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

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**EVIDENCE**

**Thursday, June 8, 2017**

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**Chair**

**Mr. Michael Levitt**



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

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• (1305)

[English]

**The Chair (Mr. Michael Levitt (York Centre, Lib.)):** Good afternoon, everyone. I'm going to call this meeting of the Subcommittee on International Human Rights to order.

We have a special session today on the human rights situation in Honduras and Guatemala. We have a number of guests from Honduras and Guatemala who, I'm very pleased, have been able to come in to address us and who were brought in, of course, by Amnesty International.

I'll start by introducing Alex Neve, the secretary general of Amnesty International Canada.

We also have Bertha Isabel Zúniga Cáceres.

Bertha, I have to say, this is the second time you've testified before this committee. We heard from you and Gustavo Castro just over a year ago, and we were all obviously very deeply concerned. We send our thoughts to you again on the very tragic murder of your mother, Berta Cáceres, a true human rights defender.

Also testifying today will be Felipe Benitez as well as Luis Fernando Garcia Monroy.

We're going to take five minutes for each of our four guests, and then we will open it up to questions from the committee members.

With that, Mr. Neve, I will turn it over to you, and you can get the ball rolling with our witnesses today.

**Mr. Alex Neve (Secretary General, Amnesty International Canada):** Thank you so much, Mr. Chair, and good afternoon members of the subcommittee. It's an honour and a pleasure to be back in front of you, especially with the four tremendous colleagues you are about to hear from.

I'm not going to take up time other than to very briefly situate why we have brought these four individuals in front of you. There are three main reasons, and they will be very obvious as you hear from our four guests.

The first is that there are very serious human rights concerns still—you've heard them before—in both Guatemala and Honduras. These four individuals have much to tell you. The second is that in both of those countries those concerns often arise in a context related to the operations of extractive companies. In both Guatemala and

Honduras, that implicates Canada very often, so there's a range of related issues that are important to underscore. Third, there are particular groups that face heightened risk, and among the individuals you're going to hear from today, you're going to realize that human rights defenders—you've already used the term, Mr. Levitt—indigenous peoples, and journalists feature prominently among those at risk. Those are the three things we're hoping to highlight.

It's a very opportune moment. It's opportune because these are two countries where Canada's influence matters. It's opportune because, as members of this subcommittee will know, Canada recently demonstrated its strong commitment to human rights defenders by adopting guidelines for Canadian action, diplomacy, and assistance regarding human rights defenders, so that gives us a great opening.

The UN working group on business and human rights has just been to Canada, and I think those issues are in the frame as well. We know that this is a time of new beginnings around a lot of Canadian international policy matters. We had a speech earlier this week around a new foreign policy agenda, and we're anticipating the release of the "International Assistance Review" tomorrow. We know that corporate accountability and progressive trade matters are under review, so there are many reasons why what you're going to hear from these four individuals is timely and important.

With that, I would like to turn it over to the first witness.

**The Chair:** I think I may not have acknowledged the presence of Felix Molina, and I just want to mention him as well.

Of course, we're about to hear from you, but I'm not sure I listed you in my initial comments.

Please continue, Mr. Neve.

**Mr. Alex Neve:** Okay. Thank you very much.

As you know, you have three witnesses in front of you, and one in Tegucigalpa, and we thought it might be nice to hear first from Bertha Zúniga Cáceres from Tegucigalpa.

It is over to you, Bertha.

**Ms. Bertha Zúniga Cáceres (Civic Council of Popular and Indigenous Organizations of Honduras) (Interpretation):** Good afternoon. Thank you.

It is a pleasure to be here today to talk to you, especially about the situation in my country.

I must say that during previous interventions, I was able to explain some of the situations we have faced, the murders and other situations. I would like to explain the situation in Honduras.

First, I would like to talk about the assassination, which expresses the fight against the people who are defending human rights, who are exercising their right in a situation of violence and conflict, especially in my country. This murder has to do with the work that the COPINH, the Civic Council of Popular and Indigenous Organizations of Honduras, is doing. We are trying to protect...and fight the companies that are violating human rights through not respecting the free, previous, and informed consultation. We think this is something that must be highlighted in order to defend human rights.

I would also like to say that, following the murder, it has become very clear that they will continue to try to criminalize or bring false criminal cases before the law, even though what we're doing is trying to protect our own land. We see that there's conflict and that there's a fight against human rights, on the part of both the companies and the state, and we see a systematic violent response.

