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

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**EVIDENCE**

**Tuesday, March 19, 2019**

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**Chair**

**Ms. Anita Vandenbeld**



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

Tuesday, March 19, 2019

• (1300)

[English]

**The Chair (Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.)):** Welcome, everybody, to our study on women human rights defenders.

We will have interpretation today in three languages, Spanish, French and English, and there will be a bit of a delay when you speak, so give the witnesses a bit of time.

Also, one of our witnesses, Ana Quirós, is going to be here by teleconference, not by video conference. Just be aware when you're asking the questions that even though you can't see her, she is on the line. Let's be sure to ask questions of her as well.

Today we're focused on Latin America and Central America. We have with us Lolita Chavez by video conference. She's a leader of the Council of K'iche Peoples for the Defense of Life, Mother Nature, Land and Territory, of Guatemala. She was granted precautionary measures by the Inter-American Commission on Human Rights in 2005, but is still targeted with threats, intimidation and harassment. On multiple occasions she has had to leave Guatemala for her own security. She has received assistance from a Basque program for the temporary protection of human rights defenders.

We also have with us Ana Quirós, the executive director of the Centre for Health Information and Advisory Services, a Nicaraguan NGO. She is a Costa Rican and Nicaraguan citizen, but has worked for the past 40 years in Nicaragua, where she promotes socio-cultural rights, healthy recreation and the human rights of teenagers, youth, mothers and fathers. Her NGO was one of those deregistered in 2018. She was deported from Nicaragua in November 2018 without due process.

As we know, today's focus is not on the subject area the human rights defenders are working on, but on what has happened to these human rights defenders because they are women.

We will start with 10 minutes for each of the witnesses and then open this up to questions.

Ms. Chavez, I will turn it over to you for your opening statement.

**Ms. Aura Lolita Chavez Ixaquic (Spokesperson, Amnesty International Canada, Council of K'iche Peoples for the Defense**

**of Life, Mother Nature, Land and Territory (CPK)):** [*Witness spoke in Spanish, interpreted as follows:*]

Good afternoon. I would like to thank you for the opportunity to be here today. Thank you for listening to my testimony, which is based on my daily struggles and my call for justice.

I am outside of Guatemala. Unfortunately, right now, given the current risk that I face in Guatemala, I haven't been able to go back there. I belong to the K'iche people in Guatemala and am currently outside of my country. I miss my country. I have two children, a daughter and a son, who are still in Guatemala, and I have the right as a mother to be able to return safely to my country.

I would also like to emphasize that I have the right to defend human rights. However, an atmosphere of racism, discrimination, violence, impunity and human rights violations has put at risk my integrity and my ability to defend human rights. The attacks we have suffered have been significant. I condemn the fact that the Government of Guatemala has not provided official reports regarding the situation of human rights defenders in the country, and specifically women human rights defenders.

I am specifically from the Mayan people. The lack, the absence, of consultations that should take place under convention 169 of the International Labour Organization is a very serious situation. The lack of these consultations has encouraged international transnational companies to carry out megaprojects that generate situations of violence against us and our communities. Our way of life is strongly linked to the earth, to the environment, the water and the mountains, and our rights are violated because these megaprojects on our land are an imposition, and they come with the presence of the military and with repression from the state. There are also the paramilitaries, and drug trafficking takes place in association with these megaprojects.

With regard to my specific situation, the Government of Guatemala has not met its obligations with regard to the precautionary measures that I have on behalf of the Inter-American Commission on Human Rights. As a result, I have had to leave my country. In 2017, I was a victim, along with other friends who are members of the community. We suffered an armed attack by the paramilitaries, and unfortunately this persecution, this attack that we suffered in June 2017, was the fifth attack that we suffered, with a threat of assassination against me. As a result of those attacks, I had to leave the country under a protection program and go to the Basque country, to Spain, and unfortunately until now have not been able to return.

In 2012, the attacks against me started to increase. The organization that I belong to, the K'iche council, started to receive an increased number of attacks.

• (1305)

We were expressing our condemnation of organized crime and military action, and we were also condemning the presence of ex-military actors, such as Captain Estuardo Galdamez, who in several situations was one of the main actors who threatened me personally and who has also participated in illicit actions. This person currently is a candidate for the presidency of Guatemala. He is also linked with the legislature; he's a deputy in Guatemala and is part of the Congress of Guatemala.

