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Chair

Mr. Scott Reid

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

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•(1310)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): This is April 30, 2013, and I call to order the 79th hearing of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Pursuant to Standing Order 108(2), we are resuming our study on the human rights situation in Honduras.

[English]

We have as a witness here today, Rick Craig, the executive director of the Justice Education Society of British Columbia.

Mr. Craig, we're delighted to have you here as a witness.

I was trying to hustle things at the beginning in order to make sure we hear all of your testimony and have enough time to ask questions.

When we're having meetings in this room, we sometimes suffer from the fact that, at the end, members have to skedaddle back to the House of Commons, in a different building. Sometimes, we have to wrap things up before we have been able to appreciate all that a witness has to offer. Thus, the attention to speed. But, you're here, and we're here.

We invite you to begin your testimony. When you're done, we'll then go to questions from the members of the committee.

Mr. Rick Craig (Executive Director, Justice Education Society of BC): Thank you very much. Thank you for inviting me to come.

I'll talk a little about our organization, the Justice Education Society, and then talk a little about what we're trying to do. I know you're interested in Honduras and what's going on in Honduras. We're working in all three of the northern triangle countries: Guatemala, El Salvador, and Honduras. A lot of what we're doing, we're doing in all three countries. They happen to be three of the five most violent countries in the world, and the focus of our work is around how you do justice system development in the context of what those countries are experiencing.

We've been doing this work for a long time. The work in Guatemala started in 2000. A lot of the work we're doing, which we're applying in Honduras, we've been learning through our experience in Guatemala, and we're now working in El Salvador. In terms of our organization, we're a Canadian NGO. We were created back in 1989 in British Columbia as part of an access to justice commission in that province.

The focus early on was on work in Canada. Probably about 50% of the work we do is in our country. We work on public legal education. We work with the judiciary, the crown, the police, communities, aboriginals, immigrants, everybody in terms of our own society. We develop a lot of resources. We have more than 25 websites, seven of them for victims, which are used by the victims' networks. Others deal with things such as services for immigrants and self-representing litigants, which has become a big issue in our country.

The work we do overseas is very much informed by the reality of the work we do in Canada. The connections we have in Canada we're able to bring with us overseas, so just a little background on that.

We've worked all over the world. I've been doing international work since 1973 when I was a university student and mad at Pinochet for what happened in Chile and got involved. I've had a long history, I guess it's 40 years, but the society started doing international work back in 1989. We've worked on violence against women in South Africa. We've done work in Somalia, China, Bangladesh, Montenegro, Mexico. The most concentrated work we've done is in the northern triangle of Central America.

As I said, our work started about 13 years ago in Guatemala. It really started around the whole issue of the changes that are going on in Latin America and in the northern triangle. I'm sure you're aware they were throwing out a system of justice that was 500 years old. As a result, in Guatemala's case of the peace accords, they said, "The old system is bankrupt. We can't continue with it and we have to move to an open system of oral trials." They were moving from the inquisitorial to the adversarial system.

We were asked back in 1999 to come in and see what we could do. We started working in 2000 and we've been working with them ever since.

You have to realize that the justice systems in these countries are hybrids. They have remnants of the old system and remnants of the new. You can imagine what it's like when you're dealing with a part of the world where...when I started in Guatemala there were eight murders a day. When I was dealing with Guatemala last year there were 17 to 18 a day. When I started in Honduras there were far fewer.

The social conditions have been deteriorating, as you know. The reality is that when I started in 2000 we didn't have the same concept of the growth of the gangs. The gangs exploded. Of course, there was the problem with Mexico and the war, and then the result of narcos, the result of the Zetas moving down into Guatemala and the destabilization that has been causing. If you add up all of that in a situation where you have a poor region with a long history of civil war in two of the three countries, you have quite a lot of conditions. In the midst of all that you decide you're going to reform your justice system and so the challenges are quite substantial.

We've been looking at how you do that. With Canadian help what can we do that can make a difference?

We've worked very closely with CICIG in Guatemala. Our work has primarily been informed by our experiences in Guatemala. Honduras is different, but a lot of what's going on is the same. Some of the issues around how to approach reform are the same. We're using our experiences in Guatemala to help to accelerate the work we're doing in Honduras.

Honduras is in some ways what I consider to be the situation we encountered in Guatemala 12 years ago. Of course, the change started later in Honduras. The shift to the adversarial system only started in 2002, six years after Guatemala.

What we're doing is working very systematically with the police, with the prosecutors, with the judiciary, and trying to see how to put the pieces together that will allow for there to be a system that functions. A lot of times people talk about having to tackle corruption and the infiltration of the state in the case of CICIG, but one of the critical issues is around how to create a functioning system.

I can tell you that in the case of Honduras, when we started this work, the resolution rate for murders in terms of investigation—that means when you're dealing with “not found committing”, that means after—was virtually 0%. When we started to work in Guatemala in 2000, the resolution rate for murder was 2%. About four years ago it was 5% and last year it was up to 28%. That is what we're trying to do. We have learned a lot over the years and we are working closely with the Honduran officials around these issues of what I call functionality.

