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## **Standing Committee on International Trade**

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**EVIDENCE**

**Thursday, March 26, 2009**

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**Chair**

**Mr. Lee Richardson**

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## Standing Committee on International Trade

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• (0945)

[English]

**The Chair (Mr. Lee Richardson (Calgary Centre, CPC)):** Thank you, committee, and let us welcome our witnesses.

We're pleased today to have visitors from Colombia. We have, from the Senate of the Republic of Colombia, Jorge Enrique Robledo. Welcome, Senator. We also have His Excellency Jaime Duarte, the Colombian Ambassador to Canada, who has appeared before the committee before. I appreciate your reappearance on short notice, Your Excellency, to provide witness today.

I'm going to ask our visitors to perhaps open with a brief opening statement. I will ask Senator Robledo to make a few opening comments, followed by his excellency the ambassador, at which point we will then go to questions of the committee members. With that, if we're all understood, and have our interpretation devices at hand, I will ask Senator Robledo to begin.

**Hon. Jorge Enrique Robledo (Senator, The Senate of the Republic of Colombia) (Interpretation):** I would like to begin by extending my special thanks to all of you from this important committee of the Canadian Parliament for the hospitality you are showing me this morning.

**The Chair:** I'm sorry, Senator. Excuse us one moment.

We are apparently getting amplification of Spanish simultaneously with the translation in both French and English. Both are coming over the same channel at the same time, and it's difficult to separate the two. We'll just take a moment to see if we can work that out. We were getting the translation, but it was at the same time over the same channel as the Spanish.

• (0950)

**Hon. Jorge Enrique Robledo (Interpretation):** Let's try this out. Can you hear the English?

**The Chair:** Thank you, and sorry for that inconvenience. Now we'll hear the voice of the people. You won't be silenced after all.

I ask you, Senator Robledo, to recommence. Thank you, Senator.

**Hon. Jorge Enrique Robledo (Interpretation):** I would like to repeat my thanks to this committee of the Canadian Parliament for the hospitality you have extended to us, the chance to share with you our points of view on a topic as important as the possibility of a free trade agreement between Canada and Colombia.

Firstly, I would like to explain to you that I belong to the Alternative Democratic Pole, a Colombian party that since its birth has made it perfectly clear that it does not support nor sponsor nor

participate in any way in the armed struggle, much less in any way justify abominable acts such as kidnapping. It would seem that in a discussion on these matters of trade, beginning with this might be too much. But in the case of Colombia, I feel that it is not, because it is good to make clear that in Colombia there are not two positions in the political struggle, that of the government and that of the armed forces, but rather three positions—even more, I would say—in these matters of Colombian political life.

Secondly, I would also like to point out that the Alternative Democratic Pole on principle considers it a positive thing for the peoples of the world to relate to one another economically in many ways, and that we also do not have a position against international economic treaties. Nor are we in principle against the importing of goods or exporting of goods and services. We also feel it could be desirable to have foreign investment in the territory of Colombia. All of this is of course provided that a series of conditions are met in those economic exchanges that ensure reciprocal benefit for the various parties involved in those economic exchanges.

Thirdly, I would like to point out that from our point of view, the Democratic Party in the United States is completely correct, as expressed both in the U.S. Congress and by the government itself, that the government of Colombia, the government presided over by Álvaro Uribe Vélez, does not stand up to serious scrutiny with regard to its respect for and attitude towards human rights in Colombia.

It is common knowledge that our country is one of the most dangerous, or probably the most dangerous, in the world for union activity. The number of trade unionists killed is extremely high. In the government there is also a fairly high number. There are serious problems also with respect to the position of the national government concerning the investigations brought by the Supreme Court of Justice against parapolitics. Parapolitics is a term used in our country to refer to the ties between senior political leaders in Colombia and the paramilitary criminal organizations. In at least 80% of cases—and we are talking about dozens of cases—these ties involve senior officials from the parties that are part of the coalition government of Álvaro Uribe Vélez.

In light of more recent events in our country, the U.S. Congress considers the conduct or explanations of the Government of Colombia to be insufficient. These events are referred to in our country as “false positives”. A “positive” in military jargon is an enemy who dies in combat. A false positive arises when a person who is not involved in the war is killed, so that he can be portrayed as a guerrilla fallen in combat, and we are talking about youths from the shanty towns of Colombia. I do not want to go into detail about these events that are so painful and tragic in the life of our country, but what is certain is that we think—as, I repeat, most of the U.S. Congress thinks—that the government of Álvaro Uribe Vélez does not stand up to the scrutiny that it should under such circumstances.

I can understand there are governments in the world that have the right to decide they are not going to take such matters into account when it comes to business, because they think business is business, right? And that is a position a government may assume. However, of course, what I cannot in any way condone is the attempt to say that in Colombia, this test of democratic guarantees for trade unionists, workers, and citizens stands up to objective analysis. Because if such guarantees were put to the test, they would fail miserably.