We are fighting to defend our land. However, we see that they are fighting against us. We are trying to defend the common natural resources, and we're looking for justice. Berta Isabel Cáceres was fighting for all this. We would like to know who is behind her murder. We would like to fight against the push to create hatred in our country. We see that there are murders and that nothing is being done.

Something very important, as you know, is that yesterday we had a preliminary hearing against four of the eight people who have been brought to justice. Most of them were intermediary actors. They perhaps coordinated, planned, or researched certain areas, or monitored different areas in regard to the murder. However, this murder had nothing to do with what happened on that specific day. What we are seeing is a consequence of persecution, a judicial persecution that has been going on for a very long time.

What would we like to highlight?

First, there is a hearing for the four people I mentioned earlier. We, COPINH, as members of the family and as legal representatives, would like to go to the next step. We would like to show that the people who are brought to justice are not only working to defend certain interests and are not protecting a clear plan to murder innocent people and detain innocent people, but we're also seeing actions by the armed forces of Honduras that are not up to par.

● (1310)

We would like to have the results of the hearing in two days' time, and we would like to request international support and supervision in order to ensure there are no more irregularities. This process was suspended in the past. It was said that there was not enough evidence to really bring the case forward. However, we see that the situation, although not as good as we would hope, has improved.

We would like to ask the ministry, the public, and the attorney general to take into account some of the information we have given them in regard to the assassination. There are cases that have been opened, but many of them have not been investigated or have not been followed according to the laws of our country.

I know I have to start concluding my remarks, because we don't have very much time, but we would also like to point out the following things.

First, it would be very important for Canadian MPs and the public to have a process and to supervise the situation in Honduras, taking into account what the local communities wish. We know that investment is important for Honduras, especially in the mining sector, but we know that some of the people who were part of the process and who ended up murdered were really fighting against what we're trying to defend. They do not respect human rights and what we're trying to defend.

The other aspect that we would like to highlight is the role of the army. We know that the armed forces of our country have been part of the sicarian actions that ended in murder as a result. This is a violation against human rights. We see there are military forces that are now being controlled and that have quite a bit of power. They take part in crimes and murders of defenders as well as leaders in the area of human rights.

We would like to see if Canada could perhaps sign agreements with Honduras in order to follow up on all of this.

I would also like to thank you for the opportunity today. It would be my pleasure to respond to any questions you may have in order to explain the situation that COPINH and Honduras are living in today.

● (1315)

**The Chair:** Thank you very much, Ms. Cáceres.

We will now move to Mr. Benitez.

Mr. Benitez, please try to keep your remarks to five minutes so we can get everybody in and also have time for questions. Thank you, sir.

**Mr. Felipe Benitez (Coordinator, Independent Indigenous Lenca Movement of La Paz)(Interpretation):** Good morning. I would like to thank the authorities who are listening to us.

I'm going to speak a bit about the situation that we are experiencing in Honduras by human rights defenders and indigenous peoples who have been subject to the violation of our rights as first peoples. In 2009, since the *coup d'état*, a great number of laws were passed that did not meet the parameters demanded by international treaties such as convention 169 of the ILO. The mining and energy law was approved as well as what we call decree 21 of 2012, and a number of laws have been enacted in our country that have disturbed and affected our interests as first peoples. When these laws come into effect, that is when we see conflicts and problems in our territories. When we demand, for example, that we do not want hydroelectric projects or mining projects or any projects that take away or cede our common goods, that is when those of us who are defenders face great dangers. As our friend Bertha said, we are persecuted. We are criminalized. Our fellow defenders are also murdered, as was the case with the killing of her mother, Berta Cáceres.

As well, in the case of the organization MILPAH, we've had many problems. We've lost a number of our colleagues. Javier Vásquez was one of them. He was a very talented young man, only 17 years old, who was murdered, and we don't yet know.... His death is still unpunished and it's still in impunity.

Due to that danger we faced, we were forced to request that the Inter-American Commission on Human Rights issue precautionary measures, and they were granted to a number of us. Right now 16 of us at MILPAH are under precautionary measures issued by the Inter-American Commission on Human Rights, and some were adopted more recently via this mechanism.