I can go into detail on exactly what we're doing and how we're doing it, but I'll leave that for you. I don't want to take too long. I know I only have a few minutes.

That is by way of setting the context for our work. Our work is funded by both CIDA and the anti-crime capacity building fund of DFAIT. We've been able to actually unify the funding from both agencies in a common approach. If you want, later on, I have a documentary that's been produced on our work. It was actually produced by a lawyer who decided he was so fascinated that he would do it as an amateur video maker. He put about 600 hours into it and he's documented the way we are going about it.

My issue on this is that if we're going to do this stuff we have to be engaged for many years. We have to be engaged very systematically in building the pieces that create functionality. You have to start with the crime scene. We always focus on murders because murders are the most serious violation of human rights and

there are a lot of them. If you take the three countries in the northern triangle, up until recently there probably would have been somewhere in the neighbourhood of 17,000 to 18,000 murders a year, which in Honduras, as you know, is probably at around 40 to 45 times the rate of Canada.

It's very important that we start there, and that's where we have been doing it. We've been doing the whole question of system building from the police and prosecutors around the crime scene, the investigation, major case management, oral trials technique, and then what we've been doing with the support of DFAIT is adding special methods like forensic video, surveillance, and in the case of some countries like Guatemala, wiretap.

Certainly, when you're dealing with criminal intelligence analysis, which is very important, and especially, when you're dealing with trying to confront these structures, there are literally tens of thousands of gang members in these countries. The only way to bring down the violence is to tackle the structures. So we're working with them on that kind of work as well, both the basic system building as well as what I call the special method tools that will actually allow them to accelerate the functionality.

That, by way of a short introduction, is what we're doing.

We have an office down there. We have staff down there. We work out of British Columbia and we involve a lot of Canadian experts. We're bringing in specialists from all parts of the justice system from Canada to help us with this work.

• (1315)

The Chair: Thank you very much.

Before we go to questions, I just want to draw the attention of members to an item of business regarding scheduling. We had a plan to have an individual called Dana Frank on Thursday, but she is unavailable. We've had to reschedule her for next Thursday, May 9.

So I took the liberty of contacting DFAIT to ask if they could send somebody to comment on Canada's position on the model cities, which has come up as something that's been an issue of concern. It's been raised by a number of members. They may or may not be able to get someone for us. We're not going to know until...I probably won't find out for sure until tomorrow.

It's also my intention to spend a bit of time, even if DFAIT is able to come, discussing committee business. If they can't come, the meeting will be entirely an in camera meeting discussing committee business. This is just to alert you to that fact.

Let's now go to questions. We have a fair bit of time, so I'm going to suggest that we have six-and-a-half minute rounds for questions and answers.

Ms. Grewal.

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

Thank you, Mr. Craig, for appearing here today and assisting our committee with our study of the human rights being violated in Honduras.

To begin, as an MP from British Columbia I would like to express my appreciation for the Justice Education Society and the excellent work they are doing in my home province. The young women's civic leaders program, which aims to promote and encourage the full participation of young women in civic, political, and community life, seems to hold great promise.

Of course the problems and challenges facing young women in Honduras are far different from those facing people living in B.C. Judicial independence is a vital complement of liberal democracy. How can developed nations with mature legal cultures of independence help countries or groups trying to establish such a culture in their own countries?

• (1320)

Mr. Rick Craig: The independence is not only of the judiciary in those countries, but also a question of the work of the prosecutors in the context of those countries.

In the case of the judiciary, one real and serious difficulty has been with the way judges are appointed. They are appointed for a term at the supreme level. They get a five-year appointment. Of course, this means that there gets to be political involvement in the selection processes. There is not supposed to be, and in recent years they have been moving away from this, trying to have vetting processes in some of these countries to say that such involvement will be removed. But these processes become very sensitive, as you can imagine.

What has been happening includes a number of things that I think are positive; for example, the creation of the oral trials approach, which means that trials are now in public, whereas before they never were. That trials are in front of people—the journalists are coming out to the trials to watch them and report on them—is making an enormous difference. That's one thing that's really important, the change of the culture around the oral trial approach is fundamental.

That's one thing. The other thing is that there is an increasing expectation of the importance of this independence. So, when cases come up in which there are perceptions that there may have been some interference, you find a pretty strong community response. One thing these countries have, and there are different levels of it in each country, is very sophisticated civil society organizations that are trying to hold the system accountable. They certainly will speak out and they will certainly challenge, and that's important.

The other thing that's really important is to start creating more systems that allow the judiciary to operate with a real sense that they have some independence. There are numerous aspects to this. Historically, there has been such a change in the judiciary and the whole question of whether there are such things as judicial “career paths”, and all of those sorts of things are really quite recent. You have to imagine that in a country such as Honduras you may be dealing with 10 years of change. Imagine our justice system, if in a 10-year period we decided to change it. In Guatemala, you're dealing with a little bit longer timeframe, but there is rapid change happening in these countries.

