



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

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

SDIR • NUMBER 071 • 1st SESSION • 41st PARLIAMENT

EVIDENCE

Thursday, March 7, 2013

—
Chair

Mr. Scott Reid

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

Thursday, March 7, 2013

• (1305)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): Welcome to the 71st meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

Today, March 7, 2013, we are continuing our study of the human rights situation in Honduras.

[English]

We have with us today from London, Esther Major, who is a researcher for the Americas Programme with Amnesty International.

Ms. Major, welcome to the committee. We're glad to have you, and I invite you to begin your testimony.

Ms. Esther Major (Researcher, Americas Programme, Amnesty International): Thank you very much.

I'm delighted to be presenting today. We're really delighted that you're interested in the situation in Honduras, which has been a situation of human rights concern for Amnesty International for many years. Perhaps it would be good to start there and recognize that we've been concerned about the situation in Honduras for many years. The situation of impunity, certainly, has been a very big concern to us since prior to the *coup d'état*. I want to just set that out from the start.

That notwithstanding, the *coup d'état* certainly undermined already weak institutions, and has exacerbated the situation of impunity a great deal, leaving it very precarious and a very difficult context in which human rights defenders and those attempting to uphold the rule of law have to operate.

What I'd mainly like to focus on today is the situation of impunity, and the situation of human rights defenders in Honduras.

Just to give you an idea, last year we issued at least 11 urgent actions. As you know, urgent actions are what Amnesty International issues when we have a human rights defender or someone who is receiving death threats, or has been attacked as a result of carrying out their work. We issued 11 last year. We issued another one this year.

The fact that the government is not responding to the grave situation in relation to human rights defenders is of serious concern to us. One of the things I'd like to highlight there is the disparity between the verbal commitments that we've seen from the Lobo

government, for example, the universal periodic review at the United Nations, where they stated a commitment to protecting human rights defenders, to ensuring that there's an improvement in the levels of impunity, and to ensuring that there is an improvement in the police force in terms of reducing the levels of corruption. We just haven't seen that play out in real changes in the daily lives of human rights defenders, who are risking so much every day in their work.

We've talked so many times, for example, to women human rights defenders who, as they go into a police station to accompany women who are reporting domestic violence, are themselves confronted with threats. We've even had reports of physical attacks against women human rights defenders who've gone in to accompany victims of domestic violence reporting crimes to police officers.

There you can see the state institution that is meant to help women and girls who have suffered domestic violence responding with the very same discrimination and attitudes against women, as these women seek redress and assistance at that very important moment after violence.

I'd like to give a few examples of cases that we've dealt with recently, because I think they give a good illustration of some of the particular situations in Honduras that give us concern.

We can't talk about the situation of human rights in Honduras without mentioning Bajo Aguán, which is the lower Aguán valley in the northeast of Honduras. We have had to issue various urgent actions on behalf of human rights defenders operating in that area.

Interestingly, the UN Special Rapporteur on human rights defenders visited the country last year, and issued a very good report on the situation of human rights defenders. She herself could not visit the Aguán region because of the concerns around security. That just gives you an indication of the levels of insecurity that exist in the country, but particularly in the Aguán region.

Some of the cases that we've had in the Aguán region... For example, a young woman journalist, in September and October last year, received death threats to her mobile phone. She is basically someone who goes and films forced evictions, follows people who have been arrested to the police station. She started receiving death threats on her mobile phone, and then in October last year she was kidnapped and physically assaulted, whilst they interrogated her about the different leaders in her campesino community group.

●(1310)

We also saw the killing of Antonio Trejo in September of last year. Antonio Trejo was a very well-known human rights lawyer who was working to secure legal tenure for campesino communities in the Aguán. He was murdered as he came out of a wedding.

We were shocked to see that the Lobo government didn't respond in the way we expected it to. We expected Lobo himself to come out and express total dismay at the killing and reiterate his support for human rights defenders and establish that it's a government that will have zero tolerance for attacks against human rights defenders. We haven't seen that. They responded with silence. That was really concerning to Amnesty International at the time, and I am conveying that to you now.

Actually, this year has been very sad as we've also seen the killing of Antonio Trejo's brother, just a few days after he visited Tegucigalpa to garner more attention and to try to ensure that his brother's death did not remain an impunity. We don't know the perpetrators of his killing, but we have called on the government to ensure a proper investigation.

This is just to let you know that as yet, no one has been held to account for either the attacks against the young journalist I just mentioned or Antonio Trejo's killing.

We even saw last year that two international companions, two Europeans who were accompanying human rights defenders in Honduras, also received death threats on their mobile phones. This just shows you the extent of the threats and how people get access to the mobile phones of even those who are accompanying them and will send them death threats. They still haven't been investigated.