What is the state doing with our fellow indigenous defenders who are in this situation? Well, very little, frankly. In my case, we are experiencing a very difficult situation. I'm under precautionary measures but the state simply sends in a patrol car that's broken down. Nobody is monitoring our lives. Maybe once a month a patrol car that is terribly broken down will drive around our house. That's what we get. When you see government officials, they have escorts with 40 patrols and a crowd of police motorcycles, and we are protected by a broken-down patrol car once a month.

A law was approved for providing protection to human rights defenders. But this law also contemplates that police officers will receive protection in the same manner. It covers journalists, but in the end the state is doing very little. It's very limited and it's useless, in fact, to have this law. For me it would be much easier if the state would simply withdraw those laws that are affecting our territories rather than having these meagre protection measures, because when our indigenous fellow defenders and other non-indigenous defenders start defending their territories, we know there will be more and more people protesting and then having to be subjected to these precautionary measures. Are we going to put every Honduran under a precautionary measure? It would be easier if the government would simply remove these laws that are infringing on our rights.

• (1320)

We've also had problems, as was the case with Ana Mirian Romero, a fellow defender, Felicita, and other women fellow defenders whose rights were infringed. For example, Ana Romero was beaten by 20 police officers and 10 members of the army and she was seven months' pregnant at the time. She was physically attacked by army and police officers. She was hospitalized for more than two weeks in order to save her life and that of her daughter.

We filed a report before the deputy attorney general for human rights in Honduras, and they passed the case over to the Special prosecutor's office for ethnic and cultural heritage. They are basically giving us the runaround from one government office to another because state agents were involved in that violation, and they simply want to have us forget about it.

We've had so many problems, along with our fellow defenders, due to these projects that have been imposed on our lands. What we are trying to say is that we don't want any problems. We simply don't want these projects here. They're talking about development projects, but Honduras, as you know, is in a state of terror. It is as if we are living in a state of war.

If you look at Honduras, and you follow the news, you will see that people are dying very frequently and they say, this is common crime, but we can't sleep peacefully at night like we used to. Our families, our wives.... When my daughters go off to school I am left so worried about what could happen to them because the people who are against us have no qualms about attacking our relatives.

I am here today with you, the Canadian authorities, with my thanks, but also to ask you to raise your voices in our country about the need for our rights to be respected as indigenous persons and, as we've heard, the right that we have to free, prior, and informed consultation be respected, and that the international treaty be applied so that we can stop suffering this unease.

We also ask you for your support, and perhaps Canada may have some influence. I know that each country has its own laws, which must be enforced, but if there are any treaties that you know of that are being infringed on by our country—investment treaties that will lead to hydroelectric projects or mining projects—we ask that the law be respected. That's all we're asking for.

Thank you.

**The Chair:** Thank you very much, Mr. Benitez.

We will now move to Mr. García Monroy.

**Mr. Luis Fernando García Monroy (Co-Founder, Youth Organized in the Defense of Life) (Interpretation):** Good afternoon.

My name is Luis Fernando García Monroy, and I come from Guatemala. To give you some context, I would like to first tell you about the motivation that led me to defend natural resources.

My first motivation for defending natural resources, defending my rights, and defending our Mother Earth is the vital fluid that is water. In Guatemala we are suffering from major extraction of natural resources. Minera San Rafael, a mining company located in the eastern part of Guatemala, has been the worst human rights violator. We have had more than 150 cases of fellow defenders who have faced criminal charges due to unfair persecution and the criminalization of the defence of human rights by this company.

I am a survivor of an attack against my life led by this mining company in 2013. Seven of us were injured in that attack. I spent seven days in a hospital. Given the injuries from this attack, I've had six surgeries to date.

I want to focus today on the current danger in Guatemala for human rights defenders.

First of all, the Guatemalan state is deeply corrupted. The authorities have sold themselves. These companies, which are Canadian in origin, want to use money to solve any problem they have, and we are up against them. They are taking away our resources.

The mining company is in our territory, and a number of families live there. We are farmers. We grow corn. Now we can't sell our products because people say they are polluted due to the fact that there's a mining company next to our farms.

Also, some communities have had to be forcefully displaced because of the use of explosives in these mining operations. Recently, 90 families were displaced because the ground where they lived started to crack. A number of houses were subject to landslides.

As I said, a number of our fellow defenders have been murdered, and the murderers remain unpunished. We know Canada is a country where human rights are greatly valued and respected, so we need your support immediately as Canadian authorities. As defenders ourselves, we are in grave danger. All of our rights are being violated, and first of all, our right to consultation.

