



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **Standing Committee on Foreign Affairs and International Development**

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FAAE • NUMBER 118 • 1st SESSION • 42nd PARLIAMENT

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**EVIDENCE**

**Monday, December 3, 2018**

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**Chair**

**Mr. Michael Levitt**



# Standing Committee on Foreign Affairs and International Development

Monday, December 3, 2018

• (1530)

[English]

**The Chair (Mr. Michael Levitt (York Centre, Lib.)):** I call the meeting to order.

Good afternoon, everyone, and welcome to the 118th meeting of the Standing Committee on Foreign Affairs and International Development.

As we begin, I'd like to acknowledge the presence in the room of former minister of justice Irwin Cotler, and also of the Peruvian ambassador to Canada, Ambassador Roberto Rodriguez Arnillas.

As we begin today's hearing, I want to explain that we are undertaking a meeting on the continuously deteriorating situation in Venezuela and its terrible regional and hemispheric impacts. As a result of the political and economic crisis in Venezuela, an estimated three million Venezuelan migrants and refugees have fled in search of safety and opportunity.

The statistics out of Venezuela are heartbreaking. Its economy has lost over 40% of its GDP and it is in its fifth year of recession. Poverty affects 87% of Venezuelans, 90% of whom don't have enough money to buy food. More than half of Venezuelans have lost an average of 24 pounds.

This has created the largest refugee crisis in the history of the Americas. It has been a long time coming and it does not appear that the Venezuelan regime under Nicolás Maduro has any intention of solving this situation in the near future.

To speak to us about this crisis we have two panels of witnesses joining us today. For our first hour, we're joined by Mr. Alejandro Guidi, senior adviser for the Americas for the International Organization for Migration. From the Office of the UN High Commissioner for Refugees, we have Mr. Jean-Nicolas Beuze, representative in Canada, and Mr. José Samaniego, regional coordinator for the Venezuela situation.

For our second hour, we have the privilege of hosting Secretary General Luis Almagro of the Organization of American States, from whom this committee has previously heard in December 2016.

Also with us, of course, is the Honourable Irwin Cotler, former minister of justice and member of the OAS panel of independent international experts on the possible commission of crimes against humanity in Venezuela.

With that introduction, I'll invite our first panel to begin their opening statements, after which we can move straight into questions from members.

Mr. Beuze, I will ask you and each of our panellists to take eight minutes to make your remarks, and then we'll open it up to the panel. Mr. Beuze, would you like to begin, please?

**Mr. Jean-Nicolas Beuze (Representative in Canada, Office of the United Nations High Commissioner for Refugees):** Thank you very much, Mr. Chairman and honourable members. I am very happy to be back in front of the committee today.

I will hand over the floor directly to my colleague, José Samaniego, who will be able to discuss in more detail the response of UNHCR.

Perhaps we will propose that the IOM representative speak first, but I am not sure whether that person is online.

**The Chair:** I don't believe he is online at this time, so we are making a little bit of a switch on the go here.

I'll leave it to you gentlemen to begin.

**Mr. José Samaniego (Regional Coordinator, Regional Coordination for the Venezuela Situation, Office of the United Nations High Commissioner for Refugees):** Excellent. Thank you very much.

I would start by mentioning some figures and trends on the overall situation and the impact of the Venezuelan situation in the region. In the last statistics, we account for more than three million migrants and refugees outside the country. Eight out of 10 persons are in neighbouring South American countries, Caribbean and southern Central American countries, but there are also important movements towards the U.S., Canada, Spain and the European Union.

We also have to notice a very rapid deterioration of the situation, with more than two million persons arriving in the last few years. In addition to that, we have also to consider other population movements. There are circular migration movements from Colombia to Venezuela, with people going back and forth, sometimes looking only for food and medicines. There are also important groups of Latin American citizens who have been obliged to go back to their country. We are talking about some 400,000 Colombian returnees, but there are also people from other nationalities coming back to their hometown.

Here is an important piece of information. Why are these people leaving? I believe the outflow of Venezuelans is a response to a serious political, social and economic background, but we have also to observe that there are important international protection considerations. Criminality rates are very high. There are also imputed political opinions, such as the loss of employment for those who are not in favour of the regime, and also discrimination in the redistribution of food and other basic items.

Finally, as the UN Human Rights Council has mentioned in the last human rights resolution of September 2018, there are also serious human rights violations in the context of political, economic, social and humanitarian crises.

On the response, I believe that the key word for the region has been “solidarity”. In fact, all the countries, at least in South America, have kept the doors open, and close to one million persons have received different forms of legal stay. In addition to that, we have over 360,000 asylum claims filed in the region. We have also to remember that asylum seekers, refugees and migrants have freedom of movement, access to social rights and work permits, and access to most public services. It is not only the solidarity of the governments; we have also to mention the solidarity of the whole society.

However, there are also very important constraints and an increased pressure on the governments, first due to the economic shock. Just in Colombia, they estimate that the reception and attention of Venezuela represents 0.5% of their annual GDP. Basic services are completely strained, mainly in border areas. On the other hand, we have also some trends, some incidents of xenophobia and discrimination. There were even violent protests in some countries.

On the government side, some countries have introduced some restrictions—visas, passport requirements, the high cost of documents, but also in the case of the Caribbean, deportations. On the other hand, we have also to remember that fewer than 7,000 Venezuelans have been recognized as refugees.

On the protection concerns and vulnerabilities, we have observed the following main vulnerabilities of the population. The first is access to the territory and to effective protection. There are many Venezuelans still in an irregular situation. It is estimated to be about 40% to 50%, depending on the countries.

● (1535)

There are also many cases of GBV—gender-based violence—and trafficking at the borders of Colombia, forced recruitment, situations of unaccompanied children, and of course very high vulnerabilities in terms of health, education and livelihoods, and in particular cases of labour exploitation.

I will now focus on the response, because I believe that in this year of the global compact, the region is giving a model, an example, of how we have to coordinate the respond to this kind of crisis. In the response, we have of course governments involved, but also the UN system, other international organizations, and in the last months, a greater engagement of the development banks.

On the governments, each government has established a national response plan. As we said, they have created, established or reinforced legal stay arrangements, and they are promoting or

facilitating effective access of Venezuelans to health services, education and the labour market.

At the regional level, governments have promoted a regional process. It is called the Quito process, and it has two dimensions. First, in September, they presented the declaration, and the main message is to keep doors open. As well, last November they adopted an action plan. In this action plan, you have a proposal to harmonize legal stay arrangements, promote regularization and facilitate the social and economic rights of Venezuelan refugees and migrants.

An example in the case of education is their recognition of titles and of certificates. There is also a commitment to international co-operation, and there is also a request to maintain an open and constructive dialogue with Venezuela for some specific issues affecting the Venezuelan population, such as documentation and health.

These government processes are very much due to the creation, the establishment, of a special mechanism created by IOM and UNHCR by the High Commissioner under the Director General at the request of the Secretary-General. In fact, two months ago a regional platform was established and a joint special representative for IOM and UNHCR was appointed. We are talking about Mr. Eduardo Stein, who is trying to articulate with a different government and to assure a consistent and coherent message and a consistent response to this crisis.

At the operational level, we have, under the overall coordination of IOM and UNHCR, more than 100 partners at national and regional levels coordinating and working together. The main objective is to have a coherent and coordinated regional operational response to identify gaps and to complement the response of the states.

This regional platform will present tomorrow a proposal, a refugee and migrant response plan, to increase the immediate response from the international community. This response is maybe one of the most ambitious plans presented by the humanitarian community. It involves 75 partners—not only the UN, but also international and regional organizations and civil society in 16 countries. The target population is over two million refugees and migrants from Venezuela as well as host communities. The budget amounts to over \$730 million. The main priorities are, of course, humanitarian support, but also access to health care and education, the promotion of social and economic inclusion, and the prevention of and response to GBV.

The last point is also how the dynamics of the government go together with support and complementarity from the international community.