Currently I am being persecuted, and unfortunately I am being persecuted for the defence against illegal forestry in my country. This is linked to the illegal forestry in my community. Unfortunately, we don't have water for the different needs we have for working with the land and for our way of life. That is why we condemn the more than 97 forestry concessions that have been granted. This situation worsened when we began to participate, because we demanded the right to decide how our land is used.

With regard to this deforestation, it's something that we have been fighting against. In Guatemala, I have been accused of crimes that I never committed: for example, illegal demonstrations, illegal detentions and kidnapping. It's even to the extreme that the Government of Guatemala, through the police force, says that I am a threat to national security and also a threat to the national constitution, given that the interest of the national government is to withdraw my precautionary measures.

I am currently being persecuted. That is why I cannot return to my country, for two reasons. One is the five attempts on my life, which have not been tried.... We condemn the perpetrators of those attempts. Also, there are also the crimes that I have been accused of, which are currently active accusations, and therefore I cannot return. If I return to Guatemala, I will be imprisoned. That is why I demand that the Government of Guatemala investigate the murder attempts against my life, with an emphasis on the last attempt, which was an armed attempt that took place against me and other women who I work with. I also demand that the Government of Guatemala guarantee legal and physical safety for me so that I can return to Guatemala in a condition of safety.

I have also suffered sexual violence attempts and torture. I have suffered racism, where the fact that I am a human rights defender has not been recognized, and I have also suffered from misogyny.

That is my testimony. I am deeply grateful for the opportunity to share it with you today. Thank you very much.

• (1310)

**The Chair:** Thank you very much for your testimony today, Ms. Chavez.

We will now go to Ana Quirós, who is on the telephone.

**Ms. Ana Quirós Víquez (Director, Center of Information and Advisory Services in Health (CISAS)):** *[Witness spoke in Spanish, interpreted as follows:]*

Thank you very much. Good afternoon.

My name is Ana Quirós, and I am 62 years old. I have lived in Nicaragua for 40 years and I was expelled from the country on November 26. They first took away my citizenship without any explanation, and then they expelled me from the country. Ortega and Murillo's government was characterized even before it was a government by its direct persecution of women, especially women who are human rights defenders. Since we made the denunciation of Zoilamerica and of violations against Daniel Ortega, the women's organizations, and particularly feminist organizations, accompanied Zoila in her search for justice. Before the elections took place, the first thing they did was to criminalize abortion in Nicaragua after 150 years of legal abortion in Nicaragua, and after that there was persecution of organizations, particularly women's organizations. It was systematic persecution.

This worsened after April 18, 2018, when protests and civil resistance started to grow. I was the first person who was physically hit and attacked and injured in the protests, and they attacked me personally because they recognized me. They recognized me as a leader and a human rights defender. They hit me with tubes and chains and sticks. They cut my head. They broke my wrist. They broke my fingers. As a result of that attack, I have had to undergo three operations, and I haven't recovered full mobility in my hand.

As of March 18, there started to be systematic harassment against me and against my organization, and they also started harassing my family. This also included direct harassment and threats to my children, who are young men, 18 and 20 years old. They're students. Paramilitary groups went to the school and the university where my children studied to ask for them and to ask if I was going to be there to pick them up.

The harassment continued. We decided to take our children out of the schools. We received multiple threats via telephone and directly on the streets. We were also under surveillance constantly. This took place hand in hand with online campaigns that characterized us as terrorists and people who finance terrorism, who are linked to the government of the United States.

• (1315)

I have been the subject of precautionary measures by the Inter-American Commission on Human Rights as of July of last year. I won't go so far as to say that it was useless, but it was completely ignored by the Government of Nicaragua. Women and women's organizations have been attacked systematically. Of the 400 people who were killed by the government during this time of protest, more than 35 women were murdered. Approximately 70 have been either imprisoned or limited to staying in their homes, and are therefore not free. We have identified many cases where women, especially young women, have been abused and raped. The regime has used violation and sexual violence as a tool or medium for torture specifically directed against women, although it has also happened to some men.

During this process of protests, women have played a very important role. Of the 184 people who were detained on a Saturday when a protest took place, more than 100 were women. They were all physically hit. They were all insulted. They were all abused. Ortega and Murillo's regime has clearly taken a stance against women. They have unleashed a very significant persecution against them.

