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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)): Order, please.

Today is December 9, 2014. Welcome to the 49th meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

[English]

We are televised today, colleagues, and we are continuing our review of the human rights situation in Honduras.

Today, from Washington, DC, we have Alexander Main, who is a senior associate at the Center for Economic and Policy Research.

Mr. Main, welcome to the human rights subcommittee. You are welcome to begin your testimony. When you conclude, we will start a round of questions and answers. The length of those questions and your answers will be determined, essentially, by how much time is available to us remaining in the hour.

That being said, I invite you to please feel free to start your testimony.

Mr. Alexander Main (Senior Associate, International Policy, Center for Economic and Policy Research): Thank you very much, Mr. Chair.

[Translation]

I am very pleased to be here with you today.

[English]

I'm going to continue this brief testimony in English.

In my work as an analyst for the Center for Economic and Policy Research, I focus primarily on political, economic, and social developments in Latin America and the Caribbean. For the past five years I have been closely following developments in Honduras and have had frequent interaction with human rights defenders, academics, journalists, and officials located in that country.

As you're all well aware, on June 28, 2009, a coup d'état led to the forced removal of democratically elected president José Manuel Zelaya. The coup was followed by widespread repression, media closures and censorship, and a prolonged political crisis. Elections held under the coup government of Roberto Micheletti in late 2009 were boycotted by opposition groups and were recognized by only a

small number of the region's governments, among them the U.S. and Canada.

Honduras has long been plagued by poverty, high levels of crime, and weak civilian institutions. The 2009 coup dramatically escalated these problems and has sparked significant regression in other areas. Following the coup, the Honduran government's democratic legitimacy was severely compromised. Targeted killings, violent attacks, and threats targeting members of at-risk sectors of society escalated; impunity reached record levels; and law enforcement became increasingly militarized.

In November of 2013, new elections were held. Opposition parties participated this time. The European Union and the Organization of American States sent electoral monitors, and human rights groups expressed hope that the elections would allow the country to begin turning the page on the coup and its aftermath. This hope, however, was dampened by political violence and reports of irregularities and fraud.

My presentation today will focus on the 12 months that have transpired since these elections. I'll offer my assessment of whether the country's negative trends in the area of human rights and democracy have begun to reverse course under the government of the contested winner of the 2013 elections, Juan Orlando Hernandez.

First, I'd like to discuss the issue of targeted groups and individuals who have been subjected to human rights violations. As you all know, Honduras has, for a few years now, been sadly notorious for having the world's highest murder rate. Less attention has been paid to a disturbing pattern of killings, attacks, and threats targeting individuals and groups that may pose a threat to powerful interests. Though police and judicial officials are often quick to attribute these incidents to gang activity and common crime, their frequency and the available anecdotal and circumstantial evidence suggest that the victims are often targeted because of the work they do. Among the targeted groups are media workers, human rights defenders, lawyers and other justice sector workers, campesino groups, and political opposition activists.

In early December of 2014, the Inter-American Commission on Human Rights stated that an astounding 46 media workers were murdered in Honduras between 2009 and 2013, compared with a total of three during the preceding six years.

After a lull in the number of killings of journalists in 2013, the pace of homicides in this sector has unfortunately picked up considerably, with at least eight killed in the last twelve months, including the chief correspondent of a TV news program, a TV presenter who had investigated local corruption, and the host of a satirical political radio show. A number of other journalists have received death threats.

The situation has also deteriorated for human rights defenders. Honduran human rights NGO, ACI-Participa, reported in late September that at least five human rights defenders were killed between January 1 and September 17 of this year. Many of the victims were supporting communities opposed to plans for large-scale private ventures, such as hydroelectric dams, mining, logging, or large agricultural projects that threatened to displace these communities or damage their habitats.

Many human rights defenders have been attacked in recent months. On August 22, gunmen blocked the car of CIPRODEH director Wilfredo Méndez, pointed guns at him and his colleagues, and threatened to kill them. Similarly, a member of the staff of human rights group COFADEH was kidnapped on June 4 for several hours, beaten on the face with the butt of a gun, and stabbed repeatedly with a pencil. Many other similar incidents have occurred in the course of 2014.

Violent attacks against lawyers and other justice workers have continued at a steady rate. Early in the year, the Association of Judges for Democracy estimated that 67 lawyers had been murdered between 2010 and 2013. Since the beginning of the year, at least eight more have been killed, including a judge and a lawyer killed in separate incidents on March 14, and a justice of the peace who was ambushed and shot dead on his motorbike on June 23.