• (0955)

Nor can it be said that free trade will facilitate the search for peace that is urgently required by our country. In the case of Colombia, specifically of Colombia, we can demonstrate that many of the free trade policies applied in Colombia, beginning with the World Trade Organization agreements, have caused enormous harm to the national economy. As a single example, Colombia was a self-sufficient country in agricultural production—in food production—until 1990, and now we are importing eight million tonnes of food. These imports are of course ruining our businesses, leaving our farm workers without jobs, and also ruining our rural inhabitants and indigenous peoples, many of whom, even if they do not want to do so, are forced by free trade and the destruction of their economies to devote themselves to crops such as cocoa, for example. This, in one way or another, expands the power of drug trafficking, and causes them to become prisoners in a way to the horrors of violence in our country. I am not of those who believe that poverty alone justifies violence, but I do believe that poverty is a breeding ground for violence, and we can show over and over again that in the case of Colombia, free trade inevitably generates poverty.

In the end, in our case, even if there were no violence, there are also no guarantees for our trade unionists. One can show that neither the laws of Colombia nor the government’s interpretation of them favours truly democratic union practices. Organization is impossible in many circumstances. Collective bargaining is denied on many occasions, as is the right to strike, and this obviously negatively affects the defence of labour rights.

Lastly, I would say that I can understand that some national areas in Canada will benefit quite a bit from the free trade agreement, as in the case of Colombia. But I can assure you that the Colombian people will lose a lot. I also think that free trade is not positive for the Canadian people in the medium and long term. I fear that if this continues, Canada will experience loss at some point, such as in its social security system, which today is an example to the world. I think that the world crisis we are experiencing today is also a crisis

of free trade and of these policies that adversely affect not only Colombia but all the world’s people.

I therefore hope that the Canadian Parliament will not approve the free trade agreement that has been signed by the two governments, and that we can find a more democratic—and I would say more civilized—means for Canada and Colombia to establish the best possible economic and trade relations.

Thank you very much.

• (1000)

**The Chair:** Thank you, Senator.

Your Excellency, would you like to comment or make an opening statement?

**His Excellency Jaime Giron Duarte (Ambassador of the Republic of Colombia to Canada, Embassy of the Republic of Colombia) (Interpretation):** Yes, Mr. Chair.

First of all, I would like to express my deepest thanks to this honourable committee for the opportunity it has given me to participate in this meeting.

I would also like to extend my greetings to Honourable Senator Jorge Enrique Robledo of the Republic of Colombia.

Mr. Chair, I have a statement that is rather contrary to the statement just made by Senator Robledo. My statement is along the following lines.

On a previous occasion last year, when I had the fortune of being invited to this committee, I was able to explain in detail how the situation of violence in Colombia is a situation that has lasted almost five decades and has generated a number of phenomena in the country. Civilians have been killed and displaced to other areas, corruption has been generated, and the drug-trafficking business has been promoted.

As I said last year, the whole social situation of the country, coupled with what we now recognize as an absence of the state in most of the territory at that time, allowed all those phenomena to increase. The situation reached a truly unmanageable point early in this decade. In the early part of this decade, we could say that Colombia was poised to become what the international community calls a “failed state”. It was then that the country engaged in reflection, acknowledging that it needed a strategy that would recover for the country what it needed.

For that policy, there was the reflection that there had to be a positive strategy that would recover for the country what was its due. That policy had to begin with restoring security in the country and making the presence of the state felt in all corners of the territory.

It is a policy that first was offered by President Alvaro Uribe as a candidate and then developed by him as head of state. It is based on three main elements: first, seeking security for all; second, seeking social investment that helps improve the standard of living of inhabitants; and third, managing healthy economic policies that not only help us achieve social objectives, but also recover for Colombia the confidence of Colombians in their country and the trust of the international community in Colombia, with the understanding that this confidence we seek also has to do with the country's need for investment.

It is in that sense that the government, in its thinking, is looking with greater interest at the foreign sector of the economy. It is looking with interest at this because it is convinced that mobilizing the foreign sector and inviting foreign investment will be the best means of generating employment—quality employment, employment with social security, and employment that serves to rebuild the social fabric of Colombia.

It is in this sense that a policy of seeking out markets has been defined, markets for legal products. Why do I refer to this? Because we have a high level of unemployment in Colombia. It has been shown that one out of seven Colombians is part of the informal sector of the economy—i.e., a citizen who works but does not enjoy the benefits of social security. Of course that person's dependants are completely unprotected.

Job creation also needs to be considered, because the peace sought in the government's policy has proven to be very elusive and has not yet materialized. Negotiations have begun with various illegal armed groups. First are the negotiations with the so-called paramilitaries, the armed far-right groups, which have led to the demobilization of nearly 35,000 troops from their groups.

• (1005)

However, there have also been individual demobilizations of members of extreme left-wing armed groups totaling about 15,000. We are speaking of a demobilized population of about 50,000 people. These people have to return to civilian life in the country. They should be offered an opportunity to produce legal items, but there is no point in producing and increasing the country's production if there is no place to sell what is produced. Hence the importance of the trade policy that is being crafted.

