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

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**EVIDENCE**

**Tuesday, April 23, 2013**

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**Chair**

**Mr. Scott Reid**



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

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•(1315)

[English]

**The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)):** Colleagues, we are no longer suspended. We are back in session, and we are public now.

Karen Spring is here to assist us with carrying on our study into the human rights situation in Honduras. Karen Spring is the coordinator for Central America for Rights Action.

Ms. Spring, I invite you to begin your testimony, and thanks for your patience.

**Ms. Karen Spring (Coordinator, Central America, Rights Action):** Mr. Chair, thank you very much for inviting me to speak before you today.

As was mentioned, my name is Karen Spring, and I lived and worked in Honduras for three years with the non-governmental organization called Rights Action, which is a non-governmental organization based in the United States and Canada.

I'm returning to Honduras in May to continue my work and to conduct my thesis research as a master's in public health graduate student.

As has been mentioned by many speakers who have spoken to you, the human rights situation in Honduras has significantly deteriorated since the *coup d'état* on June 28, 2009. Honduras is known as the murder capital of the world because it is the country with the highest number of homicides at 91 per 100,000 people.

The coup in many ways is not surprising to the people who have worked for a long time in human rights and the alternative truth commission, which you've heard about, that was conducted by the President Lobo government. The first 60 pages of that report outline the historical role the military and state forces have played in Honduras and their relationship with the economic and political interests of approximately 10 families that have dominated the political and economic environment in Honduras for many decades.

At any point in time in the history of Honduras, any attempts to challenge those interests have historically been suppressed by the military and state forces. This is a little bit of an oversimplification, but for reasons of time, I'm just going to leave it at that.

Since the coup in June 2009, there has been a significant increase in opposition to the interests of the economic and political elite in Honduras. This has been formed under the banner of the National

Popular Resistance Front, which is the name of the social movement that formed following the *coup d'état* in 2009. They are putting forward a presidential candidate under the political party called LIBRE, or the Freedom and Refoundation Party.

The National Popular Resistance Front is a large group of different sectors of Honduran society that have traditionally been excluded from the political and economic process in Honduras. They have been very vocal and in direct opposition to what the regime that has taken power since the coup has been pushing forward in the national congress. Of the laws and many policies they are opposing, a couple to mention now are the mining law, which was recently approved, and the temporary labour law, which is now really important in the apparel and textile factories. I mention those two laws because they are very specific to Canada's interests in Honduras.

Since the coup, one of the leading human rights organizations, COFADEH, which in English is the Committee of Relatives of the Detained and Disappeared in Honduras, has received many formal human rights complaints and testimonies of human rights violations. COFADEH is an organization that has played a really important role since the coup, because since the coup there has been a complete breakdown and lack of trust between Honduran society and many state institutions, including the judiciary, the police, and the military. This is one of the reasons—this mistrust—that many human rights groups have refused for a long period of time to recognize the government that is now in power, as well as participate in the truth and reconciliation commission that took place after the *coup d'état*.

This human rights organization, COFADEH, has documented over 206 politically motivated assassinations of members of the National Popular Resistance Front, or the social movement, that was formed after the coup in the last three years. These 206 assassinations do not include the 96 peasant farmers in the Aguán valley, in the northern part of Honduras, who have been assassinated as well in the last three years due to a significant land conflict between three wealthy land owners and thousands of peasant farmer families.

COFADEH attributes some of these 206 assassinations to the re-emergence of death squads, which are groups of often masked or heavily armed individuals, linked and coordinated with state security forces, that carry out very targeted killings, torture, and kidnapping of targeted individuals.

•(1320)

COFADEH has noted similarities between these death squads that are ongoing and currently in operation in Honduras with those of the 1980s. They've noted that many of the same people who are involved in the military, police, and state institutions currently are the same individuals that were part of the military and state forces in the 1980s.

An example of this is the current director of the national police. His name is Juan Carlos Bonilla. He's head of the national police. The former head of internal affairs of the national police, someone who worked inside the structures of the police in Honduras, has formally and publicly accused the national director of the police of participating in death squads against youth and so-called gang members in the early 2000s. This is just one example of many people who are still involved, who had been involved previously and are still involved in the military and police forces in Honduras.

Within this context, there's a significant amount of insecurity, fear, and violence, something which the committee has already heard a lot about. There are human rights violations that are ongoing and haven't stopped since the coup. This is the context in which Canada is considering entering the country—well, Canada is already present there—and signing a free trade agreement with the country.

