



# 2016 International Assistance Review AMERICAS POLICY GROUP

Submission to  
Global Affairs Canada – International Assistance Review

By members of the  
Americas Policy Group, a regional working group of the  
Canadian Council for International Co-operation

July 14, 2016



The Americas Policy Group is a working group of the Canadian Council for International Cooperation. It brings together approximately 40 international development and humanitarian NGOs, human rights groups, labour unions, research institutions, church and solidarity groups with decades of experience of work with partners in Latin America and the Caribbean.

Members understand development assistance as a set of instruments that are engaged within a larger policy framework to advance peace, the rule of law and human rights in the hemisphere. A submission about development aid therefore draws forth comment and recommendations that deal also with closely-related areas of government and civil society activity.

As part of the International Assistance Review process, members of the group had the opportunity on June 27 to meet with and present oral submissions to several representatives of Global Affairs Canada. APG members were grateful for those colleagues' attention to verbal comments, and also wish to contribute a written submission that summarizes comments made then, and re-orders them slightly so as to respond more precisely to the questions and issues that GAC has proposed for consideration.

In the face-to-face meeting, we addressed three of the six specific topics suggested by the IAR:

1. Clean economic growth and climate change
2. Governance, pluralism, diversity and human rights
3. Peace and Security

***Woven throughout comments on those topics were several strongly-expressed ideas about related areas:***

- Civil Society Partnerships and Aid Delivery
- Recommendations to the whole of GAC and the whole Government of Canada regarding:
  - the priority of respect for human rights over trade and economic growth
  - whole-of-government approaches in governance of resource extraction activity by Canadian companies active overseas
  - the engagement of charitable organizations in international development

***APG recommendations on each of those topics follow on pp. 5-6.***

## 1. Clean economic growth and climate change

APG members largely share the goals of achieving the kinds of social and ecological transformation described in the Sustainable Development Goals (SDGs) and in GAC's IAR documents and questions: clean and sustainable economic growth; climate change mitigation and adaptation; peaceful and inclusive societies; plus access to education, health care, decent work and living wages. In this context, it is important to bear in mind that the SDGs are “action-oriented, global in nature and universally applicable.”

Canada has a role to play in contributing towards a rights-based, gender-lens and feminist approach to development assistance.

In 2013, the previous government issued its “Global Markets Action Plan,” an over-arching policy that stipulated that all diplomatic assets of the government of Canada should be harnessed to support the pursuit of commercial success by Canadian companies and investors in key foreign markets and in generating new jobs and new opportunities for workers and families. Foreign aid was mentioned only once as “leverage to advance Canada's trade interests.”<sup>1</sup> In effect, the Global Markets Action Plan made explicit the government's practice of tying Canada's official development aid to foreign trade and investment.

In the past two decades, APG reflections and public declarations frequently refer to ways that civil society development goals are subverted or undermined by Canada's trade, investment or commercial priorities.<sup>2</sup> For example, APG members work to strengthen local economies and to draw forth the leadership of people who have often been excluded—women, Indigenous people, youth, workers, racialized minorities. But these same “empowered” people then find themselves in the role of community defenders over and against exploitation by resource extraction companies. In fact, resource extraction activities frequently result in “development deficits”—ecological and social damage in surrounding communities that especially affect women and children.<sup>3</sup>

APG members frequently speak of “gendered impacts of resource extraction,”<sup>4</sup> highlighting the particular impacts of large-scale resource extraction on women, including increases in violence against women and the negative social, ecological and economic impacts of resource extraction that women often feel first and most acutely within communities. At the same, women play a critical role in defending collective rights and the environment. APG members are working with partners, particularly Indigenous

<sup>1</sup> <http://www.mcleodgroup.ca/2016/06/23/policy-coherence-for-development-putting-it-into-practice/>

<sup>2</sup> See, for example, the Americas Policy Group Briefing Note on Trade (2012): [www.ccic.ca/files/en/working\\_groups/apg\\_2012-04-12\\_trade\\_note.pdf](http://www.ccic.ca/files/en/working_groups/apg_2012-04-12_trade_note.pdf)

<sup>3</sup> APG Briefing Note on Mining (2012): [http://www.ccic.ca/files/en/working\\_groups/apg\\_2012-04-12\\_mining\\_note.pdf](http://www.ccic.ca/files/en/working_groups/apg_2012-04-12_mining_note.pdf).