The search for a trade agreement with Canada, as was the case with the United States, has not been for political or ideological reasons—it is a true need that we have. We have already negotiated agreements with the United States, Canada, Mexico, Chile, Central America, and the European Free Trade Association. We are currently in Lima in the second round of negotiations with the European Union, and have had talks on the framework that would serve to negotiate free trade agreements with countries like India, Korea, and Australia.

The idea is to ensure markets for Colombian production and generate quality jobs. We have a real need to prevent people who thus far have been linked to either violence or drug trafficking from feeling that they have no option but to pick up their weapons once again and return to the fight that has been unfolding for so long. There is a further difficulty, in that there is already evidence this is likely to occur. The negotiations that were held with the paramilitary

groups were held as part of an ambitious process under the framework of a law that is generous to those who demobilize but that at one point tried to strike a balance between justice and peace.

The groups that negotiated and demobilized expected a society that would receive them immediately with the guarantees that the government wanted for them. But these are processes, processes that involve the preparation of society to receive those who are demobilized. Many of these paramilitaries who negotiated their integration into the life of the country felt unprotected or were disappointed in what they found and returned to forming what are now criminal gangs, as they have no ideology to defend. Obviously, they should be treated as such. In any case, the important thing here is the experience and education they leave in their wake. If the country cannot ensure a decent living for such people, they will be tempted to resume the only activities they have known.

Therefore, the agreement is important for Colombia, not only because we believe that it will lead to an increase in trade and services between the two countries and we believe that trade opens spaces for foreign investment, but also because we believe that in trade and investment activity a clear and permanent framework is clearly required to assure business people and investors that their activities will enjoy the stability and permanence they require.

For us, then, it is very important and fundamental that we enter into as many trade agreements as possible. We believe that Canada is a country that interests us as a partner and as a model in the Colombian framework. We are interested in the Canadian model that relies on the experience of democracy in an open economy and a social security system that covers virtually all of the ambitions and aspirations that we Colombians have.

• (1010)

The Canadian presence in the fields of business and investment will help improve the current principles governing relations among Colombians and others. However, we also believe it is important to note that the agreements, particularly in the labour sector, which is one of the concerns that has been pointed out, constitute significant progress over what we already have in national legislation and international commitments, particularly the ILO conventions.

In that sense, contrary to what the senator said, for my part I would be grateful if the committee were to give favourable consideration to the text, and if the resulting benefits could be compared, benefits that could come to a country that has not overcome its conflicts and needs to make progress in recovering the population that has been involved in the violence.

Thank you very much.

**The Chair:** Thank you, Your Excellency, and thank you again, Senator Robledo.

We're going to have time now for questions from the committee. As is our usual practice, we will go ahead with each party, limiting the first round to seven minutes. As for the seven minutes, just so the witnesses as well as the committee are clear, the time is for questions and answers within the seven minutes.

I'm going to start with the Liberal Party, and I do want to emphasize that a number of committee members want to ask questions, so I think we're going to have to stick very closely to seven minutes. I'll cut off the microphones at seven minutes if you're in the middle of a sentence, just so we can be fair to everybody and let everybody get in.

I'll begin with Mr. Silva for the first round, for seven minutes.

• (1015)

**Mr. Mario Silva (Davenport, Lib.):** Thank you.

I'll be splitting my time with Mr. Cannis.

*Bienvenidos.* We're delighted that both the ambassador and the senator are here.

Obviously, when pursuing these free trade agreements, human rights are always of concern to us, as are labour issues. In this particular agreement, maybe the ambassador or senator would also be aware of the fact that our agreements go beyond what is already happening with Colombia's negotiations with the European Union. In fact, both the agreements Colombia has done, with EFTA and also with the European Union, do not deal with issues of labour agreements and human rights to the extent we are doing here. I think we've done a much more comprehensive agreement than the one that is in place with the European Union.

I've gone to Colombia many times, and I have noticed a difference over the years. NGOs that were here not too long ago—Caritas, Human Rights Watch, and Amnesty International—raised concerns about human rights. There are those who are totally opposed to free trade, no matter what the issues and putting human rights aside. There are those in every country who are legitimately opposed to the issue of free trade, notwithstanding how they feel about human rights.

I think the reality is that over many years there has been a substantial improvement in the country on the issue of human rights. In fact, Colombia was almost a failed state a few years ago. It was unable to control its borders and provide services. Today, the stabilization of Colombia has made a huge difference in the lives of the people in Colombia, to the extent that President Uribe has an 80% approval rate. He didn't get that by doing nothing. He has done that by stabilizing the country. People now are very much onside with his efforts.

You cannot deny the fact that he is extremely popular. I know, Senator, that you're from the opposition, but he must have done something to make himself so popular in Colombia that he has managed to get himself an 80% approval rating. Maybe the senator can comment on that.

**Hon. Jorge Enrique Robledo (Interpretation):** Certainly. I'd be glad to.

There are two points I'd like to highlight. First, I would say that in addition to the problem of union violence, there's a problem with Colombian legislation, which is very bad with respect to union rights. They have imposed what is known as "associated cooperatives", so-called, which basically have converted collective agreements and replaced them with a sort of economic relationship, and it's all set up so that our workers can't set up unions. There are

some 6,000 workers in Colombian sugar cane production. All they wanted was to have their bosses recognize that they could create unions. We would like to emphasize that they don't have that right.