On November 26 I had an appointment at the immigration office. I was not allowed to enter with my lawyer. When I finally was allowed into the office, they read a resolution in order to cancel my citizenship, my Nicaraguan citizenship, which I'd had for more than 20 years. They immediately handcuffed me. They took me, in a caravan of nine vehicles, to a place called El Chipote, one of the most feared penitentiaries. There I found that there was an accusation against me that I was a terrorist. A few hours later, they read a resolution to me that said I would be expelled from the country and would not be allowed to enter the country for the next five years. Verbally, however, they said I would never be allowed back into the country.

Two days later they cancelled the legal support from the organization that I was in charge of. A week later they confiscated our vehicles, our buildings and all our equipment. They took possession of all our paperwork. My colleagues in Nicaragua are currently in a situation where they're forced to hide. Of course, I can't return to the country. Even though I'm in Costa Rica, I continue to receive threats on behalf of the regime.

I call for justice against this regime that has caused the deaths of so many people, especially young people and women. There must be justice for the illegal detentions. For those of us who have been forced to leave the country, we must be able to return to our country. In order to achieve that, we rely on the support of the international community.

• (1320)

Thank you very much.

**The Chair:** Thank you very much, both of you, for your courage and your testimony.

We will start the questions with Mr. Sweet.

You have seven minutes, please.

**Mr. David Sweet (Flamborough—Glanbrook, CPC):** Thank you very much, Chair.

Ms. Chavez and Ms. Quirós, to echo what our chair just said, we commend you immensely for your bravery and your dedication to human rights. No doubt many people are alive today and many issues have been moved forward because of your dedication.

Our study is specifically on the more substantial and different hardships faced by female human rights defenders versus their male counterparts. Do you work with male counterparts, and if you do, can you explain to us the different level of persecution that you and your male counterparts face?

Perhaps Ms. Chavez can start, and then Ms. Quirós can answer after that.

• (1325)

**Ms. Aura Lolita Chavez Ixcaquic:** [*Witness spoke in Spanish, interpreted as follows:*]

It's important to mention that women human rights defenders do suffer the aggressions that other human rights defenders suffer, but we also suffer from sexual violence and sexual harassment. We're threatened with sexual violence. For example, the message I received was that they were going to kill me, but before that they were going

to rape me, and before that they were going to rape my daughter in front of me. It's permanent psychological torture that we must endure. There's also the contact with my children. Even though I'm not in the country and I can't be with them, I need that relationship with them. That is their right. I have the right to be in contact with them.

I am also accused of being a witch. My male counterparts are not. It's because we have a link or a connection with Mother Earth. A situation took place in my community, and as a result of that and other situations that took place, I was accused of being a witch. These pejorative, negative accusations have created a stigma against me. As a woman, I have been stigmatized differently. I have been stigmatized as a witch, as a prostitute, as someone who is crazy, as a stupid Indian—none of which they call my male counterparts.

They say that if I continue to express myself publicly and to act publicly, and if I don't just focus on working at home on domestic work, they will take me to a public judgment where they will hit me. This is the threat I have received in my community. They also generate a lot of racism, which my male counterparts don't receive, about the way we dress. They call me the pejorative "Indian"—in Spanish, it's a pejorative way of saying indigenous—and they say I'm controlled by external organizations. They don't believe in the collective wisdom that women have.

The other thing is that they use me even now, outside the country, as an image to encourage attacks against other women defenders. They have been told that if they continue to fight for women's rights, that if they continue to fight against violence against women, then the same thing that happened to me will happen to them. Their husbands are told to control them. They're told to control women and to keep us at home. They're told that men have to be the powerful ones, and that they have to keep us in line by being violent and keeping us at home.

Those are the examples I can think of now.

Thank you very much.

**Mr. David Sweet:** Have you anything to add to that?

**Ms. Ana Quirós Viquez:** [*Witness spoke in Spanish, interpreted as follows:*]

With regard to the difference in the experiences of women and men human rights defenders, firstly I should say that the accusations often refer to women as prostitutes. This is used as an insult. They also refer to our sexual preferences, which is something that's not mentioned when it comes to our male counterparts. Thirdly, I should say that in my case, when I was attacked for the first time, it was because they identified me as a human rights defender and a defender of women's rights. While they were hitting me, they were saying to me...they were attacking my identity as a woman and as a human rights defender. As another example, as Lolita was saying, they use threats against our children, which is rare when it comes to our male counterparts and our male colleagues.

Another factor I should mention is that women's organizations are the ones that have been most persecuted in Nicaragua. Human rights organizations and organizations for women's rights, such as CENIDH, the Nicaraguan human rights centre, are the ones that have been most persecuted. Sexual violence has been widely used against women. An additional point is that policewomen have been told that they have to show that they are just as strong, just as manly, as their colleagues, so these policewomen act very violently and aggressively, especially if they are detaining other women.