The problem is that it's been happening in the context of deteriorating social conditions. This has presented quite a few challenges.

Mrs. Nina Grewal: Mr. Craig, according to media reports the Honduran congress recently suspended the attorney general and his assistant, and replaced them with a temporary oversight committee. Do you think this is a positive development?

Mr. Rick Craig: I'm always reluctant to comment on those kinds of things, because I work in the country. We've worked with and been involved very directly in work with the attorney general. Obviously, two levels of dynamics are going on. From our point of view, there's the question of what they are doing on the ground that we're working with them on, and the question of whether it is advancing.

That's the primary window we have. We're really out in the streets. We're trying to address what we see as some serious dysfunctions within the Ministerio Público. But I would rather not go too far down the road in answering that question.

Mrs. Nina Grewal: One of the disturbing trends in Honduras is the persistence of extrajudicial killings. Extrajudicial killings are incompatible with freedom and a true justice system. How can Canada pursue the perpetrators of these injustices, both those in Honduras and those who have left?

Mr. Rick Craig: Our approach is that you have to ask what the options are for countries such as these. These are countries that are really backed against a wall. Sometimes people talk of them as being potentially failed states. Sometimes you hear talk of their potentially being narco-states.

The only option, from my perspective, is to help create functioning justice systems based on the rule of law. There's no other option. The only other options are a military solution or failure. Those are the three options.

What we need to do is work hand in glove with them. What I have found in our work is that people tend to look at the big cases, and they become the representative cases. Most of the people being killed are the people on the buses and on the street. The majority of people, or many of them, are being killed by gang members.

We have to get them to start addressing these problems and starting to deliver for their people. In my experience, there are many who have committed to that. They want their country to be stable. They are very educated. They're very committed. I compare Canada's situation with theirs and ask what we would be like, if we had 45 times the violence and had probably a quarter of the resources.

The last problem is that we have legal procedures that are actually more complicated in that region than those we have in our own country, because of this hybrid. What we're trying to do is address that and say, you have to start....

The other issue, which is an important one, is the culture issue. When we were dealing with Guatemala.... If you're a prosecutor and you're dealing with only a 2% conviction rate, how much belief do you have that you can do something? In our own country, our prosecutors and our police actually think that they can produce. They know that they can deliver. The issue isn't just skills building and systems building. There's a whole cultural issue that deals with the empowerment of the justice players to take on.... And of course, they're doing it in an environment in which they suffer threats. I worked with enormously committed people who work enormous hours. It inspires one to say, "We..."

We're seeing it. In the case of Guatemala it has taken us 10 years, but we're starting to see the fruits of our labour. I think it's growing exponentially there now. In Honduras our work, systematically, is only three years old. It's going to take some time. I'm hoping Canada will continue to be there.

• (1325)

The Chair: Mr. Marston, you're next.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Thank you. I certainly appreciate you being here.

The Truth and Reconciliation Commission found that the police and other army officials were quite systematic in the way they were obstructing investigations. You spoke a moment ago about the police.

Have you advocated, in Honduras, for the establishment of an international commission against impunity, such as what was in Guatemala? If you have, how's it going? If you haven't, why not?

Mr. Rick Craig: Last year, as part of the International Society for the Reform of Criminal Law, we brought the three attorneys general to Ottawa as part of their conference. We had the three from Guatemala, El Salvador, and....

One of the discussion issues was that issue. Of course, Guatemala said yes. The other two countries were hesitant because it represents a foreign interference in their countries or a foreign intervention.

The issue for me is that it's a question of asking, "what is the result of that?" If you look at CICIG's work in Guatemala, it's very important work. We work with the commissioner for CICIG. We have good relationships. But what they're trying to do is look at corruption in the infiltration of the state. The problem is that when they leave, it doesn't mean the system is still functioning. There has to be somebody creating functionality.

One of the problems is that there are corrupt people, and one of the problems is that there is infiltration. The other problem is if the system doesn't work, even if you clean it up, you still don't have a functioning justice system. That's what has been the nature of our relationship with CICIG. In a country like Honduras, something like that could be very valuable. But I think it's only part of the solution.

Mr. Wayne Marston: I agree with you. You have to build the systems. If you don't have the systems to back up whatever you're trying to accomplish.... Again, going back to the police. Indications have been that the salary of police officers is so low that it's an inducement to corruption. The concerns around the gangs and the drugs add to all of that.

In February, José Trejo—I don't know if that's how you pronounce it—was checking on his brother's murder. Subsequent to being in the capital and asking questions, he himself was murdered. Do you have any information that you could provide to the subcommittee in the form of an update? What's happening with the investigation into that death?

Mr. Rick Craig: No, not really. We get asked for help sometimes when they're doing the investigations, but we try not to get involved in the actual process because we're looking more at system building. I can give you an example of some of the dysfunction we're trying to address if that will help you.

• (1330)

Mr. Wayne Marston: Yes, sure.