I want to highlight the situation of impunity, particularly post-*coup d'état*. I actually visited the country after the *coup d'état* and accessed police stations while I was there. I interviewed many people who had been beaten by the police. There were mass arrests. There is no doubt there were hundreds of human rights violations committed, particularly in those weeks post-*coup d'état*. We have not seen the police or the security forces that were involved in those held to account, which exacerbates that situation of impunity and is of great concern to Amnesty International.

We also haven't seen the reform of the police force. Human rights defenders often have to place a complaint against the very same people who perhaps threatened them as they've carried out their work. We would like to see the reform of the police force in terms of ensuring that there are criminal investigations carried out against police officers who have been accused of human rights violations, and proper disciplinary procedures as well.

We've had long-standing concerns about the institutions in Honduras and how weak they are, but particularly post-*coup d'état*.

The independence of the judiciary is of serious concern to us, as are some of the judgments we've seen particularly in the last year. We've also had concerns about the capacity of the judiciary to ensure and uphold women's rights, and there are many areas of concern there as well.

I don't know how much time I have, but is it okay if I keep on going? I just want to check in.

●(1315)

The Chair: Yes, please do go on.

Ms. Esther Major: Thank you. I just don't want to go over my time. I could talk about Honduras for hours. I am aware of that, and I don't want to go over.

We've had serious concerns about the protection systems for human rights defenders for many years, but this was exacerbated post-*coup d'état*, when we have seen journalists such as Nahúm Palacios actually killed. He had protection measures, orders, basically, from the Inter-American Commission on Human Rights, and so the states had been required to provide him protection, and yet just weeks later he was murdered.

We also had a case very recently, of Dina Meza, who is a very famous journalist and human rights activist. She received multiple threats. She also has the same protection measures and orders from the inter-American system. They have required the government to take action to protect Dina Meza, and those protection measures have not been implemented thus far.

We've seen human rights defenders receive a phone number to call in emergencies. When they have tried to call, it's either dead or there is no one there to respond. There are also concerns about the police officers who are assigned to them. They sometimes don't even know who they are protecting, or what times they are meant to be there, or they just simply don't turn up.

There are particular concerns around women human rights defenders. We've seen women human rights defenders receive particularly targeted and gendered threats of sexual violence, and those again go uninvestigated. Clearly, what we'd like to see is the government take a really strong stand, and we're not seeing that. Again, it's the disparity between their verbal commitments before the Inter-American Commission on Human Rights or before the UN and the actual reality on the ground which is not changing and in fact is deteriorating for human rights defenders.

Of course, when you have a situation this precarious for human rights defenders, you can only imagine what it's like for those ordinary people who are trying to access the justice system even without the assistance of human rights defenders. For those who seek redress, if they have had a human rights violation occur against them or even a situation of common crime, there just isn't that faith in the justice system. In fact, in many cases we've seen people express fear of going into a police station to report a crime.

One of the things we were excited about when we realized that you were interested in hearing from us is that Canada obviously has a very particular and important role in Honduras, and a particular ability to influence and to have an impact in relation to human rights. That is one reason we wanted to encourage you to consider pushing for the Honduran government to take a strong stance on human rights defenders and to start making sure that there are the right funds and actual support across all ministries for the protection of human rights defenders and for the investigation of human rights violations committed against human rights defenders, and indeed for holding police and security forces to account for human rights violations that they are accused of.

Interestingly, we've had many reports, which we haven't documented yet, of private security guards being involved in human rights violations. These are very serious allegations that we have received. We've received reports that private security guards have been involved in sexual assaults, in rape, in threats, in harassment of campesino leaders. This is particularly in the Aguán region, but we have reports outside of that region as well of private security guards being involved in the harassment of human rights defenders and leaders of local communities, particularly in areas where there are disputes over the land.

• (1320)

We saw that the United Nations working group on the use of mercenaries recently went there. They issued an interesting statement in February, again expressing serious concern about the use of private security guards and their alleged involvement in human rights violations. I just wanted to highlight that.

It's not something we've documented from Amnesty International as yet, but we have received sufficient reports to just highlight it to you as a concern, particularly in a context where the police are obviously in need of huge reform and there is an increasing use of private security guards for civilian policing duties. We're sort of seeing that trend and wanting to highlight that to you now as something that is of concern, and there is this interesting statement now by the UN working group on the use of mercenaries.

We've asked on many occasions for public statement at the highest level from the Honduran authorities supporting human rights defenders, recognizing their valid role, recognizing the importance of their role in the protection of human rights in Honduras and their contribution to society, expressing zero tolerance for human rights violations against them and exercising due diligence in terms of the investigation of attacks and threats against human rights defenders.

We would also like to see proper consultations. I'm sure this is something that perhaps Canada can also encourage the Honduran authorities to do, to up the efforts to resolve the land disputes in the Aguán. I think we'd like to see those efforts redoubled. We'd also like to see proper consultations in relation to the use of land. Where there are companies that are interested in using particular tracts of land, we would like to see proper consultations in line with the UN Declaration on the Rights of Indigenous Peoples.

