I believe, on an annual basis in Colombia to help the war on terror, on drugs, and so forth.

You mentioned something, and it caught my attention. I would like you to elaborate, Ms. Symes, on a non-violence approach for Canada, specifically. Could you elaborate on that, because I think there is an issue of accountability? Mr. Goldring brought it up. Mr. Day brought it up. We want to invest money and to provide the resources, but we also want to be able to track accountability of those funds—are we seeing the tangible results that we desire?

So you talk about a Canadian approach of non-violence. I want you to first elaborate on that a bit, please. Second, how can we track that to see if we're getting the results we desire?

**Mrs. Jean Symes:** As Lilia just said, the resources are very small. On the other hand it's also true that where Canada has placed the resources in Colombia over the last number of years has actually been quite important and quite good.

As a result of the 2002 committee report, Canada refocused its aid program toward civil society. For the most part it's going toward assisting civil society actors such as displaced people, young people, and working with young people in the cities, which is very important, and in rural areas helping them find ways to stay out of the conflict.

Those are all good things that we think should continue. There are, as Lilia was saying before, a vast number of people in Colombia who are trying to get together to take a non-violent approach to sorting out the conflict and to be able to actually have dissent, have debate, without anybody getting shot.

In terms of how you can track it, the international cooperation program of CIDA actually has tracking mechanisms. One of the things we're looking at is how the diplomatic work is tracked. I don't know what kinds of mechanisms Canada has in terms of looking at the diplomatic work. One of the things we would like to see is support for indigenous or at least local regional organizations, such as the new South American Community and the Andean Community. Canada could very well play a very important role of supporting there.

As well, in terms of working through the United Nations, there are ways to work that are outside the pressure cooker that Cartagena was. The upcoming one is in Geneva, the Commission on Human Rights. That will be a very important place, and Canada could take a very important lead role around a resolution on Colombia.



● (1705)

**Mr. Navdeep Bains:** Can you comment on Canada's working relationship with the United States? It seems to me there is a diverging of strategy. I don't want to politicize the matter; I just want to get a better understanding of the areas where we work very well together and the areas where we can see some improvements. I just need your feedback on that, if you don't mind, please.

**Mrs. Jean Symes:** The International Crisis Group, which is an NGO working out of Belgium, and which is funded by the Ministry of Foreign Affairs here in Canada and by CIDA and does excellent work, has just come out with a study on the war on drugs in Colombia. I mention this as a response to your question because this is one paradigmatic place.

The United States has conflated, quite officially, its war against terror with the war on drugs. The Colombian government has done the same. That is an extremely unhelpful thing to do. It allows things to become very blurred, and it actually has caused huge problems in Colombia. The International Crisis Group report goes into this in quite a bit of detail and has recommendations around how to sort those things out.

Canada has taken a different tack, looking very much more at such things as voluntary eradication of coca production, rather than, for instance, aerial spraying forcing people off the land.

So there are different tacks. But that's a big topic, and it's one of the reasons we would like this committee to look at it.

**The Chair:** Thank you.

[*Translation*]

Ms. Bourgeois, please.

**Ms. Diane Bourgeois:** Thank you, Mr. Chair.

There is a Colombian parliamentarian, Ingrid Betancourt, of whom I haven't heard for quite some time. She had opposed the government and she was jailed.

Is she still in jail or has she been set free?

[*English*]

**Mrs. Sheila Katz:** She's been held hostage—

[*Translation*]

**Ms. Diane Bourgeois:** She was taken hostage.

[*English*]

**Mrs. Sheila Katz:** —by the FARC for the past several years.

[*Translation*]

**Ms. Diane Bourgeois:** She had indeed spoken against impunity, against the impossibility to speak freely, and more.

On January 30<sup>th</sup> 2005, the 5<sup>th</sup> Global Parliamentary Forum was held in Porto Alegre. I have here with me the final declaration.

The parliamentarians who were there criticized what they call the Plan Colombia. Here is a quote : “ Plan Colombia, another case of unacceptable intrusion and militarization of a country, constitutes a very real and concrete threat to the stability of the region.” These parliamentarians were asking for a negotiated political settlement of the social conflict in Colombia. They add:

On the eve of the Cartagena meeting, we urge the European Union and the countries who will participate to this meeting to refuse to grant funds earmarked for cooperation and development to support the war policy and impunity program of the Colombian government.