Consultation of our peoples has never been done. Some of us in the eastern region have carried out our own municipal consultations, but the decisions have not been respected. The project is still there and continues to operate, and what we need now is protection for defenders.

Due to all these human rights violations, we are under a state of siege. A “state of siege” means there is military rule. Between the national civilian police of Guatemala and the military, around 5,000 personnel came to inflict terror on our population. They brought in high-calibre weapons, as well as tanks, and had more than 20 detention orders against human rights defenders. Some of our fellow defenders were persecuted for seven months and others were imprisoned.

We know these extractive companies here tell you that the people are happy that they are bringing development, but I come here to tell you that this is false. What they do is criminalize the people and destroy the environment. As if that wasn't enough, in Guatemala the communities suffer great poverty, as well as water scarcity, and we know that these extractive companies are using large quantities of water.

What I'm asking you to do is investigate. Investigate these companies and help us to bring in some regulation of their activities. Also, if you find that a company has violated human rights in Guatemala, we demand that the company be closed.

Thank you very much for this opportunity.

● (1325)

Again, I am Luis Fernando. I am a survivor. It would take me four or five days to tell you my story of human rights violations against me by this company.

I know that time is short, so I thank you for your attention.

**The Chair:** Thank you very much, Mr. Monroy.

We'll now move to our final witness, Mr. Molina.

● (1330)

**Mr. Felix Molina (Independent investigative journalist from Honduras, As an Individual)(Interpretation):** Thank you very much for opening this space to us. I was here in March 2012 as a journalist, and I spoke to the MPs. I told them how hard it was for journalists who worked in Honduras in 2009, after the coup, especially when we were covering community-based, grassroots organizations or movements and indigenous organizations among the different first nations people, especially when we saw the actions

by different companies in the extraction and mining sector, as well as the tourism sector.

On June 20 last year, I came back to Canada requesting asylum after having survived two violent firearms attacks against my life. Many journalists in Honduras have been attacked during the last two years. Some of them have died violent deaths. Statistics say that there are 59 journalists and communicators who have had threats against their lives.

I am being protected by this federation and by the Province of Quebec. I have been heard in different hearings. In Honduras very few people know that I am here, because there are insecurity conditions where I live in the occidental part of Honduras. There are armed people who have asked where I am, in the village where my mom and my siblings live. Hence, I have not spoken to my colleagues from the Canadian press about my presence in this country.

Honduras is living in a terrible security situation. The inter-American human rights system has put in place 46 precautionary protection measures for different people. Of these measures, 34% are for men and women who work in the field, one of the most dangerous areas of the work that journalists undertake.

Several of those measures have been put into place to protect journalists and communicators: 46% for communicators and 7% for other people. There is 6% for different sexual orientations. Since May last year, we have had 60 requests for protection. Most of the requests are individual. Most of them come from defenders of human rights and political rights, but there are also different journalists as well as three justice activists who have requested protection.

The problem with our system, as Felipe mentioned, is that Honduras as a state grants only one place to the person who has requested defence. However, there have been 16 years of a procedure of cleansing. Honduran people do not trust the system. We have seen this process more and more during the last eight years.

The government has also created a system where there is no journalistic freedom, especially for alternative measures or independent journalists.

● (1335)

For example, a law has been passed in regard to professional secrets whereby in order to avoid the public accessing that information, different institutions have been put in charge of protecting it. However, we believe that what they're trying to protect is public information—information to which the public should have access. There has been a reform of the Criminal Code to create a defence of terrorism. There are actual direct clauses that limit the publication of information in both traditional media and social media.

I would like to be there, to be able to work free of fear, free of the net that Bertha explained to you, where there's a linkage between the armed forces, the military forces, public institutions, and the unofficial armed forces. We see the institutions and the authorities complicit in all of this, because they either don't do anything to stop it or because they're just part of it. We would like to see countries such as Canada, countries who have a good long-standing relationship with our country and who have investments in the country, do something to make sure that free, prior, and informed consent is respected and that the human rights of the population are respected.

I would like to thank you for hearing me and giving me the opportunity to be here today.

**The Chair:** Thank you very much to all of our witnesses.

We'll go straight into questions now.

We'll begin with MP Sweet.

**Mr. David Sweet (Flamborough—Glanbrook, CPC):** Thanks, Chair.

Thanks to the witnesses. We can't imagine what you've endured up until now. You have our admiration for your courage.