For example, there are indigenous peoples throughout Honduras, and their concerns are often not taken into account. Where we could, we would encourage some prioritization of indigenous peoples' rights but also women's and girls' rights as well. We see that there's a deficit there.

Where there's a case like Antonio Trejo or the attacks against human rights defenders, it's also really valuable where the international community can also come out and show their leadership there in terms of supporting human rights defenders and saying that this sort of crime should not go unpunished, that it has to be investigated. Somebody has to be held to account for attacks like the attack against Antonio Trejo, his brother, and the 11 human rights defenders whom we issued urgent actions on in favour of last year.

The last urgent action we issued last year was in favour of an environmental activist who had just gone out on the radio. She had been on TV in the morning talking about opencast mining and the potential impacts and her concerns around some companies that had been operating in the area. She got home to find an e-mail death threat, basically saying for her to close her mouth and that her coffin wouldn't be big enough to contain her mouth. She has been a well-known environmental activist for years. You can see there that even just to speak out on an issue like environmental concerns can immediately result in a death threat against you, and the access that these individuals have to e-mail, to their mobile phone numbers, is quite incredible.

We would like to see better investigations and zero tolerance, really, on these sorts of crimes against human rights defenders.

• (1325)

The Chair: Thank you very much. That's fantastic testimony. You've covered a lot of ground, to say the least.

Ms. Esther Major: I'm sorry, I speak very fast.

The Chair: No, that's good. Actually it's been very fulsome. I was busy whispering to our analyst to take notes on certain points in particular as you were going through your testimony.

We're going to start with David Sweet.

For Mr. Sweet and all the members of the committee, I'm going to do something a little different time-wise. Instead of giving you rounded minutes, you're each going to get five minutes and 30 seconds. If we do that, we will have us out of here in time. As you can tell from the time I'm giving you, I'm going to be a little more ruthless than normal, because we all have to get back to the House of Commons at the end of this.

Mr. Sweet, your five minutes and 30 seconds begin now.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): I can't find that ruthless would ever be in your nature, Mr. Chair. Thank you very much.

Ms. Major, thank you very much for your testimony. It's so fulsome, but where would you start? I'll try to be as efficient with my time as I can be.

The secretary general of the OAS praised the final report, and the final report is the Honduras truth and reconciliation commission's finding, stating that they hoped Honduran society would retake the active road toward facing serious problems of its population: poverty, crime, and the need for economic and social development.

I just say that to preface the question. I find it absolutely unnerving and almost unbelievable that President Lobo or one of his ministers hasn't made any statements regarding the notion that these human rights infractions are intolerable, that they won't be tolerated, and they'll take action.

Have there been no statements at all? If there haven't, what are they saying? There must be people, with as many people who have been murdered on the streets, asking for answers from this government.

Ms. Esther Major: There have been statements, particularly from the minister of justice and human rights, Ana Pineda. We have seen some statements from her expressing concern about the situation of human rights defenders. Last year we heard that there was a draft bill looking at the situation of human rights defenders and perhaps developing some protection systems for them. We don't know the status of that law at the moment, but we did hear that it was afoot.

We have seen that at some level, but with a situation like the case of Antonio Trejo, we would have expected at the highest level, the president to come out and say, "This will not be accepted. This country will not tolerate these attacks against human rights defenders, and from now on, this government is not going to accept it. We're going to take a strong stance."

We didn't see that.

Mr. David Sweet: Two days later, my notes indicate that a public prosecutor was shot and killed. Was there any response to that, to this being a public prosecutor?

Ms. Esther Major: We still didn't see that at the highest level, with the president coming out and saying, "This will not be tolerated."

Actually, that's brought up an interesting issue. It's not only journalists and human rights defenders from the civil society who are vulnerable to threats and attacks. It is indeed also justice workers who take up particular human rights cases who are vulnerable to threats as well.

Mr. David Sweet: Thank you. I note that, in all fairness, you said you hadn't begun to document it, but in any of the pieces of data that you've received regarding the private security companies, in these statements, has there been any idea, inference or allegation of who is hiring these private security companies?

• (1330)

Ms. Esther Major: At the moment we haven't documented those cases sufficiently to be able to speak to them. It would be very worth your while to have a look at the statement from the United Nations working group on the use of mercenaries. They'll be issuing a more thorough report later on.

The statement itself is quite interesting in relation to the use of private security guards. The location in which we've seen some of the reports is the Aguán, so obviously some of those security firms work in those areas on behalf of local landowners, but we have not documented those human rights violations sufficiently to speak to them. The ones we've heard about certainly stem from the Aguán.

Mr. David Sweet: Did you say they've also been seen basically performing regular police duties as well?

Ms. Esther Major: There have been allegations that they've been involved in forced evictions. Again, I can't speak to that. I haven't documented those myself, so I wouldn't want to speak to them here. However, we have had those reports where, on occasion, private security guards have been seen with local police in the carrying out of forced evictions. Again, Amnesty International hasn't documented those themselves.

