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

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**EVIDENCE**

**Tuesday, April 8, 2014**

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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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•(1305)

[Translation]

**The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)):** Honourable members, welcome to this meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

Today is April 8, 2014, and this is the subcommittee's 21st meeting.

[English]

Before turning to the subject matter that will be occupying us today and to our witness, I'm going to take care of an administrative matter. Our witness right now is having technicalities with the three language translation system set up for today. So while that's being attended to I'll just ask Mr. Benskin to deal with the matter that he has sought, and I believe achieved, consensus on.

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Thank you, Mr. Chair.

I am seeking consensus from the committee to enter into a study on the aftermath of the Rwandan crisis in terms of looking at the effect on families now that we're 20 years later. There are children who were born of this conflict, sexual violence against women in a conflict situation, and these children are now in their twenties. There is a distinct and very clear effect that this has had on their community and I think it behooves us to look at this especially in companionship to the study we are doing on sexual violence in conflict situations. There was a series of articles in the *Montreal Gazette* and *La Presse* last weekend, which interviewed many of these women and these families and the profound effect of this type of event can be seen in tangible form. I think it's something we could definitely learn from.

**The Chair:** We have consensus to look at that, I assume?

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Chair, just because we're trying to do it fast and we obviously don't need to distribute the motion, but just so that we're agreed it was the motion that was submitted to the Chair?

**The Chair:** There is a motion, that's what we're agreeing to.

I agree, I was going to say I don't want to debate the motion, I wanted to get agreement on it.

**Mr. David Sweet:** Yes.

**The Chair:** Let's go to our witness for the day. We are continuing to look at the human rights situation in Honduras. With us today as a

witness is Bertha Oliva who is the coordinator of the Committee of Relatives of the Detained and Disappeared in Honduras. I'm just going to confirm with her that she is getting a translation.

Excellent. If at any time you have a problem with the translation, just let us know.

I would like to invite you, Ms. Oliva, to begin your testimony. Normally we ask people to give a 10-minute presentation, but that's only a guideline. Once you're finished we will ask each of the members of the committee to pose questions to you. How much time each of them has is determined by how much time your presentation took and how much time we have left.

**Ms. Bertha Oliva (General Coordinator, Committee of Relatives of the Detained and Disappeared in Honduras) (Interpretation):** Thank you very much for allowing me to be here with you to talk about the human rights situation in my country, Honduras. My name is Bertha Oliva, and I represent the committee of family members of the detained and disappeared, COFADEH, which is an organization that has been around for 30 years.

Right now, unfortunately, Honduras is the most violent country in Latin America. I am saying this with concern.

Up until December 2013, 79 murders for every 100,000 inhabitants was the tally. That means that 19 people were murdered daily. In the first few months of 2014, there has been a total of 18 massacres in which at least three people have died in each massacre. This, to us, is an epidemic. Logically, our greatest concern is that there is a trend toward privatizing public security. The privatization of public security without sufficient control by the state does not in any way improve the situation.

There is also a lack of interest in creating a more professional police force, and what we can see on the streets of our country and in our country as a whole is the military working on civilian security. That is very worrisome. That makes Honduras a completely militarized country, just like in the olden days in the 1980s, for example, when COFADEH was born.

There were seven armies at the time, six of which were not Honduran. That is what led to the severe human rights violations, with an outcome of over 200 disappeared persons recognized by the state of Honduras at the time. But with regard to disappearances, we know the numbers were higher than 200.

That is what is happening in Honduras, and we have seen a trend that has gone from selective killings to massacres. There's been a shift from public persecution to persecution in prisons. Last year, I'm sure that you know, there was an incident in a prison. There was a fire in which 376 people were burned.

So far the Honduran state has done nothing to investigate the causes for that fire in the prison or to make reparations. More and more, we see the privatization of public security with private security firms. There are from 75,000 to 120,000 private security guards, and this is worrisome for us because it is an army with very little control on the part of the Honduran state. This private security force has been responsible for horrible human rights violations in the Bajo Aguán region. Over 100 peasants have been murdered in recent times and there has been no investigation to find those who are guilty.