Mr. Rick Craig: The experience in Honduras when I started this work was that, as I said, the percentage of convictions of people who were not found committing was 0%. That meant that every time they had to investigate, they weren't getting anybody convicted. You ask, why is that? Is there no will? Don't they care?

Part of it has to do with the fact that they're creating this new system and there are some serious dysfunctions in the way that it has been put. For example, prosecutors didn't exist under the old system. The ministerio públicos are new.

For example, one of the issues we're doing with Honduras right now is what we call the 72-hour initiative, because the way they're structured is.... What happens first of all, you have to understand, is that in a hybrid system, it's not the police who investigate. The police investigate under the direction of the prosecutor. So here you have prosecutors that come out of law school as lawyers. They get hired to be prosecutors. They don't have any police training. They don't know what a crime scene looks like. They don't know how to investigate.

We've been trying to address that dysfunction. We've actually been giving them training on how you direct a crime scene. Because if somebody is killed, what will go out with the prosecutor will be a technical team whose job it is to process the murder.

Now, the difference between us and them is that they have so many murders that the time you have to process a murder is probably two hours, as opposed to a whole day or two days. We've been working on training the technical teams, saying, look, we have to get them tight and we have to get them to the highest standards possible, because they can be. But then we have to train the prosecutor to know how to direct them and how to collect the evidence properly, because the prosecutor has to take control of the evidence afterwards.

But then what happens, you see, on the 72-hour problem we've run into, is the way that they structure.... This is what Guatemala was 12 years ago. They created a 24-hour turn. In a place like Tegucigalpa, they'll have a prosecutor who is on shift for one 24-hour period every 20 days. For 24 hours, they have to handle all the scenes with the teams. Then what happens is that they take two days off. They write up the report on the third day. On the fourth day, they transfer it to another prosecutor, who takes over the investigation. We're saying that this is crazy, so we're working on what we call a 72-hour thing. We've brought this to Guatemala, which has implemented this, so they can see it.

We're saying that the prosecutor who is investigating has to be on shift for 72 hours. They have to do 24 hours and then two eight-hour shifts. They have to work with the team. They have to do at least the first 72 hours, and then they have to meet immediately. I don't want them to transfer it over in 72 hours. That's not the way it should be, but we're looking at steps. We're saying that you need to transfer it over, and if you're going to do that, do it only at the 72-hour mark, and it has to be done without a delay.

In countries like Guatemala.... We've had cases in Honduras where they'll have a murder and the file gets transferred over to the investigating prosecutor two weeks later. We're saying that there's a problem there.

The second issue is that you can't just have the prosecutors doing murders and robberies. You have to specialize. What we're working on with them is creating what we did in Guatemala, which is the section called "la Vida", which is the crimes against life section. We're saying that there has to be a special prosecutor, because there are enough murders there that they had better have a special section, and it's only that section that should handle the murders. We don't want them handling the robberies. We don't want them to have the sexual assaults. We want them just focusing on the murders.

Those are the changes that we are implementing with them right now, but in order to do that, we have to train them on the techniques. We also have to work with them on the systems. Then we have to work with them to make sure they get the personnel they need. Because that's the commitment we expect from them. They're going to provide personnel, and it's happening. It's happening and that's an example.

But you can see that a dysfunction like that from the very beginning means that your process is in trouble. What they do in the kind of case you're talking about, or any case that gets a high profile, is that they put special efforts into it. It's international, they say, and we're going to be observed, so we'll put in special efforts.

But what about the poor person who was killed on the bus? That's where my concern is. I'm really concerned about the common person. That's what we work on, and that's an example.

To me, it's those functional pieces that, one by one, we have to put in place. What we're trying to do is say, "Look, in Guatemala the law is a bit different, but fundamentally they're similar, and we should have these countries in the northern triangle all working in a similar way." That's what we're trying to do.

•(1335)

The Chair: Mr. Sweet.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you very much, Chair.

Thank you very much, Mr. Craig, for being available today to answer our questions. I note that you're funded by both CIDA and DFAIT. I guess your organization would be a good example of CIDA and DFAIT working together now that they're amalgamated. I'm grateful that you mentioned that to us.

I wonder if you can give us your opinion. About two weeks ago the national congress voted to suspend the attorney general. Did you see that as a positive sign in Honduras?

Mr. Rick Craig: I guess it depends what happens. There are two dynamics that play out from our perspective. One is the internal politics of the country. There are a lot of issues going on around the different forces in the country and what their wishes are. Our experience working with the attorney general, at least on the work I'm talking about, on the 72 hours, is that they're responding.

My view of it is that we tend to look at it from the point of the political lens with regard to what's going on in terms of these issues. My view of it is that if 80% of the murders are of the common people, then it's in the interest of everybody in that society, no matter what their political persuasion or whatever, to have functionality, because you can't get on a bus without being afraid of—

A voice: Exactly.

Mr. Rick Craig: I don't know a single person in Guatemala who hasn't been assaulted. I know people who have been sitting on the seat and have had the person beside them killed when the gangs got on.