I'm particularly concerned about this because of the human rights violations being committed by the security forces, as I've noted. Canada is actively funding the police and security forces in Honduras. An example of this is that in the last draft of the Honduran mining law that I saw, the Canadian mining companies that are operating in Honduras are required to pay 2% of the value of their exports to the police as part of a security tax that has now been created since the coup.

Another example of how we're funding the police and these ongoing human rights violations is the senior vice-president of corporate affairs for Gildan's mentioning to the committee last week that Gildan itself is providing money to the police force in the communities in which it operates.

Now that I've talked a little bit about context, I'm going to talk a little bit more about my research in Honduras as a graduate student.

I'm conducting research on occupational health in sweatshops or textile factories, and I'm specifically working with women who work in these factories. I'm working alongside a women's human rights group that is based in Choloma, a city where Gildan, which is a Canadian company, has a few of its factories.

The human rights group that I'm working with has documented the serious occupational and horrible labour conditions in which these women are working. The most concerning condition that I have noted in my own work is the way that work shifts in these factories are set up. In Gildan's factories, for example, women have a work shift that's four by four. What this means is that women work four days on and then they have four days off. When they're on and they're working, they are required to work eleven and a half hours per day.

The vice-president of corporate affairs of Gildan mentioned in his testimony that they pay over the minimum wage. I think it's

important to note that it is possible for Honduran sweatshop workers to make over the minimum wage in Honduras, but workers are not paid by the hour. They're actually paid by a production quota that they're supposed to achieve. These production quotas are already very high and actually are very difficult to meet. If women are unable to meet them, they're required to come in after the four days or basically work overtime for which they're not compensated. Even if they achieve their production quota in the sweatshop factories, the maximum they can make is \$90 a week. So it's not a minimum wage in the sense they're paid by the hour, it's that they're required to meet really extreme production quotas.

Another point that was mentioned by the vice-president of corporate affairs for Gildan in his testimony is that Gildan provides medical workers or medical professionals inside the factories, and it does. There are doctors who are present in the factories, but based on my work and a lot of the human rights concerns that have been brought forward to this women's group, these doctors and medical professionals often are not trusted by the workers, and the workers don't really feel like they're receiving good advice from them.

I say this as there are many complaints of health problems. Specifically, there are a lot of reports of musculoskeletal disorders that are basically inflammation or pain in the wrist, shoulders, arms, and back. These have been linked to the occupational conditions within these factories.

•(1325)

When women in the factories complain to the doctors in the factories about these concerns, the doctors often provide medication; whereas, if the women go to the national social security institute, which is the national pension and social insurance system in Honduras, the doctors have diagnosed the women who have come forward with these concerns as having permanent disabilities from musculoskeletal disorders that are caused by the conditions of their work.

The complaints that this human rights organization has received regarding working conditions in factories have been taken to the Honduran government and to the company. They have complained before Gildan and other companies that also have very difficult conditions in their factories. They've complained before the Ministry of Labor and Social Security. They have complained before the Fair Labor Association. They've also complained before the Inter-American Commission on Human Rights. The Honduran state has provided no response, and there has been no investigation into these health concerns or the conditions in the factories.

The institutional structures in Honduras exist for Hondurans to go and formally denounce or complain about human rights violations, but there is very much a culture of impunity, and there's really no rule of law to mediate these concerns. The absence of rule of law in Honduras has basically enabled death squads and mass human rights violations. Basically, even when people go forward to complain about human rights violations, there is no investigation and no legal follow-up of their concerns.

It is within that context that Canada is considering a free trade agreement and considering expanding its investments in Honduras while contributing to funding a police force that has been documented to be corrupt. It is contributing to these human rights violations. Canadian investments will also contribute to the poor working conditions and occupational concerns within factories. Within that context, Canada is considering expanding its investment, and it will be contributing to greater human rights violations.

● (1330)

**The Chair:** Is that the end of your statement? Thank you.

Before we go to questions from the members of the committee, I have a couple of things I want to follow up on myself.

Regarding the law on policing, which requires that 2% of mine revenues be put towards the police force, you can't do it right now, but would you be able to draw to the attention of our analysts, and therefore the rest of the committee, what that law is so we can actually find the law and look at it? That would be very helpful so we could get a better understanding of that. We'll be contacting you for that follow-up. That's the first thing.

Second, you mentioned a couple of powerful landowning families. I think you said that actually thousands of farmers were in conflict with them. I am wondering if there is any kind of map of landholdings in rural Honduras. I gather there are a few large families that own the majority of the land. We always tend to talk about this in the context of Honduras and other countries without any actual concrete map to look at. Do you know of the existence of any such thing?

