

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

SDIR • NUMBER 148 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Tuesday, April 30, 2019

Chair

Ms. Anita Vandenbeld

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

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• (1305)

[Translation]

The Chair (Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.)): Good afternoon.

This is the last meeting in our study of the situation of women human rights defenders.

We have two witnesses today.

Our first witness isn't here, but we are going to try to reach her.

We have Hend Bouziri on the telephone.

Mrs. Bouziri is the president of Association Tounissiet, a Tunisian non-governmental organization established after the Jasmine Revolution, which gave rise to the Arab Spring in 2011.

[English]

We also have with us by video conference—or we will shortly—Gloria Chicaiza from Acción Ecológica, who is the coordinator for justice in the mining sector. My understanding is that we may also have with us now, by telephone, Arbia Jebali, the president of the Free Sight Association.

I'll check with each one of you to see if you are on the line.

Arbia Jebali, are you on the line? Okay.

[Translation]

Are you there, Mrs. Bouziri?

Mrs. Hend Bouziri: Yes, Madam Chair.

The Chair: All right.

Thank you, Mrs. Bouziri.

[English]

Gloria Chicaiza, are you on the line?

Ms. Gloria Chicaiza: Hello. Buenos dias [Technical difficulty— Editor]

The Chair: Since we have two, we will start with Madame Bouziri.

[Translation]

You have 10 minutes for your presentation, Mrs. Bouziri.

Mrs. Hend Bouziri: Allow me to introduce myself. My name is Hend Bouziri, and I am an academic. I represent the Association Tounissiet.

The association was created after the revolution to promote women's rights. Laws that support women are very important, but they are not enough. Mechanisms are necessary to implement those laws so that all women and girls are guaranteed access to the rights they afford. Although Tunisia has some of the most progressive laws on women's rights, a large segment of the female population does not have access to them.

In my presentation, I will cover five issues: transitional justice and gender, socio-economic rights, political violence, challenges around enforcing laws to eradicate violence against women, and the rights of migrant women.

I'll begin with transitional justice and gender. In our work on transitional justice and gender, we noted that very serious violations against women were committed during the period of the dictatorship, prior to the revolution. Those violations are specific to the Tunisian landscape in three ways. First, the women and girls who are victims are activists or the relatives of activists. Secondary victims suffer violations that are equally as serious as those suffered by direct victims, or even more serious. In fact, these women are used to punish their family members. The violations are specific in a number of ways, and a great deal of effort has been made to identify them. Victims suffer sexual, economic, social, psychological and other violations. Another notable fact is that the violations occur over long periods of time. That is especially true of violations involving labour and mobility rights, forced divorce and, of course, sexual abuse. The third distinct feature is that the state is behind the violations, through government institutions as well as laws and specific orders.

The country's truth and dignity commission, established by law further to the transitional justice process, recently submitted its final report, which did not include violations against women, essentially sexual abuse. They are addressed only in the recommendations. The report sheds light on the facts and circumstances related to other violations, but not those of a sexual nature. Furthermore, the report does not indicate that the state must see to the rehabilitation of victims through existing mechanisms in the ministries for women's affairs and health, which are responsible for women victims of violence.

Another challenge when it comes to women victims is access to specialized courts. Since the bulk of violations were committed outside the legal framework and given the difficulty of obtaining evidence to establish the facts, violations against women are likely to resume. A record has not been preserved, the truth has not been laid bare, and the state has not recognized the facts. It is therefore necessary to guide people through the transitional justice and gender process, after providing them with help. Consequently, we are calling on the Tunisian government to make a strong and formal commitment to develop a plan and programs in response to the final report of the truth and dignity commission, specifically its institutional reform recommendations to safeguard against human rights violations including violations of women's rights. We want to draw particular attention to the importance of specialized criminal courts as a way to truly guarantee that transitional justice is carried out, that the truth is ultimately brought to light and that impunity for violations is addressed.

The second issue I'd like to address is socio-economic rights. Inequities are evident in the rights of women and girls in different areas, be they urban, near-urban or rural. Those inequities relate primarily to mobility and access to transportation and health services.