Other sectors that have suffered disproportionate numbers of attacks are campesino groups, indigenous and Afro-Honduran community leaders, and political party activists.

Two points regarding these targeted attacks are worth emphasizing. First, in a large number of cases, state security forces are alleged to have played a role in the attacks, and second, the vast majority of cases are characterized by impunity. It's the second point I'd like to address quickly.

The overall rate of impunity surrounding human rights abuses, whether perpetrated by state or private actors, is stunningly high and estimated at between 95% and 98%. There is no indication that the situation has genuinely improved under the administration of Juan Orlando Hernandez.

While over the last several years prosecutions have been made in a small number of emblematic homicide cases, including in the murder cases of four members of the LGBTI community and the killing of two journalists, the majority of killings and attacks of members of at-risk sectors remain in impunity.

Questions arise. Is the government implementing measures that may help improve this situation? Are its policies overall helping move things in a better direction? I'd like to look quickly at the government measures that we've seen over the last 12 months.

The government has claimed to have made great strides in weeding out corruption and organized crime from the ranks of both the police and the judiciary, but in both cases independent groups have expressed dismay regarding the seemingly arbitrary and superficial nature of these processes.

As of September 22, police chief Ramon Sabillon reported that around 1,400 police agents have been dismissed since 2012, allegedly for failing trustworthiness tests. The Honduran NGO, Alliance for Peace and Justice, has alleged that many dismissed officers include agents who passed tests and that few senior officers have been removed. Other organizations such as COFADEH have alleged that in cases where senior officers have been removed, other officers with records of alleged involvement in human rights abuses have replaced them.

A similar purge of judicial officials has been carried out by a recently created judiciary council, with 66 justice workers suspended from their posts as of July 2014. The judicial watchdog group Judges for Democracy has challenged many of the dismissals on both legal and procedural grounds, and has qualified the purging process as non-transparent and arbitrary.

The government has claimed to have made—excuse me, I'd like to touch on the issue of precautionary measures quickly.

In the years since the 2009 coup the Inter-American Commission on Human Rights has granted an ever-growing number of precautionary measures to human rights defenders, journalists, justice workers, and other individuals deemed under threat of attack. The commission noted, in its recent report on Honduras, grave deficiencies and low or completely lacking efficiency in the implementation of these measures by the state.

I know the committee has an interest in the electoral process. Many Hondurans argue that the system is rigged in favour of the ruling party and the electoral system is characterized by important weaknesses identified by the National Lawyers Guild and other groups, which at the very least contribute to a biased and severely flawed electoral process.

The electoral authority of the country, the Tribunal Supremo Electoral, is considered to be highly partisan. The appointments that were made to this electoral authority were of individuals for the most part who had been recently elected to political positions and who are members of political parties. Another big issue is the practice of selling party members' electoral credentials within the scope of the elections, which can allow for fraud to occur more easily. The practice of indirect vote buying has also been highlighted. This occurred on a large scale in the last elections with the distribution of discount cards to voters right outside of voting centres. The fact that in the lead-up to these elections a significant number of candidates and party activists were killed in impunity created a climate of terror that undermines both campaigning and voting.

● (1310)

Finally, I would like to touch on the issue of militarization.

The 2009 coup marked the end of nearly two decades of progressive demilitarization of law enforcement in Honduras, following the transition from the country's military dictatorship in the 1980s. Under the government of Porfirio Lobo, the military began assuming a permanent police role.

This remilitarization was reinforced by Juan Orlando Hernandez when, a few months before the November elections, he pushed a proposal for a military police force through the congress, which was part of his presidential campaign around a promise to put a soldier on every corner. Today he backs a constitutional reform that would enshrine the military police in the constitution as a part of the nation's armed forces.

The public order military police has already faced allegations of serious human rights crimes. In the spring of last year, military police personnel attacked the well-known defender of children's rights José Guadalupe Ruelas of Casa Alianza. He was beaten in the face, head, ribs and legs, and dragged face down and kicked. On November 21, a young woman waiting for a bus was allegedly picked up by a military police unit and raped by eight members of the unit. To date, no one has been apprehended in relation to the crime, although the woman went public immediately after the incident occurred and filed a report with the regular police force.