I'll start with you, Mr. Molina, because you just finished testifying. You mentioned those in the media who were being persecuted. You also mentioned the number of people whose lives were threatened or who were killed and so on. Is that specifically around extraction, or is there a narco component to it as well?

**Mr. Felix Molina (Interpretation):** Organized crime in its different manifestations is no doubt an actor that creates fear in Honduras and creates limitations and restrictions. When we speak about organized crime, we're talking also about human trafficking for labour, such as in the U.S., Mexico, and Canada. We are also talking about sexual commercial exploitation of minors, about arms trafficking, about radioactive weapons trafficking, and of course drug trafficking. Honduras, sadly, is the bridge between the north and the south, between the consumer and the producer.

The narco really is an actor, an actor who has influence in the insecurity and violence indexes. The problem is that in many cases they are working together with the public sector. Right now there is a list of at least 30 people who have to testify in U.S. courts.

**Mr. David Sweet:** Are you suggesting, Mr. Molina, or have you seen evidence of organized crime in collaboration with government forces and Canadian extraction companies? Have you seen evidence of that?

**Mr. Felix Molina (Interpretation):** I didn't say that. We do have evidence that links the political class and the narcos. This has been presented by the U.S. Treasury and the Federal Court in New York, who have requested testimony from different people, because they know there are linkages with the narcos.

In relation to metal mining, I know that Canada is involved in the country. Two companies operate in Honduras, in Valle de Siria and in the Department of Francisco Morazan, as well as San Matias, in open-pit operations. Different companies headquartered in Toronto are working in the area I come from.

We have always said there is a linkage among the private armed forces, the police, and the government, as well as private citizens who are working against human rights defenders and different people. As I recall, last year a commission from Canada travelled to the areas I mentioned to study the situation.

There are 56 lines of investigation by the International Commission Against Impunity in Guatemala, in my country. It is very difficult for the Mission to Support the Fight against Corruption and Impunity in Honduras to do their work and fight against the political and social elites in my country. There is a huge lack of electoral transparency. A law was passed, because it was requested by the international community. However, the law was changed. Now there is resistance to approving the law.

● (1340)

**Mr. David Sweet:** Thank you very much, Mr. Molina.

I have one more question, and time is of the essence.

Ms. Cáceres, I understand that five days ago the financiers of the dam that your mother was protesting have withdrawn their support and will not finance the dam anymore. Are you aware of that? What are your feelings in that regard?

**Ms. Bertha Zúniga Cáceres (Interpretation):** The company that is working here is a development bank from the Netherlands, and it has been over a year since they declared that they would not participate in the project. What is new is that they have confirmed they will not participate, and they have announced that they will not follow the same criteria or the same terms that were announced.

In my view, they have not formally terminated their relationship, and we are still requesting that they leave the project. They say they're going to do it, but this is not official yet.

We would like to see concrete action. That would be a big win for our movement, especially for the communities in Rio Blanco. We would like to keep working in this area, and we will fight to ensure they come through and do what they say they will do.

We would like them to take action to work against the harm they've done already.

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

We will now move to MP Fragiskatos.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you very much, and thank you, all of you, for your testimony this afternoon.

I have a question for Mr. Garcia Monroy. I had the pleasure and honour of visiting Guatemala in the summer and witnessed a very difficult situation, but also a very hopeful situation. What brought hope to me was the formation of efforts—I won't call it organization—and initiatives such as the International Commission Against Impunity in Guatemala.

Other parliamentarians and I, as well as the chair, were on that trip. We saw a common thread running through the problems impacting Guatemala's democracy and its lack of economic development, which is not just the issue of corruption but the lack of impunity for corruption. The creation of the commission to deal with that problem is a very interesting development.

I would like to ask you in your work as a youth activist what you sense of this development. I know there was a great deal of hope among the media there and among human rights activists and others, but what do you feel about this development?

Also, could the witnesses who spoke about Honduras speak and the creation of a similar commission in that country, discuss whether or not that has created a sense of hope and a real, potentially positive direction going forward, when it comes to dealing with problems of impunity?

• (1345)

**Mr. Luis Fernando García Monroy (Interpretation):** Well, we are very hopeful, but unfortunately our justice system and all of these systems in Guatemala have been so rigged, frankly. We've initiated a criminal action against Minera San Rafael in Guatemala, specifically against the head of security of that company, who is a Peruvian man. Unfortunately, we had to go through many situations.