I do think that there is different treatment when it comes to women and men, and I should also mention that, in the case of Nicaragua, the LGBT community and LGBT groups have been a target. They have been a target because they have participated in protests. The government has truly gone against these LGBT groups. We have three colleagues who are transgender and are currently detained in the men's jail. They are receiving threats and abuse. They have been told that they have to undress, and they have had to do different exercises in front of men. That's in order to humiliate them, embarrass them and make them feel ashamed of their identity. That is something that I don't think we see as often with—

• (1330)

**The Chair:** We're out of time on that, but you can add to that in a future question. We do need to go to the next question. Thank you.

We have Ms. Khalid for seven minutes.

**Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.):** Thank you, Chair.

For both witnesses today, I thank you for your courage and your great work with respect to human rights.

I want to continue talking along the same path as Mr. Sweet. As women human rights defenders, how does this harassment impact your work for human rights within Guatemala or Latin America? How is that different from your male counterparts? Is the work of human rights defenders like you inhibited, especially within the 50% of the population who are women, because of what you've described?

Can I please start with Mrs. Chavez?

• (1335)

**Ms. Aura Lolita Chavez Ixcaquic:** [*Witness spoke in Spanish, interpreted as follows:*]

The specific question is how our work is affected? Is that the question?

**Ms. Iqra Khalid:** Yes.

**Ms. Aura Lolita Chavez Ixcaquic:** [*Witness spoke in Spanish, interpreted as follows:*]

Of course, yes, this affects the work. It completely affects the work, because it creates a lot of fear, a lot of terror among our other female colleagues, and it revictimizes them. We've had to go through healing processes, because all of this has psychological repercussions on our day-to-day activities. There are deep effects when it comes to our work—our political work, our social work, our economic well-being, our cultural well-being.

Because of all the attacks that I've suffered, I can't find work now. It's very difficult for me to find work. It's another form of exclusion. Despite the fact that I'm a teacher... I used to be seen as a teacher, and now I'm seen as a criminal. People working in civil service don't refer to me as a defender; they call me a criminal. This criminalization affects me, but I'm also seen as a threat. I'm not seen as a defender.

What happens is that the perpetrators increase the amount of power they have—the amount of impunity—and therefore violence continues within the structures in Guatemala. They are remilitarizing territories in Guatemala. We already had a period of genocide and femicide when they murdered 41 girls on March 8, 2017. They were burned to death. When we have demanded justice, 97% of cases have gone unpunished, and so perpetrators acquire more power, more strength.

That's why we're calling on the international community to make a statement, because this is not fair. I wasn't born to be murdered. I wasn't born to be raped. I wasn't born to head to jail or the cemetery. I'm a defender. I have the right to defend my rights, and I'm fighting for justice. We're defending water. We believe this is our right. We're defending our land, because we have this relationship to the land. That's why we will not be silenced.

But I fear for my life and I fear for my children's lives.

**Ms. Iqra Khalid:** Thank you very much, again, for your courage.

Ms. Viquez, can I ask you who your allies are? When you work together at the grassroots level, who do you work with and how does that partnership impact you as a woman human rights defender?

**Ms. Ana Quirós Viquez:** [*Witness spoke in Spanish, interpreted as follows:*]

My first partners are other feminist colleagues from women's groups. Second, I have male and female colleagues from LGBTIQ groups in Nicaragua. Third, there are other groups of defenders of human rights, and the independent press, of which women are also a very important sector.

Throughout this process, persecution of women just for being women has been very, very strong, very serious. The Ortega-Murillo regime has tried to make violence against women a pillar of their government, but this is a cover-up, because in reality, what they have done has been to promote impunity. There are, on average, 70 femicides every year. Only five receive justice. Police departments dedicated exclusively to preventing violence against women were actually closed under Ortega and Murillo's orders.

There's specific persecution of women—of those who communicate, of defenders of human rights.

• (1340)

**Ms. Iqra Khalid:** Thank you.

I'd like to ask both of you about what Canada can do to enhance that relationship between you as human rights defenders and the grassroots and your communities and with the state and the government of the day within Guatemala and in Latin America.

I'll start with Ms. Chavez.

**The Chair:** Could we have very short answers, please?

**Ms. Aura Lolita Chavez Ixcaquic:** [*Witness spoke in Spanish, interpreted as follows:*]

I'm sorry. I didn't hear the interpretation.