It's important to highlight that conventional military forces have been increasingly involved in a number of state-sponsored tasks that are normally in civilian hands, including educational activities.

In summary, the human rights situation in Honduras remains as dire as ever, and in many cases, targeted attacks against members of at-risk sectors including human rights defenders and journalists have recently increased in number. Meanwhile, impunity around these and other crimes remains appallingly high.

The government's response to this situation over the last 12 months has been grossly inadequate, and in some areas, completely counterproductive. The processes by which the government claims to address corruption and criminality, within the security forces and the judiciary, are considered arbitrary and ineffective. Genuine police reform appears to be off the agenda, following the dissolution of a reform commission whose proposals were systematically ignored, despite the backing of the human rights community.

The government's plans to further militarize law enforcement activities and to involve the military in other traditionally civilian tasks, including state-sponsored extracurricular activities for young people, is an alarming, negative trend that will further undermine human rights and democracy in Honduras.

In short, the government's record over the last 12 months indicates that it has little real will to address the human rights crisis in Honduras.

I've prepared a longer statement. I realized quite late that I wouldn't have the time to read it all, so I've given you a very abridged version. If possible, I'd like it included in the record. It also includes a set of recommendations for the Government of Canada.

Thank you very much.

● (1315)

The Chair: Thank you.

With regard to your written submission, we do have a copy of it here. Our rules preclude the clerk from circulating it until she's had it translated into French. Once that's done, it will be in front of all of our committee members. It will become part of our record and may well form their decisions.

It is now 1:18. We have enough time here for.... I want to say six minutes, but the truth is that we have some committee business to deal with in camera at the end of this meeting. I'm going to say five and a half minutes for each intervention.

Ms. Grewal, please.

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

Thank you, Mr. Main, for agreeing to testify before our committee, and sharing your knowledge and insight into the human rights situation in Honduras.

I understand that the number of unaccompanied minors apprehended along the United States southwestern border began to surge in 2012 and mainly driven by an influx of children from El Salvador, Guatemala, and especially Honduras.

Honduras is Central America's poorest country and has the region's highest murder rate. These factors are obviously prompting some families to send their children to the U.S. in the hopes of a better and safer life.

What is happening with these children after they are apprehended?

Mr. Alexander Main: Is that after they're apprehended on the border with the United States and Mexico?

● (1320)

Mrs. Nina Grewal: Yes.

Mr. Alexander Main: It's not altogether clear, and that's not my area of specialty.

What I can say is that the human rights community in Honduras, particularly those who deal with the rights of children, such as Casa Alianza, have indicated that violence has risen enormously—violence affecting children and adolescents. In many cases, this violence appears to involve security forces in extrajudicial killings. They are often identified as killings of delinquents, but there is never any form of judicial process to properly investigate whether those who are killed have committed crimes. Of course, extrajudicial killings are far out of the bounds of normal human rights standards.

Violence has increased enormously over the last few months. Again, Casa Alianza, one of the leading human rights groups dealing with the rights of children, has indicated that the rate of deaths of children, adolescents, is much higher this year than it was last year. I think this is obviously contributing to the problem.

I regret that I can't tell you more about what is occurring with the children at the border once they're apprehended.

Mrs. Nina Grewal: I see.

According to the recent reports that we have been hearing about, the number of unaccompanied minors from Central America being apprehended along the southwest border is down dramatically, from a peak of nearly 11,000, in June, to around 2,500, in October.

Could you please explain why this might be, if you have any idea?

Mr. Alexander Main: I think there are a number of factors.

One of them is the sort of crackdown that has taken place, not only along the border with Mexico but, more importantly, on Mexico's border with Guatemala. At that level, the Mexican authorities, in cooperation with U.S. border officials, have been much more involved in apprehending and sending back individuals, migrants, to their countries of origin, which primarily have been Honduras, El Salvador, and Guatemala. Of course, Honduras has seen the highest rise in this migration.

I think Honduran officials at the border are also cooperating to a large degree, and being much more restrictive on the passage of individuals, particularly young children, across the border.

I'd like to highlight that this does pose some important issues for human rights defenders, who consider that in many cases these children are going back to extremely life-threatening situations. This is not being taken into account. As you may know, the United Nations High Commissioner for Refugees considers that a majority of the children who have been migrating north could in fact be considered for refugee status, but this is not a status that is being considered on a sort of broad basis at this time, by either the U.S. government or the Mexican government or neighbouring governments.