• (1310)

In that same region once again we see that there have been forced disappearances of people, and COFADEH has been working on ensuring that there would never be forced disappearances again, but we see them once again in the Aguán sector or zone.

We also know that practices there are a test run and that those practices are spreading throughout Honduras. It concerns us to see that human rights violations are being generalized throughout the country. It is not because there is a lack of security, necessarily, because we are told that it is drug trafficking and related crime and organized crime that create insecurity, but that's not what we're saying. What we are saying is that there is a policy that is being put into practice by the state to annihilate political dissidents.

The results of our pre-electoral monitoring before the recent elections on November 24, 2013, from May to November a number of people were murdered and when you hear that figure you may say, "Well, it's an acceptable number" but we're talking about 45 people who were murdered because they were political opponents, because they were members of the popular resistance front, or simply because they were part of the new political party, Libre. It is the party with the most seats in the national congress.

But that's not all with regard to human rights violations. That was before the election and since the election there has been continued political persecution of dissidents. There are well-known leaders in their communities who have been murdered; they had made their demands and had made their claims to human rights organizations and with COFADEH before they were murdered. We helped them to present their claims to investigative agencies and in some cases there have been some investigations, but the results of those investigations have not been provided. Meanwhile, the people involved have been murdered.

So we are now in a situation that we have not seen in years. Often for people who made their demands and explained their cases to COFADEH, that was a way of saving their own lives because we could go ahead and ensure investigations that would have saved their lives. But today the cases that we see are completely different and there is a different pattern. The denunciation is made to the state that is in charge of investigating them, and then a few days later those same people are murdered and then the investigation simply dies. The public security ministry must represent victims in the

investigation, and must ensure that prosecution requirements are met so that cases can go to court, but in fact it's doing something else. The authorities are not doing their job; therefore, when it comes to human rights the Honduran population has absolutely no defence.

That is a source of concern for us because there has been a criminalization and a stigmatization of unions and labour movements. In recent times trade unionists have been the object of all kinds of persecution.

• (1315)

Their children have been murdered in some cases. Others have had their children kidnapped temporarily. Their families have been threatened because after the coup in Honduras, we managed to ensure some measures to protect some of the precautionary measures issued by the Inter-American Court of Human Rights. But the leaders of trade unions are not necessarily being persecuted, but their families are being attacked. That is what we want to speak out against loudly and clearly because there is no political role on the part of the Honduran government to guarantee the full exercise of citizens' right to publicly demand respect for their rights or even privately demand respect for their rights.

The right to information is not available either. The information that is disseminated through the media is filtered, and the right to information and the right to free expression is being violated in Honduras, and as a necessary corollary, human rights violations continue.

This creates an obstacle to the access to information on the part of social advocates and the press. What concerns us even more is after the coup, there have been two very serious reports. One is the report of the Truth and Reconciliation Commission that the Government of Honduras encouraged...so there could be an international perception that the government was concerned with the human rights situation in Honduras. There's also the report of the truth commission that was created by the victims themselves, and that second commission, an alternate commission, is the one that is making recommendations that must be taken seriously so that human rights can be respected.

We believe the state authorities have an obligation to provide reparations for human rights violations. It is a debt of the Honduran state, but rather than pay that debt the state is creating strategies to continue violating human rights. There are no functional institutions set up. There are formal institutions, but the undermining of state institutions is truly regrettable.

The fact that state powers have been concentrated means that in Honduras we cannot improve living conditions and security of everyday people. I would like to repeat what I have been saying in recent days. Honduras does live in incredible insecurity. The statistics by the Violence Observatory and Alliance House, which provides statistics on violent deaths for young people between the ages of 14 to 20, are terrible. But the Violence Observatory has caused concern to ask because we see there is no interest in investigating murders.