**Ms. Iqra Khalid:** What role can Canada play to enhance the relationship between you as women human rights defenders and grassroots organizations, and with the state of Guatemala and Latin America in general, to further protect yourselves?

**Ms. Aura Lolita Chavez Ixcaquic:** [*Witness spoke in Spanish, interpreted as follows:*]

Well, in Guatemala we need Canada's statements to the state of Guatemala. Ask them to speed up the investigations into the attacks that defenders have faced. They can do this within diplomatic relationships. They can ask about the situation of human rights defenders in Guatemala.

There is also a commitment between the United Nations rapporteur on indigenous people and the rapporteur on human rights defenders. They are obliged to write a report on attacks and murders committed against defenders in Guatemala. We would ask you to follow up on this. How did these murders take place?

In the specific case of militarization, Guatemala has had more than 36 years of war. Through the state of Canada, we would ask that you would pass laws that don't promote the formation of criminals, such as amnesty; this law is creating a lot of problems. It gives a lot of strength to the perpetrators. It allows them to continue committing crimes against humanity.

**The Chair:** Unfortunately, we're a bit over the time for that question.

We have one question left for Ms. Hardcastle, and then maybe a minute or so for each of you at the end.

Ms. Hardcastle, you have seven minutes.

**Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP):** Thank you very much.

I'll ask both of you, Ms. Quirós and Ms. Chavez, to think a bit more about how amnesty gives strength to these perpetrators, and to think about what motivates this hatred towards women. You can speak to Guatemala and Nicaragua. We hear so much speech targeted against women. I'm wondering if over the years this has escalated because of profit, because of power and because of these megaprojects. Or am I missing something? It seems that women's rights and reproductive rights have been taken away and that there is just outright hatred for women. Think about those things.

I have another point. Earlier, I think it was you, Lolita, who spoke about how the government has not provided official reports about violence. While we're talking about reporting on violence, are there ways that Canada can work better and make recommendations?

I made all these points to you right now because I won't speak again. We'll have you take up the rest of my time. Maybe we can start with you, Lolita. You can have three minutes, and then the next three minutes will go to Ana. Thank you.

• (1345)

**Ms. Aura Lolita Chavez Ixcaquic:** [*Witness spoke in Spanish, interpreted as follows:*]

With the diplomatic relationships that exist between Canada...and the guidelines Canada has with regard to defenders, it's very important that these visits between countries and dialogues take place so that you can verify what is happening to us.

The most significant attacks against defenders happen against those who are defending their lands due to the presence of transnational companies linked not only to the government but also to oligarchs. So, providing follow-ups when there are Canadian businesses in Guatemalan territory where we are saying that we need water for life and not for mines, for example.

Mining companies have created a lot of conflict in our land. Licences have been given without consultations.

It's also important to have follow-up missions to verify in the territories, and also to follow up on international commitments such as international conventions and treaties that Guatemala has ratified.

**Ms. Cheryl Hardcastle:** Thank you.

Ana.

**Ms. Ana Quirós Víquez:** [*Witness spoke in Spanish, interpreted as follows:*]

First of all, this government has primarily attacked women, because women were the first to denounce that this was a dictatorship and not a socialist, robust, solid government, as had been said. There was a lot of resentment and anger against women because of this.

I want to talk about the role that Canada can play. Canada is part of the working group at the OAS. In Nicaragua, we want this group to work to apply the democratic charter of the OAS, and we want the government of Nicaragua to be sanctioned, and specifically that those who have committed crimes against humanity be sanctioned. Canada has mechanisms that can be applied for universal justice for criminals who have committed crimes against humanity. We want these people to be punished and we want there to be no more impunity when it comes to these crimes that they've committed.

We would like Canada to join the people of Nicaragua in the search for justice and in the application of specific sanctions, such as those that have been discussed, including, for example, the NICA Magnitsky Act in the United States and sanctions by the European Union, which are also targeting these criminals.

I believe that Canada joining us in this search for justice will be very important and will allow us to achieve this justice, so that in Nicaragua we don't go back to the situation we had 40 years ago.

**The Chair:** I want to thank both of you witnesses very much for not being silent and for your courage in your testimony today. I know that it's very difficult testimony, but we are hearing your voices, and it's going to be a part of our larger study. I want to thank both of you.

We are going to go in camera for just a few minutes of committee business. I will be suspending for just one minute.

Thank you for your perseverance.

*[Proceedings continue in camera]*

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