Mrs. Nina Grewal: After meeting with the leaders of Honduras, Guatemala, and El Salvador, in July, President Obama said that the U.S. is considering a limited refugee program in Central America, allowing young people to apply for entry without first making the dangerous trip north.

Is this a good idea, and has there been any progress in its implementation?

Mr. Alexander Main: I think it's a very good idea. It's not clear whether there has been any progress.

This is a program that's just been put into place. The major issue is that at this time, the U.S. doesn't appear to be considering allowing a much higher number of children to apply for refugee status than has been the case in the past. They can do so more easily, presumably through this system, but it's not clear that the U.S. will in fact allow more children to have this refugee status.

The Chair: Unfortunately, that ends your time.

Mr. Marston, please.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Welcome, Mr. Main. I appreciate your being here.

Our government has recently signed a free trade agreement with Honduras. When we've had witnesses, or in the House of Commons when we were debating that particular free trade agreement, statements were made along the lines that relative to human rights, having a free trade agreement would theoretically open the door to creating jobs and would improve the lives of people in Honduras.

We've even had Canadian government officials here, basically stating that despite how awful things are there, it looks like the government is on the right track. He spoke of laws that were passed, similar to the ones passed in Mexico, in 2012, to protect human

rights defenders and journalists. It sounds from your testimony, that they may have the laws but they're not doing anything to enforce them.

I'm interested in your perspective on the part about free trade.

Mr. Alexander Main: Thank you for the question.

There is one thing regarding the laws that have the object of protecting human rights defenders; no legislation has been passed yet. I believe that the legislation is in the third stage of the debate process within the Honduran congress. It has not yet been approved, and a number of civil society groups, including human rights groups, have criticized the fact that they have not been consulted on the latest text of this law. It's not clear what its contents are at this time. There has been no legislative progress to date on this front.

Regarding the issue of whether the free trade agreement could help human rights in the country, I think the record has shown that free trade agreements in the past have not been particularly helpful to Honduras. Certainly the agreement known as CAFTA-DR, the Central America free trade agreement, has not led to an improvement in the human rights situation in Honduras. It has been in effect for nearly 10 years now, during a period of time when the human rights situation has grown much worse. Furthermore, labour standards that are under the provisions of CAFTA and meant to be upheld by the Honduran government have clearly not been. There have been complaints filed, and the U.S. trade representative is apparently looking into those complaints. Certainly on the ground, labour organizations are saying that their rights are being violated more than ever.

On the broader issue of whether human rights in general are affected in a positive way, it's very difficult to see that when you have no real progress on the institutional front in the country. As I mentioned in my testimony, there were attempts to push through an effective police reform, which were disregarded by congress and the government. A police reform commission had the broad support of human rights defenders and made proposals for a new, organic law for the national police of Honduras, a new training program, community training, and human rights training for the police, and so on. All of these proposals were completely disregarded. Instead there has been, as I mentioned, a sort of broad purging of the force, which appears to be quite arbitrary and leaves many alleged human rights violators in place in the police force. A similar process has occurred within the judiciary.

These cannot be regarded as positive changes within the country, particularly when we see that the trend of targeted attacks on some of these at-risk groups has in fact grown worse. After a small measure of improvement in previous years, in this year, certainly in the cases of journalists and human rights defenders, they are more the object of attacks than they were, say, just last year.

● (1325)

Mr. Wayne Marston: To go a bit further on your comments about impunity, I would question the police capacity for investigating murders. Everything we hear indicates that their capacity isn't that good altogether, and it's whether the impunity that comes about is as much because of their failure to investigate as it is systemic impunity.

Mr. Alexander Main: Well, absolutely there is very systemic impunity. Again, the figures were just published by the Inter-American Commission on Human Rights, and I invite all the members of your subcommittee to read it. I think it's a very important document. It's in Spanish at the moment, but it includes their preliminary findings following their trip to Honduras at the beginning of this month.

There they mention that the civil society groups they consulted—and I think they consulted nearly every key group that works on human rights—indicate that the level of impunity is between 95% and 98% in the country. It's effectively non-existent except for a few cases—generally just a few cases—despite some efforts. A special task force was created, in particular to look into LGBT murders, and some were prosecuted.

An interesting pattern in the prosecutions is that you very rarely see security forces either apprehended or prosecuted, so there seems to be an even higher impunity when it comes to crimes involving security forces. Again, the groups involved with the rights of children have noted an increase in extrajudicial killings involving minors and that these are never investigated. The authorities generally give a blanket justification that these were delinquents, but there's no investigation to see whether that's true.