Mr. David Sweet: You mentioned the independence of the judiciary. Are you feeling that the judiciary is in the same situation as

the media? They're actually censoring themselves in order to make sure they comply with some kind of governmental order.

I'll let you answer that.

Ms. Esther Major: I think there are various concerns around the independence of the judiciary. Just post-*coup d'état* we saw a particular group of judges targeted and removed from their positions. They all belong to Judges for Democracy, a particular group of judges who pertain to that association. They were removed from their positions as judges and they haven't been reinstated. That is something which Amnesty International called for.

Security of tenure is a clear issue in Honduras. Even in December of last year we saw the removal of four supreme court judges, so just from that point we have concerns about the independence of the judiciary. Aside from that, we also have concerns about some of the judgments that have been emanating from the supreme court and other courts in relation to, for example, gender and women's rights. We would like to see some training and capacity building for the judiciary in relation to the use of international instruments such as those pertaining to women's and girls' rights, but indeed human rights as a whole.

The Chair: Mr. Marston, go ahead, please.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Thank you, Mr. Chair.

Ms. Major, I really find your testimony great because you answered two of my questions before I even got to ask them, which is a great start.

We had witnesses from DFAIT, our Department of Foreign Affairs and International Trade, before us, and they pretty well described the president as a good guy in a bad situation. I don't know what your reaction to that would be, but I noticed in your testimony the fact that he wouldn't speak out. The disappointment was really pretty obvious. The question I would ask is, what's your assessment of the current ability in Honduras for them to effectively investigate? With the death threats and all that, even if you have good officers with the police or good prosecuting attorneys, what is the real on-the-ground feel for that?

Ms. Esther Major: The lack of faith among the general population in the justice system is so huge. You've got human rights defenders who are receiving threats but who are fearful of going to the police to report them—not even fearful, but thinking it's not going to come to anything, they will still go and report. It is of concern that there is that total disillusion with the police.

You saw the police accused of being involved in the killing of two university students some months ago. There are so many concerns around corruption in the police force. As I said, I actually visited police stations during and after the *coup d'état* when people were arrested en masse. I myself saw the injuries that people had as a result of being beaten by police officers, so I can speak to the fact that there are serious concerns around the police and the lack of accountability for human rights violations committed post-*coup d'état* but also ongoing. There has to be an improvement in the accountability mechanisms for police forces. Police have to be held to account, both in terms of disciplinary measures internally, but also where there is evidence found, a proper investigation, a criminal investigation should be carried out. We're not seeing that.

• (1335)

Mr. Wayne Marston: I would agree. One of the issues in many, many countries is impunity, and that's serious.

I'd like to change tracks for a second. A professor from New York University, Paul Romer, has been looking into charter cities. Of course, there's a situation unfolding there. Can you provide the subcommittee with any information relative to the charter cities in Honduras?

Ms. Esther Major: Amnesty International hasn't taken a position on this. We haven't really looked into the model cities, or even the draft legislation that's being mooted into them. We've had our time taken up by human rights defenders in Honduras at the moment, but no, it's not something we've taken a position on.

Mr. Wayne Marston: Do I have more time?

The Chair: You do. You have two minutes.

Mr. Wayne Marston: Oh, that works really well.

Lolita Chavez was with me yesterday. We had a gathering where we talked about the situation of Canadian mining companies in Guatemala. She made a statement that her people only know Canadians by the mining companies, and what they see isn't good. There were all kinds of concerns raised in Mexico, the Philippines, Honduras, and other places about the activities of Canadian mining companies.

Do you have any thoughts on what's going on in this country?

Ms. Esther Major: I agree with you. It's a global concern that doesn't only pertain to Canadian mining companies, but to many international companies operating particularly in, for example, Central America.

In Honduras, there's the context in which there are so many concerns about impunity and the ability of people to speak out and express their concerns without receiving a threat. This last one I just mentioned, the environmental activist, she received her threat just four or five hours after speaking out on TV of concerns about opencast mining.

Where you're operating in that context, I think perhaps even more than usual you absolutely must ensure that the government exercises due diligence in relation to proper consultations with local communities. In particular in Honduras, for example, where there are indigenous populations, that consultation must be carried out in a really particularly careful way. There are some really good standard sets and guidance notes by the United Nations Special Rapporteur on

Indigenous Peoples. There's plenty of guidance out there as to how those consultations and how human rights impact assessments must be carried out, and perhaps even more so in a context like Honduras where impunity levels are so high and where there are so many concerns around the proliferation of small arms, as well.

Gender concerns must be taken into account. I think it's a very complex context in which to operate, and human rights must be at the forefront of every single policy and decision-making process. That must be emphasized both from abroad to the local government, as well as to the company and other stakeholders.

Mr. Wayne Marston: Thank you.

