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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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•(1320)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): Welcome to the 82nd meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Today is May 9, 2013.

[English]

Pursuant to Standing Order 108, we're continuing our study of human rights in Honduras. By telephone link—not video conference, as we had originally said—we have Dana Frank, professor of history, appearing as a witness.

Professor Frank, I invite you to begin your testimony.

Dr. Dana Frank (Professor of History, University of California, Santa Cruz, As an Individual): Thank you so much.

May I ask a procedural question? Do I wait for each question to be translated before I answer it, or is the whole thing translated after that?

The Chair: Most if will probably be translated into English. We have what is called simultaneous translation, so as soon as you understand what you have heard, just launch into your answer and it will be translated even as you speak.

Dr. Dana Frank: Okay. Thanks so much.

Let me just start off by saying thank you so much for inviting me to speak. It's really an enormous honour. I want to start by saying that, and also how grateful I am to the committee for caring about the human rights situation in Honduras, which is so terrible.

I have an opening statement that I'm going to read.

I am a professor of history at the University of California, Santa Cruz, and have been researching and writing about modern Honduran history for the past 12 years. Since the coup, I have written 26 articles and opinion essays on the current situation in Honduras, including for *The New York Times*, the *Los Angeles Times*, foreignaffairs.com, and regularly in *The Nation* magazine. I'm also very involved in advising numerous members of the United States Congress regarding U.S. policy in Honduras, and I have continued to travel to Honduras regularly since the coup.

I would like to open by speaking about the dramatic degeneration of the rule of law in Honduras since the June 2009 military coup that overthrew President Manuel Zelaya. The coup itself was an

enormous criminal act in which the top leadership of the military, the entire supreme court, and the majority of the Honduran congress all participated. No one has ever been convicted of this most basic of crimes, although the Lobo government's own truth and reconciliation commission has called for the prosecution of the perpetrators of the coup, as did U.S. Representative Howard Berman, former ranking Democrat on the committee on foreign affairs of the U.S. House of Representatives just this past October.

The current Honduran president, Porfirio Lobo, also known as “Pepe” Lobo, came to power through an illegitimate election in November 2009—the ballots were controlled by the very same military that had just run the coup—which was boycotted by most of the opposition and by all international observers, except the United States Republican Party. Once in office, Lobo reappointed most of the same military figures who had perpetrated the coup. The current government is still composed largely of coup perpetrators at the very top, as is the congress and the supreme court.

As you know well by now, since the coup, the basic rule of law in Honduras has continued to degenerate dramatically, and the country now boasts the highest murder rate in the world. The judicial system is largely non-functional. Human Rights Watch recently reported the following:

Human rights prosecutors face obstacles conducting investigations, including limited collaboration by security forces, lack of sufficient resources, and an ineffective witness protection program.

There is near complete impunity, even for the government itself. The attorney general said on April 10 that 80% of all cases remain in impunity.

According to the top human rights group of Honduras, COFADEH, the committee of families of the detained and disappeared of Honduras, over 10,000 complaints of human rights abuses by state security forces were filed in 2010 alone. Almost none of them have been addressed.

The police are largely corrupt and are widely acknowledged to be so, and they regularly kill people with complete impunity, as the president himself admits. Three successive commissions charged with cleaning up the police since November 2011 have failed, by their own admission, to make progress.

At a deep level, the Lobo administration lacks the political will to deal with the alarming state of the police. This is largely deliberate. Widespread critics charge that the government itself is interlaced with organized crime, drug traffickers, and those who profit from gang extortion. Marlon Pascua, the minister of defence, has himself even spoken of “narco judges” who block prosecutions and “narco congressmen” who run cartels.

I'd like to underscore that the current national chief of police, Juan Carlos Bonilla, is the documented leader of a death squad in the late 1990s and early 2000s that was engaged in social cleansing assassinations, which, according to a recent investigation by the Associated Press, still continue to this day.

The current head of the transit police, Héctor Iván Mejía, is under an arrest warrant and a restraining order for his role in violently repressing a peaceful demonstration by the opposition in September 2010 when he was chief of police of the country's second largest city, San Pedro Sula. President Lobo continues to support both Bonilla and Mejía, and neither has even been suspended.