**Ms. Karen Spring:** Do you mean a physical map of Honduras?

**The Chair:** Yes, with an indication of who owns what pieces of property.

**Ms. Karen Spring:** I think the question of who owns the actual pieces of property is what's generating the land conflicts, so ownership is being contested by the campesino or peasant farmer communities and cooperatives that existed in the 1990s. They are saying that the land was illegally taken from them by three large landowners. Within that region, which is on the northern coast of Honduras, each different peasant farmer movement has different land claims, so it adds to the complexity of the situation in the sense that there isn't one specific claim to the land. There are actually many different ones and many different circumstances that led to the land conflict and basically the landownership being contested.

There are physical maps, but I've spent a significant amount of time in that region, and it's very complex and very difficult to map out clearly where exactly all the different pieces of land are.

**The Chair:** All right, that answers the questions as to why we never see maps of these things. They're actually difficult to put together.

Okay, let's go to our questioners.

We start with Mr. Sweet, and if you don't mind, I'd like to keep each round of questions and answers to five minutes.

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** I will try to do that, Mr. Chair.

Thank you very much, Ms. Spring, for coming.

My colleague Ms. Grewal last week put this question to Mr. Iliopoulos:

While Honduras nominally subscribes to the International Labour Organization's standards, in many countries they have serious issues with enforcement and implementation. To what extent is the labour standards situation compliant with ILO standards, both at Gildan and other factories in that country?

Mr. Iliopoulos answered like this:

We have a very strict code of conduct that's based on ILO principles. We're accredited by the Fair Labor Association, which is a strict NGO that accredits social compliance programs, and based in Washington, D.C. We conduct regular audits, including internal audits, external audits, third-party independent audits, of our social compliance program on a regular basis every year in each of our facilities. That's something that's been, as I said, both from our perspective and third-party perspectives, customers'.... The apparel industry, specifically in Honduras, is really held accountable to a higher standard....

It goes on.

Are you saying by your testimony that Mr. Iliopoulos misled the committee when he made those statements about his organization?

**Ms. Karen Spring:** Well, I think that if you examine the Honduran labour code, the Honduran labour code says that from the standard work shifts that workers are required to work, the maximum is actually eight hours a day, Monday to Friday, and they're allowed to work four hours on Saturdays. If they work Sundays, the companies are supposed to pay overtime. So the four-by-four work shifts, as I mentioned, are actually in violation of the Honduran labour code. They're in violation of the International Labour Organization's principles as well, although I'm not as familiar with those principles myself.

For me, it would come back to the ability for Honduran institutions to mediate those concerns and to consider that these are violations of the Honduran labour code and then actually do something about it and change the behaviours of the companies that are violating it, if Gildan is violating it.

There has been significant concerns that these formal complaints are not being received, and if they are being received, there's no follow up and there's no rule of law to ensure that companies follow these labour codes.

● (1335)

**Mr. David Sweet:** Along with Mr. Iliopoulos, we also had someone who has an extraordinary CV, Mr. Adam Blackwell, who is with the OAS now. We asked both witnesses about the free trade agreement. Mr. Iliopoulos, of course, of Gildan would have a commercial interest, no question, but Mr. Blackwell answered me by saying:

Having worked to help negotiate free trade agreements, I was going to say that it's not just about trade. There are many components of these agreements that help establish the rule of law and level playing fields, including common standards, such as FIPAs, foreign investment protection agreements....

He goes on as well.

You have a problem with the free trade agreement. Why would that be when Adam Blackwell would be in favour of it because it would actually enhance security?

**Ms. Karen Spring:** I'm not sure how it would necessarily enhance security. I think that what has happened is since the coup, the levels of homicides have skyrocketed. So I'm not entirely sure why Canadian companies would want to be in this environment, in the murder capital of the world, basically, doing business.

I don't think that signing a free trade agreement with a country with such dramatic and high levels of human rights violations is the answer to remedying the human rights situation. I think there needs to be some sort of ability to mediate these concerns prior to signing any free trade agreement with Honduras so that there is actually engagement with Honduran society, and that's not happening at all. When the human rights violations are committed and people from Honduras go to the state institutions to say that their rights are being violated, that their work shifts are in violation of the Honduran labour code, there's actually no process to follow up with that. For Canada to sign a free trade agreement with Honduras, I think if we're concerned about human rights, we need to make sure there's some sort of rule of law or to contribute to an international body that can help mediate these conflicts, and the lack of rule of law in Honduras, prior to signing and promoting our economic interests in the country.