The Chair: Thank you, Mr. Marston.

Ms. Grewal, please.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Chair.

Thank you, Ms. Major, for that excellent presentation.

While Honduras did not consistently have civilian governments for much of its existence, and the transition from a military regime to a democracy is fraught at the best of times and requires the participation of our international community, what support have Canada and other democratic states provided the civilian Honduran government? What more can Canada do to encourage a transition towards a liberal democracy?

• (1340)

Ms. Esther Major: There's so much that Canada can do and has done. There has been a lot of really good involvement post-*coup d'état* among the international community present in Honduras. I know Canada was very important in coordinating those efforts to provide support.

What we would like to see is Canada really push the government to take a stand on human rights defenders; provide support for the civil society and the community who are working to protect and uphold human rights; work to improve and strengthen the institutions that we've mentioned, that we've talked about today, both in terms of the judiciary, training for the judiciary, support for the judiciary, strengthening those institutions. Really, we would like to see Canada come out strongly on human rights and put human rights at the focus and centre of any agreements and discussions held with the Honduran government because, by doing that, you're ensuring that it is at the very centre of their agenda, as well as yours.

Providing that support for civil society would be really, really important. They are under-resourced. It would be fantastic to see that sort of support provided to these very brave people who go out every day, particularly fighting and advocating on behalf of women and girls, victims of domestic violence, for example, in a country where there are very high levels of violent crime against women and girls. That's not to say the whole population doesn't suffer from the effects of violent crime, but women and girls do suffer from gender-based violence. There are very high levels of gender-based violence in Honduras, so perhaps focus on that as well.

Of course, if Canada comes out with public statements on cases like that of Antonio Trejo, on cases where human rights defenders are attacked, that shows the importance Canada gives to it, but it also provides a leadership role in terms of what other countries, and indeed the country itself, should be doing in relation to human rights defenders.

Mrs. Nina Grewal: A target group for extrajudicial killings in Honduras, as you mentioned in your presentation, is the journalists. The journalists are of course a vital part in establishing a liberal democracy in any country, to ensure the public can hold authorities to account. How can Canada protect journalists working in Honduras?

Ms. Esther Major: I think it's by encouraging the development of a proper protection program and by ensuring and encouraging the immediate implementation of the special protection measures that are ordered by the inter-American system. We've seen terrible delays in the implementation of protection measures. In fact, in one of the cases I mentioned earlier on, she's had protection measures in her favour since 2009, and they still haven't been implemented. She received three death threats just last year.

What we'd like to see is perhaps Canada encouraging the government to ensure rapid implementation and support in the development of a proper, well-resourced and professionally manned human rights protection program, and then also to support the investigation of crimes against human rights defenders, which obviously trickles down to the wider community as well.

Mrs. Nina Grewal: The Government of Honduras has dismissed judges who disagreed specifically with the 2009 coup. Judicial independence is a really vital complement of liberal democracy. How can developed nations with mature legal cultures of independence help countries or groups trying to establish one in their country?

Ms. Esther Major: It's by providing support for training programs for judges and lawyers, but particularly for judges, perhaps, in the implementation of international human rights instruments. Also, constitutional human rights protection would be crucial in a context like Honduras, where we have seen some judgments that have been of concern last year in relation to women and girls. That would be very useful.

• (1345)

The Chair: We turn now to Dr. Fry.

Hon. Hedy Fry (Vancouver Centre, Lib.): Thank you very much, Mr. Chair.

I want to thank you. I came in partway through your presentation, and I apologize.

You've named every single thing that could go wrong in a non-democratic country. Independent judiciary were not truly independent, if they were able to take part in the coup, etc., of ousting President Zelaya.

We look at the fact that this government currently is unable to do anything. It is unable to speak out. I think you elicited disappointment that the president hadn't spoken out and the general hadn't spoken out loudly enough, and that nothing was happening to investigate human rights abuses to deal with a lack of press freedom,

to deal with law enforcement, and with the army being rogue, almost.

What do you think the chances are? What are the things you would do or put in place, if somebody gave you the ability to do it, that would actually ensure that democracy would begin to take a foothold?

There will be an election in 2013. Is that election going to be in any way free and fair, which is another element of democracy we have to worry about? When we look at the fact that there's huge violence against women and girls, and violence against various aboriginal people who are trying to get land claims, etc., what hope is there? What are the structures that one would actually put in place, the things you would do to allow for some kind of power for the government to have? Does the government want that power? Those are the questions I have to ask. Ultimately, what is the position? How does the OAS itself have any ability to do something about what's going on in one of its foremost important states?

Ms. Esther Major: Coming back to what can be done, I think there is hope in Honduras. There is a vibrant human rights community there who carry on regardless of the threats they receive. I find this amazing.

We have seen some glimmers of hope as well in the government's extending an open invitation to UN and inter-American special rapporteurs. They are the experts in human rights, as you know. We have seen both the UN special rapporteurs and human rights defenders, but also the UN working group on the use of mercenaries visit the country and be able to do that very important work. They've come out with some very important recommendations for the government.