The Honduran congress, for its part, is now running roughshod over the rule of law at an increasing rate. In December, the president of the congress, Juan Orlando Hernández, who is also now the ruling party candidate for president, staged what is being called a “technical coup” in which the Honduran congress completely and illegally deposed five members of the supreme court at three in the morning and named replacements the next day. Since that time, the congress has re-passed several laws that the supreme court had quite correctly ruled unconstitutional, including a law allowing for so-called model cities in which the Honduran constitution itself doesn't even apply, a law allowing for exploitative mining, and a law permitting lie detector tests of the police, in violation of international legal norms against self-incrimination.

• (1325)

Perhaps most alarmingly, Lobo and the Honduran congress are using the crisis in the police for a terrifying intrusion of the military into civilian life. In violation of the Honduran constitution, which only permits the military to engage in policing in an emergency, Lobo has recently authorized policing by the military well into 2014.

Large bands of soldiers now routinely trot through neighbourhoods throughout the large cities several times a day, accosting people and erecting checkpoints with no clear purpose except intimidation and randomly locking down whole neighbourhoods by night. The military, which is itself interlaced with drug traffickers and organized crime, is by no means a clean alternative to the police.

In May, soldiers engaged in policing in the capital chased down, shot, and killed a boy who passed through a checkpoint, and a top officer led a concerted cover-up of the operation. Just last week, President Lobo and the new minister of security, Arturo Corrales, appointed four retired military colonels to top positions in the police and as the vice-minister of security. One of those three new appointees has been explicitly linked to death squad activities conducted by the infamous Battalion 3-16 in the 1980s; one is linked to the prominent assassination of a Jesuit priest in the 1980s; and a third is part of a company that has been censured by the United Nations for mercenary activities in Iraq.

Finally, I would like to underscore that while repression is terrorizing the entire population, it continues to explicitly target the opposition in particular. At least six candidates and officers from Libre, the opposition party, have been assassinated since last May, including one quite recently, and they are among 206 members of the opposition assassinated since the coup, by conservative estimates.

As you have already heard in previous testimony, 96 small farmer activists from the Aguán Valley who are struggling for land rights have been killed, many of them allegedly by members of the army's 15th battalion working in tandem with large landowners and their private armies of unregulated security guards. According to Human Rights Watch, those who perpetrate violence and threats against human rights defenders, against prosecutors, against peasant activists and transgendered people “are rarely brought to justice”.

In sum, I'd just like to say that the situation in Honduras is not what is being called in some cases “random violence”, caused just by growing drug trafficking, but the concerted policy of a corrupt government deliberately destroying the rule of law. That Honduran government, in turn, is vigorously supported by both the United States and Canada. I would be happy to discuss U.S. policy toward Honduras in more detail in my testimony, and I'd be happy to also discuss the growing and powerful opposition to it in both houses of the U.S. Congress.

Thank you.

The Chair: Thank you, Professor Frank.

What we're going to do is to give each questioner five minutes. That includes the questions and, unfortunately, also the answers. That's the only way we can get through our time by our deadline.

Just so you know, Professor, the reason we have to keep to this strict timeline is that we have something known as question period, and everybody has to get from here to another building where Parliament is actually meeting.

With that said, Ms. Grewal, we'll begin with you.

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

Thank you, Professor Frank, for your presentation. All of us here in the committee do appreciate your time and your presentation regarding the situation in Honduras.

Recently the situation in Honduras has increasingly come to international attention. Could you detail the investigations and the measures taken by international organizations and states on the situation in Honduras?

•(1330)

Dr. Dana Frank: Yes. There's a variety of groups that have been raising alarms increasingly. I would speak first of the Organization of American States, which has regularly issued alarms. In particular, the Inter-American Commission on Human Rights has heard testimony from the peasants and the campesinos in the Aguán Valley. They are currently considering a case of so-called judges in resistance, judges and prosecutors who were dismissed by the Lobo government for opposing the coup and have never been restored. They've also expressed alarm about the situation with freedom of the press in Honduras, and the OAS continues to hear a number of different cases at its hearings in Washington, D.C.

Human Rights Watch has issued regular alarms and in their recent report called attention to impunity, to lack of freedom of the press, to repression of the opposition, and repression of transgendered people and the legal profession.

Amnesty International has put out specific alerts, calling in particular for prosecution and investigation of the killing of Antonio Trejo, the lawyer for the campesinos who was assassinated in September, and regular individual alerts about particular cases.

Finally, the United Nations' special rapporteur, Frank La Rue, and Margaret Sekaggya from the United Nations have regularly issued alarms about the human rights situation and lack of the rule of law in Honduras.