There is, however, an interest in justifying the violence and the crimes by saying they are the result of drug trafficking, drug-related activity, gangs, and organized crime. But we are convinced there is a government state policy because we have found patterns that are extremely clear. There is political persecution of political dissidents. Of the over 30 journalists who have been murdered in recent times, two were investigated and in those cases they were not murdered because of what they were doing.

• (1320)

In the case of teachers, over 40 teachers have been murdered in recent days, and none of those cases has been investigated—quite the contrary. The teachers' union has had its reputation actively tarnished, and we are concerned because we have never seen so many concentrated violations of human rights against women before. Over 624 women have been murdered, and no investigations have taken place.

We thought that now at least we would have the opportunity to trust in a government entity in Honduras and that a national commissioner of human rights would be appointed to defend the people. An ombudsman, a trustworthy, credible person for the population—that's what we wanted. We made proposals to the national congress to appoint such an ombudsman, but the result has been that the appointee is a lawyer and—I'll provide you this context—a diplomat. Yes, he is diplomatic. He defends the mining industry and mining companies, and the greatest conflicts in our country are caused by mining companies. The reason for that is because there is no prior consultation and the rights of the communities near mines are not being respected. So it's logical that when people are faced with mining companies that are expropriating their lands, they will protest. So the situation in the country in that regard is lamentable.

We are here to tell you about it so that you can help us find a way toward not necessarily a solution that will please everyone but a solution that respects and supports human rights.

When you see that there are over 3,000 peasants facing court cases in our country because they have demanded their right to land ownership, they are being persecuted actually not only by being killed, but they also are being persecuted in the courts. And for us, when we see that happening, we feel there is very little that human rights organizations can do other than document and support those cases, but actually the results that we can achieve to strengthen the rule of law are very few.

Thank you very much.

• (1325)

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

We have enough time—we are at two minutes before the bottom of the hour—to allow five minutes for each round of questions and answers, including of course both the question and the answer. That probably means one question per questioner.

So with that in mind, Mr. Sweet, I'll turn things over to you.

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

I hope I can get more than one question in. My first question is a quick one just to verify something.

Ms. Oliva de Nativí, thank you very much for your testimony. You said 624 women have been murdered. Could you tell us the timeframe within which they were murdered?

**Ms. Bertha Oliva (Interpretation):** Those women were murdered in the last four years.

**Mr. David Sweet:** You mentioned that 45 political opposition members have been murdered. So I'm curious to know, because no doubt they are in the parliament raising this on a consistent basis, I would think, their own colleagues being murdered.... You mentioned the present government doesn't have the political will to take action to defend individuals' human rights. How are they responding to the calls that the opposition must be making for them to act and investigate and bring these people who were responsible for the 45 murders to justice?

• (1330)

**Ms. Bertha Oliva (Interpretation):** With regard to the 45 teachers who have been murdered, the denunciations are presented to public safety, which is a department in charge of conducting the investigations, and the denunciations are then presented to the public prosecutor. The result is a bogging down in red tape of the denunciations that are presented to the public prosecutor's office.

The recent attorney general went to the national congress in Honduras and was asked to explain what his job is. His answer was that of the denunciations or accusations that have been transmitted to the public prosecutor's office, there were only 20% that were being processed; the other 80% were not being processed. A discourse was intended to save the public ministry from any blame, but there was no effort to actually investigate the cases that were presented. That is what has been happening.

We're not the only ones who say this. The authorities of the Supreme Court in our country told a delegation of Spanish parliamentarians who recently visited Honduras to conduct an observation of human rights and stated that impunity is what prevails in Honduras. Imagine. The Supreme Court is in charge of implementing justice. With these cases, what we are trying to do is to create a report with the teachers' union so that we can actually present the cases to the International Labour Organization, and also, if possible, to the Inter-American Commission on Human Rights and the International Criminal Court. We have to find ways and means to give Hondurans back the certainty that the rule of law must work because we want the rule of law to work in our country.