• (1310)

Two days ago, 12 female farm workers lost their lives because they weren't transported safely to the fields where they were supposed to work. The working conditions of female workers, their transportation to farms and their welfare on farms constitute a societal problem affecting nearly 30% of Tunisian women.

Access to health is another problem for these women and girls, so much so that Tunisia has a very high rate of death in childbirth. Gender-responsive policies and public services are necessary at the local level given the emergence of decentralized governance.

My third point pertains to women's involvement in the transition to democracy, specifically the political violence inflicted upon women who run for political office. This is all the more evident given that the political climate is already very aggressive, affecting women politicians especially. They tend not to participate in debates covered by the media. That violence is something our association has observed in working with elected women officials from various political parties, whose approaches and internal rules fail to take gender into account. Women are excluded from decision-making positions in their parties and are therefore ill-prepared for positions in Parliament and the government. That is why it is so important to build parity into the executive management and decision-making positions of not just political parties, but also unions.

My fourth point concerns enforcement of the 2017 organic law on the elimination of violence against women. Despite being revolutionary, the law is hardly being enforced owing to the lack of support mechanisms for women victims of violence, not to mention the lack of effective policies that would allow the state to eradicate all forms of violence against women, as the law stipulates. These mechanisms must adhere to safety and accessibility standards.

My fifth and final point has to do with migrant women. According to the International Organization for Migration, Tunisia is currently home to 75,000 migrants. The number of women and girl migrants

has increased in recent years, and may account for nearly half of all irregular migrants, asylum seekers and refugees. This vulnerable population faces unique problems related to knowledge of their rights under national law, as well as access to and the justiciability of those rights.

What's more, their irregular situation makes them vulnerable, putting them at risk of marginalization and thus emotional, sexual and economic violence, human trafficking, specifically for financial gain, and prostitution. Their wide-ranging needs are not always taken into account by the government. The 2017 organic law on the elimination of violence against women does not include special consideration for migrants; nor does the national strategy to combat violence against women. Although the future organic law on the elimination of racial discrimination deals with discrimination based on race and ethnicity, it has yet to take effect. The 2016 organic law on human trafficking is beginning to take effect with the introduction of a national authority to prevent human trafficking. Nevertheless, the law does not address violence against women asylum seekers or refugees, dealing solely with victims of human trafficking.

That concludes my presentation.

The Chair: Thank you very much, Mrs. Bouziri, for describing the situation in Tunisia.

● (1315)

[English]

We will now hear by video conference from Gloria Chicaiza, who is coming to us from Quito, Ecuador.

Please begin.

Ms. Gloria Chicaiza: [Witness spoke in Spanish, interpreted as follows:]

Good morning.

Thank you very much for giving me the chance to speak to tell you about some cases through this important space and the connection that the KAIROS NGO has given us.

I'm Gloria Chicaiza. I'm a defender of environmental and human rights. I'm part of a collective called Environmental Action from Ecuador. We are one of the most important and oldest organizations in Ecuador. For more than 30 years we have been promoting the rights of nature, human rights, the rights of the environment, and the rights to territory. We have also been fighting for the rights of women human rights defenders.

Our organization is, in fact, made up largely of women. The majority of our members are women. I should say that over these past years, especially in the last decade, in just under seven years, we've suffered two attempts to break up our organization through systematic aggression against the members of our organization, and a series of public humiliations through a lack of democracy, which were hostile towards us, which bullied us. There's a lack of security and democracy in Ecuador.

Within this context, Environmental Action, Acción Ecológica, works with international networks. Here I would like to describe the work the network does, the Latin American network of women's rights defenders, which also defends social and environmental rights, and to look at the regional and local cases of this network, which works in 10 Latin American countries, as well as some regional perspectives that we have put together in order to present reports to the IACHR.

This is all due to the increasing international demand for minerals and specifically in terms of extraction. Demand for minerals applies very strong pressure on our territories, and that has significant impacts. This has a particular impact on women. There are specific risks to being a female defender of rights in Latin America.

Unfortunately, the link between the defence of rights to territory and environment has turned into a concrete threat in Latin America, and certainly throughout the entire world.

We have recorded a series of indicators, and we've presented reports from organizations such as Global Witness, Amnesty International, and the InterAmerican Commission on Human Rights. Global Witness reports from 2015, for example, said there were 185 murders of environmental leaders across the world, 122 of which were in Latin America.