**Mr. David Sweet:** I think that's why the Organization of American States is actually involved, for that very reason.

I'm curious. When you began your answer, you mentioned about Gildan being there, and Canadian companies. It sounded to us like it was a pretty good news story, that they were actually providing 20,000 jobs to people who in an economy like that of Honduras, wouldn't have that much access to employment. But now you're saying Canadian companies shouldn't be there at all.

**Ms. Karen Spring:** Well, the women's group I work with say they actually welcome employment, but they ask for employment with dignity. That's sort of what their response is. They're asking for employment where they're able to go and formally complain about their concerns and be received and have it remediated. That hasn't happened at all, because there is no rule of law in Honduras.

These women want jobs, but they want jobs where they can go and there's some sort of remedy to their situations, to their health problems, and to the poor working conditions.

**Mr. David Sweet:** Are they complaining to the labour organizations or to the government, when you say there are complaints?

**The Chair:** I should apologize. You're actually over time, Mr. Sweet.

**Mr. David Sweet:** Sorry about that.

**The Chair:** Mr. Marston, please.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** I want to welcome our guest here today. It's certainly appreciated.

You're right, and Mr. Sweet is right. In the testimony from Gildan that he's read back here, for example, the Fair Labor Association that's supposedly giving them such high marks, it's pretty much like-minded corporations that have banded together, similar to the ILO, the International Labour Organization, but it's almost like the fox

going after the chickens while they're judging them, so it's really concerning.

From a philosophical point of view, and we get into the free trade agreement and the OAS, Mr. Blackwell was talking about if there was a free trade agreement, it would benefit the people there.

One of the problems we in the official opposition have had with the trade agreements that have been signed so far by this government is the fact that they haven't included human rights and they haven't included labour rights in the body of the agreement. They're side agreements and they're not enforceable in law. There's no sense of accountability. If we're going to go into trade in a legislative way, we need to have enforceable human rights standards in there to ensure.... I'll give you an example. You may well be aware of this.

Mexico has some of the best environmental laws on earth, except they don't enforce them. We have a situation in that country where it's very clear that anybody who stands up to their government in any way is putting their life at risk. You've said it yourself: Honduras is the murder capital of the world. I'd like you to expand a little, but more particularly in the case of Gildan, in the case of the situation as it's perceived there of Canadian companies.

Canadian extractive companies in some parts of the world are being questioned about working with the death squads or the paramilitaries, and in some cases hiring paramilitaries as their security. If you could comment on that aspect of the relationship of Canadian companies, I'd appreciate it.

● (1340)

**Ms. Karen Spring:** One thing that Porfirio Lobo's government has done since the coup is because of the economic crisis that hit Honduras after the coup and because of the situation of the global economy, they've actually increased the amount of security on the streets of Honduras. They've given the military police powers on the streets, so police are now being accompanied by the Honduran military on the streets. This has not at all translated into any level of security for Honduras or for Hondurans as the homicide rate continues to increase.

While they've increased military in the streets and they've increased police presence in the streets, the main idea of the government is to promote foreign investment and to bring foreign investment to Honduras as a way to remedy the economic situation. But with homicide rates skyrocketing and with increased police and military on the streets, this has not translated into something that has created a better environment for Hondurans.

When companies come in, and I've worked extensively in areas where there has been extractive industries, mining-affected communities, the communities in the Aguán valley that are struggling for land, and with women sweatshop workers, there are a lot of complaints about these companies. Within this environment of so much insecurity and violence, the workers completely mistrust all the institutions that are there to protect them, so there's nowhere for them to go to complain about their issues.

The main point I want to make is that there cannot be more investment until there's a functioning justice system and there's rule of law.

**Mr. Wayne Marston:** I agree. I'd like to read into the record a few of the members of the board of directors of the Fair Labor Association: Russell Brands, Fruit of the Loom, New Balance Athletic Shoe Inc., Hanesbrands Inc., adidas Group. We'll provide a copy of the full board to the clerk so that members can see it. As I was indicating before, they're like-minded people in the sense that they work in the textile industry and footwear industry, organizations that are around the world and have had significant problems.

In that this is a committee of the Parliament of Canada, what do you see as the most important role this committee can play in relation to Canada's relationship with Honduras?