First of all, it was very difficult to get into the court and to simply be heard by a judge. We know that the judges have offered us money to stop bringing suits forward. Then this man, Alberto Rotondo, who had a police escort of six police officers, managed to escape Guatemala in November 2015. He was under police custody and managed to escape the country. That is the impunity our authorities operate under.

We also know that the ministry of energy and mines grants mining licences without sitting down with the local population, even when we know that local communities are completely against these projects.

Thank you.

**Mr. Peter Fragiskatos:** *Gracias.*

**Mr. Felipe Benitez (Interpretation):** I did want to talk about Honduras. In Honduras we were fighting to create a commission that we called the CICIH commission. The government and the politicians were not participating so they came up with a new one that they called the MACCIH.

What is the problem with the MACCIH? Well, as an indigenous organization called MILPAH, which is the name of the movement that I represent, we went to file a suit in the anti-corruption office, because in Honduras there is a law called the state contracting law.

This law prohibits family members up to a fourth degree of relatedness to members of congress from becoming part of the commission, whereas the husband of the vice-president of the national congress and current president of the national party owns a number of concessions. His name is Arnold Castro, and he built a dam in the Municipal District of San José that has affected the Chinacla River, where we are having this problem.

We filed a suit with the anti-corruption prosecutor, but the prosecution is afraid of him. They don't dare touch him. If this MACCIH commission really had teeth, and if is going to change the legal situation of our country and the corruption there, well, I haven't seen them do it.

There are people there who may be respected internationally, but the Government of Honduras does not pay enough attention to the commission. It doesn't allow it to function. It gets in its way. The

commission is there on paper, but it has no budget. I know it is just for show. We are not very hopeful.

• (1350)

**Mr. Peter Fragiskatos:** If there's any remaining time, I'll give it to Mr. Tabbara.

**Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.):** Thank you, Mr. Chair.

Thank you, Peter, for sharing your time with me.

Thank you for all your statements. It's very informative to have this session at our committee, and I applaud you for the bravery you show in your country each and every day. We've been talking about, and you've mentioned already, accountability within the security forces and government.

How can we bring perpetrators to be held accountable? What are some of the steps that have worked well in Honduras and Guatemala? Have neighbouring countries with similar problems had any success, and can we learn from any of their success?

**The Chair:** We have time for one fairly short answer to this question.

Mr. Tabbara, to whom would you like to direct it?

**Mr. Marwan Tabbara:** Mr. Molina.

**Mr. Felix Molina (Interpretation):** Thank you.

Bertha Zúniga has already spoken to these difficulties. The case of the crime against Berta Cáceres is one example of international coordinated action and social pressure by the citizenry and other governments.

In fact, yesterday in the hearing, the European Union ambassador was present, as well as the ambassador from Spain, because there were questions about Honduras, which has a level of impunity of 95%. Of the total cases brought forward that reach the public ministry, 95% remain with impunity, that is, without any criminal investigation that successfully concludes and no criminal sanctions brought.

It appeared that the case of Berta Cáceres was going to be our flagship case in which we would finally achieve justice, given the planetary movement created by this environmental defender and indigenous leader. However, we see in the judicial branch the difficulty of bringing it to the second level. Like Bertha said, the trial is currently at the level of those people who were in charge of following this woman, monitoring her, and conducting the crime.

The real difficulty lies in going up one level to the private citizens who paid for, and to the government officials who participated in, the crime. Here is where we need to break that thread that the MP mentioned, that thread linking corruption and impunity, the impunity that causes new crimes that in turn engender further violence. We need to break that thread. I would hope that the case of Berta Cáceres continues as our flagship case in our quest.

**The Chair:** Thank you very much, Mr. Molina.

We will now move to MP Hardcastle.

**Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP):** Thank you, Mr. Chair.



I thank all of you for being here.

To Bertha Isabel, thank you for being here as well. I know you must be hopeful, otherwise you wouldn't be taking the risks you've taken all this time. I know that sometimes you might not feel hopeful, but you are having an impact. Your visit here is having an impact. From listening to my colleagues' questions, I think it will help us all.

Maybe our committee doesn't quite understand the thread that you're talking about being broken, Mr. Molina. Maybe we need more specific examples. I'll give you a scenario, and you can correct it or fix the scene, okay?