● (1320)

Front-line defenders reported the murder of 281 people in 25 countries in the year 2016. Forty-nine per cent of these worked in the defence of the environment and the defence of territory. All of these were rural villages where indigenous people and peasants live. Of these, 143 cases took place in Colombia, Brazil, Honduras, Guatemala, El Salvador and Peru, which are specifically exactly the countries where our Latin American network has its head-quarters, and that's why I'm emphasizing this.

At the beginning of 2017, the IACHR in fact issued a press statement saying that in 2017 to date the IACHR had already reported 14 murders of human rights defenders: seven in Colombia, two in Guatemala, two in Mexico and three in Nicaragua. The IACHR expressed its worry about the devastating increase in violence against people who are protesting against development projects or mining projects, those who were defending natural resources or territories, and indigenous people of the region, as per information provided by civil society.

These are now 41% of all homicides or murders of people in the region, of defenders in the region. Approximately 14% of murders are of female defenders, but these statistics aren't enough. They don't tell us about all the murders that do happen, nor do they explain everything that has actually happened. A lot of things become invisible behind the statistics.

Beyond the murders, there is a significant amount of other types of aggression. In fact, the Mesoamerican Initiative of defenders recorded in 2014 over 700 aggressions against women defenders in El Salvador, Guatemala, Honduras and Mexico. Thirty-eight per cent of the 287 cases were of defenders of natural resources and the land. The primary types of aggression in this context were slander, defamation campaigns, threats, warnings and ultimatums, as well as intimidation, bullying and psychological bullying of women.

With this heartbreaking panorama, we also have the lack of action by the states that have not done anything to regulate or monitor the rights of female citizens and defenders to implement the standards and procedures that should be guaranteeing support for these defenders. Women, as I've said, experience differentiated impacts, and even though they're invisible, I want to highlight them here. I want to show you their experiences from a regional perspective.

● (1325)

Here we have, for example, appropriation of land as an intervention that mining companies perform. That leads to the contamination of this land. There's a shortage of water, and it means that women have to move to other places due to the lack of these resources or because now they can no longer access these. Women are obliged to try to find resources and to find food for their families. They thus expose themselves to greater poverty, exploitation and different types of violence.

They also put at risk the use of land by women, given how difficult it is to access this land in Peru. For example, 79% of land is held by men and only 21% is in the hands of women.

The Chair: I would ask you to just wrap up very quickly because we are out of time for those remarks.

Ms. Gloria Chicaiza: [Witness spoke in Spanish, interpreted as follows:]

The situation is that female rights defenders, whether for social rights or environmental rights, are being threatened. They are being bullied. This does not make things easier, and furthermore there is so much impunity that it makes it difficult to do our work. There is a series of dangers that creates obstacles and demotivates women from doing these activities in favour of the environment and human rights.

On these threats, even threats against lives, what we see is essentially a lack of action by the state in respecting their rights, which need to be respected. The countries from which the mining companies come should also respect these. If there are minerals being used in a particular territory where they are not being produced, that means they are benefiting from the sacrifice of other territories and other people. On one hand, these states need to give us a guarantee. They need to ensure our safety so that we can defend our rights. As well, the laws that exist—for example, Canada's laws—need to be stricter on the compliance with human rights and ensure that companies that are operating in our territories will respect human rights and not carry out these violations due to their mining interventions, for example, by Canada, in our territory.

Thank you very much.

The Chair: Thank you very much, and hopefully we'll be able to delve into some of those topics more in the questions and answers.

Do we have Arbia Jebali on the phone?

[Translation]

Mrs. Arbia Jebali (President, Free Sight Association): Yes, I can hear you.

The Chair: Arbia Jebali is the president of Free Sight Association and is also a native of Tunisia. She is joining us by phone from Lisbon, Portugal.

Mrs. Jebali, you may go ahead.

Mrs. Arbia Jebali: Thank you, Madam Chair.

I listened to the presentation given by the Tunisian activist, so I must tell you that the points I had planned on covering were practically the same.

For my second, third and fourth points, I was going to address socio-economic rights, gender parity in election candidates and the organic law to combat violence against women. To save time, I'll just cover two other points.