**Mr. David Sweet:** Ms. Oliva, you mentioned the teachers, but I was trying to focus specifically on the politicians who were opposition who were murdered because I'm thinking that their colleagues who are in the parliament are probably raising this. How is the government responding to them? I can see how they might try to dissuade citizens who don't have that voice inside the parliament. How are they responding to those opposition leaders?

**Ms. Bertha Oliva (Interpretation):** I'm not sure whether I mentioned the concentration of power. Libre is the name of the political party that recently came to power, and it is the second-most powerful political party in Honduras and we can see that with the participation of 37 members in the national congress. What you can see is that there is a very strong alliance between the liberal party and the national party, and in most cases it is not necessary to even obtain the votes of the Libre party to make decisions.

The problem is that Libre, the party that represents the political opposition—that's who we're talking about; the people who have been murdered—does not have a voice in congress. Libre does not have a voice when it comes to freedom of expression. We know that that's another right that is being violated in our national congress because right now what is happening is that the democracy—or rather, the dictatorship that is disguised as a democracy—means that we are faced with a situation where we present cases to the authorities because that is the entity within the government that is responsible for investigating the cases and we get nowhere with it. On the other hand, Libre does not have the necessary political strength to do anything. In fact, after the elections, members of the political opposition were murdered. They are not even allowed to speak out in the national congress at all. So, the families of the victims do not have a voice.

• (1335)

**The Chair:** Mr. Marston.

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

Before I start, I have a statement in the House so I'll have to leave very shortly, my apologies to our guest.

**The Chair:** Before you go, Mr. Marston, I'll just say if anybody else has to leave early, we can adjust the order of the questioning with that in mind.

**Mr. Wayne Marston:** I want to thank you, first of all, for coming to Canada to bring to our attention the very serious situation in Honduras.

Canada and Honduras are involved in free trade negotiations, and one of the things we hear from our government here is that they believe that free trade agreements will help raise the situation on human rights. We're concerned, in the opposition, that there is not a level of accountability in those agreements to ensure that.

You recently had a person—I understand, Dina Meza—who stated in an article in the *Toronto Star* that not a single honest state institution survives in her country. She went on to say, “We have to clean everything up. We have to start from zero because everything is corrupt.”

For you, the question is, do you see the free trade agreement doing anything on behalf of human rights in your country?

**Ms. Bertha Oliva (Interpretation):** The point here with regard to the free trade agreement is the fact that it lacks mechanisms for regulating the actions of companies, and I don't think the free trade agreement, without regulations, without standards and mechanisms, will be able to be carried out and to show that, in fact, there is a concern for not violating the rights of workers.

I think it's quite the contrary. If the free trade agreement is approved as it stands, the consequences will be terrible. I would actually like to ask that you do whatever is necessary to make sure it's possible that the people who work within the government industry factories can be consulted, rather than simply applying standards with respect to human rights when the situation is such that human rights are being violated.

There have been factories in Honduras for years, and you've seen the level of poverty in Honduras. In fact, Honduras is getting poorer and poorer because the exploitation is increasing.

It is necessary to regulate that and to ensure that human rights defenders and advocates can make a difference. When there is no standard and when there are no mechanisms, when there is no control over what companies are doing, be they mining companies or garment companies, violations will take place in a country, and people will work because they need to work. That doesn't mean, however, that this translates into prosperity and that there is some kind of guarantee of labour rights and wealth. What's guaranteed is exploitation.

On that, what we must do is ensure that each worker has a life where he or she can live in dignity. We cannot simply exploit workers and then forget them and abandon them.

A great deal has to be done in Honduras to improve things, but what is truly at play right now is the human rights situation, the human rights violations. It is part of the government's policy, and we can see that clearly because a number of laws have been adopted in the national congress. Those laws restrict rights and they in fact encourage human rights violators to continue violating human rights because of the level of impunity.