And this has not been corrected by the free trade agreement. I read the labour and environment side agreement between Colombia and the U.S. very carefully. It's an annex to the treaty, and there's absolutely nothing in it that enables Colombian workers to unionize and to deal with some of the labour disasters we've had to face in Colombia. We don't even have the necessary labour legislation in place.

I can tell you that the FTA with the States certainly didn't improve anything. It says all kinds of things, but it certainly didn't resolve anything to do with the right to organize. In my view, these are things we have to point out; they are facts.

With respect to whether there is progress or not, what can I say? With respect to violence against trade union activists, there were 49 assassinations last year, 25 more than the year before, and there were 16 leaders.... What would happen if last year you had 16 union leaders murdered here in Canada? How would you be feeling about that? I repeat, we have had increased assassinations, and the labour standards are not helpful. Thus, 18 years of free trade policy have shown in Colombia that we're seeing the destruction of the productive apparatus. Poverty is up, employment is down, and the jobs that are created are low-paying jobs.

• (1020)

**Mr. John Cannis (Scarborough Centre, Lib.):** Let me also welcome the senator and the ambassador.

I had other questions, but now I'm prompted to go with this first question, Senator, only because of your response. I'll quote here from *The Washington Post*, which observed that unionized workers make up 2% of the population in Colombia, but only .0027% of the 17,198 murders in Colombia were members of unions. While union members are explicitly targeted in some areas, this information would appear to suggest that union members are in fact less likely to be killed than members of the population at large.

We're dealing with facts, but before I give you the floor, sir, I just want to cover my questions; then the floor is yours.

You attended a roundtable discussion while you were here—on the 25th, I believe—on how to fight global poverty, and you said poverty will provoke violence. I think we all agree with that, and I think all of us as decent human beings want to move forward to address poverty.

But I am concerned that in many areas we as a country... We've been briefed that Canada has assisted Colombia. For example, it contributed \$32 million between 2006 and 2008 focusing on the rights of children, youth, and internationally displaced persons. Also, Canada has provided a total of \$50 million since 2005 through its Global Peace and Security Fund to promote peace in Colombia and the region, to protect victims' rights through access to justice and reparation—and it goes on and on.

So I think we've been quite on top of the file. We don't just want to come in and make a deal on trade.

How do we fight poverty, sir, I want to ask you? You've had violence, I think it was mentioned, over five decades. How do you fight violence? You said, if I may quote you, "We must find other, more democratic, civil ways to deal with these issues." Please give us some suggestions on what the other more democratic ways are.

I also believe, as was suggested by the critic, that the FTA will increase pressure on the government to make sure that it improves its laws. That's part of what I think we have done as a nation when we've signed agreements with other countries: we've shown them ways. I'll use China as an example, where we've made a quantum leap forward in terms of labour laws, unions, etc. Engaging can only benefit.

Thank you, Mr. Chairman.

**Hon. Jorge Enrique Robledo (Interpretation):** Thank you.

I would say the first thing we have to do is fight against poverty, and to do that we have to get economies operating. How do we get economies operating? You need to develop the production apparatus. You need small and medium-sized businesses and large corporations, as in the case of agriculture, where you can find work for farm workers and the major landowners.

Under capitalism, obviously we're talking about people who have good incomes and good jobs. The contributions a country can make to another country are very helpful and very welcome, but what we need to aspire to, above all, is to have an economy that's working.

In the case of Colombia, let me repeat, we have had 18 years of applying the whole free trade theory, and it has not proved at all that free trade works. In fact, it has destroyed an immense part of the Colombian productive apparatus. We are now importing eight million tonnes of foodstuffs. We didn't in the past. We have nine million hectares of land lying unused. Maybe they're being used for grazing, but it's unproductive land just gone to scrub. We have this unused land. Why? Because imports of agricultural and other products, foodstuffs coming from other countries that have superior technology and higher subsidies, mean that our local farmers can't develop their products and services.

I'd like to emphasize in the case of Colombia—and I'm not talking theory here—that free trade has clearly shown that it's degraded our productive apparatus. The same thing for our industrial apparatus. We're already underdeveloped in that area. I can tell you it's really been nailed by imports coming from other countries, and Canada is a huge economic power. The U.S. is bigger, but Canada is big, and I can tell you it's basically impossible for us to compete on fair terms.

Let's be frank, one thing that has to do with the very basis of free trade is international competition. What do we get out of "free trade"? We get low salaries. Are we seeing labour standards increase in Colombia? How do we do that? If we were to increase our labour standards, Colombia would no longer be competitive. If we had higher salaries we couldn't compete with foreign products. If salaries were to go up it would be very difficult to export our product. If Colombian salaries were higher we would probably no longer be able to have foreign investors coming in, because they wouldn't be interested. We would be competing with countries where labour standards are even lower.