● (1540)

We have also seen how the development actors are engaging in this response. Indeed, there are proposals from some banks—the World Bank in particular, but also the Inter-American Development Bank—to promote a regional financial platform.

The World Bank is already supporting the states with technical assistance for the assessment of the fiscal impact of the crisis and in the development of a medium- and long-term response. They are also foreseeing the activation of the Global Concessional Financial Facility, which, as you know, has been activated in other regions, such as the Middle East.

The Inter-American Development Bank is also submitting for approval the creation of a \$100,000,000 fund for displacement and migration crises, including the crisis in Venezuela.

To conclude, there are three priorities that we see for the time being in the region.

The first priority is to maintain doors open, ensuring the legal stay of migrants and refugees and the protection of Venezuelans in neighbouring countries.

The second priority is to scale up the immediate response to the crisis, not only with humanitarian support to help migrants and refugees but also to benefit the main communities affected by the arrival of this population.

Third, we require further, stronger, more robust support from the international community for states to promote and facilitate the local integration of refugees and migrants. We believe it is a matter of stability for the whole region to have solidarity and responsibility sharing.

Thank you very much.

• (1545)

**The Chair:** Thank you.

Mr. Guidi, our next witness, is getting set up. There's a bit of a delay here.

Mr. Guidi, are you able to begin now for about eight minutes? I know you just sat down.

**Mr. Alejandro Guidi (Senior Adviser for the Americas, International Organization for Migration):** For sure. I'm set up.

**The Chair:** Great. Please go ahead.

**Mr. Alejandro Guidi:** Good evening—good afternoon, I believe, for Ottawa. Thank you, excellencies, for inviting us to this important meeting.

I would like to start by saying that the number of Venezuelans out of the country has significantly increased in the last years. Globally, the number of Venezuelans went from 700,000 in 2015 to more than three million in 2018. Of these three million, an estimated 2.4 million have arrived in the Latin American countries.

According to official statistics, the breakdown of Venezuelans living in Latin American countries is the following. More than one million Venezuelans stay in Colombia, more than 500,000 are in Peru, and more than 200,000 are in Ecuador. Argentina and Chile received more than 100,000 each, with 85,000 staying currently in Brazil. Other countries in South America, Central America and the Caribbean have received important numbers of Venezuelan migrants and refugees.

So far, Latin American countries have largely maintained a commendable open-door policy. Close to one million Venezuelans

have benefited from regular stay arrangements in Latin America. With the support of IOM and UNHCR, governments are working on the regularization of these migrants and refugees.

We praise the receptor governments for their open policies and we encourage them to continue receiving Venezuelans.

The diversity of routes used by Venezuelans shows a dynamic and changing mobility. Apart from the air route, the land and maritime routes have recently become more significant. The short distances between Caribbean islands such as Aruba, Curaçao, and Trinidad and Tobago facilitate the maritime mobility.

The Venezuelan nationals are extremely vulnerable to exploitation and abuse. Latest trends reveal a worrying increase in the vulnerability of refugees and migrants from Venezuela, affecting children and women on the move. The recent flows are increasingly more vulnerable than the previous ones.

Most of the people who are leaving the country have a double vulnerability. On the one hand, they experience vulnerabilities related to the conditions that are faced in Venezuela—health problems, etc. On the other hand, they suffer new vulnerabilities associated with the risks and challenges that they face during their journey.

The largest group of Venezuelans—known as *caminantes*, as we say in Spanish, or walkers in English—walk for 15 to 20 days, crossing two or three countries from Venezuela through Ecuador and Peru to Chile and even Argentina, travelling by narrow, risky roads, changing from 320 metres to 3,000 metres of altitude, and suffering drastic changes in weather conditions from tropical to stormy and cold weather, among other factors.

They are also vulnerable to trafficking, particularly in work exploitation but also through forced prostitution. To earn more money, many of the travellers engage in begging. The *caminantes* groups include pregnant women, single women with children, teenagers, aging people and handicapped persons, among other vulnerable people.

Just to give you an example of the harsh conditions they face during the journey, the ones that travel between Cucuta, on the border of Colombia with Venezuela, to Rumichaca, which is on the southern border of Colombia with Ecuador, need to walk more than 1,400 kilometres. This is just the beginning of the travel for many of them.

• (1550)

One of the most important difficulties that the Venezuelans face during this journey is the lack of proper documentation. The Venezuelan government is not issuing new passports. Therefore, the Venezuelans must travel with ID that doesn't meet security standards. In the case of children below nine years old, they only have birth certificates.

As we used to say in IOM, migration is the determinant of health, and this situation is not an exception. This situation of a massive exodus of Venezuelans is having a clear impact on the health of the refugees and migrants.

In this regard, diseases that were considered eradicated have reappeared and are affecting not only the Venezuelans but also nationals of the receptor countries. Many cases of measles have been reported, as well as several cases of malaria, dengue and tuberculosis, among other diseases.

Venezuelans who suffer from diabetes or HIV cannot receive assistance in their country, so they need to leave Venezuela or die. Maternal mortality and gender-based violence are also affecting Venezuelans who are leaving the country. Women, children, persons living with HIV, aging people and the indigenous population require special assistance. The LGBTI communities affected by the displacement also face discrimination and difficulties accessing health services.

Also, there was a drastic loss of doctors and other health professionals, which has reduced assistance to zero in some health facilities in Venezuela. In Colombia, the National Institute of Health reported a 272% increase in important events in public health for nationals from Venezuela. Seventeen percent of the reported events are for indigenous people.

We would like to commend the receptor countries, as they are not only receiving and, in many cases, documenting the Venezuelans, but they are also providing social assistance to them. Committed officers from the ministries of health of the receptor countries are present at the border and in sectors with a presence of Venezuelans to provide services, particularly of vaccination to children. In most cases, the assistance provided is funded 100% from the financial resources from the national public budgets.

For these reasons, there is a strong need to support the sanitary authorities at national and local levels in enhancing public health surveillance in areas that are receiving Venezuelan migrants. Among the health factors that we described, there is also a need to provide psychosocial support to Venezuelan migrants and refugees who are experiencing mental health problems as a result of the traumatic experience of their displacement.

Considering the magnitude and complexity of this unprecedented crisis and to contribute to a coherent and harmonized response, the UN Secretary-General has requested that UNHCR and IOM coordinate and scale up the operational response.

For these purposes, both organizations have set up a regional inter-agency coordination platform. This platform, which my colleague José Samaniego will explain in detail, provides a great opportunity for the international community to stand together with the Venezuelan refugees and migrants, the receptor communities and the governments to provide support to deal with the most important massive exodus that Latin American countries have ever experienced.

Thank you so much.

• (1555)

**The Chair:** Thank you very much to both of our witnesses for your testimony.

We'll move straight into questions from the members.

We're going to begin with MP Aboultaif, please.

**Mr. Ziad Aboultaif (Edmonton Manning, CPC):** Thank you for appearing today before this committee. Venezuela is a very important topic.

I'm very familiar with Venezuela on many fronts, and this situation has been going on for a long time. It did not start with Nicolás Maduro; it started with Hugo Chávez in the past. He established the groundwork, dividing society, doing all kinds of identity politics, if you wish—rich versus poor—and created a welfare state. They both drove the country out of money. Their currency is down. The Venezuela we once knew, the rich and comfortable well-to-do country in the region, is now probably one of the poorest in the world.

That situation is definitely not just affecting Venezuela, but also the region. We see similar situations with Syrian refugees, as well as in Bangladesh and Myanmar, with people running from a less fortunate country. Right now, Bangladesh is in need of help and assistance for over a million people. That is also affecting the socio-economic state of the country.

You mentioned the three million Venezuelans who have fled their country: one million to Colombia, half a million to Peru, about 200,000 to Ecuador, and probably about 150,000 to Argentina and Brazil. Many of these countries are not doing great economically. That could leave them also in a dire situation, trying to absorb and look after the Venezuelans as a neighbour country or as a country in the region.