**Ms. Karen Spring:** Before I answer that question, I forgot to mention about the Fair Labor Association. The women who work in Gildan's factories, or that have formally complained about the conditions, they have complained before the Fair Labor Association. In response to the complaint, the Fair Labor Association did an analysis of the program that Greg Chamandy of Gildan has in place to deal with labour conditions, but there was no engagement with the workers in any way. Workers were not involved in that evaluation. So in February of this year, the human rights organization that represents the workers formally complained about how the Fair Labor Association had done their evaluation and their results about what was going on in the factories.

In terms of your question, the Honduras elections are approaching in November. I think things are going to get dramatically worse between now and then because of the polarization of Honduran society and because of the significant social movement that is proposing a candidate for the presidency.

What Canada needs to do is to absolutely stop funding the police and any state forces. Canadian companies are actively, as we speak, funding the police. The companies were mentioned by Mr. Blackwell, and almost everyone who has spoken in front of the committee has said that the police force and the military are committing a lot of human rights violations. That's the very reason they're doing a security reform. Canada absolutely has to stop funding a state institution that is committing these violations.

Another thing I think Canada should push for in Honduras is some sort of independent international body that could help mediate these concerns and push forward investigations of some of the key human rights cases. The truth commission put forward that they should have a presence from the Office of the United Nations High Commissioner for Human Rights. In response to the truth commission, they put in a representative from the office of the high commissioner, but

it's just a representative, not an office. They have a very limited mandate and they are not able to do many things.

I would propose that Canada work towards something like they have in Guatemala, which is called CICIG, the International Commission against Impunity in Guatemala. This is a special prosecutor, an international body with the ability to investigate crimes. They've had a lot of success in Guatemala. It's not a perfect process, but it's a way of monitoring what is happening in the investigations and the judiciary.

• (1345)

**The Chair:** I'm going to have to be a little more ruthless in enforcing the time. It was answers that wound up running long but—

**Mr. Wayne Marston:** I understand, and I thank you.

**The Chair:** You're welcome. It was unintentional in both cases.

Ms. Grewal, you're next.

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Thank you, Chair, and thank you, Ms. Spring, for your time and your presentation.

According to a story in the *The New York Times* last week, the Honduran congress suspended the attorney general and his assistant and replaced them with a temporary oversight committee. The three-person commission will have almost 60 days to analyze why the prosecutor's office has been unable to solve so many criminal cases there. They will generate a plan to improve the trustworthiness of the institution.

What is your opinion on this latest development? Does it provide any hope for a better justice system there?

**Ms. Karen Spring:** I have a lot to say about police reform that's going on right now in Honduras. Thank you for mentioning that they have suspended the attorney general of Honduras for a period of 60 days from what I understand.

I think the current police reform that is occurring right now has a lot of important problems with the way it's being carried out. I'm not sure how you can reform the police when there's been absolutely no justice from what occurred after the *coup d'état*. The people that participated in the *coup d'état* are the people that are in the congress and are making these decisions about how the police reform is going to be conducted.

I'm not sure how a police reform process can occur if the director of the national police force has himself been accused in participating in death squads, so I'm not optimistic about it achieving any significant change. I think it may remove a couple of low-level police officers that have been involved in human rights violations, but I don't think it addresses in any way the root or the intellectual authors, and the systematic cleansing of the police that needs to occur, and not just the police, but the people that are making these decisions about who is carrying out these reforms.

I'm not optimistic that it will lead to any good results in terms of lowering the levels of violence and insecurity in Honduras. I think we need an independent international body to intervene and not leave these decisions up to the same people that were responsible for the coup and a lot of the ongoing problems in Honduras.

•(1350)

**Mrs. Nina Grewal:** There is now a general sense that Honduras is a country in meltdown, as homicides soar, and drug trafficking overruns cities and coasts. The nation's highest court has been embattled in a constitutional fight with congress. The streets are riddled with bottles. Cities aren't replacing stolen manhole covers and soldiers aren't receiving their regular salary. The education secretary says that 96% of the schools close several days a week or a month because the teachers are on strike constantly.

You lived in Honduras from 2008 to 2011. From your own personal experience, is there anything more you could tell us about that country?

**Ms. Karen Spring:** I lived in Honduras from 2009, roughly one month after the military coup, up until 2011. I have returned frequently since then. I'm very familiar with what's been happening with the teachers' strike and some of these issues. I've noticed in the time that I've spent there the increasing level of insecurity in the country.

What is optimistic about the country for me and something which, if Canada is really concerned about human rights in Honduras, we need to really support is the social movement that is demanding some sort of change, a transformative change of the country. Actually, one of the root causes of the coup was that they wanted to reform the constitution, so that they had more of a voice in what was occurring in the political and economic decisions of the country. That hasn't happened and the people that are in congress and the individuals that carried out the coup don't want that at all.