• (1330)

The Chair: Thank you.

That, unfortunately, concludes the time we have.

Before we move to the next questioner, I have a contextual question. You mentioned a 98% impunity rate. What is that a metric of? Is this successful prosecutions as a percentage of a certain classification of crime that's committed, or is it as a percentage of charges that are brought? What does that number mean, just so we know?

Mr. Alexander Main: This has to do with crimes that are reported to the police, where claims are filed. In many cases claims are not filed. Much of the citizenry of Honduras is extremely wary of engaging with the security forces, given their record. But just of those complaints of a criminal nature that are filed, the rate, according to these civil society groups, lies between 95% and 98%. That is not so much the rate of actual prosecution as of judicial processing of these claims. They don't all involve prosecution.

The Chair: All right, thank you for that clarification.

We will go next to Mr. Schellenberger.

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

Thank you very much for being here today on this very important issue.

Sir, what is your position on North American intervention in South and Central America?

Mr. Alexander Main: What form of intervention? Could you just clarify?

Mr. Gary Schellenberger: Should Canada and the United States be involved in the politics in Honduras at this time?

Mr. Alexander Main: Obviously from the point of view of anyone who is aware of diplomatic protocol, I think it's probably best to avoid any form of direct political intervention. However, in the case of human rights issues, Canada and the United States both have an enormous amount of leverage in the country due to the high level of trade between the countries, the investment, and also of course due to their cooperation agreements with Honduras.

I do believe—and human rights groups in Honduras have also expressed similar demands—that these governments should be more cognizant of the human rights situation and leverage assistance, and where necessary, also leverage commercial relations to see progress on the human rights front to have real pressure on the government so it starts making improvements and showing a real political will to try to properly address the human rights situation.

Mr. Gary Schellenberger: What security aid is the United States currently providing in Honduras? Do you know what security aid Canada is currently providing?

Mr. Alexander Main: On the U.S., the exact amount of security aid isn't entirely clear because it is channelled through both bilateral and multilateral funding. On the bilateral front it's several million dollars a year, as far as I'm aware, both for military and police, training some of their personnel, providing various forms of assistance, and so on, and also to help with infrastructure particularly for the Palmerola base in Honduras, where the U.S. has a strong presence.

Other assistance is channelled through what's known as CARS, the Central America Regional Security Initiative. Unfortunately, there is not much transparency around CARS, so it's still a mystery to many of us exactly how much U.S. funding is going to Honduran security forces through that multilateral initiative, but it's also estimated to be several million dollars.

• (1335)

Mr. Gary Schellenberger: Okay—

Mr. Alexander Main: I'm not aware, I'm afraid, of what sort of security assistance Canada is providing.

Mr. Gary Schellenberger: Thank you.

You mentioned earlier when we were talking about free trade that the previous free trade agreement over the last 10 years hasn't made much difference, in fact it's gotten worse. Then you said that Canada and the United States have a lot of trade with Honduras and that this can be used as a very strong point in negotiating with them. That's my point with the Canada-Honduras free trade agreement, that you're better to be working on the inside and have some dialogue at least of some sort to at least maybe bring forth some of these horrendous problems with human rights in Honduras.

I also sit on the foreign affairs committee. We were talking this morning about Syria and Iraq, and we were talking about communication, about all the various parties that are involved in that terrible situation and how there can be dialogue between them.

So at least with the free trade agreement there's been some dialogue, do you not agree?

Mr. Alexander Main: There certainly has been dialogue. I'm not sure whether it's been focused on the human rights situation much, and that's certainly what I would encourage. Also, I think it's perhaps too late at this point—you'll know better than I do—but before opening up the floodgates of free trade, it's precisely before you do so, before you further a free trade agreement, that you would have more leverage in dialogue with the government to see the real enforcement of measures that would protect these at-risk groups and that would further human rights in the country. Once the free trade agreement is in vigour, I think there you in fact have much less leverage. That's how I would see it at least.

Mr. Gary Schellenberger: Okay.

The Chair: Thank you very much, Mr. Schellenberger.

Mr. Cotler, please.

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

I'd also like to join in welcoming you to our subcommittee, Mr. Main. I thought your testimony was very relevant.