The gangs are not extorting from the rich. They're extorting from the poor.

Mr. David Sweet: Just to go back to this question—and I also want to talk about functionality—I asked the question, because initially the suspension of the attorney general had been recommended by the commission to reform security. I was just wondering if, in your opinion, this was a positive step politically, after that had been recommended.

Mr. Rick Craig: There is the view of some that he hasn't done all that he could have done, and that obviously there is an alignment there politically, which is not helping things. I know the commission is concerned about the corruption within the prosecution services. I don't think it's nearly as high as it is in the police. That being said, we try to stay out of that particular level, because when we work with attorneys general and stuff, we sign these *convenios*, these legal agreements, with them and then we handle the politics at that level. But our work is a level down. We're working with the directors, working with the people really on functionality.

Our experience with Fiscal General Rubi is that he has been open to this work with us. In fact he's invited it. Originally when we started this work, he flew to Guatemala to meet with us, because he had heard of our work and he asked us to come to Honduras. I can speak on the operational level. I can only say on the operational level that he has been open when we've gone to him.

We do things. We impose demands. We say it doesn't make any sense to do this if you don't hire another 50 people, or if we're going to have this crime scene examination work, you have to commit to creating a line item to actually replenish these kits.

Our experience has been that he has done that. I think what's happening more is that there are these political dynamics going on. That's just part of what happens in all of these countries. In Guatemala we've worked with five attorneys general. We have to take a position that we will continue, because the work on the basic system building has to continue no matter who the attorney general is. That's the way we approach it.

Mr. David Sweet: I'm encouraged just by the fact that in the midst of the tough times in Honduras—with 45 times the level of violence in Canada—you're actually able to be on the ground and increase functionality. The fact that you're focusing primarily on the murders.... I think you're quite right that if you get that right then those other crimes that are subsequent to that will obviously be easier to deal with, or at least they'll have the capability to deal with those.

Are you confident that you're going to see a levelling of effort in the work you're doing, whether it's for a more public crime or it's one involving an ordinary citizen like you or me who would be on a bus?

• (1340)

Mr. Rick Craig: There are two things.

One is, yes, I am. If you had asked me two years ago, I wouldn't be quite so positive. I would be wondering.

I'll use the experience we have in Guatemala as an example. From my experience in this work, you don't just add a piece and all of sudden it improves. If the crime scenes aren't working, it's not going to work. If the investigation's not working, it's not going to work. If the preparation for trial's not working, it's not going to work. It doesn't matter what stage. If one of the stages is dysfunctional, it's not going to work.

Our experience in Guatemala is that we've reached a point where it has gone from 5% three years ago to 28%. There's a certain point where I think you get to, what I call, a plateau “jump”, where the pieces start to come together.

We're not there. We're not nearly there. One of the things is that we need a multi-year approach to this, because our process is not training, it's justice development. Now, what does that mean? That means there's a training component.

Then we have an implementation strategy. For example, there are 640 prosecutors in Honduras. In the case of the work that we've been thinking of doing in southern Mexico, there are 35,000 police. In order to get functionality, we can't just train 10 people, or 20 people. We do it by regions.

For example, in the case of Tegucigalpa, we've been training all the prosecutors and the police in the one area. Then we monitor them. We have teams that go after three months, and then after six months, to observe whether they're applying the skills and whether they're working the way we are. Then we give them feedback. We did that in Guatemala. We had a team that, after we trained them, went to 100 murders.

Our process is that you have to determine the need. You have to work on the training. We do a “train the trainer” model because we have to leave their capacity installed. Once we've done the initial training, we actually use our own local trainers and we support them.

But you see, when you're dealing with these numbers, it takes years. We have to take Tegucigalpa, we have to take San Pedro, we have to take La Ceiba, and we have to build functionality in each area, step by step. Then I think you reach a critical mass where eventually what you've done has actually overwhelmed what was the old. That's the way we approach it.

It's the whole issue of monitoring and quality maintenance. Our concern is that if we train them, and six months later they say, “Oh, I'm too busy, and I won't bother doing the fingerprints, because I have another murder over here”, then the quality is gone. A quality control element also has to be built in, and we're trying to do that.

Mr. David Sweet: I think my time's overwhelmed, Mr. Craig.

The Chair: It is a wee bit, yes.

Mr. David Sweet: Thank you very much.

The Chair: Everybody has gone over by about a minute and a half each, but always because we've had very fulsome answers.

Monsieur Dion, you are next.

[*Translation*]

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Thank You, Mr. Chair.

[*English*]

Thank you so much, Mr. Craig, for offering us your expertise.

This is quite an adjustment for me. I was at another committee, where we were arguing about whether a village should be part of one riding or another one. What we are discussing here is much more heavy as a topic. I'm only replacing Mr. Cotler, so I'll need to adjust myself to the situation.