For me, what's optimistic is the social movement, the human rights groups, and the grassroots groups that are pushing for this change to rewrite the constitution. That's optimistic for me.

They have a significant chance in doing well in the next elections, but with the deterioration of the human rights situation and the high levels of fear and insecurity in the country, it's unclear what will happen. I'm optimistic that they have a lot of broad popular support.

**Mrs. Nina Grewal:** Chair, do I have some more time?

**The Chair:** Unfortunately you do not, at 5 minutes and 36 seconds.

**Mrs. Nina Grewal:** Thank you.

**The Chair:** Thank you, Ms. Grewal.

Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** I'll be very quick because I have to run to the House. I just have a couple of questions. Did I hear an allusion to the fact that the free trade agreement has side agreements? Are there side agreements? I'm new to the committee here.

**Ms. Karen Spring:** Sorry, I'm not sure. I don't think that the free trade agreement with Honduras has been published, or it has not been made public, so I can't speak about that.

**Mr. Wayne Marston:** It's the other 19 that have it.

**Mr. Francis Scarpaleggia:** I'm sorry.

**Mr. Wayne Marston:** It's the other agreements with other countries that—

**Mr. Francis Scarpaleggia:** Okay, so there are no side agreements.

**Mr. Wayne Marston:** Not yet. There's no agreement.

**Mr. Francis Scarpaleggia:** Is the Canadian government working towards one?

**The Chair:** I just run the committee. I don't actually answer questions.

**Mr. Francis Scarpaleggia:** Did I understand that there were negotiations? The subject of free trade came up.

**Ms. Karen Spring:** What I understand is that there have not been any discussions about.... Since the coup Canada's record of talking about human rights violations has been very disappointing. They've made very few statements about human rights. I don't have access to the negotiation process at all, but based on the very little mention of human rights in general, I don't believe there's any consideration of human rights issues in the free trade agreement. I don't know if—

•(1355)

**Mr. Wayne Marston:** We have a report...[Inaudible—Editor]...  
Mr. Chair.

**The Chair:** I don't answer questions but our analysts do and I was given some information by our analyst.

Thank you, Erin.

She pointed out that there was a press release put out from Foreign Affairs and International Trade which says the following:

On August 12, 2011, Prime Minister Harper announced the conclusion of negotiations toward a Canada–Honduras free trade agreement. ... The Canada–Honduras Free Trade Agreement, along with parallel agreements on labour and environmental cooperation,—

I guess those are the side agreements you're referring to.

—will now undergo a legal review, after which it can be formally signed.

**Mr. Wayne Marston:** The point I was going to make, Mr. Chair, is that document has not been made public.

**Mr. Francis Scarpaleggia:** The agreement.

**Mr. Wayne Marston:** Yes. They made the announcement.

**Mr. Francis Scarpaleggia:** That clarifies things, thank you. We don't know if there are side agreements in this.

**Mr. Wayne Marston:** There were.

**Mr. Francis Scarpaleggia:** There were. You're right. I'm sorry about that. That's very interesting.

I'm just wondering about the work you're doing. Are you doing research for a thesis?

**Ms. Karen Spring:** My previous work in Honduras has been working with human rights organizations throughout the country in grassroots social movements, but now I'll be returning in May where I will stay for the rest of the year to carry out my thesis research.

**Mr. Francis Scarpaleggia:** Thank you very much.

Would you say there's an oligarchy in Honduras, just a small number of families own large swaths of land? Is this how it is, that there's a very small number of families? I guess it's a small country so it would be a small number of families.

**Ms. Karen Spring:** It's an oversimplification but if I had to say approximately how many, I'd say there are about 10 families who own probably roughly 90% of the country's wealth, and they're heavily represented in the congress, in the legal system, and in all parts of Honduran society. I think that's why many human rights groups that I've worked with are demanding a change in the constitution. They want more say in these political and economic decisions.

**Mr. Francis Scarpaleggia:** You say there are some land holdings that are being contested. How does that work in court? They're not really structured that way for that kind of thing.

**Ms. Karen Spring:** There are courts and there are institutions, but they are not responsive to people who are denouncing these violations. In the case of the Aguán valley in Honduras, thousands of peasant farmer families are contesting the land owned by three wealthy individuals. One of them is probably one of the richest men in Honduras.