As you may know, Henri-Paul Normandin, the director general of the Latin American and Caribbean bureau in our department of external affairs, testified before us on November 6. He made a statement to the effect that, "Reports of human rights defenders, journalists, and justice sector workers being targeted for intimidation and violence, including murder, continue."

It's a statement that dovetailed with your testimony today.

He went on to say, and I quote, "the political situation in Honduras is more stable than it has been for several years." He also indicated, "The new administration has also adopted a series of measures to improve security that appear to be leading to positive results."

He identified nine reforms in that regard of which I will only excerpt three and ask if you might reply to those. First, in the matter of combatting impunity, he said that there had been reforms to the penal code increasing the penalty for the murder of judicial officials to life imprisonment, and the penalty for threatening government officials in the exercise of their duty to 20 years imprisonment.

A second one was the adoption of a national human rights policy and action plan, and a third was a willingness on the part of the government to work with multilateral human rights institutions, including by extending an invitation to the office of the UN High Commissioner for Human Rights to open an office in the capital of Honduras.

I'm wondering if you can comment on those particular reforms that he indicated had been undertaken by the Hernandez government, and whether you feel there have been these positive results that the director general stated in his testimony to us, though he acknowledged that it will take time to see if they are concretely fulfilled.

Mr. Alexander Main: Thank you, sir.

Regarding the reforms to the penal code, I think there's generally consensus within the human rights community, certainly in Honduras, that the changes are quite regressive in nature. Longer sentencing and harsher sentences aren't considered the best way of

dealing with crime. In any regard, the stronger sentencing could be seen as perhaps dissuasive. I don't see how that would be the case when you still have a very high level of impunity. Changing the penal code in this way will have no effect on impunity. It doesn't change the procedures and it doesn't provide any particular additional motivation to investigators from the Public Ministry of Honduras or to the police to apprehend and judicially process criminals. I don't see how there can be really any change in that regard.

In terms of the adoption of an action plan, I think I responded to that point earlier. Where, in fact, this legislation has not yet been approved, it could well be approved very soon. But there's a great deal of concern again within the human rights community in Honduras over the content of that legislation since this new draft that is being debated within the Honduran congress has not actually been seen by them. They have not been consulted, although they were consulted very early on in the drafting process.

Finally, regarding the invitation to the UN, that, I would say, is certainly a positive sort of gesture. We'll see whether the government is actually prepared to follow through on that. It's been a demand for some years of human rights groups in Honduras to have a multilateral presence to support efforts to both reform the police and judiciary, and also to investigate and apprehend crimes that go even into corruption and organized crime, a body similar perhaps to the CICIG in Guatemala, which has had a fairly good record. Even if impunity and the rate of violent crime still remain very high in Guatemala, it is considered to be a positive step forward.

We'll just have to see whether the Honduran government actually follows through with its positive rhetoric in this regard.

• (1340)

Hon. Irwin Cotler: I realize that you did make reference to the legislation that is being considered. You indicated, in fact, that it was at third reading. Monsieur Henri-Paul Normandin did refer to that separately, however, as a sort of separate reform from the one that I indicated he also referenced, namely adoption of a national human rights policy and action plan. Now it may be that they are one and the same, but in his testimony he dealt with them separately.

Mr. Alexander Main: I can also go back to my notes and my contacts and verify. I do believe, though, that the action plan, which I think was first discussed back in 2012, under the previous administration of Porfirio Lobo, is the one that was meant to translate into legislation. Perhaps it's a component of the action plan, and I've misunderstood. That's possible. I will go back and check and would be happy to get back to you on that.

Hon. Irwin Cotler: One last question, in testimony before the subcommittee, Esther Major, from Amnesty International, said that it was important for the President of Honduras to publicly condemn killings of human rights defenders—journalists, lawyers and the like—and that condemnation by the president at the highest level that he would not tolerate such behaviour could have a salutary effect.

Are you aware of any statements by President Hernandez condemning killings of Honduran human rights defenders, justice sector workers, journalists, and the like?

Mr. Alexander Main: No, not at all. In fact, there have been statements from government officials that go in the other direction, particularly in the wake of the publication of the preliminary findings of the Inter-American Commission on Human Rights. Following their visit at the beginning of December, you had at least one military official who criticized their findings and also rejected their concerns over the increasing militarization that's occurring in Honduras.