I'd be happy to send on all that material.

Mrs. Nina Grewal: Fragile situations such as in Honduras are very difficult for foreign governments to address. What kind of measures or aid do you think countries like Canada can take to strengthen the capacity of Honduras to be a just and democratic state?

Dr. Dana Frank: Thank you.

In terms of what other countries can do, I think the current approach of the United States, which is to continue to say... [Technical difficulty—Editor].

I think that while efforts have been made by the United States and other governments to pressure the Honduran government to respect the rule of law and to increase prosecutorial capacity and clean up the police, those have been overwhelming failures so far. So I think because there's no political will to reform these procedures under the current government—the Lobo administration, the executive branch, the congress, and now with the supreme court under their control—we cannot solve this by helping this government clean itself up. I think the only path here is to cut police and military immediately and to publicly denounce the corrupt government led by Pepe Lobo and Juan Orlando Hernandez.

I think we have to demand immediate protection of all those human rights defenders who've received threats, and I certainly think we should not be cooperating with this government, which has shown over and over again that it doesn't have the political will to clean itself up. In fact, many of these figures are profiting from the very problem.

Mrs. Nina Grewal: The Hondurans have been blighted by obscurity and poverty for years. So in your view is there some point in Honduran history where the seeds of dysfunction were sown?

Dr. Dana Frank: Many of these problems go way back, for decades and decades, in Honduran history, and many of them have been made dramatically worse by the illegal coup, which opened the door to spectacular corruption and the near complete decline... [Technical difficulty—Editor]. Some of these questions go way back to the control of the Honduran economy by... [Technical difficulty—Editor] families, the so-called oligarchs that control the Honduran economy and the political system.

There had never been a viable alternative party in Honduran history until this year, and the long history of United Fruit and the United States' control over the Honduran economy and political system has supported this model, including long-time support for the Honduran military. Honduras has always historically been used as a base for U.S. military intervention in Central America.

So there's a long history of these problems and there's a long history of these families controlling the vast majority of Honduran wealth and not wanting to redistribute it, and there's a long history of a very terrifying military control of the country, and the police have been corrupt for generations.

I think it has all worsened dramatically since the coup, where you have the full collusion of the government with this throwing out the window of the rule of law. So if you look at the number of homicides, for example, and how that's shot up, including the targeting of the opposition, and although there were very serious death squad activities from the 1980s, the level now is just as high. This massive repression of civil society has increased dramatically since the coup.

•(1335)

Mrs. Nina Grewal: Thank you.

The Chair: Mr. Marston.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Thank you, Dr. Frank. I really appreciate your finally being connected with us.

You commented earlier about the powerful U.S. congressional opposition toward the U.S. policies in Honduras. Could you elaborate a little more on the impact of the issues of the charter cities and U.S. policy?

Dr. Dana Frank: Yes. First to the charter cities or so-called model cities, which have been proposed by figures outside of Honduras. They would create economic and political zones in which the Honduran constitution wouldn't apply, including things like labour law, and you name it: the legal system would not apply. Obviously this is a terrifying prospect that you would have these zones that would be controlled with outsiders, and according to the new law that was passed in January or late December, they would have the right to create treaties and all sorts of international rights. So it's a very alarming model to which there's been enormous opposition in Honduras, and all over the world as well.

Let me speak more directly to the U.S. Congress. The congressional opposition has been growing, but it certainly has been there ever since the coup, when then Senator Kerry and then Congressman Berman criticized Obama for not calling the coup a military coup, because that would have called for immediate cuts or suspensions in aid. In the House of Representatives 94 members of Congress signed a letter to Secretary Clinton last spring calling for an immediate cut-off of all police and military aid in Honduras because of the human rights issues.

In the Senate opposition has been growing and growing, led in particular by Senator Patrick Leahy, the highest ranking senator in the Senate. Last summer he placed a hold on over \$50 million of police and military aid to Honduras, about \$10 million of which is still suspended to the best of my knowledge.

There have also been many voices in the Senate and House calling for the application of the Leahy act, a 1998 law that says that if U.S.-funded security forces, an individual, or a unit commit gross violations of human rights, all money to them and their unit has to be immediately suspended until they're investigated.