**Mr. Francis Scarpaleggia:** Are they doing it through an institution or is it just protest?

**Ms. Karen Spring:** No, they're doing it by occupying the land. There have been lawyers who have taken cases to the courts. There's one lawyer who was killed in September last year. His name was Antonio Trejo. He was a lawyer who represented the peasant farmer movement. He was successful in pushing the cases through the Honduran courts and he was assassinated for it.

**Mr. Francis Scarpaleggia:** Thank you so much. I have to go the House.

**The Chair:** Thank you, Mr. Scarpaleggia. You are unique among our questioners in having kept to your time limit, so thank you.

**Mr. Francis Scarpaleggia:** Pardon me.

**The Chair:** You kept to the time limit so I'm just expressing my appreciation.

**Mr. Francis Scarpaleggia:** It's a pleasure.

**The Chair:** Mr. Schellenberger.

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

Thank you, Ms. Spring, for being here today.

We all know that the rule of law, or the lack thereof, seems to add to poverty. You say we should not support the police who are somewhat corrupt. Are you suggesting there could possibly be an uprising before the election in November?

**Ms. Karen Spring:** What do you mean by uprising?

**Mr. Gary Schellenberger:** I mean those people you're talking about who are not happy with the government and feel the police are corrupt. Are those people going to go through a democratic election, or will they try to do something else before?

**Ms. Karen Spring:** I think the people who have been left out of this process have been rising up or protesting publicly a lot since the coup. Immediately after the coup, this group of people, a significant number of the Honduran population, were in the streets protesting for over 150 days. So in a way they're already protesting a lot.

With regard to the election, the social movement has a political party that is running and has a significant chance of winning. My concern as a human rights worker would be that I'm not sure what kind of democratic elections can happen with such a high level of insecurity, and with the number of political assassinations that are occurring that are very targeted. I'm not saying that I don't think the police can possibly be a solution to the issue. I think the police are very corrupt right now in Honduras, and this is noted by people, human rights or Honduran state officials, that the police are very corrupt, completely infiltrated by organized crime. There really can be no level of security as long as the police are like that.

I have hopes for the elections but I would say that the elections are already being affected because of the high levels of insecurity in Honduras.

• (1400)

**Mr. Gary Schellenberger:** You mentioned the working conditions in some of these factories. What is the unemployment rate in Honduras?

**Ms. Karen Spring:** I am not sure.

**Mr. Gary Schellenberger:** Is it quite high?

**Ms. Karen Spring:** I imagine it's quite high, yes.

**Mr. Gary Schellenberger:** Would we be talking 40%?

**Ms. Karen Spring:** I'm not entirely sure of the data, but it's a significant amount.

**Mr. Gary Schellenberger:** Okay.

So would the jobs that are being offered there be looked on to be good for those people, forgetting about maybe having to work an extra couple of hours?

**Ms. Karen Spring:** Of course I think all humans need employment; they need some sort of income to feed their family. I think the problem that arises is the poor working conditions, and that they're sacrificing their life and their health to make ends meet. I don't think that's helping an impoverished country develop economically. I think we can do better than that. I think that employment is good and economic development is good. I think there needs to be a certain level of conditions and a certain respect for human rights and I don't think that's happening.

**Mr. Gary Schellenberger:** I know here in Canada we also have labour laws that are made for how many hours you should work and all this. My employees were my biggest asset in my business that I ran for 40 years, and my dad did for a few years before that.

We were in the decorating business. I had many employees over those years. Some worked 25 years with our company. I would allow my employees time off unpaid to go to the doctor, the dentist, a funeral, whatever. At the same time I only paid overtime when I could charge overtime to my customers. To get a job completed sometimes we would work maybe 50 or 60 hours in a week. Anything over 40 hours I posted, and if someone only worked 38 hours the next week, they would get full pay.

I didn't necessarily go by the rules either, but I did supply employment to people. They enjoyed working for me, and remember they were a big asset. These companies could not run without employees. What do you think of me as an employer who had my people work overtime and not give them overtime?

**Ms. Karen Spring:** Talking about jobs and employment and working conditions in Canada, to me there's a big difference in how complaints from employees are handled. I think that's fundamentally the biggest issue for me, that if there are concerns of labour issues there's a functioning justice system in Canada that can mediate those concerns if there is a conflict between an employer and an employee.

My main point is that there needs to be a functioning justice system and functioning state institutions to receive complaints if they occur, if employees don't like that they're working overtime. Without that I don't think we can begin having a discussion comparing it to Canada, in a way. I think that is what it all comes back to for me, that inability for the state institutions to monitor the human rights situation and to follow up with the human rights situation.