There is a historic debt in Honduras when it comes to ensuring that justice is done, and impunity makes it possible for those who violate human rights to continue to do so, because there is no judgment, there is no punishment. This situation has arisen because governments are not interested in conducting serious and independent investigations.

• (1340)

**Mr. Wayne Marston:** Do I have...?

**The Chair:** Actually, you're out of time. Thank you, Mr. Marston.

**Mr. Wayne Marston:** Thank you very much.

**The Chair:** Ms. Grewal.

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Thank you, Chair, and thank you to Ms. Oliva for your time and your presentation. Certainly all of us appreciate that.

Ms. Oliva, the international community has known about the human rights situation in Honduras for quite a long time. What peace offer or international involvement has done the most to protect human rights in Honduras, and what actions would be the most useful in improving the observation of human rights?

**Ms. Bertha Oliva (Interpretation):** I think that the international community and governments really have to strengthen their knowledge of human rights because a great deal is invested to help, to provide the technical tools to the military and to the government authorities in charge of ensuring public security, and they're the ones who are persecuting the people.

I think international governments should rethink their approach. It is not enough to simply say that we have a project that looks very good and it looks like it will help raise people's awareness about human rights. I think that we have to let the Honduran government know that if there is no effective proof of transparency in the way that human rights are managed in Honduras, and in the way public funds are managed in Honduras, there can be no support, because human rights keep getting violated again and again. That's one thing.

So there has to be a cause and effect to the effect that if the government continues to violate human rights, and when there is a situation of impunity, and when this impunity exists, who allows it to occur? Well, it's the authorities who are in charge of implementing justice. The impunity exists because the state is complicit in these crimes. That is why impunity is a major issue, and I think that would be a good topic to discuss with the Government of Honduras.

The other thing I'd like to say is that I think there should be periodic observation, official observation, but not just with members of the state and the officials of the country. Those observations must take place in the field. There must be talks with the various organizations—human rights organizations, communities, and social organizations—to obtain information. It's important to talk with the various survivors of the tragedies that have occurred and with family members of victims. There should be a space for debate so that the government and its authorities, and most of all the government authorities in charge of implementing justice, so that they can be asked point-blank what is happening, why there is no follow-up.

The answer is because there is no political will to do so and we confirm that, because we have the information, we have the data, and we present claims, we bring cases to court, and they don't get through. So that's what government and representatives of the government can do, they can talk about impunity.

● (1345)

**Mrs. Nina Grewal:** Well, Honduras has had a really rough road to democracy, and we have seen other Latin American states such as Chile transition much more smoothly, and with a greater capacity to prevent human rights violations than Honduras. So what makes Honduras kind of politically more vulnerable than other countries?

**Ms. Bertha Oliva:** I think it is precisely because there is a lack of political will internally. I think it's because there is not a great deal of observation of the agreements with other countries and whether the terms of those agreements are respected. I think that the Government of Honduras has a historic debt with regard to punishing human rights violators.

In my organization, in COFADEH, if an investigation process had been undertaken, if those responsible for the crimes had been taken to court, and if there had been a process for bringing back the trust of family members, things would be different. That's not the case and there is a debt on the part of the Government of Honduras with regard to prosecuting those responsible for creating victims. That debt is towards the family members of victims. That has created an obstacle to the country's progress and we are caught in a repetitive cycle in which the perpetrators of human rights violations become the ambassadors for the country to other countries.

Those who have committed crimes against humanity in the past are the same ones who were very active in the coup that took place in

2009. That has led to the slew of human rights violations. Today, some of the perpetrators of human rights violations are in key positions, important positions in charge of civilian security and public security. They're within the public authority responsible for people's security.

How can the people have trust in the government when we know that those who perpetrated human rights violations are responsible for protecting them from similar violations? So the government is becoming weaker and less credible, and there has been a movement towards consolidating impunity.

**The Chair:** Unfortunately, that does use up your time.

Mr. Benskin, you're next.

**Mr. Tyrone Benskin:** Thank you.

Thank you for being here. Thank you for your insight as to what's happening in Honduras.