Last summer all funds to the current national chief of police—Juan Carlos Bonilla, also known as El Tigre Bonilla, the man with the documented death squad activity allegations against him—and any units under his jurisdiction were suspended. That is still in place, although there are differences of opinion from the version we've gotten from the State Department as to the definition of “under his jurisdiction”.

I would just say that the Senate's interest is growing as it is in the House. We've had numerous letters from congressional members—in some cases 50 to 80 congressional members—about the killing of LGBT people in Honduras, about Afro-indigenous rights, and about the campesinos' human rights.

Mr. Wayne Marston: Senator Kerry is now in a new position compared to when he was raising his concerns. Has there been any evidence that he's still expressing the same concerns he had as a senator?

Dr. Dana Frank: No, there hasn't been any evidence of this and, of course, this is what we're all watching for. He had been mostly silent about Honduras in the last two years. The only signal we have had is when Obama was in Costa Rica last week, where a delivered speech before all of the Central American presidents. In answer to a question, Obama said the United States was looking for a more economic approach than a militarized one to the drug war. That's a good signal, but the U.S., on the other hand, is supporting the current militarization of the Honduran police as we speak.

So that's a good sign. Whether that actually means anything and whether it was initiated by Secretary of State Kerry, I don't know.

• (1340)

Mr. Wayne Marston: The thing that comes to mind is when they cut off the cash to the police, that's probably the only lever they truly have.

Dr. Dana Frank: Well, this is a question that goes way back. If you cut off the cash, then you don't have a lever. But this kind of argument was precisely what was used in Brazil in the late sixties and early seventies in the name of constructive engagement, and in

Argentina, where the U.S. would continue to support the Argentinian police and military as they were killing thousands and thousands of people under terrifying circumstances.

I think there's the question as to what the lever is, but I also think we have to say once and for all that we will not participate in funding this kind of activity by these murderous Honduran police. When will they ever get the message if we don't actually cut it off? And we should do it to the military as well.

I want to underscore that the U.S. has been expanding its military presence every year since the coup, including in Honduras. Its military funding to the Honduran police and military has been increasing, not decreasing—and this is from the State Department and the Obama administration side and by the U.S. military, which has been increasing in Honduras since the coup.

Mr. Wayne Marston: I wasn't talking about a lever. I agree with you that stopping it is the only way we can effect any change.

The Chair: Unfortunately, we have to go to our next questioner now in the interest of time. Mr. Sweet, please.

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

Ms. Frank, thank you so much. There's no question that with 82.1 homicides per 100,000 the situation is desperate and serious in Honduras. I want to try to make sure, because we're going to be aggregating all of the testimony and trying to produce a report with the highest possible accuracy on the human rights situation, and also on where the Honduran government is heading.

Your testimony seems to be in direct contrast to some very credible witnesses we had here. On April 18—about three weeks ago—we had His Excellency Adam Blackwell here. He has quite a stellar CV. He's been involved in the situation for quite some time. Here's what he said in closing:

I just want to say here in closing that, while the situation in Honduras remains difficult, we at the OAS have to give credit to the government of President Lobo and the three candidates for the political parties who are working with us on a political pact to try to find a sustainable systemic solution to the problems of human rights and insecurity in Honduras.

That directly conflicts with your categorical statement that this Lobo government has a concerted policy of corruption. So could you help me balance those two statements between you and Mr. Blackwell?

Dr. Dana Frank: I have enormous respect for Mr. Blackwell, whom I have met, and I also saw that exact quote from his previous testimony. Many of the things Mr. Blackwell said in his earlier testimony, I completely agree with. That quote did pop out to me as well. I find it completely out of the realm of the possible that the three parties could reach consensus, because we're talking about a ruling party that has increasingly run roughshod over the constitution. For example, a party that has not taken action on the ongoing repression of the third party, Libre, which is ahead in the polls, I want to underscore. There's this concerted government silence about the repression of this party.

These parties also have dramatically opposing interests. Libre supports the constitution and wants to redistribute the wealth. It wants to reform the police from the bottom up. I think these are dramatically opposed positions. I'm trying to think of a metaphor here: it's like the fox saying to the chickens, let's clean up the coops together and reach consensus on that, and I think that's impossible. They can't even reach consensus about such things as the government agreeing to electronic balloting, which Libre would like to see to have a free and fair election.

I wish it were true that there could be a pact between the parties—and there are other parties—but I can't imagine that happening when we have this terrifying situation of a lack of basic civil liberties and rule of law that is countenanced by the ruling party.