The motion that brought this subcommittee to study the situation in Honduras begins as follows:

Whereas, two prominent lawyers and human rights defenders, Antonio Trejo-Cabrera and Manuel Díaz-Mazariegos, have been assassinated in Honduras in recent days;

Did you know these two people?

Mr. Rick Craig: No. I haven't worked with them.

Hon. Stéphane Dion: The motion continues:

Whereas, in Honduras 76 lawyers have been murdered over the past three years;

Do you know what happened to these people?

Mr. Rick Craig: Do you mean in terms of their cases?

Hon. Stéphane Dion: Yes. What explains this amount of murders of lawyers in Honduras?

Mr. Rick Craig: Well, one of the things you have to realize is that they're not the only ones, right? There are journalists, a lot of journalists, being killed.

Hon. Stéphane Dion: And people on buses.

Mr. Rick Craig: Yes.

Hon. Stéphane Dion: I understand. But I'm speaking about these lawyers.

Mr. Rick Craig: You know, we haven't analyzed that. We haven't tried to figure it out. Who are these lawyers? What are their connections? What are they involved in? Are they involved in activities that are related to human rights and that are causing a reaction? Or are they involved in activities that maybe are questionable? Some of those dynamics happen down there too.

We haven't done that. We have not gone into....

You see, one of the things that is a problem in a country like Honduras, as well as in the other countries, is their ability to do what we call criminal intelligence analysis. It's almost non-existent in terms of their whole ability to analyze, to pull the data together.

If there's a pattern, if we're talking about a pattern—

• (1345)

Hon. Stéphane Dion: Yes, murders that would be linked.

Mr. Rick Craig: —then you need to have the technical capacity to start to take the cases, put them in one place, and start to link them. That doesn't exist in Honduras. It's only now that it's starting to exist in Guatemala.

If you're going to take down the gangs—and we're talking maybe 10,000, 15,000, 20,000 gang members—if you're going to take down the *clicas*, you have to do it systematically.

We had a case in Guatemala that you might find interesting.

Finally we got them on the criminal intelligence analysis. We trained them and they started, but there were 28 people killed in one zone of Guatemala in two months. They were all killed by the same gang. It was a gang that was extorting the *impuesto de guerra*, which is the local tax. One was the woman who sold chicken in the market. One was a taxi driver. One was....

But we said they can't process each of these murders independently. They have to start to get the linkages. They have to do this on that in Honduras.

Hon. Stéphane Dion: In Honduras, do they not have this capacity?

Mr. Rick Craig: They don't have the capacity.

Hon. Stéphane Dion: The end of the motion said that the subcommittee is to study the deteriorating human rights situation in Honduras.

I have a report here by the Inter-American Commission on Human Rights. On March 15, 2013, they held a hearing on the human rights situation in Honduras. According to the brief that they produced, the participants at the hearing enumerated various ongoing violations of rights in Honduras. Namely, women's rights, political rights, judicial remedies, generalized violence, and militarization.

Departments argue that the human rights situation in Honduras has worsened since the 2009 coup. Would you agree that it's worsening, and not improving, since 2009?

Mr. Rick Craig: I'll give an example.

Our latest statistics say that in Honduras, there are 18 rapes per day. We know that in terms of sexual abuse of children, there are 12 children per day that are being killed in that country. I would say that the situation is deteriorating.

Hon. Stéphane Dion: What would your advice to Canada be? How can we help?

As you know, there are different views about that. There are views that we should be more involved in working with the authorities and the government, and so on. Others would say that the government itself is a liability, and that we should be sanctioning this government and certainly not trying to conduct free trade with them, and so on.

Mr. Rick Craig: Obviously, because I do the work, I would argue for engagement.

I don't know what other route there is for it other than creating functional justice systems. I think to do that you have to operate on different levels. You need to operate on our level, which means that we're actually in the trenches, trying to do the day-to-day. You need to have political pressure from our government, which is actually speaking out at certain moments and putting pressure. I think that's really important. You need a number of approaches.

There are two parts to my concern.

One is, do you leave a country like that? You can say that maybe Canada is only one player, and others will help so we don't have to worry about it. But you know, it's a region. The northern triangle is a region. The gang problem is the same in all three countries. The problem with the narcos and the transfer of drugs through Guatemala and Honduras is that they're shifting it around. If they have trouble in Guatemala, they move it to Honduras. It's a region.

You can't just say that because of x and y , we're going to abandon that piece because I don't know that it helps. The solution to the problems of Honduras is not just Honduras. It's all three countries. All three countries are in trouble.

Hon. Stéphane Dion: Is there some involvement that we should avoid?

Mr. Rick Craig: I'm trying to think of what we should avoid.

Hon. Stéphane Dion: Some said that the Canadian companies that are there are sometimes not helpful.

Mr. Rick Craig: One of the complexities in my experience in the region.... Obviously the big issue that always comes up is mining, the mining companies, and the very deep complexity of what's going on in the mining companies.

From my experience, Canada does not have a good reputation because of that. There are a lot of reasons why that's happening. I think the companies are trying and doing their best, but there are other factors that are playing out.