Is it a concern that the increase of Venezuelan refugees is going to leave a burden on the mentioned countries? Has it been taken into consideration in your plan, or in the international community's plan, to deal with the impact on the host countries when it comes to the three million people, knowing that it could take between 10 and 15 years on average before the people come back from the refugee settlement?

I would like to have some feedback from you on this situation, and the impact of these refugees on the host countries.

**Mr. José Samaniego:** Would you like me to reply right now, or take other questions?

**Mr. Ziad Aboultaif:** No, go ahead, please.

**Mr. José Samaniego:** Yes, indeed.

As you said, the outflow of Venezuelans is having a big impact on all neighbouring countries. I would, however, highlight the situation of Colombia and the other two countries of the Andean region, Peru and Ecuador, because there you can feel more the impact at a national level. In the case of Brazil, it is more a local impact, concentrated in the northern province of Roraima.

On the impact on the fiscal resources of the country, as I mentioned, there are already some studies sponsored by the World Bank. For example, in the case of Colombia, they estimate that per year, the Colombian government has to disburse \$1.6 billion to attend to the Venezuelan population. Similar studies are now being carried out in Ecuador and in Peru. You can already notice that the arrival of Venezuelans is not only having a short-term humanitarian impact on its neighbouring countries, but it is also straining the whole reception capacity in the countries.

Of course, you can notice this situation much more in the border areas, mainly in the border areas of Norte de Santander or La Guajira in the case of Colombia, and Roraima in Brazil, but also in some cities, capitals—medium-sized and large cities—that are receiving large numbers of Venezuelans. Two weeks ago, we had a very difficult situation in Bogotá, where a sort of temporary settlement was creating...[*Technical difficulty—Editor*] and, of course, putting a lot of pressure on their neighbours.

I would say that the main sectors affected in the short term are probably health, as Alejandro Guidi was mentioning, and also education. They are having big problems in absorbing the new students, and the capacity of the schools, mainly at the borders, is quite limited.

In the medium to long term, the big challenge is access to the labour market. We have to see that these persons have good levels of qualifications. They have the right to work, but as you said, the situation in the receiving countries is also difficult. We have to remember that in Ecuador, for example—

• (1600)

**Mr. Ziad Aboultaif:** I have a short question on this.

We know that the humanitarian situation is somehow out of control, in a way, moving forward.

What about the political situation? How do you feel that the international community is doing on approaching this? If the political situation can be resolved, I think that will relieve a lot of the situations that are going around, especially with refugees.

**The Chair:** I'd ask you to limit the answer on this to about one minute, and then hopefully we can pick it up in a subsequent question.

I want to make sure that all members get time to speak.

**Mr. José Samaniego:** Well, the main focus of our support is at the protection and response levels.

In this sense, we are supporting the national plans developed by the countries. Colombia has just issued a national response plan for the Venezuelans, called CONPES. Other countries are doing the same. Our work is really to complement these programs, focusing more on the immediate needs and also on the support to the main host-affected communities.

The governments are at the same time working with the development banks to identify resources in their own budgets, but also to mobilize funds for more medium- and long-term responses.

**The Chair:** Thank you.

**Mr. José Samaniego:** Alejandro, I don't know if you maybe want to add to that.

**The Chair:** That's the end of time on that, but we'll pick it up, I'm sure, in a subsequent question.

We're going to move now to MP Wrzesnewskyj, please.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Thank you, Chair.

Thank you, gentlemen.

What we're seeing in Venezuela is democracy transformed into a populist dictatorship, which is now sliding into failed state status, the slow-motion disintegration of a state at a terrible human cost. We know some of the statistics: 50% of Venezuelans have lost an average of 24 pounds and 30% of children are malnourished.

I'd like to turn to our UN colleagues. One of your sister structures, the UN Human Rights Council, suspended Venezuela in 2015. We've seen various international bodies condemn Venezuela, suspend Venezuela, and once again the UNHCR on September 27 of this year passed a resolution expressing deep concern. Since then another 300,000 people have sought refuge in neighbouring countries, another 1% of the population, and 7% are already refugees.

How many millions more can neighbouring countries accommodate? There are all these international bodies condemning Venezuela publicly, stating publicly that these are crimes against humanity that are taking place within Venezuela. Millions of people are seeking refuge, and the outflow is continuing. Do you have estimates for how many millions more neighbouring countries can accommodate?

This is for any of the gentlemen.

• (1605)

**Mr. Alejandro Guidi:** Thank you, sir, for your question.

I would say it is, of course, very difficult to estimate numbers in terms of how many more people neighbouring countries can receive. I believe that the neighbouring countries have been very generous. We commend the efforts they are making and have been making, in fact.

One important aspect that we should consider and take into account is that the areas—and I think José mentioned this a little bit—where people are arriving are the poorest areas of these countries. In the case of Colombia, it's Norte de Santander, and in the case of Brazil, Roraima. These are among the poorest areas of those countries. One of the strategies that these countries have had is to relocate people from these areas other areas of the country where the people can receive some kind of assistance and also be better integrated.

**Mr. Borys Wrzesnewskyj:** Thank you.

Let me continue along that train of thought. Clearly neighbouring countries are already strained. We're seeing another mass outflow. It could reach a point where it destabilizes neighbouring countries as well. Your agency has an unenviable task of trying to figure out how to deal with the refugees, but the UN body itself seems to be unable to act.

Where I'm heading is that back at the 2005 World Summit there was an outcome document that talked about the responsibility to protect—that state sovereignty is a responsibility and that the responsibility for protecting citizens is the responsibility of the state; however, there is a residual responsibility of the broader community of states when crimes against humanity occur. I believe crimes against humanity have been documented. The UN document talks about timely and decisive action and manifest failure. In the case of Venezuela, the case has been made that they are, in fact, the perpetrators, the victimizers, the cause of crimes against humanity.

When will the discussion about the responsibility to protect kick in?

**Mr. José Samaniego:** It may be a point, because, as you mentioned, there are two levels in this response. I would say the first is the diplomatic and political level, and the second is the humanitarian and protection level.

I believe that at the political level, discussions are taking place at the UN and also at the OAS to see how countries can apply pressure to ease the situation of the population, achieve a more open position with regard to the inclusion of the Venezuelan population inside their country and ease political tensions.

As you well know, in the region at the level of the governments, the Grupo de Lima, which I understand Canada is also supporting, is working at this political level. I believe that the decision of the Secretary-General, the measures taken by the UN and UNHCR, and the decision to activate the Quito process were essentially taken because it is imperative to respond to the humanitarian dimension of the crisis and to somehow support the countries that are receiving Venezuelan citizens.

To refer to the UN, at the more operational level we are working outside of Venezuela with a regional platform, but we are also working inside Venezuela. There was a recent decision by the Secretary-General to scale up the presence of the different actors, mainly to support access to social services but also to support civil society in the country.

I would say that what we are seeing is how to complement and have a more coherent response inside and outside Venezuela at the operational humanitarian level. Meanwhile, we all hope that the countries will activate their diplomacy to find a solution to the situation in Venezuela.

• (1610)

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

We will now move to MP Laverdière.

[*Translation*]

**Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP):** Thank you, Mr. Chair.

[*The member spoke in Spanish.*]

We are seeing that Colombia, Brazil, Peru and Ecuador receive the bulk of migrants. We have seen camps, particularly in Brazil. Where do most of these people live? Do they live in specific communities or camps? Could you give us more details on that?

Mr. Samaniego, would you like to respond?

**Mr. José Samaniego:** Thank you.

The Venezuelan population is now everywhere. As our colleague Alejandro Guidi mentioned, the Venezuelans arrived in several waves. In the case of the first, it was the wealthiest class, which had left Venezuela. In the second wave, which took place mainly in 2015, 2016 and 2017, a large number of professionals left the country. In the last wave, which is precisely the one Mr. Guidi was referring to, we saw that the crisis was increasingly affecting all social classes, especially the poorest people and especially those living in rural areas.