Mr. David Sweet: In the testimony we had, it seemed that most of the people.... I'm actually looking at my colleagues while I say this, because if my memory serves me right, most people were very concerned that in the police and the lower governments there's an issue, no question about that. But it appeared that for most people the Lobo administration was working constructively with them.

I'll give you the name of one other person we had before us two weeks ago. Rick Craig, from the Justice Education Society of British Columbia, said the following. I'm paraphrasing now because I don't have his testimony in front of me, but he indicated that although the job was a tough and substantive, they were making some serious headway in the reconstruction of the justice system, for lack of better words, because I don't remember the exact wording used. He did say it was a long process, a step-by-step one, but that they were making some progress there.

• (1345)

Dr. Dana Frank: I would disagree with that very certainly. Let me first speak of the police cleanup and then Lobo's role in that.

There have been three successive commissions, and most recently the CRSB, the commission for the review of security, the so-called Meza commission. Victor Meza, the original head of that commission, said very recently that the system was broken and that the police were not being cleaned up, that the police cleanup had failed.

The government itself admits that the police cleanups had failed and is starting a new process. In fact, we've seen a lot of new moves toward a supposed cleanup of the police and the prosecutor in the last two weeks, including the suspension of the attorney general, Luis Rubi.

The people who are being appointed here are themselves coup perpetrators. For example, Arturo Corrales, the former foreign minister, is now the new minister of security with jurisdiction over the minister of defence. The minister of defence does not acknowledge his jurisdiction. He himself is the one who had just appointed these retired military colonels to head the police. It's a very terrifying situation. So if you just look at the recent actions taken in the name of cleaning up....

In terms of Lobo's role in this, I want to underscore that it's Lobo himself who has appointed these people—Arturo Corrales and the people that he in turn has appointed. Lobo himself has not said a peep about Juan Carlos Bonilla, the national chief of police who is

accused of the death-squad killings with serious documentation by the former police inspector, Maria Luisa Borjas. He himself has supported Hector Ivan Mejia, who was the national spokesman and now the head of the transit police and under an arrest warrant for tear-gassing a peaceful demonstration of the opposition in 2011, and the invasion of an opposition radio station.

So it's Lobo who has looked the other way and allowed the appointment of El Tigre Bonilla. I wish I could say that Lobo was a good guy; I have wanted to believe it. He's not the very worst of them, but he has continually appointed these kinds of people to top positions.

The Chair: Okay, thank you for that.

We'll go now to our next questioner, Mr. Casey, please.

Mr. Sean Casey (Charlottetown, Lib.): Thanks, Mr. Chairman.

Thank you for appearing before us, Professor Frank. I want to ask you about the two prominent lawyers who were assassinated: Cabrera and Mazariegos. Can you tell us a bit about them and the proceedings that followed?

Dr. Dana Frank: Yes. The first one, Antonio Trejo Cabrera, was a lawyer for the MARCA, a group of campesinos in the Aguán Valley who had been pursuing an exclusively legal strategy. They were trying to reclaim land that had been illegally seized by Miguel Facussé, the richest and most powerful man in the country. In late May—I think May 30 of last year—they got the first legal decision in their favour to restore the land that had been illegally taken by Miguel Facussé. All summer, Antonia Trejo received death threats. He publicly said that if he were killed, Miguel Facussé would be responsible. He was assassinated in September in front of a church where he had just officiated at a wedding.

To be the best of my knowledge, nothing has gone forward in terms of prosecuting or charging or arresting anybody in the case of Antonio Trejo.

The other case, I am not as familiar with. There were newspaper stories in the next few days of people who had been supposedly arrested. I haven't seen anything since about any of those cases going forward. I think if they were going forward, it would have been in the news. I do follow the Honduran papers every day.

So we're seeing this pattern here of impunity, of politically motivated killings. I haven't talked about this, but there have been continuing assassinations and death threats and attacks against journalists and lawyers. The head of the association of independent television and radio stations was physically attacked just a few days ago for opposing a new law that would restrict media freedom.

• (1350)

Mr. Sean Casey: As for the very first one, Antonio Trejo Cabrera, my understanding is that earlier this year his brother was killed. Are you able to provide us with any sort of update on that? Is there any investigation into that?

Dr. Dana Frank: No, I don't think there's anything that I know of in terms of his brother being killed. That was part of the pattern of campesinos being assassinated in the Aguán Valley. But I'm sorry, I don't have information on that case.