First, the government needs to get more serious about enforcing the laws that have been passed. As my fellow witness mentioned, a number of women farm workers died in a crash two days ago. A protocol for co-operation and an agreement between the stakeholders actually exist, but our government has not dealt seriously with oversight and follow-up measures, particularly the ministry of women, family, children and seniors. That is why we have not been able to resolve the problems related to violence against women.

Second, the harassment endured by women is difficult to prove. The organic law mentions a number of forms of violence. On a practical level, however, proving that violence is challenging given the absence of mechanisms and tools. Violence is very difficult to prove, especially in the absence of witnesses. Administrative laws and others are used to demonstrate that the woman is always in the wrong. That is common with human rights defenders, in general, and women's rights advocates, in particular.

That concludes my presentation.

• (1330)

The Chair: Thank you very much for your statement. [*English*]

We will have one round of questions, beginning with Mr. Sweet for seven minutes.

Mr. David Sweet (Flamborough—Glanbrook, CPC): Thank you very much, Chair. I appreciate it, and I appreciate the risks that all of the witnesses take on a daily basis to defend others, and the environment as well.

Because we're doing a study specifically on women human rights defenders, I want to get some specifics.

Ms. Chicaiza, you didn't mention who, but you said that someone was trying to dismantle your network and that they did this through public humiliation and bullying, and you mentioned that there were other specific risks. Can you tell me the nature of the public humiliation and bullying they used to try to endanger the people in your network and to break it up?

Ms. Gloria Chicaiza [Witness spoke in Spanish, interpreted as follows:]

Who is this question for?

Mr. David Sweet: It's for you, Ms. Chicaiza.

Ms. Gloria Chicaiza [Witness spoke in Spanish, interpreted as follows:]

Thank you very much.

I have been referring to two different organizations. One is the local, which is the Environmental Action Network. In seven years there were two occasions on which there were administrative actions that took place with the intent of dismantling our organization. However, I'm also referring to the regional context, the regional organization, which is the Latin American Network of Women Defenders of Social and Environmental Rights, which has a presence in several Latin American countries. That network has faced several instances of harassment.

There has been, for example, the murder of people like Berta Cáceres, but other forms of violence are also taking place, for example, stigmatization. There have also been cases of hostility against women, for example, by ex-President Correa.

We have also been exposed. Our images, our faces, have been displayed on public screens in order to stigmatize us and in order to stigmatize women. We're accused of not staying within the home or of not working only at home. These women are attacked for participating in manifestations and protests and participating actively with their children. Especially rural women in rural communities are harassed. They're harassed for including their children.

Indigenous women and peasant women in rural communities often participate in protests with their children and, therefore, they're stigmatized. They are stigmatized in three ways. They are stigmatized by local leaders. They're also stigmatized by companies that are present in that local community, and they are also stigmatized by the government.

I should also maybe quickly mention that we have a report which we presented at the Inter-American Commission on Human Rights. We mentioned, for example, the murder of Dora Sorto and we also addressed the criminalization of women human rights defenders and also mentioned the case of Ecuador, for example, in Shuar territory, where many indigenous Shuar women have suffered effects from the military.

• (1335)

Mr. David Sweet: Ms. Bouziri in Tunisia, your organization actually does workshops on how to help women to integrate into local governance, etc. I wanted to ask you two questions.

One, have you received specific threats because of the work you do in empowering women? Two, what specifically could a nation such as Canada do to help you on the ground in Tunisia?

[Translation]

Mrs. Hend Bouziri: Things totally changed after the revolution. The violations that occur are no longer state-led. They can be violations carried out independently by police or others against those who voice their opinion on Internet or social media sites. These actions aren't predetermined or prescribed-if you will-by the state; rather, they are actions carried out independently. In our transitional justice and gender work, we've encountered situations where so-called police officers were acting independently. They weren't clear-cut violations. In one case, after a participant gave her account of what happened, she was stopped in the street by a socalled police officer, dressed in civilian clothing, and he ordered her to keep quiet. Authorities within the government system such as the security service have no affiliation with transitional justice. It is therefore important, in our view, that the state commit to ensuring that actions and violations perpetrated prior to the revolution not be repeated. It is paramount that the transitional justice and gender process be carried out and that the recommendations of the truth and dignity commission and civil society be taken into account to end the impunity surrounding those violations.