In this regard, I would like to point out that the socio-economic dimension is indeed an important element of the crisis, but that an increasingly important reality is linked to human rights. As I mentioned at the beginning, crime rates in Venezuela are among the highest in the world. On the other hand, particularly since 2017, after the election of the Constituent Assembly and President Maduro, political spaces have been restricted; and of course, this has had repercussions on human rights, including through detentions and sanctions for treason.

As you probably know, problems related to the distribution of food and medicines affect a large part of the population. This distribution is carried out by the Supply and Production Committees, the Claps. To receive food and medicines, Venezuelans need a booklet that is provided by the State. If they do not have access to this booklet, they cannot avail themselves of the main means of subsistence. They are then forced to leave.

In fact, many people who have left the country will no longer have access to this distribution program. In the medium and long term, this makes it very difficult for the vast majority of Venezuelans to return home.

**Ms. Hélène Laverdière:** Thank you, Mr. Samaniego.

My question is also for Mr. Guidi.

You mentioned the need to support neighbouring countries, particularly to promote local integration. I guess support is needed in this area. We also talked about health and education. I don't know if the Pan American Health Organization, PAHO, is on the ground or has a role to play.

Could you tell us more about the assistance to neighbouring countries that is expected of the international community?

• (1615)

[*English*]

**Mr. Alejandro Guidi:** Thank you for your question.

It is very important to consider that there are governments that are leading the response. This is very important. The international community is already in fact supporting the efforts that the governments are doing, not only at the national level but also at the local level.

Something that we should also take into account is that some local governments are very weak in some countries, as in the case of Colombia, in the area of Santander, and in the case of Roraima in Brazil. They are making a very important effort, first to relocate migrants and refugees who are in the border area to other cities, and also to distribute emergency kits and non-food items as a provision of temporary accommodation. I think this is very important.



A lot of migrants enter one area and just need to stay two or three days to decide where to go and what to do. Then there is health care and food, livelihood opportunities, of course, and as I mentioned, humanitarian transportation. They provide support in accessing documentation and regularization services. This is something that both IOM and UNHCR are doing, because if the migrants and refugees have access to regularize their situation—their migratory refugee status—that would enable them to access different services and rights, such as family reunification and information campaigns to prevent xenophobia. That is something that I consider to be very important.

Even though José and I both mentioned that the countries and the communities have been generous in general terms, we have witnessed some situations where xenophobic sentiments have been raised. For us, it's very important to tackle the situation from the very beginning. That's for both IOM and UNHCR, among other agencies. We are running some anti-xenophobia campaigns.

That's it.

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

We are now going to move to MP Fragiskatos.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you very much. It's great to be back at this committee. I was a member of it for the first two years after being elected, and it's always great to join colleagues focusing on critically important issues.

I wanted to put a question first to Mr. Samaniego on the issue of Colombia.

When I was a member of this committee, I visited Colombia, along with a number of members I see present, including you, Mr. Chair. I'm particularly concerned about how all of the migration and the challenges that are on Colombia's plate now, so to speak, might impact upon the post-conflict situation in Colombia and Colombia's effort to transition towards peace.

Mr. Samaniego, might you offer us any thoughts on that?

**Mr. José Samaniego:** Yes, of course.

It is one of the main challenges for Colombia to enhance or to develop a response for the Venezuelan migrants and refugees, but also at the same time to not affect the progress made not only in terms of the peace process, but also in the situation of IDPs. We have to remember that the internal displaced population in Colombia is one of the largest in the world, and that there were still new displacements in the last year.

Therefore, what we are trying to do at the level of the UN system and the international community, the humanitarian community, is to somehow promote a more balanced response by addressing the needs of the Venezuelans—mainly at the border, but also those in transit—and addressing the issues related to inclusion, while at the same time ensuring a strong response from the state in other parts of the country.

In this sense, one of the big challenges of the international community is to have enough resources to preserve the international presence in areas affected by internal displacement. For example, in

the case of the southern province of Nariño there are important displacement issues, but additional resources would be required in order to not diminish this presence by supporting the Venezuelans entering in the north.

• (1620)

[Translation]

I think the MP mentioned the Pan American Health Organization, PAHO.

What is the international community doing? There are very concrete results. Last Thursday, there was a PAHO meeting. In a way, it made it possible for 20 ministers to meet to develop a regional action plan. The theme of health is an eminently regional theme. Diseases can move from one side to the other. This plan includes a larger vaccination campaign not only in neighbouring countries, but also in Venezuela.

The measles vaccination campaign is understood to be one of the main priorities. PAHO wants to harmonize drug control mechanisms, increase the number of vaccinations and strengthen health structures, especially in border areas.

That said, you know that access to health care varies from country to country. PAHO is promoting a mechanism to standardize or facilitate access to the health system for Venezuelans. Here too, it will need more international support, because in many of these countries, access to health care is very expensive.

[English]

**Mr. Peter Fragiskatos:** Thank you very much. I appreciate that insight.

I do want to put one last question to Mr. Guidi, if I could.

Sir, you just were speaking about xenophobia. I know that the UNHCR in Colombia has spoken out on this issue as well. I was reading earlier today about the effort among civil society organizations and individuals to work together to welcome Colombian refugees in ways that we would all hope for.

The *Somos Panas* movement, or “‘we are buddies’ in Spanish”—I'm reading from a report here—“aims to correct the negative messaging” that has been circulating on media about Venezuelan refugees.

Rocio Castañeda, the UNHCR Colombia campaign director, said of this:

There is great solidarity at an individual level, from people donating items and sharing their Wi-Fi with Venezuelans ... but we could definitely see more done to improve the representation of migrants in the media.

My concern here is not the media, necessarily, but civil society organizations that are doing so much to combat negative stereotypes.

Could you speak about civil society actors on the ground? I've read a great deal about churches that are active in Colombia in particular, and what they are doing, but could you speak about other organizations that are spearheading efforts to combat negative stereotypes and deal with this issue head-on in a way that is progressive? How could the international community aid those efforts? We shouldn't want them to do all of that work alone.

**Mr. Alejandro Guidi:** Thank you so much for your question. Maybe José also can comment, as you have mentioned UNHCR.

Civil society is a critical partner for both IOM and UNHCR, and for the platform in general. In fact, the advantage they have is a very strong presence in most of the communities, in the Colombian communities, as you know. I speak from my own experience, because until February of this year I was the IOM Colombia chief of mission.

Clearly a lot of even very small NGOs are doing a very great job in different small communities of the country—to be honest, some very isolated communities. Some of them support migrants to locate them in a place, to shelter them for a few days, and also to conduct sensitization campaign against xenophobia.

I believe the reaction of the Colombian people has been very positive. One of the messages that normally we share is that in Venezuela in general, there has been a lot of solidarity from their people. They received a lot of Colombians, even during the worst period of the war, the conflict in Colombia, so I think the Venezuelans now expect similar generosity to what the Colombians received 10 or 15 years ago.

Something we also keep mentioning is that Venezuela as a country has received thousands, if not millions, of migrants and refugees from all over the continent, and in fact from all over the world. I think it's a matter of reciprocity, but going directly to your question and just to finish, the NGOs perform a very important activity, a critical job. That's why both IOM and UNHCR are very interested in partnering with them.

• (1625)

**The Chair:** Thank you very much. That's going to bring to an end our first hour.

Thank you to all three of our guests for the insights you have brought to us today on this very important issue.

Colleagues, we'll break for about two minutes while we find our next panel, but thank you. With that, we shall suspend.

• (1625)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1640)

**The Chair:** We are going to resume for our second panel this afternoon.

I want to thank everybody for their patience. The Secretary General is on his way up.

It's my great honour and privilege to welcome back to these halls Irwin Cotler, former justice minister and member of Parliament for Mount Royal. Irwin has also served on the OAS panel of independent international experts on the possible commission of crimes against humanity in Venezuela.

Mr. Cotler, if you would like to begin, we will then hear from Secretary General Almagro before going into questions. Please proceed, sir.