It's very important that we see this built on, that these recommendations not just stay words on paper but form into actions. We'd like to see greater engagement by the government with local human rights activists working in the different areas they work on, both the protection of women's and girls' rights but also wider than that, on general human rights concerns, the concerns of journalist, and engage them in a meaningful conversation about what their needs are and move forward that way.

Coming back to your point about the elections, Amnesty International is concerned that as we go into the election, the situation of human rights defenders could become more precarious as they take on the role of accountability and operate in a situation in which human rights protection is treated with disdain by many of the security forces and others.

We are concerned about the situation of human rights defenders as we go into the elections.

The OAS and the inter-American system have had a very important role. They carry out a very important role in, for example, demanding protection measures in favour of human rights defenders and journalists. We'd like to see the government encouraged by organizations such as the OAS to implement very rapidly those protection measures, but also to take proper action in relation to reducing impunity for crimes against human rights defenders, as well as to implement the important reforms that need to be carried out for the police force to ensure that their corruption is reduced and that strong, robust accountability mechanisms for the police are developed, and indeed for the security forces as well.

● (1350)

Hon. Hedy Fry: Thank you.

Do I have any time left?

The Chair: You just have time for one very brief question.

Hon. Hedy Fry: It's obvious that there's hope and that there are all of these wishes, etc., but what are the concrete tools that can be used to move the agenda forward, and who can use those tools?

Ms. Esther Major: I would like to see the Honduran authorities work across all ministries to implement human rights protection and ensure that all ministries are working together to ensure the protection of human rights defenders, and in the case we're talking about here, to ensure the proper investigation of attacks against human rights defenders. I think the tools are not necessarily always there.

For example, the accountability mechanisms for the police force need to be improved; there's no doubt about that. That's something the government itself could do something about.

It would be wonderful to see now, as we go into the presidential elections, presidential candidates talking about human rights, setting out what their priorities will be, talking about human rights defenders and their role, explaining what they're going to do to improve accountability mechanisms in the police force and security forces. We would like to hear and see those sorts of things as we go forward now towards the election period.

The Chair: Thank you very much.

Before we go to our next questioner, I want to remind members of the committee that we do not have those little green buses to take us back to the House of Commons. That means you have to get back on foot. If anybody needs to leave prior to the time at which we wrap up, that's okay; as long as we have three of us here, we can maintain quorum for purposes of receiving testimony.

I turn now to Mr. Schellenberger.

Mr. Gary Schellenberger (Perth—Wellington, CPC): Thank you.

Thank you for your presentation; it has enlightened me. It becomes very clear from your presentation how important the rule of law is when it is adhered to. When you don't go by the rule of law, you have corruption, poverty, and of course human rights violations, because no one goes necessarily by the rule of law.

In Honduras I'm quite sure the rule of law is precarious at best. The reason for a weak police force may be low pay. These people are

in a position in which they can be a little corrupt, and that's how they feed their people.

I'm going to change the direction a little. I come from a rural riding in southwestern Ontario, and of course agriculture is a big part of our community. Agriculture productivity in Honduras is weak, and many regions in the country suffer from serious food insecurity.

Honduras' growing rural population also exerts pressure on the natural resources base, and the country faces environmental issues of land degradation and deforestation. That's a little different from the situation of our rural areas. Our rural areas are shrinking, not in size but in numbers.

I suggest again that it's because of poverty. People have to subsist, so they move to some place where they can get a little piece of land and maybe cut down a tree or two to keep themselves warm at certain times.

What proportion of the Honduran agricultural sector is made up of large foreign or domestic corporations, and what proportion is made up of peasant farmers?

Ms. Esther Major: That's not an area we've looked at. I'm really sorry not to be able to provide that information off the cuff.

We have ongoing concerns about the land disputes in the northeast of Honduras particularly, but generally there are concerns across the whole country in relation to land disputes between large campesinos, peasant communities, who want to claim the lands or have legal rights to the land as they see it and are arguing through the courts for that, and either landowners or companies who argue that they own the land.

We have concerns about those disputes, the length of those disputes, which have been going on for years, and the precarious situation of many of these communities, which is of real concern to us. Many of these communities will consist of families, up to 400 of them. We've seen 400 families moved off the land without access to running water, to education, to health, all those things that are essential, and particularly for young children.

We have ongoing concerns that the government needs to redouble its efforts to resolve those issues and ensure that these people don't continue living in these precarious situations and that the land disputes are resolved, in order to avoid further very grave situations in the north particularly.

● (1355)

Mr. Gary Schellenberger: What is your assessment of the ability of the legal profession in Honduras, including prosecutors and lawyers in private practice, to pursue cases and defend the interests of their clients vigorously and independently?