Part of it is, in a case where you do get a conflict at a community level, the people don't trust the justice system. So if the justice system comes in and the police support the mine, then they've polarized the people against the mine even more.

So all of these issues are interconnected. In that country, as soon as you involve the police or the state in a business matter, all of a sudden you start to complicate the agenda.

It's a tough one.

• (1350)

Hon. Stéphane Dion: Would you suggest that we go step by step?

Mr. Rick Craig: I think so.

The Chair: We're actually out of time for this round. We're up to seven and a half minutes.

Mr. Schellenberger, go ahead, please.

Mr. Gary Schellenberger (Perth—Wellington, CPC): Thank you very much. Your testimony's been very reassuring to some of the thoughts I've had. I believe that the free trade agreement with Honduras is a step forward. It's a lot easier to work from within than it is from without. You work within. You sometimes have to put up with things that are in the country, but we as Canadians can't go in and say this is the way it has to be done. It's their country. We wouldn't accept them coming into ours.

With that, I do know that poverty is great in all three of the countries you're talking about. Unemployment is one of the big reasons that the gangs are so prevalent. If they can be helped economically to come along, rule of law will come with it, I think. I've heard from various parts of the third world countries that are in conflict, and they all seem to have that same problem, rule of law. You've expressed very much today how it has to go.

I have one question. The prosecutors are not elected. They're not on five-year terms, because that would probably be a waste. I think the way you're going about it to train those people...and we have to have patience going forward. We had the chair of the board of Gildan here, from the garment industry. Canada is quite involved in the garment industry in Honduras. It has somewhere in the neighborhood of 40,000 employees. That company transports its workers to work. If they were riding the regular bus, they might not make it to work.

You've explained a bit that sometimes our mining industry might get a black eye. It's doing the best it can, but it's working within the situation that is there. But it is providing jobs. We have to look at the amount they make. The garment workers make somewhere around \$90 a week or something like that. That's a lot more than \$1 a day or \$1.25. That's the average there.

Does the free trade agreement and Canada helping create some jobs in Honduras help your particular interests going forward?

Mr. Rick Craig: It's interesting because our interests are to try to help them get the functionality of their system. There are benefits for Canada that come out of this, because obviously if you don't have stable security, it's hard for businesses to operate. Many businesses are spending a lot of money on security. In Guatemala, for example, there are six security guards for every police officer in the country. We're talking billions of dollars in the region. That's an issue. If you want them to get out of poverty, you need security. If you can't have businesses that function, because people are afraid or they're spending a fortune on trying to protect themselves, then you have a problem. It's a major drain on the GDP. It's a major drain on development. That's one issue.

We're looking at it from a Canadian perspective. We're interested in the fact that obviously part of this work is really to deal with the issue of the drug traffic. It's a concern to Canada. There's also the question of the gang relationship with Canada. All this stuff I see around the gangs in El Salvador, that they're in more than 20 American states as well as in Canada—there is an issue.

There are a number of things that have implications for Canada. The work we do will help business have a stable place. The only other option is to do what they are doing, to hire private armies. I just don't think people live very much with that going on. There are more

gangs in circulation than in the worst years of the civil war. There are more murders than in the worst years of the civil war.

Certainly all businesses and development benefit. You don't have an option. I don't know if that's answering your question, but that's how I see it.

● (1355)

Mr. Gary Schellenberger: I know Gildan says they support a local police station. They helped to do that. I don't think they're private security guards. I think it is the local police they help to support.

Again, I do understand. I've been to the Caribbean a few times. Especially in the Dominican Republic, when you talk about security guards, every resort has people sitting with guns on top of turrets to protect the people there. Then when you see the local police.... I'm sure there are far more security guards in the Dominican Republic than there are police, as well.

All I can say is I'm very pleased with the way you've explained the way your organization is working. To get a result going from 5% to 28% is a plateau, and I congratulate you on being able to make those steps. If it takes another 10 years or so to get to 50%, I think that's the way we have to work it.

Hopefully Canada can work along the same lines to help create jobs, to help get employment up, and to get security back in the country.

Mr. Rick Craig: I have just one comment.

For Canada this kind of work is fairly new work. Historically I don't think we did that in Latin America, and I do think the reputation of Canada in the region is quite solid. I think that's how it's viewed.

The Chair: Thank you.

Before we go to our last questioner, I just have a question of my own, to clarify something you said a moment ago, Mr. Craig.

You said that at least in Guatemala, and I think also in Honduras, there are more murders than during the civil war. Do you mean that there are more fatalities of all types? When you say "more murders", do you mean more people are being killed now than were being killed by murder and fatalities in the civil war? Is that your point, or do you mean that as one type of violence has gone down, another one has come up?

Mr. Rick Craig: Obviously there was the period in Guatemala, which was the extreme period in 1981-82, when the massacres were happening, and that's a different thing.