**Hon. Irwin Cotler (Founding Chair, Raoul Wallenberg Centre for Human Rights):** Thank you, Mr. Chairman.

May I begin by expressing appreciation, albeit in his absence, to the Secretary General for his inspired leadership on all these matters that I will be addressing today, and I look forward to his testimony.

As you mentioned, I am one of three members of an international panel of independent experts set up by the OAS to look into whether crimes against humanity have been committed in Venezuela.

What I propose to do is summarize the major findings of our panel, the action taken since then by the international community—we reported in mid-May—and its importance in the overall pursuit of justice and combatting of impunity.

As I said in May at the OAS on the occasion of the release of our report—I have it right here, and I gather that in eight minutes I have about one minute for each of the 100 pages. This 800-page report, replete with massive documentary evidence and legal authority, will hopefully make an enduring contribution to the pursuit of international justice and the combatting of impunity, which is so important to this panel.

Let me begin by summarizing our findings.

We concluded, in a word, that there is a reasonable basis to believe that seven major crimes against humanity have been committed since February 12, 2014, and that they warrant investigation by the office of the ICC.

Do you want to hear right now from the Secretary General, perhaps?

**The Chair:** You continue with your testimony, and then we'll go.

**Hon. Irwin Cotler:** Okay.

The seven crimes against humanity, in the order that we have determined, are first the crime against humanity of murder.

Simply put, multiple murders have been committed as part of a widespread or systematic attack targeting the civilian population, particularly those who were opponents of the regime or believed to be opponents of the regime. The evidence also disclosed that there were at least 6,385 cases of extrajudicial execution by state forces and organizations connected with the state.

The second crime against humanity is that of imprisonment or other severe deprivation of physical liberty. We determined that there were 12,000 cases of arbitrary detention, imprisonment and deprivation of liberty, particularly in the widespread and systematic targeting of opponents of the regime.

Third is the crime against humanity of torture and cruel, inhuman or degrading treatment or punishment. I might just sum up the words of my fellow panellist, Justice Manuel Ventura Robles, who said that in all of his 20 years of being a judge, he had never seen such graphic cases of torture and human suffering in that regard.

The fourth crime against humanity is that of rape and other forms of sexual violence as a pattern, including such crimes against persons under state custody.

The fifth is the crime against humanity of persecution against any identifiable group or collectivity on political grounds. What we found here is that this crime of persecution was present in each of the seven crimes against humanity, in respect of which we had made a determination.

Number six is the crime against humanity of enforced disappearances, and in particular here of political opponents or persons believed to be political opponents.

The final one I take it to be the most important, given the previous panel and the discussions here. It is the one that is most painful, in terms of the immense human suffering. It is what we refer to as a state-orchestrated and state-sanctioned humanitarian crisis, intentionally causing great suffering by way of mental or physical health, serious injury and the like.

What we found was a total breakdown in the health system. There was a dramatic increase in hundreds of thousands of cases of preventable diseases and deaths—malaria, diphtheria, measles, tuberculosis, cancer and the like; dramatic increases in maternal and child mortality; and dramatic food shortages and starvation, involving a discriminatory and persecutory withholding of food on political grounds. We characterized it as food apartheid.

In short, and set forth more fully in the report, what we found was a weaponization of health and food on political grounds, with untold and horrific incidence of human suffering, death and devastation, compounded by the government's denial of the humanitarian crisis and the refusal of any humanitarian assistance.

• (1645)

Let me conclude by saying that when our report was tabled in May, we included two recommendations.

The first was that the OAS Secretary General submit this report and the evidence collected by the special prosecutor of the ICC. That has been done under the leadership of Secretary General Almagro. A meeting was held in which I also participated with the special prosecutor.

The second was that state parties be invited to refer the matter to the ICC as part of a state referral. During the United Nations General Assembly in September, Canada joined Argentina, Chile, Colombia, Peru and Paraguay in referring these suspected crimes against humanity to the ICC for a perspective investigation and prosecution. What is notable here is that this is the first time since the ICC was established 20 years ago that there has been any state referral at all. Referrals up to now have always been by human rights organizations.

The second thing is that for the first time it was referred by heads of state. I want to single out Canada's leadership in this regard—not only at the UN General Assembly in September but throughout this process with respect to the OAS—on the particular matter of the combatting of impunity, the state referrals to the ICC, and the involvement since then.

Mr. Chair, I am looking forward to hearing the Secretary General's testimony.

• (1650)

**The Chair:** Thank you very much, Professor Cotler.

It's my honour, on behalf of all of our colleagues, to welcome Secretary General Luis Almagro from the Organization of American States. Sir, please provide your testimony.

Then we're going to open it up, because I know there are many questions for both of you from the colleagues around the table.

**His Excellency Luis Leonardo Almagro Lemes (Secretary General, Organization of American States (OAS)):** Honourable Chair and members of the committee, thank you for having me here today.

It has been two years since I last addressed this esteemed committee. At that time, I spoke of the vital role the OAS plays as the forum for political dialogue in the hemisphere, the opportunities for Canada in its engagement with Latin America, and some of the developing challenges in the region—particularly the growing, undeniable aggressions on democracy and human rights and the fast-deteriorating situation in Venezuela.

Today I must speak to a much starker picture of the situation facing our hemisphere. The divisions between freedom and outright tyranny, between the respect and protection of democracy and human rights versus repression for the pursuit of power, have unashamedly come to the surface, creating a moral quandary and an existential divide that has developed on a continent that only a short time ago proudly considered itself a hemisphere of democracies.

Venezuela is a warning for us. It shows how to design and implement a dictatorship in the 21st century. It is a road map for how to dismantle the constitutional and democratic order of society and how to build a regime dedicated to the personal worth and prosperity of the dictatorship at any cost.

It is now also the grandest test of the commitment to democracy of the OAS member states and to our hemisphere. How do we as an international community respond to what is not only a failed state, guilty of atrocities against its citizens, but what is now a free-falling mafia state whose actions are threatening the security and stability of its neighbours? It's an existential question of our hemisphere's future.

Inaction of the international community, whether as a result of intentional choice or as a result of hesitation or inertia, only feeds the dictatorship's permanence in power. The regime has destroyed checks and balances in governmental institutions, destroyed free and fair elections, destroyed the economy, destroyed PDVSA and destroyed democracy, while they are stealing millions and persecuting, imprisoning, torturing and killing the “internal enemies”—innocent civilians who simply do not support and agree with the regime.

They have even been deliberately starved of funds. Public hospitals have been reduced to places where people go to die. There is no running water, and surgery, if done, is done with the light of candles or the flashlights of cellphones.

This crisis is also far from a trivial discussion of the politics of left and right. The dictatorship would prefer to frame the crisis in these terms because the historical cleavage of “left” and “right” divides and distracts the inter-American community into petty debates. However, the real issue is the needs and rights of the people, and whether we are for or against the most basic understanding of humanity.

The question facing us today is one of human tragedy, the question of a regime that has intentionally and systematically crushed the human dignity of its people. The suffering of the Venezuelan people has now expanded beyond its borders and is tangibly visible in the continent. There is no support for this regime left in Venezuela. You only need to consider the millions and millions in Venezuela who are literally voting with their feet.

One does not make the choice to abandon one's home lightly, especially because the only way to do so is on foot, walking for days if not weeks without food or shelter. This is a choice made out of desperation, a choice made when there is no hope left.

I understand that this committee has already heard today from the International Organization for Migration and the United Nations High Commissioner for Refugees regarding the immigration crisis, so I will keep my comments on this subject brief.

Dictatorship has caused the largest migration exodus in the history of the hemisphere. Since Maduro was first elected, 3.3 million Venezuelan refugees have fled the oppression and repression of his regime. That is already 10% of the population. Ever single day, 5,000 Venezuelans are forced to flee the country, and another 1.8 million more are expected to leave by 2019. This is a region that already has some of the highest levels of undocumented migration in the world.

•(1655)

Venezuela was once a destination country for the region's economic migrants and so, in addition to those fleeing in desperation, these individuals are forced to seek opportunity elsewhere.