Beyond the rhetoric, or absence of rhetoric from the government, certainly in terms of their actions, it's very worrying to see that precautionary measures that have been granted to individuals believed to be threatened with attacks and human rights abuses by the Inter-American Commission—and many have been granted since the 2009 coup—on the whole are not being implemented. You have various witness accounts from the grantees indicating that the national police of Honduras is often completely unaware of the precautionary measures and unaware of what to do to try to protect these individuals.

So these measures are not being implemented at a time when attacks against human rights defenders are increasing.

• (1345)

Hon. Irwin Cotler: Thank you.

The Chair: Thank you, Professor Cotler.

Is it Mr. Sweet this time? All right, go ahead.

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

I want to say thank you to the witness for sharing his expertise with us.

I want to go back to Mr. Cotler's line of questioning in regard to whether or not there was any condemnation from the administration. I think your phrase was “quite the opposite”.

I don't know if condemning an outside report is the opposite, but have there actually been statements by this administration publicly in regard to human rights defenders or journalists or even some of the communities at higher risk—the LGBTQ communities—in regard to any kind of loose support for this impunity, these killings?

Mr. Alexander Main: I'm, again, not aware under the administration of President Orlando Hernandez of statements that have been made to this effect. If they have been made they have not been very well-publicized, and certainly human rights groups have not signalled to me or other partners in the U.S. that the government has made any really positive signals.

Again, I think...quite the contrary. To give another example, that of a colonel in the Bajo Aguan region, who was in charge of forces there, who made threats towards journalists and human rights defenders. That happened as recently as last December in a very public way. He did so on television. He accused one human rights defender from the organization Rights Action, which is involved in helping campesino groups present their cases, their claims to land, before the courts in Honduras. She was accused of destabilization and she was also accused of having ties to al-Qaeda. This was done very publicly in a part of Honduras where there are frequent assassinations of human rights defenders and others. So it was very dangerous behaviour and this human rights defender returned to the

United States fairly quickly after these remarks were made. These remarks were, of course, criticized by human rights defenders throughout Honduras.

Mr. David Sweet: Just to be clear on our timeline, these specific remarks were actually before the Hernandez government was....

Mr. Alexander Main: This is true. I've been looking at the last 12 months and this occurred in December of last year.

Mr. David Sweet: Okay.

In regard to your comments of the military police being used more and more for routine policing, I'm curious about all of these moves that you're mentioning. Have you been aware of how the government is justifying these moves? Are they using the drug trade to justify to the general public why the militarization of the police continues?

How is this becoming palatable for the general public to endure for this long?

Mr. Alexander Main: I'm not sure that it is palatable to the general public. In terms of the justification, there is a section of the public, and certainly a good part of the conservative base of the National Party of Honduras, which saw in a positive light the creation of the new military police force. Again, this became a central theme of Orlando Hernandez' campaign and I think was used to sort of mobilize this base.

So this police force has grown in recent months. Another 1,000 individuals are now part of the force so I think it's 2,000 strong. It will eventually reach 5,000 if the government follows through with its plans.

The justification is that there is a great deal of crime. The best way to deal with it is to have a very tough response, in Spanish they say *mano dura*, a “strong hand” to deal with this. What stronger hand is there than the military with their military tactics and weaponry?

• (1350)

Mr. David Sweet: I just have one question I want to squeeze in here.

You had mentioned, in regard to the police and judiciary, those who had failed the trustworthiness examinations, for lack of better words, that they were dismissing them. You implied that it was quite the contrary, that those law enforcement agents, as well as some of the judiciary, were let go because they were trustworthy and they weren't in compliance with what you feel was the government's impunity.

Am I assuming too much? Is that what you were saying?

Mr. Alexander Main: That's correct.

Certainly, there have been officials who have been dismissed because of failing to pass trustworthiness tests, but there have also been others who have been maintained. Again, it has been reported by human rights groups that some senior officials who have been removed because of alleged criminal activity have been replaced by others who also have allegations of criminal activity and involvement in human rights abuses.

The Chair: Mr. Benskin.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Thank you and welcome.

Your testimony is clearly beneficial and enlightening. I will be following along the same lines as my colleagues.

The juxtaposition of one of the elements that was apparently being put into place by the Hernandez government, for example, was the establishment of a technical agency for crime investigation within the prosecutor's office, to investigate high-profile cases, and to improve monitoring of the judiciary and police. This is one of the things, it was said, that was being put in place.