Is that what you, among other things, ask for?

● (1710)

[*English*]

**The Chair:** Ms. Solano.

**Mrs. Lilia Solano:** Thank you.

We made it clear that it's in this moment of history that impunity is taking a step forward. Impunity has been in the country throughout history. We have gone through a long war because impunity has been guaranteed. But the step forward is to prepare a law, a framework, where all the crimes could be legalized and forgiven.

One thing we want to ask Canada is to be aware of what is going on, not only be aware of the official numbers of human rights violations, but also to investigate more deeply that situation. We need an international community to say very strongly that they will not support a process of impunity, of forgiveness of crimes against humanity. That is the moment we are going through now, and there are many ways to prove that there could be another way out for the country, that this will not last forever, that this could be a moment to stop impunity. We cannot do it alone; we have to do it together.

I very much agree with the things you are saying.

**The Chair:** Ms. Symes, please.

**Mrs. Jean Symes:** Concerning the issue around Plan Colombia—that's a plan where the United States is supplying mostly military assistance to Colombia—and subsequent plans, because that one is old stuff now, they've given something in the order of \$3.3 billion since 2000. Most of that has been military aid, so there's been a process of militarization of Colombia and the countries around Colombia that's been quite extraordinary.

We think Canada should not participate in that, and Canada hasn't participated in that part. We have stayed outside the framework of Plan Colombia in terms of Canada's international cooperation. Some things in that vein might be interesting for you to investigate.

**The Chair:** Mr. Rimstad.

**Mr. Keith Rimstad (Regional Program Coordinator, Amnesty International (Canada)):** Just as a reminder, Canada sold to the United States 33 surplus helicopters back in 1998, which were used as a core part of Plan Colombia in the provision of mobile abilities for the initial battalion Colombia was establishing under Plan Colombia. This was brought up in the House at that time by Svend Robinson. It is an issue that I think is related. Much of our relationship with Colombia is not simply that which falls within the purview of Foreign Affairs or within aid. Much of it also falls in other areas, including that concerning our RCMP and also the defence department itself.

The issue of the helicopters is old news, but it is an example of elements I think the committee could look at in this round in a more comprehensive way than the 2002 examination of the complete range of Canadian policy vis-à-vis Colombia.

I don't really need to go into an elaboration of that particular period, but another example we had discovered.... It was actually a report that was found in a Colombian newspaper about the provision of surveillance equipment to the Colombian security policy by the RCMP, worth about \$1.1 million. This equipment was used in the investigation of a criminal case here in Canada, but I was never able to establish, in spite of attempting to get information from the RCMP, how they would be monitoring the equipment, or whether or not the equipment would remain in Colombia.

There are issues there for which I can't say what if anything may be of concern, but there are certainly issues that are of interest in trying to understand exactly what the full scope of our relations is and to understand also how we monitor those relations, particularly outside the normal areas we would monitor, in terms of human rights. How are the human rights impacts assessed and determined?

• (1715)

**The Chair:** Thank you, Mr. Rimstad. I think you're...*[Inaudible—Editor]* ...on that question about the helicopters.

Ms. McDonough.

**Ms. Alexa McDonough:** I can't even imagine the frustration you all must feel, 11 representatives who know a huge amount about what's going on in Colombia, and you're faced with a group of parliamentarians who.... I'm not sure if I'm accurate in this, but certainly if you go back to the 2002 study done by the committee and the Colombian tribunal, I think there's probably been a 100% turnover on this committee since then. So there you are feeling you would like to add knowledge and get added value from this committee, and people are starting way back at square one. In some ways I'd say the real member of this committee from the NDP is the exception in that regard because he continued to work on rights and democracy issues.

I'm wondering if in the attempt to be more specific and more action oriented, because I think there is a desire to do that on the part of at least some members of the committee, whether you think it's a useful thing.... I almost hesitate to suggest it, because you think you want us to go away and do the homework, but I'm thinking of the accumulated knowledge you have, and I wonder whether you feel it would be useful—because it seems to me it would be exceedingly useful to the committee—if you were to put forward, I don't know what the magic number is, but something like a half a dozen specific concrete recommendations of things you feel the committee could rally around and get behind and try to push. Let me quickly give you two examples.