Listening to your testimony, it's quite frankly hard to know where to begin the discussion. Before I get to the original question I was going to ask, I would like to pick up on your last comment about the perpetrators of human rights violations becoming ambassadors to other countries. In your opinion, what could the international community do in cases like that, where they have representatives who have been either accused or are known to have committed human rights violations and are now representing a country? Is there anything, in your opinion, that the international community could do in terms of accepting their credentials, not accepting their credentials, in some form that would send a message to the Honduran government?

● (1350)

**Ms. Bertha Oliva (Interpretation):** In the case before us with regard to the perpetrators of human rights violations, I think that a message should be sent by other governments to the Government of Honduras so that the security of the people not be entrusted to past human rights violators who have been shown to violate human rights and who have never been punished because of the impunity that reigns in the country.

I think that there could be official action on the part of other governments to ask the Honduran government why certain people are in charge of public security when in fact they have violated human rights in the past and haven't been judged for it—not because there isn't proof, not because the cases haven't been presented to the courts, but because there simply has been no political will to actually go through with punishing those people.

So that is why we know as well that the justice system should not be a question of political will. The justice system should be applied regardless of who's in power. But in Honduras there has been a restriction of the independence of the powers of the state—basically the state's power to implement justice—and that is why we are in the situation we have today. That situation will continue if we do not at least have governments like the Government of Canada call the Government of Honduras to task about that.

If you would like to ask me what cases I can transmit to you, I can tell you that I have a great deal of proof and a great number of cases that I can transmit.

**Mr. Tyrone Benskin:** Thank you for that answer.

You mentioned earlier that, I believe it was between 75,000 and 125,000 individuals or private security forces members exist in Honduras, and I'd like to know how much of that number— And you also mentioned that there isn't the political will or the desire to form a professional public security force or a professional government-run public security force.

Out of those, can you give me a rough estimate, if possible, of the number of individuals in the private security sector who are directly engaged by private companies in Honduras, and in particular, internationally based private companies?

**Ms. Bertha Oliva (Interpretation):** Sorry, I didn't understand the question properly.

**Mr. Tyrone Benskin:** You mentioned that there are between 75,000 and 125,000 private security members in Honduras. So these are people who are paid by a private entity. Are these people paid for or engaged directly by companies in Honduras? Are they paid for by the government or by a combination of both?

Can you tell me what the breakdown is, internationally? In other words, are there international companies that engage a significant number of these private security forces? Who do they answer to?

**Ms. Bertha Oliva:** Yes, when we look at that figure from 75,000 to 120,000 members of private security, that means they are at the disposal of the Honduran state to ensure security in the country. So for the most part, the people in charge of these individual security members are former members of the military who were responsible for human rights violations in the past, or who are current members of the military who are perpetrating them now. So these are the security forces that are arresting people. I have the example of the Bajo Aguán region. There are the forces, and we're not just talking about the police and the military, but we also have the peasants who are making their demands for land reform, and there is this other military force of private security force members, so there's a combined effect. There's public security, there's the military, and there's the private security forces that work together. For us, that creates a very dangerous situation, because, be it national or international, those private security forces are operating in the country. But I would only like to refer to national private security forces because they are very dangerous, and there is no control or record, really, that can guarantee who it is, where they come from, who these people are within the private security force. This creates a high-risk situation that leads to the impunity that I mentioned earlier, because it's very difficult to investigate and find, even, a member of a private security force who committed a crime.

For example, in the Bajo Aguán region, three members of private security forces from one of the businessmen in the area, raped a young woman. There was no way of finding out who was responsible for that rape. The private security force members wear a uniform, but there's no way of knowing who they are because they don't have their identity papers, and that can lead to all types of violations and atrocities. That is a constant concern for us because, on the one hand, they generate fear and terror, and furthermore we have to be very, very careful because they work with the military and the police in Honduras.

• (1355)

**The Chair:** Thank you.

Mr. Schellenberger, please.