The way things are organized right now, how does a country like Colombia progress? We're condemned to compete with low salaries and poverty. The whole theory that free trade agreements are going to improve labour standards is running completely counter to reality. We've had four labour reform pieces of legislation in 18 years, since the beginning of free trade in Colombia, and I can tell you none of them really improved the situation.

• (1025)

**The Chair:** You're getting over time. I think we're going to have to limit the questions and the length of the answers so that everybody can get in.

Monsieur Cardin.

[*Translation*]

**Mr. Serge Cardin (Sherbrooke, BQ):** Thank you, Mr. Chairman.

Senator, ambassador and other witnesses, welcome and thank you for being here.

We've been unable to avoid this issue since debate on the free trade agreement between Canada and Colombia started. We've heard about it all the more since the United States refused to ratify the agreement with Colombia on human rights grounds. The debate is underway, and we are in the middle of it.

We have to ask ourselves certain basic questions. Should we maintain the trend toward doing business simply for the sake of doing business, without considering human rights, among other things? How far should we go?

My question is mainly for you, senator. People believe that a free trade agreement is a panacea for all problems related to human rights, security, the environment and social development of the countries in question. First, I would like to know what you think about the idea that we should do business and the rest will follow, that things will improve on their own. I'd like to have your opinion.

[*English*]

**Hon. Jorge Enrique Robledo (Interpretation):** There's no doubt then that economic activity and business activities in general are good for at least one of the parties involved in that business, right? But what happens in many cases is that business is not necessarily good for both parties. Maybe the business is good for one of the parties and not so good for the other party. That's what we think has happened with free trade in the case of Colombia.

When someone comes to Colombia and exports foodstuffs, it may well be good for the exporter, but the question remains: what happens to the Colombian people and Colombian producers? I would say if we're talking about free trade, it runs completely counter to the idea that some magic wand ensures development. Really, if we base ourselves in the past 18 years of history and what has happened and what's going on around the world, even now it's confirming and demonstrating what we already knew in theory and we actually know in practice in Colombia. We know full well that this is not how we're going to solve our problems in the medium term—not Colombia's problems, nor Canada's, nor the world's.

•(1030)

[Translation]

**Mr. Serge Cardin:** My next question is for the ambassador.

Many groups in civil society, in both Canada or Colombia, are opposed to the free trade agreement and strongly suggest to us that we sign nothing until the problems related to human rights and the right to work and even certain environmental issues have been settled or at least are on the way to being settled.

I would like to know your position on that subject.

[English]

**His Excellency Jaime Giron Duarte (Interpretation):** Yes, honourable member. In fact this is an opinion that we have heard before, and we fully respect that point of view. In relation to waiting for a solution—in other words, solving problems before we actually sign or implement a free trade agreement—my reaction has always been to answer with a simile. I portray Colombia as a country that is making quite an effort to overcome difficulties before overcoming the problem of violence inside the country. In that sense, I relate this to an individual who falls into the middle of the river and is trying to save himself and swim to shore. The question that I would ask is, if I look at that situation, should I wait until the person drowns, or should I give him a hand while he's still alive?

I agree that free trade agreements aren't a solution to all problems, but they do contribute to other state policies meant to overcome situations that affect the stability of a nation and therefore its economic development. I think that in the case of a country such as Colombia that is making an effort, it's certainly worth while to open the door and give the country an opportunity, rather than to wait and allow it to return to the situation in which it found itself at the beginning of this decade.

[Translation]

**Mr. Serge Cardin:** The U.S. Congress has refused to ratify the free trade agreement with Colombia. We know very well that the United States does not necessarily tend to act like a boy scout in economic, business and trade matters. Its purpose is to make money and engage in profitable exchange. We still think that economic exchange is good to the extent that everyone comes out a winner. However, that is not always the case with the United States.

It claims that its decisions are based on human rights. It's definitely making reference to human rights, as it does, for example, in the case of China, which is doing them enormous harm in the area of international trade. However, I don't think that Colombia harms the United States economically.

In your view, senator and ambassador, why has the United States not ratified the free trade agreement with Colombia? It claims that it is for human rights reasons. Don't you think there's something else, such as the trafficking underway in Colombia? Do you perceive any other special interests?

•(1035)

[English]

**The Chair:** I wonder if we could get perhaps one minute each for our witnesses.

Could we have perhaps a one-minute response, please?

**His Excellency Jaime Giron Duarte (Interpretation):** Thank you very much.

In my opinion, the agreement with the U.S. hasn't been rejected, but it's awaiting the decision of Congress. It's not that the progress that has been made in terms of human rights hasn't been recognized. In fact, it's recognized that we have come a long way in that field.

In my opinion, it's not a question of trafficking as a consideration. In my view, the agreement that was signed with the United States came to the consideration of Congress at a very special political moment. Number one, the makeup of the U.S. Congress changed and of course the Democrats got a majority; second, the issue was dealt with during an election year, which politicized the debate. The aspiration of Colombia is that these should be agreements reached by states, not by parties. They shouldn't be partisan. I think that's very clear.

**Hon. Jorge Enrique Robledo (Interpretation):** It's very clear that the Democratic majority in the U.S. Congress and in the government do not wish to grant a free trade agreement to the Government of Colombia, specifically to President Alvaro Uribe, for reasons of human rights, and they have said so. They've said this in many different ways.