Mr. Sean Casey: Okay, the lawyer in question was involved in a significant land dispute. Can you comment more generally on the land issues and their role, if you will, in all of these human rights concerns that you refer to?

Dr. Dana Frank: Yes, thanks so much for asking because there has been an enormous amount of international attention in the human rights community to the situation in the lower Aguán Valley. The land there has a history of land reform. It's where land reform historically took place in Honduras in the 1970s and 1980s. Gradually in the 1990s and 2000s, with the encouragement of previous governments, that land was re-taken over, mostly illegally—sometimes at the point of a gun, sometimes through corrupt legal practices, and sometimes with the encouragement of the government—by a series of large landowners who converted the land into African palm plantations, often forcing campesinos and campesino collectives off the land. The leader of those large landowners is Miguel Facussé, the richest and most powerful man in the country and one of the leading backers of the coup.

In the last three and a half years, since December 2009, there have been both legal cases pursued very actively to restore those lands and government lands that were supposed to be given as part of agrarian reform to the campesinos, and so-called land recuperations in which people re-take lands that have been seized from them illegally. In turn, Mr. Facussé and other landowners have allegedly killed at least 96 campesinos, one by one usually. It's what some people could call a slow-moving massacre. They have continued these assassinations, including at least 12 people since the first of this year. None of those cases have been prosecuted. There are other cases of security guards being killed—a few. We don't really know about the situation there.

It's very alarming and it's incredibly terrifying to watch the complete impunity of the situation in the Aguán Valley, which involves both U.S.-funded state security forces and these private armies of these individuals. There are, in fact, now more private security guards in Honduras than police.

One of the most terrifying situations concerning their power is that in the Aguán Valley a woman journalist who works with the campesinos was kidnapped in the early fall but not killed. Her kidnappers said they let her go so that she could go back and tell them that they were going to kill all of them, one by one—and that's what's been taking place.

The Chair: Thank you, Mr. Casey.

Mr. Sean Casey: Thank you.

The Chair: We'll go now to Mr. Sweet and Mr. Schellenberger, who are somehow going to split five minutes.

Mr. David Sweet: Thank you, Mr. Chair.

Thanks again, Ms. Frank.

I was trying to get the exact testimony, but I now remember what I wanted to ask you regarding Rick Craig's testimony. He was from the Justice Education Society of British Columbia. He mentioned that they were actually in four regions, but let's just say a number of regions. They were working with law enforcement and dealing with the most serious cases—the murders—and with crown attorneys and prosecutors and the police. This is a work in progress right now. He felt there was some positive movement being made in that regard, so

that they would learn how to deal with the most difficult cases, and in that way they'd be able to deal with those cases that were, for lack of better words, less of a priority than the outright slayings of people in the streets.

Are you aware of this work that they are doing on the ground?

• (1355)

Dr. Dana Frank: I'm not aware of every case. There's the U.S.-funded and -trained major crimes task force. I haven't seen significant results of all this. There have been a few token prosecutions—for example, the conviction of a member of the military police, who broke the camera of a journalist some time ago. That's one of the only....

I haven't seen it in the prominent cases, the big cases. For example, Alfredo Landaverde, a former police commissioner who denounced police corruption in the fall of 2011, was assassinated in December of 2011. On his case, very prominently, nothing has gone forward; and similarly on the case of Villatoro, a major radio announcer and friend of President Lobo who was assassinated in the spring of 2012. These are the most prominent cases that have not gone forward.

I think there is some motion to investigate some cases. I wouldn't say nothing is moving, but I would also say [*Technical difficulty—Editor*]...larger pattern is that this is tokenism. We're not seeing the kind of prosecutions we should.

The most obvious person who I believe should be prosecuted is Mr. Facussé, who has alleged and has himself admitted, including in a letter to me, that his security forces killed four campesinos at El Tumbador in late 2009. He says that it was in self-defence. Why has that situation not been investigated?

So I think, yes, there is some motion, but not at a significant level. With the recent appointments of Arturo Corrales, who was the chief negotiator for the leader of the coup, and Roberto Micheletti, the new minister of security and defence, we again have these really scary military figures now in charge of top positions at the police.

Also, there is a very alarming situation in prosecutor's office, where a recent top prosecutor in charge of money laundering was just assassinated a few weeks ago.