If I'm a Canadian mining company and I get a licence, I deal with a corrupt government of either Honduras or Guatemala. The people who live on that land need access to fresh water. Do they deal with their corrupt government, do they knock on the door of the Canadian mining company, or do they have to deal with employees of the Canadian mining company who are part of that corrupt system? Do you see what I'm saying? I need you to flesh out a little better this corruption link and relationship. That will help our committee when we look at how we can have an impact in expanding an international commission against impunity, or the work we can do at our end.

• (1355)

**Mr. Felix Molina (Interpretation):** I would like Bertha to take this question if possible.

**Ms. Bertha Zúniga Cáceres (Interpretation):** Well, I'd like to tell you that in our experience in coping with corruption, it is present throughout the process, right from the granting of the concession to this land, where, clearly, the communities are not even asked. Then there is a lack of procedures for environmental licensing. These procedures do not meet the requirement of verifying the environmental impact. Rather, they simply become red tape. That's all. They are simply a stamp on a piece of paper. Then there is also the requirement of free, prior, and informed consent, at least for indigenous communities. What happens there is.... Well, sometimes it is not done, but when it is done, it is already fixed ahead of time, if you know what I mean. They simply go to the mayor or to some local authorities, but they do it via bribery. For example, they offer an amount of money to the local authorities. As I said, they gather some signatures under the table, without really telling the community what it is that they're signing on to or without explaining the magnitude of the project.

Oftentimes the communities didn't even know the projects were coming, and once these projects are under way, if there's any resistance or any reaction, then we see strong military repression.

That's the pattern we see overall. We see this time and again, in all extractive projects, such as hydroelectric projects. Hydroelectric dams are the most relevant problem, at least in our area, but we see it all around.

**Mr. Felix Molina (Interpretation):** Say an investor wants to make money. An investor wants to do it with the least amount of difficulty possible, in whatever country they want to invest in. In Honduras, unfortunately, investors already know that they need to earmark 30% of the overhead of any business for what we would call "getting things done", 30% that they will have to pay a local

"corruption operator" to pay secretaries, judges, prosecutors, journalists, and public officials.

Whom would I speak with if I were an investor, a Canadian investor, and I wanted to follow an ethical code of behaviour in doing business? Well, it would be desirable to speak to the leaders of the community where the investor is going to do the project, with those organizations that represent the community. Then I would ask the National Anti-Corruption Council, which, in my opinion, in the past five years has been led adequately, and which has sufficient knowledge of how the public and private sectors are operating vis-à-vis business in Honduras. Before putting my money down, I would ask the international commission against corruption, the OAS commission, which has opened 126 lines of investigation into public and private corruption in our country, if I wanted to follow a corporate social responsibility code and an ethics code. If I wanted to opt for direct corruption, then I would simply devote 30% of my direct costs to corruption. Regrettably, that is what's done most often.

For example, the company that caused the death of the mother of Bertha Isabel, who is with us by video conference, received an environmental permit issued by the vice-minister for natural resources, who did not follow the procedures for environmental licensing, and who, in fact, is now subject to a criminal proceeding because of it. I'm not sure if this person went to jail or not. For the past year I've been outside of Honduras, so I don't know if he went to jail or not, but he mishandled the environmental permit to that company, which was responsible for the death of Berta Cáceres. How much did he receive? Well, that's the question that we don't have an answer for, but it was something for sure. He did receive something from the company, I'm certain, in order to approve an environmental licence under the circumstances in which he did—that is, without consulting the community that is by the river, without foreseeing the impact the reservoir would have in San Antonio de Chuchopeque, the closest town. He did not follow the required procedures. As Felipe said, after the coup, a number of laws were reformed, including the general environmental law, in order to facilitate—really, it was not to facilitate—these non-transparent procedures in granting environmental concessions.

• (1400)

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

We've come to the end, as it's after 2 o'clock, but I just want to take this opportunity to thank each of our four witnesses for providing your testimony here today.

I know that being human rights defenders in your countries often comes at great personal risk. We've heard your stories, and again, we obviously know your background, Bertha.

We just want to take the opportunity to thank you for being here and, of course, to thank Amnesty International Canada for Alex and the other members being here. Thank you for facilitating and bringing these stories to us.

Of course, we will be looking at this issue more in the fall, and we will no doubt be reflecting back on your testimony, or reaching back out to you again. Thank you very much to all of you.

With that, we now adjourn.





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