We expect democratic nations to support and guide Tunisia in implementing transitional justice and, basically, incorporating gender into the process, rehabilitating victims and bringing the truth to light.

It is true that our work involves delivering seminars and workshops, but we also work with the people, on the ground, with women, in rural areas. Encouraging and promoting socio-economic rights is important to us. It is also important for the future, in order to build peace and security and combat terrorism. What's more, establishing a climate of peace and calm in the most privileged areas is equally important. The focus is mainly on rural and near-urban areas, places with a high rate of radicalization and human smuggling.

The Chair: Thank you very much.

● (1340)

It is now Mr. Tabbara's turn. The next question goes to him. [English]

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): Thank you, Madam Chair. I will just double-check on Ms. Jebali. [*Translation*]

Mrs. Jebali, can you hear me?

Mrs. Arbia Jebali: Yes, I'm listening. Mr. Marwan Tabbara: Thank you.

I prefer speaking English, as my French isn't very good. [English]

I want to concentrate a bit on the legal and judicial system in Tunisia. It was mentioned that Tunisia, compared with the region, is more progressive in terms of gender equality.

However, female bloggers have been on the front lines in advocating for women's rights, and they've been human rights defenders. How have female bloggers and advocates been subject to violence from officers and harassment from officers and officials?

I'll start with you, Madam Jebali.

[Translation]

Mrs. Arbia Jebali: [Technical difficulty]

The Chair: Mrs. Jebali, would you mind speaking a bit more slowly? We're having trouble hearing you.

Mrs. Arbia Jebali: All right.

[Technical difficulty]

Can you hear me?

The Chair: A bit.

Mrs. Arbia Jebali: Can you hear me now?

The Chair: Yes. That's better.

Mrs. Arbia Jebali: Very good.

In response to your question about women's rights advocates, female bloggers and others being harassed, I would say this. All of us women who work and who are involved in advocacy, legislation and program proposals, and oversight—bringing pressure to bear on the government to enforce laws and address women's rights more effectively—we are constantly subject to arrest and harassment, especially during protests. We have many accounts of such occurrences.

Indirect and direct abuses are perpetrated. I, myself, can attest to indirect abuse. Having worked in a ministry for 20 years, I was the target of administrative harassment because of my activism. I had to appear before disciplinary boards until I left my job at the ministry. It was a form of violence, and it even happened during the disciplinary board meetings. I was told that, for the past few years, I had not been behaving properly, I had not been "like I was before", as they say in Tunisia, meaning before I became an activist.

● (1345)

[English]

Mr. Marwan Tabbara: My second question will go to Madame Bouziri.

Sticking with the same theme of the legal and justice system, I wanted to know how women human rights defenders experience the legal system differently from men in terms of detention, investigation and imprisonment. Can you comment on that, please?

[Translation]

Mrs. Hend Bouziri: Detention-wise, measures aren't applied systematically to all human rights defenders, but individual incidents do occur. When women are involved, our concern is always that the number of violations is greater. As borne out by facts, the state is not involved in a systematic attack on activists, whether male or female. However, measures are taken independently. Although there have been reports, they do not prove that the violations are carried out in a systematic manner.

Furthermore, given the transitional period we are in, the fact that we've experienced a dictatorship and the fact that a return to such a regime is not impossible, as members of civil society and human rights advocates, we support the transitional justice process. Although we do make some effort to expose the violations against male activists, we focus primarily on violations against women because they are more serious. We do what we can to press upon the government the need for a strong and formal commitment to not reinstate the system of violations. Thus far, the government has not committed to the process, having only very recently accepted a report, with no political guarantees that the results of the transitional justice process will be adopted.

As I said, what makes the situation worse is that not even the truth and dignity commission gave fair consideration, in its report, to the violations against women, mainly sexual violations. As members of civil society, we are trying to push the government to recognize the violations in order to end such practices.