Mr. David Sweet: Ms. Frank, I want to ask you about this. Mr. Blackwell saw the purging of the attorney general as very positive, and yet you framed it as very negative.

I'm wondering if you could just respond to that quickly. I have one last question, so if you could do that in 60 seconds it would be great.

Dr. Dana Frank: Oh, no, I think the suspension of Luis Rubi, the attorney general, who's an alleged drug trafficker, from what I've heard, was a very good thing. Also, Danelia Ferrera, who was the top of the prosecutors, recently resigned because she was going to be suspended or asked to resign. She just resigned a couple of days ago.

I think those were very good moves. I would like to then see who will be the new attorney general, because the pattern here.... I believe it does suggest evidence of new pressure by the U.S. embassy. Again, I want to underscore that the pattern here is that people are suspended or transferred or asked to resign, and then the new people who are appointed have themselves terrifying track records of human rights abuses or corruption or drug trafficking.

I can't say this in every case—there are some clean people in there—but the pattern that I've been seeing over and over again is not good. These recent appointments are themselves a red flag.

Mr. David Sweet: Ms. Frank, you mentioned Brazil earlier. Are you of the opinion that disengagement is the only way to deal with Honduras, then?

Dr. Dana Frank: I think it would have to be an act of disengagement. I think what we actually need, and here I want to support the testimony of Karen Spring, who said the same thing [*Technical difficulty—Editor*]...the United Nations high commission on human rights to intervene.

I think the only way forward, really, is to have a commission like the CICIG in Guatemala, with authority above the Honduran government. It would be great to see Brazil involved in this kind of process. I think that is the only way forward.

I would just underscore that I do not think the current Honduran government, or Juan Orlando Hernández, one possible future president, will be capable of cleaning themselves up.

• (1400)

The Chair: If you want to ask for the letter, you can do it now.

Mr. David Sweet: Oh, okay.

The letter you referred to, from the person who had admitted the killing of several people, apparently in self-defence—could you forward that to the committee so that we can enter it in as evidence?

Dr. Dana Frank: I think so. I mean, it's a little dangerous. I can certainly speak about it; it's a letter that I personally received.

But yes, I can do that. He has admitted this in other contexts as well. So yes, I can forward that.

The Chair: We go now to our last questioner.

[*Translation*]

Mr. Jacob, the floor is yours.

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

Professor Frank, thank you for the wonderful light that your testimony has shone into our committee this afternoon.

In a word, Honduras is some way away from the rule of law. I would like to hear your comments and opinion on what I am about to say. An NGO called Freedom House ranks Honduras as the second most dangerous country for journalists. Since 2009, 19 journalists have been killed. It is a regrettable fact that the media are concentrated mainly in the hands of a few companies linked to those in power and that self-censorship is common. Corrupt journalists and manipulated advertising seem to be used to make sure that coverage is positive and that opponents are kept quiet.

You said earlier that there are attacks against television stations because they criticize those in power. Could you comment and give your opinion on that statement?

[*English*]

Dr. Dana Frank: I think the situation of the media and media freedom is very alarming. I have given a conservative estimate of the number of journalists who have been killed, but beyond that, the journalists who are in opposition to the federal government, and not just them but some of the people who have criticized local government as well, or spoken about drug trafficking, have been killed or threatened. It's a very terrifying situation to be a journalist. All major newspapers are controlled by the Honduran elites and it's a very scary situation for radio as well for print and online journalists. This includes people of many different political persuasions.

There was a recent law passed that makes it a crime to criticize a corporation or unjustly criticize parts of the government. There's a new media law that has been hotly debated as we speak that would control licensing and further restrict media freedom. This is a very alarming situation, not just in terms of the assassination and the death threats that go on all the time—the death threats are continuing, and there's the example of the man who was just attacked who was with the association of the independent radio and television stations—but also in terms of the concerted acts by the congress very recently to pass laws that very explicitly repress freedom of speech in Honduras. There has been a lot of attention paid to this, including a hearing last summer by the United States Congress and the Tom Lantos Human Rights Commission of the House of Representatives.

[*Translation*]

Mr. Pierre Jacob: According to the Committee of the Families of the Detained and Disappeared in Honduras, in 2010 only, there have been over 10,000 complaints of human rights violations against the security forces. Authorities in the justice system have not pursued those complaints.

Can you provide us with more details about the nature of those complaints?