**Mr. Gary Schellenberger (Perth—Wellington, CPC):** Thank you very much for your testimony here, Ms. Oliva. We've heard other testimony before from people from Honduras or people who are knowledgeable.

What was the human rights situation before the coup? What was it like before the coup?

**Ms. Bertha Oliva:** I don't think you're asking a political question, are you? But I will answer it.

**Mr. Gary Schellenberger:** I don't think it's political, no. What was the situation with human rights in Honduras before the coup?

**Ms. Bertha Oliva (Interpretation):** When I talk about impunity and I tell you that I have been a member of the organization that I represent for 30 years, I think it demonstrates the very little interest that the representatives of the Honduras government have had when it comes to fighting impunity.

But I will tell you that throughout the eighties, we saw the worst barbaric forced disappearances and political assassinations. In the nineties, through certain public institutions of the government, new institutions that were created at the time, there was the beginning of a search to implement justice and create sanctions and punish those responsible. After the year 2000 there were some cases presented for prosecution against the perpetrators of human rights violations.

But after the coup, as before, there were violations of human rights. But before the coup it wasn't a state policy. There had not been punishment of those responsible. They were still there in the state institutions and they violated human rights freely because they could. Simply, they could. But it wasn't a policy. But what we have seen since the coup is a state policy that is very similar to the one that existed in the eighties, and that is what we want to stop, because it is a clear attack on political dissidence.

So if we do not come to forums such as this to talk about our concern, the situation in Honduras will be even worse than what it was in the eighties, because in the eighties there was not as much expertise and the level of impunity was not as severe as it is now for the perpetrators of human rights violations. Now the same perpetrators are more knowledgeable, have more expertise, and they know how to use the system to protect themselves and continue their violations.



•(1400)

**Mr. Gary Schellenberger:** We were told that the police were not capable of investigating. They didn't know how to investigate, but they're being trained now in how to investigate, collect evidence, be able to charge and prosecute people. That's what we were told, that people now might go and be picked up and looked at, and they know very well that they caused an injustice or a murder or whatever it was, but because they never collected the evidence properly, it gets thrown out if it goes to the judiciary, if it goes to the judge. Is the judicial part of Honduras credible?

**Ms. Bertha Oliva (Interpretation):** That is our Achilles heel. It is clear that the police will not have the capacity to investigate, because those who commit human rights violations are members of the police. They're authorities. They're state agents. Rather than searching for evidence, they clear the scene of the crime. That's one point.

The other point is that the public authorities allow this to happen. Furthermore, the judiciary does not have credibility because it is not independent. I'm not trying to say that they don't know or don't have sufficient knowledge; it's that they're not independent. They act and hand down decisions, but they decide who they will punish. If they receive the order to set someone free or not to bring them to account even though there may be proof against them, the judiciary must let them go free. That's the problem, because there is state corruption. That corruption doesn't just mean money grabbing. It is also manipulation with regard to what the public receives, and in this case it's information. So there is no credibility because of those who have

guaranteed impunity in Honduras. It's a very serious situation, and they themselves refer to this.

Perhaps we do not have to start from scratch, but we do have to see how we can reconfigure the state's public institutions and how we can ensure that citizens act to show that crimes are being committed, and that there is some kind of obligation to punish those crimes. Corruption also takes that shape. Our justice system has virtually collapsed.

•(1405)

**The Chair:** I want to thank our witness today.

We've really appreciated the fact that you could come and testify before us. This has been most helpful to us in engaging in our ongoing hearings. We are aware of course that you were testifying before another committee. I can only imagine how exhausting it is to be a witness before two committees in a row. I very much appreciate it and very much appreciate the dedication that you show for your cause.

Thank you.

**Ms. Bertha Oliva (Interpretation):** Thank you very much for allowing me to be here with you and to talk about this issue that is of concern for us.

**The Chair:** We'll be back on Thursday at the same time.

The meeting is adjourned.

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