For example, last week Senator Patrick Leahy, who is a very important senator in the United States, froze, again, the resources allotted to the Colombian army in relation to the false positives we were talking about a moment ago. There's a supreme test that demonstrates that it is a political human rights problem; we say it's a question of human rights.

Another agreement, absolutely identical to the Colombian agreement and negotiated during this year, was actually approved for another country, with Peru. At the same time that it's denied to Colombia, or to Mr. Uribe, it's granted, on the other hand, to Peru.

For me, one of the negative aspects that's very clear is that if the Canadian Parliament were to approve the agreement, they would be absolving our government of any guilt.

It's the same with Norway. Norway wouldn't want to sign an agreement with Colombia for reasons of human rights.

**The Chair:** Thank you.

Mr. Julian.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Thank you, Mr. Chair.

Thank you for coming before this committee.

It shows the paucity of the arguments in favour of this agreement when the only thing those who favour this agreement can really cite is a discredited opinion poll that said there was widespread support for the president. I could certainly poll my family and get 90% of them to say that I'm a great guy, but I don't think anyone could use that as a credible argument to support anything.

Senator Robledo, I'd like to ask you a series of questions.

This committee heard testimony from people in Colombia. Some members are new to the committee, so they didn't hear some of the testimony that we heard.

We heard from Gabriel Perez, who said, "It is easier to create an armed group than a labour union in this country".

We heard from Patricia Cespedes, who said that about 6.5 million hectares of Colombian land has been taken over by paramilitaries—essentially poor people being kicked off the land, and paramilitaries with alleged ties to the government taking that, obviously being very interested in selling that land perhaps to Canadian companies. That would certainly make us complicit in the ongoing human rights violations that take place there.

We heard from Mario Gomez, who said that paramilitary groups are forming every day, that there are thousands of new paramilitaries in Colombia.

Amnesty International last week attacked the Colombian government for using the justice system to harass and intimidate human rights activists.

As you said, Senator Robledo, the number of killings of trade unionists and human rights defenders has doubled in 2008. So the numbers aren't going down; they're skyrocketing. There are more paramilitaries, more deaths of trade unionists, more deaths of human rights activists. It is ridiculous for anyone to pretend that the situation is getting better. It is getting worse.

My first question to you is this. Do you agree with Hollman Morris, a human rights defender in Colombia, who said that this agreement is a reward for what is essentially happening, ongoing human rights violations, increasing human rights violations in Colombia?

Secondly, around the issue of paramilitaries, do you think the assessment of Señora Cespedes is correct, that there are millions of hectares of land being taken over by paramilitaries?

Thirdly, you mentioned false positives, which is an anodyne term. It expresses a horrendous concept. A false positive is cold murder. Apparently, the Conservatives think cold-blooded murder is okay as long as it takes place outside of Canada—

•(1040)

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Chairman, come on!

**Mr. Peter Julian:** —but the false positive is the murder of an innocent individual.

Do you have some sense of the number of murders of poor people in Colombia that have actually taken place?

**Mr. Richard Harris (Cariboo—Prince George, CPC):** Point of order, Mr. Chair. Come on!

**Mr. Peter Julian:** Fourthly, the Colombian government and the Canadian government have arranged an agreement that essentially provides for a fine in the event of ongoing human rights violations. Now, the reward is essentially a fine of up to \$15 million. Do you find that as horrendous as I do, that you could in any way quantify human life by attaching a price for ongoing human rights violations? In a sense, it's a volume discount on human rights violations.

Do you feel this would make Canada in some way complicit in what is happening, very clearly increasing human rights violations? That's what is the very clear result from reputable organizations. If Canada rewards the administration by signing a free trade agreement, do you think we're complicit in some way in what appears very clearly to be increasing human rights violations taking place in Colombia?

**The Chair:** Thank you.

You're left with three minutes for a response.

**Hon. Jorge Enrique Robledo (Interpretation):** First, let's say that the popularity of Mr. Uribe, in my view, can be explained by his political savvy. I don't want to mention names, but you will know that there have been heads of state in the history of humanity that have committed horrible things, and at the time they did have the support of their citizens. That in itself, that type of support, doesn't mean that you are right.

The second thing that is very clear is that part of the interest of Colombia in signing other agreements or negotiating FTAs with other countries is that it's a way of getting an absolution, a pardon from Canadians and so on—absolution that is not being given by the Democrats in the U.S.

So you do have an ethical problem that you have to resolve, in fact. You have to see what position you will take. Will you take a position so as to quantify these horrors in Colombia, and then when it comes to making financial decisions you say, "Business is business. Let's proceed. Some large Canadian companies will make a profit, so let's take advantage of the circumstances"? That's an ethical dilemma that you do have to solve yourselves. But I can assure you that if you decide to back the FTA, those who approve it will be questioned, here and everywhere, because facts are facts.