[*English*]

Dr. Dana Frank: These complaints include... I haven't seen the entire 10,000 and I want to [*Technical difficulty—Editor*]...government itself has given the same figures. So this is not just COFADEH, which is very upstanding, but the Honduran government itself. I would also underscore the statistic from the government itself a few weeks ago saying that 80% of all crimes are an impunity.

The complaints about the state security forces include harassment, threats, killings, intimidation [*Technical difficulty—Editor*]...failure to act. It's very terrifying, sometimes to the point where people who were supposed to have protection get the very police officers who had threatened them. So it's a wide range of human rights abuses that have been spectacularly documented and if you're looking for the documentation of that, I would underscore that the report of the civil society truth commission is replete with testimony and examples of these kinds of abuses by state security forces.

Maria Luisa Borjas, the former police commissioner who had investigated El Tigre Bonilla, said famously that she'd rather meet five gang members down an alley than meet five police officers. So this is just routine. People come in [*Technical difficulty—Editor*]... objections and they themselves are harassed and threatened. It's a very terrifying thing to even speak up or to register any kinds of these grievances. People then get threatened for doing so.

• (1405)

[*Translation*]

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

The Chair: Thank you, Mr. Jacob.

[*English*]

Dr. Frank, I see the screen is actually working. Now we get to see what each other looks like.

Dr. Dana Frank: Hi. I'm holding the phone, because I'm not sure where the sound is coming from.

The Chair: Well, whatever you're doing, don't change it. It's working fine, and that's definitely a step upwards.

Before we let you go—and I do apologize, I would have enjoyed having more time to ask you questions—we have a couple of analysts with us from the Library of Parliament who have asked if you have a copy of the charter cities law in English translation. I think we have one in Spanish. We have wonderful translation facilities for French to English and the reverse, but Spanish stumps us up here.

Dr. Dana Frank: I don't have a copy of the entire law in translation, no. I can ask if I can find it. I myself don't have it, and I haven't seen it in English. I would assume it has been translated, because there has been so much attention to it in the international business press.

The Chair: It originally started as an American idea. The concept started in English and the original backers, at least in the early stages, I think were Americans with money.

Dr. Dana Frank: Yes, it was Paul Romer, although he has detached himself from it and says he doesn't support it because of the issues with lack of oversight.

Also, there are two laws I want to underscore. There was a law passed last year that was ruled unconstitutional by the Honduran supreme court, and a new version of it that was passed in late December or early January. So I do want to underscore that you'll want to get the new version of the law, not the one that moved around internationally in the past year.

The Chair: I see my analyst nodding, so I think she already knew that. I didn't know that.

Actually, this gives me a chance to ask one last question. You had raised some concerns about the suspension not merely of regular Honduran laws but actually of the constitution itself within the model cities. Was that the thing that caused its supreme court to strike down the first model cities law?

Dr. Dana Frank: I haven't seen the actual supreme court ruling. I certainly saw newspaper reports about it, which were huge.

There were a number of things, but my sense—albeit I'd have to go back and confirm it—is that it was because it did not in fact have jurisdiction for the Honduran constitution. There were a number of other sub-issues within that in terms of the whole ability to make treaties with foreign powers that were granted in the so-called model cities proposal.

I want to underscore that I think 12,000 people signed petitions opposing the model cities, and delivered them to the Honduran government. There was enormous opposition.

The Chair: Just to be clear, those petitions you mentioned were in opposition to the concept per se, not to the initial model cities law, the first law?

Dr. Dana Frank: Well, they would be specifically about that law, but I think the people in civil society are extremely alarmed about the idea of ceding Honduran territory to outsiders, and in particular outside corporations, who would then be free to exploit workers at whatever level they wanted. This is really terrifying that they could make foreign treaties.... It's a very terrifying concept to cede national territory, and terrifying that the Honduran government itself would say that it as government does not have the power to in fact make laws over its own territory.

The Chair: Okay. That's very helpful.

Everything you've done has been very helpful, and as I mentioned at the beginning, you've also been very patient with our technical problems. I want to thank you, Professor.

I guess what will happen, as we have a little bit of follow-up to do, is that our clerk will be in contact with you about the materials we have enquired about.

Again, on behalf of the entire subcommittee, thank you very much for attending today.

Dr. Dana Frank: Thanks to all of you for caring about Honduras, because it means an enormous amount to me personally. Thank you.

• (1410)

The Chair: Thank you very much.

Colleagues, we are dismissed.

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