I met with what, in a way, is probably a microcosm of this group, the Atlantic Regional Solidarity Network, in my own province a short while ago. In that group were an indigenous leader and a trade unionist from Colombia, and one of these people, whom I had met previously, has had at least three overt assassination attempts on his life and that of the president of the mine workers, as I know Kenneth and Sheila are very aware of.

One of the things that was truly horrifying to me, and I felt somewhat naive that I hadn't been aware of this previously, is the extent of abuses and atrocities that one seems to identify with some Canadian companies in Colombia. I'm wondering if at the very least we shouldn't be trying to figure out as a committee what we can be

doing, and should be doing, to rein in the behaviour of Canadian corporations in Colombia. At least that would be a place to start, if nothing else.

Second, and I'm a bit hesitant to say this because I don't have the specifics at my fingertips, but I was even more horrified to hear the suggestion—and it seemed as though the homework had been done on this—that there were in fact some instances in which CIDA had been actively involved in collaborating with the Colombian government to essentially pave the way for Canadian company abuses around both environmental practices and labour practices.

I feel that if you're able to help identify some of those kinds of issues that we surely could see as a starting point to really zero in on, it would be more action oriented than just the notion of more study.

I apologize, because I'm not the regular member of the committee. There may already be an intention on the part of the committee to do exactly that, but I raise it for any reaction or recommendations you might have.

• (1720)

**The Chair:** Mr. Luckhardt.

**Mr. Ken Luckhardt:** I'll be brief and simply support that proposition for the committee to look at, but I'll do it in an anecdotal way, if I may.

Mr. Day earlier talked about meeting a couple of young Colombian women getting money out of a bank machine. If this committee continues to work on Colombia, we will bring to your attention a recently arrived Colombian woman who has just come here as a privately sponsored refugee. She's been brought to Canada by our CAW local at the Ford plant in Oakville, Ontario. She's the widow of a trade union leader in the coal mining industry. She is in Canada now as a privately sponsored refugee with her two children. She spent three years in El Salvador waiting to be accepted under the private sponsorship program. She had to go to El Salvador; she had to flee Colombia because she was trying to bring justice for her husband's murder.

Her husband was the president of the coal miners' union. He and the vice-president were taken off a bus of mine workers as they were being taken from the mine site back to where they stayed, and he was executed in front of all of his members. Four months later, the newly elected president had the same thing happen to him.

Why am I mentioning the coal industry? This woman could come and bring you personal testimony about the assassinations of trade union leaders. But at the same time, back to Alexa's point, do we all know how much cheap coal, blooded coal, is coming into Nova Scotia from Colombia? And don't we also know it started to come in at about the same time that the mine workers were shut down in Cape Breton? In other words, there are a lot of connections with regard to trade, commerce, and investment.

The reference to CIDA had specifically to do with a CIDA consultant who was involved in helping Colombia rewrite the mining code.

There are lots of connections, so I think the committee would—

**Ms. Alexa McDonough:** And weakened the mining—

**Mr. Ken Luckhardt:** The mining union no longer exists. The company—

**The Chair:** Thank you.

Mr. Neve, briefly, please. We're running out of time.

**Mr. Alex Neve:** In terms of this idea of action, action that can be taken quickly, concrete action, I would really urge the committee to not lose sight of the recommendation a number of us have made around a resolution at the Commission on Human Rights. I only emphasize that because time is short. The commission opens in one month, and I think the notion that we're going to still be trapped on the dance floor of these ongoing chairperson statements—which get us nowhere and are not intensifying that important multilateral pressure on Colombia—would be very despairing.

The European Union is the one that generally takes the lead with respect to what the commission is going to do regarding Colombia. I think Canada should step up to the plate and have a very serious discussion with the European Union, making it clear that Canada thinks a chairperson's statement is not the way to go this year, urging the European Union to reconsider its strategy, and if that's unsuccessful, then Canada should be prepared to assert some leadership and move forward with a resolution itself.