With your testimony, you're saying that the ongoing militarization of the country... It seems to me they are at odds with each other in terms of the civilian execution and prosecution, and investigation of crimes, and the *mano dura*, as you put it, approach of the military. It seems to be something that is supported by the government.

Would you care to comment on that?

Mr. Alexander Main: Again, this *mano dura*, which involves more military on the streets of Honduras, which involves the creation of this new sort of hybrid military police force, and involves an increasing amount of extrajudicial killings, is seen as a big step backward.

Certainly, these killings have not been investigated. There may be greater efforts on the technical front to have improved methods of investigation and so on, but the actual investigations are on the whole not occurring. That's the real problem.

This lack of will, which is certainly institutional, is also within the police and the judiciary. One has to ask whether this lack of will is also at the executive level of government, given the lack of concrete action to address these problems.

Mr. Tyrone Benskin: That leads me to the \$64 million question.

As was mentioned earlier, we have entered into a free trade agreement with Honduras. But with this evidence—yes, it's circumstantial at this point—and from the testimony that we're hearing from different levels, what should the U.S. and Canada be doing to put pressure on the Hernandez government to make true on at least the nine reforms that were presented, and pull away from protecting the impunity of actions of this state?

• (1355)

Mr. Alexander Main: I would say the first thing is to look at results. There has been a lot of window dressing in Honduras in terms of human rights since the 2009 coup.

In 2010-11, various human rights institutions were created and then they were failed to be given adequate resources to do anything to try to deal with the human rights crisis in the country. It's one thing to discuss plans and the announcement of their implementation, and so on. It's quite another thing to actually see results on the ground, and we haven't been seeing any sort of results.

It's the same thing all over again, really. There was this supposed big effort in 2010-11 made by the government of Porfirio Lobo precisely at the time when they were hoping to be let back into the Organization of American States from which they had been suspended after the coup. So in order to show their good will they created a number of institutions, and very quickly not only independent observers on the ground among the human rights groups, but also individuals staffing those institutions said they had

no real resources, and the police, the judiciary, and so on, were not cooperative.

Again, it's very important to look at actual results and to get some concrete evidence that things are moving forward.

The Chair: Just before I wrap things up here, I just had one question I wanted to follow up on. It was one on Mr. Sweet's series of questions.

You referred to allegations that judges and prosecutors who effectively do their jobs according to the letter of their job, and therefore close in or begin the process of closing in on illegal acts or I could see even in some cases murderous acts that have been facilitated by government officials, that they are removed from their posts.

I'm wondering about the sources of those allegations. You mentioned human rights organizations. Could you be a bit more specific by way of providing us what amounts to footnotes to what you had said to us?

Mr. Alexander Main: Absolutely. I'm just going to check my notes.

I think the main organization is the Association of Judges for Democracy, which is a group that I believe pre-exists the coup and the very high levels of political polarization.

The Chair: This is a Honduran organization?

Mr. Alexander Main: It's a Honduran organization. It is. That's correct.

The Chair: Yes.

Mr. Alexander Main: Just to add to that, the Inter-American Commission on Human Rights also makes comments to the same effect, perhaps based on information coming from this group in their recent preliminary findings.

The Chair: Thank you.

In the event you have more specific references as to where to look for this information, and you would like to send it to the committee, we'll make sure that it gets distributed to our members as well. It might be that you have some more precise directions to point us in then, and we would be grateful if you could do that.

Mr. Alexander Main: Well, no, absolutely. At this point, at this juncture, if you want to have sort of the best update of the human rights situation, I think these preliminary findings from the Inter-American Commission are really quite critical. I don't think there's anything else similar that's out there.

Otherwise I would refer to you many documents in Spanish that have been produced by the human rights organizations in Honduras such as COFADEH; CIPRODEH; the Casa Alianza, which I mentioned earlier; the commission for women, the Centro de Derechos de Mujeres; and others.

Unfortunately, they are lacking resources and have often not been able to translate these documents, but if some of these documents could be translated and be made available to the members of your committee, I think that would be very helpful indeed.

•(1400)

The Chair: You need not regard that as an obstacle. One of our researchers is a native hispanophone and my assistant is also a native Spanish speaker so these are not insurmountable problems by any stretch of the imagination.

Thank you very much. We are very grateful you took the time to be with us today.

I'm now going to dismiss our witness and ask our colleagues to stay while we go in camera and deal with some other business.

Thank you very much.

[Proceedings continue in camera]

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