Ms. Esther Major: Well, as I've said before, the situation of threats doesn't only touch on the lives of human rights defenders, but of justice workers as well and those operating in the justice system, including lawyers.

We've spoken to many lawyers who have come under attack or have been threatened as a result of carrying out their professional duties. I don't know enough about the governance system for the legal profession to speak to that, but there are ongoing concerns about the rule of law in Honduras that extend to the legal profession.

Mr. Gary Schellenberger: Thank you for that.

I will pass to the next questioner.

The Chair: Thank you.

Actually, you timed that with amazing precision as well, Mr. Schellenberger.

[*Translation*]

Ms. Liu, the floor is yours.

[*English*]

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Thank you, Mr. Chair.

Thank you, Ms. Major, for your presentation.

I think you really communicated to parliamentarians today the importance of taking immediate action concerning human rights in Honduras. It's a very timely presentation, especially because tomorrow we'll be commemorating International Women's Day. Our thoughts will definitely be with the women and girls of Honduras on that day.

In your answer to Ms. Grewal, you talked about the importance of Canada's work with civil society. Could you elaborate on what these relationships should look like on the ground?

Ms. Esther Major: Obviously, if we can see Canada coming out publicly in cases like that of Antonio Trejo, that also sets a precedent and the tone that the national government should also be taking in relation to cases like that to make sure that the situation of protection for human rights defenders is right at the forefront of any agenda. Also, make sure in discussions around any area of interaction between the Canadian authorities and the Honduran authorities that human rights obligations in the international legal framework which governs human rights has to be at the centre and forefront of all discussions. It should take into account local communities such as indigenous peoples, but also women and girls, and those particular gender concerns. These discussions would really help to engender that in the government in Honduras as well.

It would be great to see any discussion around business involve those very important consultations with local communities. Engage local human rights defenders in discussions directly as well. That's a great move because it also sends a signal that these people are important, that they have something important to say, and that their opinion is valuable. It may also afford them some protection in some way. It would also ensure that programs of support for local civil society are also carried out, particularly in areas where human rights defenders are very vulnerable.

The LGBT, lesbian, gay, bisexual, transgender, members of that community are particularly vulnerable as well. I don't think I've mentioned them until now, but that community in Honduras has been really vulnerable to attack. We ourselves have carried out urgent actions and have worked a lot with local LGBT activists. It's about making sure that their concerns are taken into consideration in any dealings with the Honduran authorities. That really is such an important move and could be done by the Canadian authorities as well.

● (1400)

Ms. Laurin Liu: It's really interesting that you bring up the LGBT community.

What kind of tools are specifically geared towards this community? How should we approach our relationship, or what kind of action should we take to promote human rights for this community in particular?

Ms. Esther Major: For a start, encourage the Honduran authorities to develop a program in conjunction with human rights defenders who work on LGBT issues, with human rights defenders who work on women's and girls' rights issues, with human rights defenders in the community as a whole, and with journalists in the discussion around what would be a good proper protection program for them that they could have faith in and that they could count on. Having those discussions and ensuring that the Honduran authorities move on that area and proceed to engage the local communities and construct a proper protection program for human rights offenders would be a significant move forward. Ensuring a reduction in the levels of impunity for attacks and threats against members of the human rights community, including the LGBT community, would be very welcome as well.

Those are the two areas.

Ms. Laurin Liu: Last, while I was preparing for this committee, I was surprised to learn that 18% of the population lives on under \$1.25 U.S. per day.

Could you comment on poverty and what role this plays in instability in Honduras? What are the main obstacles for development in Honduras?

Ms. Esther Major: Part of that comes back to human rights protection. If human rights were really put at the forefront as the focus across all ministries, it would help. For example, having a proper human rights plan and implementing it across all ministries would help to bring a human rights focus, which perhaps had been absent in the years before, to ensure that human rights offenders, who we've been talking about today, can operate freely, but also to ensure that the government takes a different perspective in terms of the human rights of its population, and protecting the human rights of its population.

On poverty and other issues, there's no doubt that Honduras faces significant challenges, and I don't think we should underestimate it. For example, the levels of violent crime in Honduras are hair-raising. There's no doubt that the levels of poverty are also extremely concerning. I think there are lots of things that can be done by the government, including ensuring a reduction in the impunity for human rights violations as a whole, but increasing the faith of the population in the justice system, for example, and then also putting human rights right at the forefront of all its policies across the board.

Ms. Laurin Liu: Thank you. I think I'm out of time.

The Chair: You are, unfortunately. Actually, we all will be out of time, but I just have a question.

With the indulgence of the subcommittee, I'd just like to see the clock as being early enough to allow me to ask one follow-up question to the last point, if that would be okay with you.