**The Chair:** Thank you.

We have a couple of minutes left. Could one or more of you tell us the ways in which you think our 2002 study had a positive effect on how aid was being distributed in Colombia, or maybe you'd like to send that to us, because I'm sure we'd all like to know.

• (1725)

**Mrs. Jean Symes:** Yes. I thought I had already said this, but maybe I wasn't clear. The 2002 study was very helpful in terms of international cooperation and Canada's international cooperation policy. In Colombia the program over the last years has been completely refocused—and refocused in a way that the committee did recommend—to focus on human rights and to focus on civil society. That has been very important. It's also been very successful.

I think CIDA and the Ministry of International Cooperation could give you a very good report on that. Mr. Rishchynski also gave you a good report on that.

One of the reasons we would like to see the committee study this issue again is because the context is changing, and with the resources of the committee, various issues committee members have raised today could be investigated with much more depth. One of them is around the issue of international cooperation. Another one would be what Keith was referring to in terms of the other elements of international policy and international relations that happens outside of foreign relations, outside of international cooperation, such as security, such as trade, such as commerce.

**The Chair:** One of your colleagues gave a note saying that before the Cartagena declaration on refugees, representatives to the international delegations—civil societies, NGOs, the Catholic church, municipalities, and the private sector—all gave submissions to the international delegations, and the statement was heard by the donor countries but was not adequately addressed in the Cartagena declaration finalized by donors the next day.

Does that reflect the views of all of you? I take it, it does, does it?

**Mrs. Jean Symes:** Yes.

**The Chair:** You've given us all kinds of food for thought. I think the time is just about up for this meeting. I think if colleagues will agree, we'll vote on this motion at the next meeting. We'll also be considering Colombia. We may want to decide to look at IRDC coming on Colombia.

Before you came in, Madame Bourgeois, there was a recommendation...were you here for the recommendation?

**Ms. Diane Bourgeois:** No. Paddy wasn't here also.

**Hon. Paddy Torsney:** Just to clarify, in terms of procedure, normally motions come from members of Parliament.

**The Chair:** They all do, actually.

**Hon. Paddy Torsney:** I don't know that there's actually a motion on the table. I don't know that it's in both official languages.

**The Chair:** It's another reason why we should probably look at it at our next meeting.

**Hon. Paddy Torsney:** In terms of the 48 hours, do we not have to have somebody move it? It's not moved at this point.

**The Clerk of the Committee:** It's not a motion.

**The Chair:** We'll consider the recommendation at the next meeting. We can also consider whether we want to look at some Canadian companies and what they're doing in Colombia.

**Hon. Paddy Torsney:** On that point, I wondered if there were any Canadian companies that have chosen to do well in the area of trade. Our witnesses don't have to have the answer now, but I hope there's somebody who's doing a good job in Colombia and that maybe you'll be able to give us an example of that rather than just all the bad ones. Eternal optimism perhaps.

**The Chair:** Mr. Jones.

**Mr. John Jones (Coordinator, Colombia, Amnesty International (Canada)):** Sorry, I thought you were concluding.

For this meeting, in fact, for the members of Parliament on this committee, the International Secretariat of Amnesty International did prepare a submission on security in Colombia, which is a very complex situation, about the various levels of insecurity and violence. It was put together in such a way as to be easily understandable—at least insofar as something so complex is easy to understand.

Unfortunately, we didn't complete it. It was completed yesterday. We have not had a chance at all to translate it into French. But we do have copies here. At least it does provide information for those who wish to have information.

**The Chair:** Could you leave it on the desk and anyone wishing to take it could take a copy when they leave?

**Mr. John Jones:** I'll leave it here.

**The Chair:** Ms. Katz.

**Mrs. Sheila Katz:** Could I ask if and when transcripts of these proceedings—Monday's, Wednesday's, and today's proceedings—will be available?

**The Chair:** I think they take a couple of days to get out, don't they? The blues take a couple of days. You can get transcripts on the Internet actually when they're finally published. It takes a week to ten days, sometimes eleven.

You've been extremely helpful. I think we've all been very touched by what you've said. We may decide to make Colombia the focus as we go through these other issues of rights-based development. I suppose we can discuss that when we hear from IDRC next week also on Colombia.

Thank you all for coming. Merci beaucoup.

The meeting is adjourned.

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