Those who could afford to leave and continue their lives elsewhere—doctors, teachers, professors, engineers and academics, the professional class—have all been leaving for years. Now we see millions of Venezuelans with no hope left casting their ballot with their feet. They are packing what they can on their backs and making the long walk to safety, security and hope.

Countries in the region are trying to absorb the refugees and migrants, but it has proven a difficult economic, social and cultural challenge. The Colombian president recently mentioned that the migrant influx cost 0.5% of the country's GDP. During the summer of 2018, an incident in various receiving countries showed how problems could easily be triggered. Every calculation and every public opinion poll must count the voices of those who have chosen to leave because staying and hoping or working for an alternative is an impossibility.

The Venezuelan crisis is now a crisis for all the Americas. We have seen the re-emergence of diseases that had been all but eradicated from the region that are now, once again, present throughout the continent. Venezuela is exporting malaria, diphtheria and measles to neighbouring countries because corruption, negligence, and now a deliberate policy of social control and repression have left millions susceptible to disease.

The environmental degradation of some of the most pristine ecosystems that this world has seen is happening at an unchecked and unprecedented rate. Terrorist groups are strip-mining entire swathes of untouched land to extract precious metals, the newest source of revenue for their regime, now that they have pillaged and destroyed the country's oil industry.

The ELN, reduced almost to its knees, is now flourishing in Venezuela, where it is easily finding new recruits from the vast pool of desperately poor and hungry Venezuelans. Strengthening the ELN is also a magnet for the same FARC members who refuse to participate in the Colombian peace process. The history books will clearly show that the implosion of Venezuela is a textbook case of the inertia of international public decision-making and of the failure to act when there was a moment to act. The consequences of this failure will be felt far beyond, and this humanitarian disaster will need to be addressed for decades to come.

Nicholás Maduro and his regime should be investigated for crimes against humanity.

First, I must thank Canada for the support you have shown for the OAS from the outset of this process. Your esteemed former colleague, Professor Irwin Cotler, who I'm pleased was able to join us today, made an immense contribution in drafting the legal opinion of the panel of independent international experts that found reasonable grounds to believe that crimes against humanity have been committed by Nicolás Maduro and his dictatorship.

The OAS has submitted to the court the documentation of 171 murders by state security forces and paramilitary collectives in the 2014 and 2017 protests. More than 8,000 extrajudicial executions have been recorded since 2015, as well as more than 12,000 arbitrary detentions and more than 1,300 political prisoners. This is only what we've already documented.

The United Nations High Commissioner for Human Rights has stated the Venezuelan security forces may have committed crimes against humanity against protesters and called for an international investigation. The United Nations Working Group on Arbitrary Detention has also warned about possible crimes against humanity. All these data points are outdated. In the months since the publication of the report, escalation of the crisis and the increasing brutality of this repression have grown exponentially.

For this regime to hold onto power, they require complete and total social control. I applaud Canada's decision to join the coalition of Latin American countries that invoked article 14 of the Rome Statute, referring the situation of Venezuela to the prosecutor of the International Criminal Court and calling on her to urgently open a full criminal investigation into these crimes that are taking place. Six countries of our hemisphere with a strong record of democracy with independent judiciaries and a clear commitment to the rule of law determined there is sufficient evidence to warrant an investigation. The referee has since been supported by France, Costa Rica and Germany.

● (1700)

Our hemisphere has spoken in a unified voice in calling for justice and has stated clearly that there will be an end to the impunity of Maduro and his cronies. This is exactly the type of assertive action the international community must pursue in order to bring an end to this dictatorship.

Our work here is not done. We must remain steadfast in our efforts and work to ensure that a full investigation is opened by the ICC. Prosecutor Fatou Bensouda must take the decision to open an investigation. This decision is waiting on her desk. This is not a decision that needs to be taken by an institution; it is a decision, a responsibility, that is specifically in Bensouda's hands. She has the power to make the difference between justice and impunity, between an investigation and a denial of justice.

The prosecutor must open a full criminal investigation without delay. We cannot allow her to hide behind bureaucratic procedures and delays or hide behind political influences and commitments. Every further delay is calculated not only in the lives of Venezuelans, which are continually taken far too early, but in the thousands of Venezuelans who are fleeing across the border every day. The hesitation and delays are destabilizing the entire region.

We must be vigilant and persistent. There is no credible reason for any further delays. The International Criminal Court is already late to act. It's time for the ICC to side with the victims and justice. It is not only in the failure to act that tragedy becomes atrocities.

Let me be absolutely clear. Any response, action or intervention must be done in accordance with public international law, international humanitarian law and international criminal law. It must conform with international norms that protect democracy and human rights. Any attack, armed invasion or aggression that takes place outside of the confines of international law must be unequivocally condemned.

Moreover, we have a responsibility to act, and we have created obligations for ourselves under the protocol of the responsibility to protect. That not only requires states to protect their populations from atrocity, but also calls on states to support each other, admitting this responsibility, and to take action when other states fail. These commitments were not created for when we are already counting the number of dead; they exist precisely so that we can prevent this from happening.

The Venezuelan crisis did not develop in a vacuum. Dictatorships in the 21st century are created in a different way than those of past centuries. The modern dictatorship is developed in the open, over

time. The strategy was simple: Use whatever mechanisms are available to achieve power, and then corrupt and co-opt those systems to hold onto power through any means necessary.

Venezuela may be the first new dictatorship of the 21st century, but it is not the only dictatorship. Nicolás Maduro built a regime to emulate the Castro legacy of control through misery, with reports of as many as 46,000 Cubans working in Venezuela, many in the intelligence, security and repression apparatus. This is hands down the largest occupation force in our hemisphere. To the skeptics of the responsibility to protect and consider a humanitarian intervention in Venezuela and to those who ferociously and blindly defend non-intervention in the world in the Westphalian era, no matter how great the crimes and atrocities that are being done by a government in power to its people, I ask, "Why have you not condemned this ongoing, outright and self-evident intervention in Venezuela?"

The Cubans were responsible for mentoring, teaching and modernizing the Bolivarian National Intelligence Service, the main apparatus Maduro uses to combat the so-called internal enemy, who are simply citizens calling for their political and human rights. The Cubans are working hard to keep the Maduro regime in power. At a time when Venezuelans are living with unprecedented shortages of food and medicines, Maduro continues to send millions of barrels of subsidized crude oil to his political masters in Cuba instead of using those resources to feed his people.

The Venezuelans have adopted the Cuban repression and torture playbook. They even announced that they have participated in torture. The Nicaraguan dictatorship of Daniel Ortega has recently done the same thing. Cuba is exporting its repression around the region.

● (1705)

During this past year, torture victims in Venezuela and Nicaragua have reported the presence and participation of Cubans in torture chambers. Venezuela, and now increasingly Nicaragua, are offspring dictatorships in relation to the legacy of the longest-standing dictatorship in our hemisphere.

This must be stopped by using the long arm of international law, consistent with basic moral principles. Dictatorships should not be able to intimidate and bully democratic states with threats, lies and public smear campaigns.

Democratic states in this hemisphere should persistently make dictatorships afraid of justice, afraid of international human rights regimes that will come after them, and afraid of the fact of international accountability of the reprisal from international criminal law. We must all work together to have a dictatorship-free hemisphere. If we all behave and act without any hesitation along the way and according to the democratic and human rights principles that underpin our institutions and the very existence of our societies, I believe this one day will be possible.

Honourable Chair and members of the committee, a frightening global trend is playing out in our hemisphere. We are faced with a time when dictators are no longer ashamed of their abuses of power or rampant corruption. They show up in international forums. They are invited to attend presidential inaugurations.

When facing dictators, there is no margin of error and no margin of interpretation. The competition is between democratic and anti-democratic forces, and between those who value human rights and dignity and those who don't. Democracy is not self-correcting for the better; authoritarianism is self-correcting, but for the worse.

If our goal is more and better democracies, freer societies, and automatically more rights for more people, then it is necessary that the inter-American community and the international community as a whole execute corrective steps towards democratic improvement.