But during the conduct of the civil war in Guatemala, if you look at the number of people killed per year, the situation is.... This was a surprise to me, because when I started back in 1999 and 2000, I thought the peace accords had been signed and things would be great and things would move forward. But what happened was the deportation of the people from Los Angeles to El Salvador. The growth of the Mara Salvatrucha and the Mara 18 gangs exploded. The estimates are anywhere between 50,000 and 150,000 in those three countries. There is one *colonia* that has 500 in one gang and 500 in the next one.

The social fabric was torn as a result of the civil wars—in Guatemala it was 36 years. People have grown up in fear, and because of the poverty and the social fabric and the infiltration of the gangs coming back and all of that stuff, a phenomenon developed that I don't think anybody expected.

Then of course the most recent twist on it has been what's happened in Mexico, because in some cases it has pushed the Zetas south. The Zetas are one of the most violent, and of course they're now in Guatemala and they're now in El Salvador. Of course these kinds of forces are potentially overwhelming, so that's why... I didn't expect that. I didn't have a clue. I don't know that anybody could have seen that.

• (1400)

The Chair: Thank you.

I would just advise members that we're not going to see the clock as being at 2:00 until Monsieur Jacob's questions are finished, but I would remind you that we need only three people here in order to hear testimony, if anybody has to get back to the House.

With that being said,

[Translation]

Mr. Jacob, you have the floor.

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Thank you, Mr. Chair.

Thank you, Mr. Craig, for being here with us today.

Several articles published recently in newspapers such as the *Los Angeles Times*, *The New York Times* and, in the United Kingdom, *The Guardian*, have described Honduras as a death squad democracy. Because of several very high-profile professional assassinations, which led some observers to believe that the government was behind them, even the Obama administration in the United States was criticized for funding and arming the Honduran police.

I would like you to explain to my colleagues on the subcommittee how judicial reform could be implemented in such a situation.

[English]

Mr. Rick Craig: I think the only way that can happen is with a two-pronged approach. You have to have, in the streets, the kind of work we're doing, and you have to have another level, which is the kind of level the commission is doing, where they're actually trying to hold the government accountable at the political level. So I think you need a two-pronged approach. You need both operating within that country. I don't think either one alone will probably be able to do it. That's my view.

The truth of it is, as you know, if you do have death squads, for example, within the police, again, they may be committed to political agendas or other agendas, or sometimes it's just simply that they're trying to make money. They're basically businessmen who are kidnapping people, for example. That's happened in a lot of these countries. Sometimes it's political, and sometimes it's just that they can make a lot of money that way, so it's a side deal. Those things have to be rooted out and those have to be tackled. At the same time, as I said earlier, rooting that out without dealing with the basic

functionality for the common person doesn't create a functional approach.

Ideally, and maybe I'm Pollyannaish, but I believe that everybody wants the common murders to stop. If we can build a base there, and even if it's harder to deal with that other level, we have to start to create something that functions. We have to start to build on it step by step.

When I started this work back in 2000, they created a Guatemalan transparency and anti-corruption commission. It was a high-level commission right on top of the Ministerio Público, but the system didn't work. So I said, okay, you can pick that person and then get him out, but you still won't have anything working.

I think you need to have multiple strategies. One is the anti-corruption. One is the targeting of these forces, and they're sinister forces. A lot of them, I think, from my experience, may be political. But some of them are simply just people making money, because you can make a lot of money through, for example, kidnappings. I think you need to do both.

[Translation]

Mr. Pierre Jacob: Thank you.

Since I have a few minutes left, I will ask you a second question.

At the international level, what are the specific risks to Canada's reputation if we continue to have dealings with such a regime, as we have done?

[English]

Mr. Rick Craig: I would say that there are, I guess, different kinds of risks. There's certainly a risk of our wasting money. Certainly, for those of us who are doing this work, we don't want to waste our time and our money working in places where they're not delivering. We're very adamant about this. We will say to them that if they're not prepared to commit to what we're agreeing to, we're walking away. We put a lot of pressure on them because we're very careful and very conscious that this is Canadian money, so why should we throw it away? That's a risk around the money issue.

Where it gets more delicate, I think, is when you get into some of the more sophisticated technologies like wiretap. In the case of Honduras, it's the Americans who have been getting involved in that, not Canada. You can say things can be used for more than one purpose. This was a concern that happened in Guatemala, at one point, with one attorney general, but the result of it was that people put pressure on and they were able to deal with it.

I personally believe this work is complicated. This work is not without its risks, but I do think we have far more to gain as a country by being involved. We do have a different approach than our neighbours from the south, and I think we're viewed differently that way. I think we have opportunities to do things that some others can't. To me, there's risk, and something could go sideways, there's no doubt about that. At the same time, we're close enough to them, we're working close enough, that at least we have a window on this.

That's all I can say.

•(1405)

[*English*]

[*Translation*]

Thank you to you as well, Mr. Craig, for coming and providing us with testimony today. We're grateful that you were able to enlighten us, and we found it very informative.

Mr. Pierre Jacob: Thank you, Mr. Chair.

The Chair: Thank you, Mr. Jacob.

We are adjourned.

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