I would like to repeat that the Colombian government would not pass a test when it comes to democratic guarantees. It's obvious also, and you can see very clearly, that the land is being concentrated by means of violence in the hands of criminals. Many are paramilitaries who have used violence in order to take over the land, and there is no action being taken by the Government of Colombia that can actually reverse that situation in any way.

There are so many millions of displaced people, people in the country who have had to leave their lands because of the violence that is essentially directed at displacing them. Statistics speak for themselves. The Government of Colombia not only does not act to correct this, but more than once has tried to facilitate the legalization of these lands that have been, of course, obtained by illegal instruments.

Now, regarding the false positives in numbers—

• (1045)

**Mr. Peter Julian:** You have the government essentially providing a rubber stamp for the illegal or forced takeover of land?

**Hon. Jorge Enrique Robledo (Interpretation):** In practice, let's say that what ends up happening is that these displacements are establishing a new configuration in terms of land ownership, concentrating the land in very few hands, and that has not been corrected by the national government.

Now, when it comes to victims of violence in Colombia, nothing is done, or at least the government doesn't do much about it. An act that has been approved in recent days brought a certain framework to the way land is owned in Colombia. In terms of false positives, the cases are not just a few; there are several court cases that involve 1,500 individuals. We're talking about very serious violations. We're not the only ones saying they are very serious. The Democrats of the U.S. think they're very serious, and the Democrats are themselves in the world of business. Keep that in mind. So this problem is a very real, tangible problem.

The labour cooperation agreement, the parallel agreement in the Colombia-U.S. FTA, does not change anything. There are some fines, which are really nominal or symbolic; they're not real. I hope nobody thinks that crimes against trade unionists can be solved through fines. That would be scandalous. It would be scandalous to actually think that is the proper way to proceed.

**The Chair:** That is nine minutes. We're a bit over—unless, Your Excellency, you wanted to comment.

**His Excellency Jaime Giron Duarte (Interpretation):** If you will allow me, I would like to make a few brief comments.

One comment is in relation to the popularity rating of President Uribe. I agree with the statement made by the honourable Mr. Silva. I don't believe, Mr. Julian, that it's just a question of support by those who are close to the president. It's a sentiment that comes from the Colombian people. Many Colombians think that when they see that there is hope for the future in Colombia.

In relation to the false positives, I would like to say that this was obviously a situation that was actually denounced by the Minister of Justice in Colombia. And as Senator Robledo said, there are lots of court cases currently under way. This means that, in the case of parapolitics, which was mentioned here before, the government has decided, as we say in Spanish, to take the bull by the horns and to confront a situation that is shameful for our country and that shows the need to clean up all levels of government. So these are events that are actually rejected by all Colombians, but they are being dealt with in court.

In relation to the labour agreement and whether it will improve the situation or not, I believe it will improve it. If you read the preamble

carefully, it shows not only the wish to preserve the existing norms and regulations, but to further develop international commitments, and the ILO agreements are mentioned in the preamble.

Also, the system that Mr. Julian was mentioning, in relation to the fines, warrants careful reading because it refers to the dispute settlement mechanism that creates different levels of adjudication so that a person, if they can truly show that the regulations have been violated, can take a state to court. In other words, situations will be submitted to three different levels, one of which can define whether a violation actually has been committed in terms of trade and if it deals with trade. In that case, fines can be levied.

We talk about \$15 million in relation to the U.S., which is a low amount if you compare it to a human life, of course, as you said. But in fact, in the case of Colombia, \$15 million is the equivalent of the budget of the social security department, so it's not a question of compensating violations of labour rights with a fine, but what we want is for that fine to go to a fund that has to be reinvested in the country that has violated the regulations in order to improve labour conditions. Senator Robledo has talked about improving labour laws, and this is one example.

Thank you.

• (1050)

**The Chair:** Thank you.

I'm sorry, we're all getting e-mails. There is apparently a vote in the House and members have been summoned to the House.

**Mr. Mario Silva:** Is it 15 minutes or 30 minutes?

[Translation]

**Mr. Serge Cardin:** Thirty minutes. We have the time.

[English]

**Hon. Scott Brison (Kings—Hants, Lib.):** Is it a 30-minute bell?

**The Chair:** I don't quite understand it, but we have to depart.

I'm sorry that the Conservative Party isn't going to get an opportunity to ask a question. Normally we would have completed the round. I'm going to suggest that the committee proceed directly to the House. Apparently the bells are ringing. I don't know what the vote is. I am sorry to have to interrupt the proceedings and to preclude the Conservative Party from getting an opportunity to question our witnesses.

I do appreciate your coming. It has been very useful. Thank you for your appearance today.

Monsieur Cardin.

[Translation]

**Mr. Serge Cardin:** Mr. Chairman, according to the memo I've just received, the vote will be held in 30 minutes. We had about 10 minutes to go. It takes four minutes to go to the House from here. We have guests, the senator and the ambassador, and out of respect for them, I am prepared to stay, even 15 minutes, if you wish.

[English]

**The Chair:** Fine, thank you. This is new information, if you think it's a 30-minute bell. I don't think it's a 30-minute bell.

All right, you can proceed. I'm sorry for that interruption.