It is not enough to believe we can simply lead by example. We cannot stand idly by as a neighbouring government attacks its own people, undermines the stability and security of its neighbours, and commits crimes against humanity. It's not enough to speak platitudes about democracy and human rights. To stand for democracy and human rights requires that we be willing to act and to fully use and implement all of the tools and mechanisms available to us that could help bring about any form of change.

This means that we need a full criminal investigation into the crimes against humanity that have taken place in Venezuela. We must explore the levels we have established in the protocol of the responsibility to protect. We must address the corruption and criminality and be willing to impose financial sanctions, asset seizure and forfeitures of illicit funds and property. We must be willing to explore every possible mechanism that could help us tame and resolve the crisis.

The situation in Venezuela is a moral test for our generation, and how we respond to the crisis will be remembered for generations to come. Our responsibility and our belief in the power of principles, a rules-based and values-based international order, and international moral responsibility consistent with international law should be implemented to defend people, not to defend the state.

We look forward to working with Canada in the difficult but worthy path ahead.

Thank you.

**The Chair:** Thank you very much, Secretary General Almagro, for those powerful words.

We're going to go straight to questions from colleagues.

We will begin with MP Genuis, please.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Thank you, Mr. Chair.

It's such an honour to be here and to hear such powerful words from both of you.

Though certainly off topic, Professor Cotler, I did want to mention to you that the private member's bill on organ harvesting is coming back to the House next week. We may be seeing you again at this committee shortly after that to testify on that subject.

Secretary General Almagro, I wanted to ask a general question about your testimony.

You've articulated a vision in a powerful way for a world that responds to human rights crises like we're seeing in Venezuela—one that involves us boldly working through international law mechan-

isms to produce legitimacy, and therefore follow through on that with strong steps, perhaps even intervention, under the framework of responsibility to protect.

I do wonder how people of principle and goodwill who are concerned about these issues should respond when those institutional responses fail. What happens when, as we've seen in many cases, those referrals fail to happen, those prosecutions fail to proceed, or the Security Council blocks that kind of legitimacy for intervention under the R2P rubric?

What do we do if these mechanisms—which I think all of us would like to see as the vehicle of response—do not produce an actual response that stops the violence against the innocent?

• (1710)

**Mr. Luis Leonardo Almagro Lemes:** Yes, the Venezuelan case is a paradigm about that and about what the work of the organization is about.

We face a basic problem, which is to try to apply high principles to the lowest people and to the lowest dictators. Of course these dictators will not be able to open themselves to the highest principles, to the highest values. We'll have to work very hard. To convince them is not a matter of political action, as we have seen in the past.

If we look at the past to see how dictators used to end up in the Caribbean region and the Central American region, this past shows us that dictators were falling because a revolution would bring them down, as happened with Batista and Somoza. There might be a *coup d'état* against the dictatorship, as happened with Pérez Jiménez in Venezuela. Sometimes it was a murder of the dictator, as happened with Trujillo in the Dominican Republic. Sometimes the dictator ends his life in bed with one hand grabbing power, as happened with Fidel Castro, or a military intervention occurs, as happened with Noriega in Panama.

These 20th century mechanisms to put down a dictatorship are not so easily recognizable in the 21st century. So far in the 21st century, the mechanism that we have provided in order to resolve a political crisis or a dictatorship like this is our responsibility to protect or humanitarian intervention. The problem is that sometimes this responsibility to protect is not used in the right way, or the humanitarian intervention was anything but humanitarian, so we have had some troubles with the antecedents, with what is coming from the past, in order to implement it for the future.

I think we shouldn't be ashamed of what was wrong in the past in order to do the right thing in the future. The problem happens when we don't do anything, as happened in other parts of the world—let's say the genocide in Rwanda or the massacres of Pol Pot. It's very hard to do a counter-factor explanation based on the mess that would be avoided and the mess that would be created. If we could have known, of course, that hundreds of thousands of Rwandans would be killed, we would have acted immediately after 10 were dead, let's say, or 100.

I think that in the Venezuelan case, we already have a problem that has affected millions of people, that is killing millions of people, that has killed people just because they had kidney disease and they couldn't do dialysis or because they had diabetes and they don't have insulin or because they had cancer and they didn't have the *carnet de la patria* so they don't receive any kind of treatment. Sometimes that happened even for people who had the *carnet de la patria*.

The only antecedent we have in the region to deal with a rogue state, a criminal state, a mafia state, is the case of Noriega in Panama. The intervention there, of course, took place to protect democracy and to protect human rights, and it's the one that the democracy of Panama today is based on. Without that, we would not have democracy in Panama maybe even today.

The thing is that we have to act according to international law. The tools that are provided by international law are the responsibility to protect and humanitarian intervention. We have to do it always as a way to prevent further disasters for the people and to prevent the destabilization of the region that already exists. It is to prevent the aggression that we have mentioned, the aggression by Cuba in kidnapping the democracy of Venezuela, of putting down the democracy of Venezuela, and the aggression also coming from Venezuela through organized crime with drug trafficking and through diseases, some of which were eradicated for years in the continent.

• (1715)

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

We're now going to move to MP Saini, please.

**Mr. Raj Saini (Kitchener Centre, Lib.):** Good afternoon to both of you. Thank you very much for coming. It's a real treat here to have two such esteemed and well-informed individuals on the situation in Venezuela.

Secretary General, I want to go in a slightly different direction, but I want to carry on with what my colleague said. If we look at the economic situation in Venezuela right now, we see that minimum wages have gone up 34 times. We've seen prices that are doubling every 18 to 26 days. We see a devaluation and a change in the currency. We've seen the value-added tax rise from 4% to 16%, and we see now a currency that's linked to a virtual currency that nobody really understands. It's called a petro.

As you can see from all of these things that I've mentioned, the financial stability of the country is not going well today or in the future. I know Professor Cotler has very eloquently outlined all the human rights abuses that are happening there. Let's just take one aspect of Venezuela and look at the financial stability right now.

Right now we know it's not doing well. Under this current regime, under this current scenario, the economy is not going to improve.

I go back to a comment that you made on September 14 in the town of Socotá—I think I'm pronouncing it right—in Colombia, where you said about military intervention in Venezuela...you didn't publicly refuse or rule it out, and part of your argument was that there were crimes against humanity that were occurring, which you and Mr. Cotler have outlined. However, when you made that comment, at around that same time the Lima Group, 11 of those

countries, put out a statement in which they said they believe there should be a diplomatic solution.

On the one hand you're saying that there is the possibility of an intervention, but on the other hand the Lima Group is saying that they would prefer a diplomatic solution, so there tends to be no real agreement on the situation there.

What's your commentary on that? What do you believe the solution should be, intervention or diplomatic?

**Mr. Luis Leonardo Almagro Lemes:** I would prefer a diplomatic solution too, of course, but we also have to say that to deny to the Venezuelan people the rights and procedures that are consistent with international law is not the right approach. The solution cannot be a no solution; the solution has to be a practical action that resolves the crisis, resolves the problem. We'll keep going on with a humanitarian crisis in Venezuela for years; it just will go on the same pattern that you have seen in many Communist countries in the past, where at least one-third of the population ended up abandoning the country.

In Venezuela, at a certain point, it will be very difficult to deny to the people the responsibility to protect.

• (1720)

**Mr. Raj Saini:** You mentioned something very important in your comments when you said you had to look at the reality on the ground. One thing that I've not heard about in the public debate is the influence of China in Venezuela. As you are aware, China's investment in Venezuela is the largest in Latin America, at \$62 billion. Venezuela is being funded completely by China. They have not made a sovereign fund payment in two years.

Recently, Maduro went to China and was given a \$5-billion loan. It seems to me that if there's going to be a solution, right now the country that has the biggest impact and the biggest influence in Venezuela is China, but for some reason China is not being engaged. China has a policy of not interfering in the domestic affairs of any situation, but with the situation that's occurring now, the humanitarian crisis that's occurring now, would it not be suitable or relevant to include China in the discussion because of the impact they have not only in the economy but in other aspects of Venezuelan political life?