• (1405)

**The Chair:** We once again let that go a little bit longer than we should.

Colleagues, what I'm going to do here is see the clock as giving us just enough time to give Monsieur Jacob five minutes for questions and answers from Ms. Spring.

[Translation]

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Thank you, Mr. Chair.

I want to thank our witness for joining us.

I see that you have worked in the Bajo Aguán Valley. Human Rights Watch reports that over 80 people have been killed through acts of violence over the past three years. One of the victims was lawyer Antonio Trejo-Cabrera, whom you mentioned earlier.

Could you provide the subcommittee with some details on the nature of land entitlement issues in the Honduras region?

[English]

**Ms. Karen Spring:** Mr. Trejo, who was killed in September 2012, worked for a peasant farmer movement called MARCA. I just visited MARCA on its plantations about a month ago when I was in Honduras. Mr. Trejo was the first lawyer to be successful in carrying out a legal case against the three large wealthy landowners in the Aguán Valley, and for that he lost his life, but he won the case for the peasant farmer movement.

There has been no investigation into his death, and his family members have been very public in demanding justice. His brother was actually just assassinated in February of this year. There is an investigation into his brother's death, but from what I've heard from human rights organizations and from the peasant farmer movement, it's a very manipulated investigation, not in any way a fair investigation that is occurring.

Antonio Trejo, the lawyer, was also really important in challenging other laws that are important and that also touch on Canadian interests. He put forward an injunction against the model city law that Canadians have been involved in, which I hope the committee will review at some point. The movement he represented is now without legal representation. It has lost its lawyer who had a lot of documentation and a lot of knowledge about the situation. They are basically awaiting evictions again. They're in the same state they were in before. Even though the court has ruled in their favour, nothing has happened.

[Translation]

**Mr. Pierre Jacob:** Thank you.

So no independent, impartial and effective investigation has been conducted into the recent murder of Antonio Trejo-Cabrera, the lawyer who defended the rights of peasant groups in land conflicts.

Was that also the case in the murder of Manuel Díaz-Mazariegos, the Choluteca public prosecutor who handled human rights cases?

[English]

**Ms. Karen Spring:** I'm not entirely familiar with that case because I haven't worked in that region as extensively as I have in the Aguán Valley. I'm not entirely sure if there have been investigations started, but once again I would be more likely to say that I would question whether that investigation is occurring because of the lack of investigative abilities and rule of law.

[Translation]

**Mr. Pierre Jacob:** I have one last question.

Rights Action criticized the creation of charter cities in Honduras, which are based on the concept developed by Professor Paul Romer. I would like you to explain what that concept consists of and what the human rights impact of creating charter cities in Honduras is on the population.

[*English*]

**Ms. Karen Spring:** The charter city project was something the current government approved. Basically, they want to create nations within Honduran territory. They have allocated three different locations within Honduras that could potentially be the location of model cities or charter cities.

Actually, in all the areas where the model cities are proposed, there are significant land issues that have been going on for decades. The most significant is in the Aguán valley. That area has been allocated for a potential model city. It's also the area where there's a huge Canadian investment in tourism; there's a couple of Canadian investments in tourism, actually.

The model cities were originally declared unconstitutional by the supreme court. Then in late December last year and January of this year, the judges who declared it unconstitutional were removed from their positions and the law was re-approved.

There's been a significant amount of protest against the model cities, once again because the communities where these charter cities will be built are being excluded from any sort of dialogue.

As for transparency, accountability within the project, the main person, the very person who proposed the project, Dr. Paul Romer, an American economist, has since pulled out of that process, with the complaints that there is no accountability or transparency in the process that the Honduran government has followed.

It's raised a significant amount of controversy in Honduras, but they've re-approved the legislation. In the coming months, something could happen with the charter cities.

• (1410)

[*Translation*]

**Mr. Pierre Jacob:** Thank your very much.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Jacob.

[*English*]

Thank you all, committee members, for allowing me to see the clock flexibly in order to allow our witness to complete her testimony and answer all questions.

Ms. Spring, first of all, thank you for accommodating the time considerations we imposed on you unilaterally, and second, for your fulsome testimony.

If you don't mind, it would be very helpful to us if you could follow up on that one matter we discussed earlier, getting the additional information to us. That will help us to have fuller information as we attempt to complete our hearings.

Thank you very much.

**Ms. Karen Spring:** Thank you.

**The Chair:** Colleagues, our meeting is adjourned.

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