

Presentation to the Standing Committee on International Trade
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Thank you very much for the invitation to be here today.

I am the Executive Director of Codevelopment Canada, an international development NGO based in Vancouver that works with communities and organisations in Latin America in the areas of education rights, workers rights and human rights. I have been in human rights and development work in Latin America for more than 25 years. As part of my work with CoDev, I manage the program in Colombia which we have been engaged in since 2001. For that, I have travelled to Colombia on numerous occasions and had meetings with a diverse group of Colombians including government ministers, local and regional authorities, trade unions, indigenous groups, religious groups, political parties, displaced peoples and human rights groups. My most recent experience there was with the pre-electoral mission as Carleen mentioned already.

I will focus my presentation today on the human rights situation and follow that with a brief link to elections in Colombia.

You have by now, heard or received a great deal of testimony focussing on the Colombian human rights situation. Some, including the Colombian Minister for Trade recognise that there are serious problems but that the situation has improved and that the trade deal will help to encourage that trend.

There seems to be two questions that are central to this discussion:

1. How bad does the situation have to be in order for Canada to say, we could not possibly engage with them in a trade agreement?
2. The second question seems to be is a trade agreement a possible vehicle to improve human rights violations as some have proposed?

The first question has no clear answer but is an important one with which to grapple, I believe. Some members of the committee have stated that there is no country in the world, including ours, that does not suffer from some human rights violations. This is true. But in speaking about Colombia, this statement becomes so reductionist as to be meaningless.

Colombia leads the world in number of trade unionists killed, and people internally displaced.

In 2009, 114 indigenous people were assassinated, a 63% increase over 2008. Further 6,201 indigenous people were violently expelled from their ancestral homelands that year. (ONIC)

In 2009 in the Caribbean department of Cordoba, 569 extra-judicial executions took place – the highest number ever recorded there. Almost all of these killings of municipal leaders, teachers, campesinos and others were widely seen to be committed by paramilitary groups. (pre-electoral report)

In 2009, 94 journalists received threats. (FLIP)

The numbers are staggering and horrific and each one represents an individual with a family and friends and community. It is simply misleading to indicate that Colombia is but one of many countries that has some problems.

The situation in Colombia is never far away but it was brought closer again last Thursday, when I received an urgent action from our human rights partner with the message that they and several other leaders and communities with whom they work received a death threat. Those included in the threat were indigenous and Afro-Colombian leaders from the region of northern Cauca as well as trade union leaders, opposition politicians and human rights defenders. Our partner, NOMADESC has been the target of intimidation and surveillance for months now. Their offices are openly watched and their telephone calls are regularly disrupted. They have suffered robberies and a near fatal car accident which they are not sure is chance or part of the intimidation. The communities named in the threat in northern Cauca are especially vulnerable, a massacre of 8 miners there in early April has ratcheted up the tension even more than the numerous killings before the end of the year.

This is not an isolated case as you will know from all that you have heard. It is systematic and 95% of the time, left in absolute impunity.

The human rights situation in Colombia remains critical and unacceptable. This is not a situation we would want for ourselves nor for any one else. Looking behind the numbers is useful though – who is behind this dreadful violence and abuse?

The guerrilla armed forces of the FARC and ELN have their share of responsibility for abuses, including use of anti-personnel mines and recruitment of child soldiers.

The vast majority of abuses, however, are the work of the paramilitary organizations which continue to operate throughout Colombia despite an official demobilization process. The paramilitary groups of today, sometimes known as the successor groups or recycled paramilitaries number between 4,000 and 10,000, have taken over where the former AUC armies left off terrorizing vulnerable populations. Despite claims to the contrary by Colombian government officials that paramilitaries no longer exist and the few armed groups that do exist are

simply emerging groups linked to crime, no credible human rights organization makes this same claim. The paramilitary demobilization was a flawed process which did not disband the economic and political power structures of the paramilitary allowing the illegal activities, including extrajudicial executions to continue unabated.

As you have also heard the parapolitical scandal has brought to light the vast web of connections and power relationships between elected politicians from the ruling party's coalition and the paramilitaries. Recent elections have done little to change that.

For further proof that Colombia is not the country that Canadians would want to be endorsing as a trading partner, is the continuing scandal of the Administrative Security Department or the DAS. The DAS is a presidential intelligent body which has been under scrutiny in the past year for illegal activities including wiretapping of supreme court judges, human rights defenders, trade union leaders and even international human bodies such as the IACHR and the UNHCHR. Their activities did not stop at wiretapping however, they also are responsible for sending death threats, committed illegal break ins, stolen computers and other materials from their victims and passed information about their victims directly to the paramilitaries. Information continues to come to light about the depth and breadth of this illegal program but there is clear evidence that these activities were not the actions of isolated individuals, meetings took place with officials close to the President. In fact, the president of the Supreme Court in Colombia recently qualified this as a conspiracy of the State against the Supreme court of Justice. (Semana, 11 de abril 2010). Although the DAS has now been disbanded there are still outstanding questions about who were the intellectual authors and if the actual structures of intelligence will no

Can a trade agreement help to resolve human rights issues? Maybe but we don't know really. It is clear that the human rights amendment that has been put forward is not the instrument that will be able to do that as it relies on the Colombian government to report on itself and it happens only after the fact.

It seems clear that the best way for us to proceed over this very complex territory is with a full and impartial human rights impact assessment. Such an instrument will give us much more information with which to make an informed decision and the basis for ongoing monitoring and evaluation should we decide to go ahead with a deal.