**Mr. Luis Leonardo Almagro Lemes:** If China would want to help in this direction, to restore democracy in Venezuela and to resolve the humanitarian crisis in Venezuela, it would be extremely welcome, but it has not made any movement in that direction.

We would highly appreciate that. There has been more than one opportunity. There have been many opportunities for the Chinese to present themselves and say, "Look, we want to co-operate in order to re-establish democracy in Venezuela, to re-establish human rights protection in Venezuela, to resolve the humanitarian crisis that the country is facing", but that has not happened. More likely, they are going in the same pattern and framework they have had for international affairs in the past.

**Mr. Raj Saini:** The other reason I suggest that idea right now is that there has been a change in the Venezuelan foreign policy. Their purchase of arms used to be around \$6 billion a year, and they used to get the majority of the arms from the United States. Now the purchase of those arms is changing to China and Russia. Do you see that as a destabilizing effect in Venezuela also?

We know that China has so much influence. Should we not be the ones to go to the Chinese and ask for their help and say, "Listen, this is the situation that governs all of us, and because of the humanitarian crisis, maybe we can work collectively together?" Knowing that China has an impact on the economy and also knowing that China is one of the largest arms suppliers to the Venezuelans, should we be doing that?

**The Chair:** Secretary General, could you just give a one-minute answer to that question, so that we have time for—

**Ms. Hélène Laverdière:** I have the same question.

**The Chair:** Then take your time. Please go ahead.

**Mr. Luis Leonardo Almagro Lemes:** There have also been initiatives that tried to involve China and Russia in a solution for Venezuela. We regret that those initiatives didn't work in the end. We can study the reasons for a long time, but our main concern about what you're asking is that these attempts in the past were made when the situation was better in Venezuela, two years ago, or really one year ago.

We have not had, and I think the Chinese were not able to achieve from the Venezuelan government, a positive answer to that. Denial is the trademark of the Venezuelan regime. At any level, it's very difficult to influence them in a positive way, even by the Chinese.

Everything that has been tried so far has not worked. We all know the permanent denial of the humanitarian crisis, the permanent denial of the political situation, the permanent denial of human rights violations, the permanent denial of the situation of the economy that the regime in Venezuela has repeated time after time. So far, I don't see this Chinese influence working on them in a positive way.

The situation in the country is even worse than what has been described here, because the lack of institutionality makes it practically impossible to fix any of the issues you've mentioned. It will be impossible to fix the financial problems of the country, the economic problems of the country, the problems with the collapse of the oil production system. It will be very difficult to resolve even the territorial control of the country. We have a strong presence of the ELN and FARC in at least two-thirds of the territory. We see what happens when Venezuela's national guard wants to intervene in those areas: They are just killed by the ELN. They have absolute impunity about that. They have absolute impunity on illegal mining and exploitation and organized crime activity, the drug trafficking they have implemented. We have a rogue state that is paralyzed in everything except illegal activities.

Those illegal activities make things very difficult to resolve. I tried to explain it here. A political solution, a political dialogue, a political negotiation is very difficult to implement with a criminal state. It is very difficult to implement negotiations with drug traffickers, which is what we have now in Venezuela. We have the family of the president in jail in New York because of drug trafficking. We have hundreds of millions of the vice-president's dollars frozen in the United States because of drug trafficking. We have the minister of the interior sanctioned because of drug trafficking. We have the whole repressive apparatus sanctioned because of drug trafficking.

I don't think even the Chinese can conduct a negotiation with drug traffickers. There are no open negotiations with drug traffickers that

we know of. That is the logic that the regime has. That is the door that is closed for them. That makes it impossible for them to go and negotiate with drug traffickers.

• (1725)

**The Chair:** Madame Laverdière, you have a follow-up question.

[*Translation*]

**Ms. Hélène Laverdière:** Thank you, Mr. Chair.

Mr. Secretary General, I am pleased to see you again before this committee.

I would like to follow on from my colleague's question. If I understand correctly, there is no diplomatic initiative or discussion under way.

[*English*]

**Mr. Luis Leonardo Almagro Lemes:** There is no diplomatic initiative these days. After the failures of the Vatican in November 2016 and the failure of the negotiations in Santo Domingo in 2017, I think practically everybody in the international community knows that any dialogue process will have one outcome: Maduro will remain in power. That is their only objective. For any dialogue or any negotiation process, the only acceptable solution for them is to remain in power. That makes it very difficult for anybody to volunteer in a new dialogue or in a new negotiation.

• (1730)

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

The last question is from MP Vandenberg, please.

**Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.):** Thank you.

I want to thank both of you for your incredibly compelling testimony today.

I was wondering if you could elaborate on the particulars of the humanitarian crisis, and particularly the role of the state. I noticed, Professor Cotler, that you used language that suggests it was orchestrated by the state, that it's a deliberate, weaponized form of crimes against humanity. This suggests that the humanitarian crisis is not just a consequence of the human rights and political abuses but is actually a method of the human rights abuses. Could you perhaps elaborate on that?

**Hon. Irwin Cotler:** The humanitarian crisis in Venezuela, which I sought to share, and so did the Secretary General, is a state-orchestrated, state-sanctioned humanitarian crisis brought about by the weaponization of both food and medicine, targeting in particular those who they believe are opposed to the regime and the like. That has resulted in incredible human suffering, death, and devastation.



If I look at the situation in terms of what has been happening in Venezuela, I see some statistics here that are astonishing. Very quickly, malaria has been rising at the fastest rate in the world. In 2017, there were more than 406,000 cases of malaria, a 69% increase from the year before; and in 2018, the same thing is developing. The reported cases of tuberculosis increased from 6,000 in 2014 to more than 10,000 cases in 2017, the largest incidence and rise in 40 years. There were more than 7,300 suspected cases of measles in the mid-2000s, where there hadn't been any before; and more than 2,000 cases of diphtheria in the past two years, where there had been, in the nine years previously, not one case.

I can go on. I'm saying that this is a dramatically increasing, escalating humanitarian crisis that is targeting in particular the vulnerable and politically motivated victims of the regime.

I want to go back to one thing that the Secretary General said, because I think this is a crucial point. It is that now that there has been a state referral of crimes against humanity to the ICC, the special prosecutor does not have to await a panel in order to open an investigation. With a state referral, she can open an investigation immediately. The fact that she has not opened an investigation, regrettably, tends to indulge in or acquiesce in the impunity of the Maduro regime.

I think the Secretary General is right: Every day that goes by when an investigation is not open allows Maduro and the regime to believe they can continue to act with impunity. I think we have to emphasize the urgency of an ICC investigation and prosecution.

The second thing is the responsibility to protect. Canada was one of the architects of this principle, but I think it tends to be addressed more in its indifference than in its invocation. We need at this point to mandate, under R2P, immediate and urgent international assistance. That's number one.

Number two, any veneer of respectability of the Maduro regime comes to an end in January. Afterwards, this is an illegal dictatorial regime that's in power.

Number three, we should seek to have the restoration of the democratically elected legislative assembly and the Supreme Court, which is in exile.

Number four, we should ask for UN special procedure mechanisms to be allowed to visit Venezuela and do the fact-finding that is necessary.

The Lima Group is supposed to meet very shortly. They have to craft, together with the European Parliament—which, as I said, is ready for that purpose—a strategic, humanitarian, diplomatic and comprehensive initiative that will address this humanitarian crisis and this political dictatorial regime.

These are some things that I think we need to do as quickly as possible.

● (1735)

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

That brings this panel to an end. I want to thank both of you.

We held this session today because we see this first-hand. Parliamentarians from all parties are concerned about the rapid deterioration, the ongoing human rights abuses, the humanitarian crisis and particularly the displacement of Venezuelans, which is turning into one of the most severe crises ever experienced in the Americas.

We really thank you for bringing us your experience on this file, Secretary General Almagro, and of course you, Professor Cofler. It's always good to see you back in these halls, Professor.

Thank you, gentlemen.

With that, we are adjourned.

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