We're going to conclude. We'll have one brief question. We have seven or eight minutes, so I will allow the Conservative Party to have their questions, and then we'll have to scamper on over to the House.

Mr. Allison.

**Mr. Dean Allison:** Thank you, Mr. Chair.

I'd like to thank the senator for being here today, as well as the ambassador.

I'll just start by saying that I think Mr. Julian would probably be happy if he could get 80% of the vote from his family. I don't know if that would be possible, but you know—

**Mr. Peter Julian:** Fifty percent.

**Mr. Dean Allison:** We'll see.

I do want to comment on Mr. Silva's comments. I think it is extraordinary that a sitting president could get 80%. I understand as well that it was helpful that our committee travelled to Colombia to understand the issues on the ground. Certainly some of this has to do with ideology, the difference of opinion, and where we stand in different parties.

As you mentioned, Ambassador—and my questions are going to be directed to you—certainly this is not the whole puzzle; this is a part of the puzzle, looking at trying to work on free trade deals. I know one of the other parts the government has been working hard on is trying to reintegrate different groups into society. I know President Uribe has appointed a high counselor for social and economic reintegration. My questions are going to revolve around that.

I realize that the whole notion of disarmament, demobilization, and reintegration is huge, in trying to work through the process of reintegrating people into society and demobilizing illegally armed groups. Could you talk to us a bit about the process and what has happened and what the government is trying to do to reconcile peace? I realize people have been involved with paramilitary groups and different groups that have been illegal and trying to destabilize society. What has the government done to try to integrate them back into society? I know we have almost 50,000 people who have laid down their arms. It must be a challenge, when all you've been doing over many generations is fighting. What has the government been trying to do to get these people back with their families and back into society? I realize this is part of the agenda, to try to create jobs for these individuals.

I'm going to let you take the remaining time I have—and I think it's at least five minutes—to comment on that program.

•(1055)

**His Excellency Jaime Giron Duarte (Interpretation):** Thank you very much. Thank you very much for your question.

Evidently, it is one of the programs that the Office of the President of the Republic has initiated, and as you aptly mentioned, a senior advisor to the president in matters of reinsertion and reconciliation has been appointed. The senior advisor happened to be in Ottawa last month and had the opportunity to converse with some representatives of the media and civil society to introduce the program. It is a program that is moving forward with much enthusiasm and with great opportunities, but obviously with major challenges.

Regarding what the program attempts to do, there are actually two frameworks with respect to reinsertion. In one, through agencies such as UNICEF and the IOM—the International Organization for Migration—the Government of Colombia is receiving assistance for the reinsertion and recovery of children under 18 who have been rescued from illegal armed groups in Colombia. It is a program that is being tended through the Colombian Institute for Family Welfare, and that essentially pursues the presidential advisor's goals for reintegration.

What does the reintegration program in Colombia do? The program seeks to tend to the population that has left the ranks of the unlawful groups. I am referring to a group, as you said, of 50,000 people with an average age of 25. These are individuals who are already past childhood and adolescence.

The program has two goals: first to provide these individuals with psychological and physical care to help them recover and to prepare them for the second stage, which has to do with the acquisition of skills so that they can work at lawful activities. It is a program that has two targets: on the one hand are the reintegrated individuals, so that they can find a way to keep themselves busy with decent jobs; and on the other hand are the families of the actual reintegrated individuals.

Why do we target the families? We have found in this program that many of the people who joined the ranks of the illegal groups did so because their family environments were not environments that encouraged them to stay home. Sometimes they joined because of imitation or because of the need to find work and a lifestyle.

•(1100)

So the process targets two groups: the reintegrated person and his or her family, so that reintegrated individuals can, once the program has been completed, return to their families and be welcomed. However, at the same time, the program works on what we might call the education of Colombian society, and in particular the education of business owners. The objective is to get rid of the feeling of fear that has been and is being generated, the fear that a person feels about linking his business to a person who has previously taken up arms, and to provide spaces to people who have left the program so that they can become useful members of society.

What is the problem? The problem is that the program is currently covering 31,000 of the 50,000 people who have been demobilized. What is happening, evidently, is that there are many desertions. There are people who start with the program, but who do not feel motivated and abandon it. There is reason for concern there, because the question then is, where do they go? Often they return to the illegal groups or form gangs of common criminals.

However, the program addresses this. It has the support of the international community. And on the subject of disarmament, demobilization and reinsertion, or DDR, it so happens that Colombia is hosting the first conference on this topic next month in the city of Cartagena. The objective of the conference is an exchange of opinions between DDR experts from all the world's countries that have been affected by conflict, so that best practices can be identified, frankly and not necessarily with governmental commitments, and so that the Colombian experience can also be conveyed for the benefit of populations that have been affected by conflicts in other countries

**The Chair:** Thank you.

I'm sorry, but it appears that we are out of time.

I want to thank you again for your question, Mr. Allison.

Thank you for that response.

Again, thank you to our visitors for being with us today.

[*Translation*]

**Mr. Serge Cardin:** We don't even have one minute left?

[*English*]

**The Chair:** We are now adjourned.

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