I wanted to ask our witness this. We've done some other hearings in another part of Latin America, Venezuela, which also has a very high crime rate, and this is a problem, although Honduras is particularly bad. It exists across the region. In the case of Venezuela, there had been a spike upwards in recent years. I'm not sure if that's the case in Honduras. I recognize it's not strictly speaking a human rights problem in the formal sense, but is there any commentary you can make as to whether something the government is doing is leading to this phenomenally high rate of violent crime? Is it something that is endemic in the culture or in poverty? Is it something that is essentially beyond the government's control? I'm giving you a free field to make any comment you think is appropriate in this regard.

• (1405)

Ms. Esther Major: I think the lack of real, proper, thorough action in relation to accountability for the police force and the military is fundamental. Without those proper accountability mechanisms for the police, and a greater faith by the population in the mechanisms of justice.... There are areas where we do have real concern about the lawlessness and the levels of violent crime that go on, and of course, the impunity that accompanies those acts of violent crime, regardless if they're human rights violations or if it's just violent crime in the common crime sense. Without proper action in relation to accountability mechanisms for the police force, accountability mechanisms for the military, a greater division between the military and the police.... We have seen the military being used for civilian policing duties, which is of concern to us.

Again, the United Nations working group on the use of mercenaries is coming out now and saying that private security firms are not an answer to the public security problem. That's a very important message for the Honduran authorities in the current context because again, accountability mechanisms for the private security guards are not implemented. They're not upheld. It's getting those accountability mechanisms right, enforcing them, and then also prioritizing human rights and ensuring that human rights defenders, journalists, those working to protect the general population and to help them advocate for their rights, are able to do so freely, free from fear, free from intimidation, and free from attack.

Those are the areas where I would like to see more action from the Honduran authorities. It would no doubt have a wider impact.

The Chair: Thank you.

Professor Cotler has also asked to ask a question. With the committee's indulgence, let's go to Professor Cotler for one final question.

Hon. Irwin Cotler (Mount Royal, Lib.): Thank you, Mr. Chairman.

I had to speak in the House of Commons so I wasn't here during your initial presentation, but I've read your report and know of your work.

I want to address something that you brought up when I came for the Qs and As. You mentioned that the plight of human rights defenders should be a priority on our agenda. Indeed we set up this subcommittee hearing on Honduras, as we described in the preamble to our decision to establish this hearing, because two prominent lawyers and human rights defenders, Antonio Trejo and Manuel

Díaz Mazariegos, had been assassinated in Honduras in recent days, and 76 lawyers had been murdered over the last three years.

We know that since we've established a committee, tragically enough, and I understand you mentioned this in your remarks, in February 2013, José Trejo, the brother of Antonio, was shot and killed the day after he had a meeting with Honduras officials in order to enquire into the situation of his brother's death.

What do we know about the investigation into his particular killing? What do we know about any independent or effective investigation into the killing of the 74 other lawyers in Honduras?

Ms. Esther Major: I can certainly speak about Antonio Trejo. No one has been held to account as yet. I'm unsure about where the investigation is at the moment. With José Trejo, I understand there is an investigation under way. I don't know what the results of that have been as yet. Obviously, the fact that he had just returned from Tegucigalpa from carrying out those meetings, from speaking to the media about his brother's death and trying to push that agenda was deeply concerning to us.

We want to find out who killed both these individuals. We would like to see that happen as quickly as possible. A really robust investigation must be carried out.

Of course it's exactly as you said. Without a proper robust investigation into these killings and somebody held to account, it sends the message that such acts are acceptable. What's really concerning to us is that without proper accountability for attacks against human rights violations, without a proper protection system for human rights defenders, that's the message that the government is sending. I hope this is not the message they want to send because I understand that the minister for human rights and justice seems to be trying to do her best to do some work in that area.

Unfortunately, until people are held to account for attacks such as the killing of Antonio Trejo, the killing of José Trejo, the threats against the 11 human rights defenders we issued urgent actions on last year, without actually reducing impunity for those crimes, without providing proper protection for human rights defenders, the government is sending the message that such acts are acceptable. That's what we want to see an end to. We want to see the government come out and say, "These acts are not acceptable, and we will have zero tolerance for such acts in this country. This is where we draw the line and move forward. We're not going to have this anymore." We're not seeing that. That's what we want to see. That's the next step.

• (1410)

The Chair: Thank you very much to all members of the committee for allowing us to engage in the fiction that we haven't gone past our formal time. Of course, in reality we have and I'm grateful to all of you for that indulgence.

I am grateful, Ms. Major, for your taking the extra time to stay on with us. You've been very informative. I certainly feel much better prepared to deal with this issue intelligently than I was coming into this meeting, and I am most grateful to you for that fact.

Ms. Esther Major: Thank you. Thank you so much for prioritizing Honduras as well. It's a real concern to us, and we really appreciate your providing that time.

The Chair: Thank you very much.

Thank you very much, everybody.

Colleagues, I will just tell you one more thing before you go. An expert on North Korea will be attending our parent committee on March 25. You might want to put that into your schedules. We'll deal with such things later.

This meeting stands adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>