In terms of political violence, our country is transitioning towards democracy and will be holding parliamentary and presidential elections in 2019. Although the legislative framework is strongly in favour of women's participation, it is important to note that women remain reluctant to participate. They do not become actively involved in politics because they tend to be targeted by political violence, mainly in relation to aggressive media debates. What's more, political parties do not deal with the problem in their internal rules and regulations, and so, women are excluded from decision-making positions, even if the overarching framework stipulates that there must be gender parity. Women are encouraged to participate, but they can't do so effectively.

The Chair: Thank you very much.

I will now turn the floor over to Ms. Hardcastle.

● (1350)

[English]

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Ladies, I will ask you a simple question. Then I'll give you each a turn to comment on it in the time I have. I want to ask a little bit more about recognition by the state of sexual violence as violence. I would like to hear a little bit about the impact or the influence of the media in the rise of hatred, or in helping with your causes towards human rights for women specifically.

The other thing I want to ask you about is this. Our Prime Minister announced about a year and a half ago that Canada was going to establish a corporate ombudsman for responsible enterprise. If Canada were to do something like that, would you think that women human rights defenders, and maybe the violence specifically experienced by them, such as sexual violence, should be specifically addressed in the mandate of an ombudsman?

Let's start with Ms. Bouziri.

Can you hear me?

[Translation]

The Chair: Mrs. Bouziri, did you hear the question?

[English]

I think we might have lost Madame Bouziri.

Ms. Cheryl Hardcastle: Okay.

Ms. Chicaiza, perhaps I can ask you to comment. Do you think a corporate ombudsman for responsible enterprise for Canadian companies should specifically address women human rights defenders and/or sexual violence, or the violence they experience, in the mandate of the ombudsman in Canada dealing with corporate responsible enterprise of Canadian companies? What are your thoughts on how we could play a role in the oversight of our extractive industry that is based in Canada?

The Chair: Madam Chicaiza.

Ms. Gloria Chicaiza: [Witness spoke in Spanish, interpreted as follows:]

Yes, sexual violence and physical violence are of course some of the most significant manifestations of gender violence perpetrated against women when, for example, the mining industry is present in certain regions. Without a doubt, we need an effective intervention in order to put an end to these situations where women are vulnerable. They can be vulnerable to repression and detention. They can be insulted, harassed or threatened. They might even be raped. In that case, I think the intervention of a corporate ombudsman would be essential, and it would be important for them to be independent of the mining industry in order to truly help and to guarantee and ensure the enforcement of current protocols in our country.

They could also help us have access to justice, even justice in Canada, because that is a challenge for us at this moment. It's a challenge for us to have access to justice in the face of the violations carried out in our country. Those are specifically the violations that you already mentioned but also the human rights and environmental violations by mining companies in our country. Specific and specialized reports about women would also be of tantamount importance, as would demanding that the government in Equador have policies that protect human rights defenders. That would also be very important.

• (1355)

[Translation]

The Chair: Mrs. Bouziri, are you still there? Would you like to add anything?

Mrs. Hend Bouziri: Yes, but I couldn't hear the question clearly. I lost the audio. You asked about sexual violence, did you not?

[English]

Ms. Cheryl Hardcastle: Yes, go ahead and use up the time. Tell us what you think we need to know for Canada to move forward and help address this.

[Translation]

Mrs. Hend Bouziri: Very well.

None of the laws on combatting violence address state-led violence. In our view, it is paramount that law enforcement mechanisms take account of the fact that violence can also be perpetrated by the state. State-led violence is more serious than violence committed by a spouse or someone else. Including this type of violence is very important, and institutional reforms aimed at the detention system and security forces must be undertaken to ensure this type of violence, which includes rape, does not resume.

Canada could help efforts to combat violence through programs to support the Tunisian government. As members of civil society, we feel it is imperative to guarantee equal opportunity and gender equality through program implementation and project monitoring and oversight.

The Chair: Thank you very much.

Thanks to all three of you for your hard work, your courage and your very important contribution today.

This was our last meeting as part of our study on the situation of women human rights defenders. We've received considerable information from incredibly courageous women all over the world.

Thank you very much.

[English]

The next meeting, as you all know, is going to be in camera for committee business on Thursday.

With that, I'd like to thank all of the witnesses we've had for this very important study.

Thank you very much.

The meeting is adjourned.

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