<sup>4</sup> KAIROS: [http://www.kairoscanada.org/wp-content/uploads/2015/05/KAIROS\\_ExecutiveSummary\\_GenderedImpacts.pdf](http://www.kairoscanada.org/wp-content/uploads/2015/05/KAIROS_ExecutiveSummary_GenderedImpacts.pdf)



women, to address the significant knowledge and policy gap in this area and to ensure that the critical perspectives of women are heard when considering resource extraction projects.

Similarly, trade and investment agreements constrict policy space for developing countries, especially with regard to environmental governance, because of corporate lawsuits or threats of suits. And small farmers too often find their livelihoods destroyed by changes to trade and investment patterns that emphasize industrial-scale farming and corporate control of seeds.

### **Recommendations:**

- In its development assistance and other policies, and especially in pursuit of the Sustainable Development Goals, while acknowledging their universal application, Canada must uphold the principle of Free, Prior and Informed Consent (FPIC) with regard to development proposals in or affecting Indigenous territories, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and the International Labour Organization (ILO) convention 169 and related jurisprudence.
- Global Affairs Canada should make better use of the deep and broad networks represented by Canadian civil society organizations and their global partners. These networks often include organizations with strong ties to, or are made up of, the most marginalized populations.
- Canada should not use Official Development Assistance funds to subsidize private corporate social responsibility activities.
- Canada should not use its Official Development Assistance as leverage to promote its trade and investment interests. Nor should Canada finance projects oriented to influence natural resource governance policies and institutions in other countries to the net benefit of Canadian interests and to the detriment of the fundamental human rights of the local population, whether directly through the use of bilateral or multilateral aid, or through institutions such as the Canadian International Resources and Development Institute.
- Canada should support small-scale agriculture as one of the best ways to refocus Canada's aid to impoverished populations. This can address climate change and promote climate resilience; promote sustainable development; empower and improve the health of women and children; protect the right to land access and ownership; and enable people to withstand shocks such as droughts; and obtain positive results.
- Canada should strengthen civil society organizations that advocate for job creation tied to living wages, provision of quality public education for youth, and increased opportunities for women throughout the region. These actions will help to address the root-issue causes of migration from Central America to the north: poverty, climate change, livelihoods, gang violence and human trafficking.
- Canada has a role and responsibility to support community-led processes that lead to mandatory mechanisms for independent gender impact assessments of resource extraction projects. This will lead to more sustainable, just and equitable development for the whole community.

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## 2. Governance, pluralism, diversity and human rights

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The APG and many of its members have many decades of experience working with partners in Latin America to protect and advance human rights and democratic governance.<sup>5</sup> There have been many positive developments along the way, including the recent signing of a bilateral ceasefire agreement in Colombia.<sup>6</sup> But many countries suffer from persistent inequality and a failure to respect human rights. It is encouraging to see the GAC IAR discussion paper refer to adoption of a rights-based approach to international development, but a coherent approach to Canada's international assistance and other engagements, grounded in human rights obligations, is needed. At the same time, it should be clear that "governance" does not refer simply to national governments or to natural resource management.

Canada's development assistance support should give increased priority funding to civil society and local government partnerships.

Within civil society, it is crucial to provide direct support to communities and organizations that have been historically excluded, in particular: Indigenous people, Afro-descendants, LGBTQ populations, women, youth/young adults, workers, among others. The most effective and accountable civil society organizations are those created by people in response to the real issues that affect their lives. Many of them are partners of members of APG, and they are the experts on their own lives. Many of them are small and have a harder time responding to governments reporting demands, but supporting them is the most cost-efficient and effective way to deliver assistance to communities in countries that are in political or social crisis, where human rights abuses are rampant. Furthermore, effective development policy is informed by long term, flexible and responsive partnerships with these groups.

Women's empowerment and gender equality are prerequisites to achieving the goals in Agenda 2030. APG welcomes the possibility of a new feminist approach to Canada's development aid, but stresses that to make this new approach a reality, new tools, capacities and mechanisms must be created. It is instructive to look at governments that have already adopted a feminist foreign policy. Norway describes a feminist approach that is "normalized" across all areas of foreign policy.<sup>7</sup> And Sweden suggests that equality between women and men is a "fundamental aim of Swedish foreign policy."<sup>8</sup>

In considering Goal 16 of the 2030 Agenda (promotion of "peaceful and inclusive societies for sustainable development" and with understanding that the SDGs have "universal applicability"), a new development paradigm must be built on a profound sense of common cause: transformation in the

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<sup>5</sup> APG Briefing Note on Democratic Governance (2012): [www.ccic.ca/files/en/working\\_groups/apg\\_2012-04-12\\_democratic\\_governance\\_note.pdf](http://www.ccic.ca/files/en/working_groups/apg_2012-04-12_democratic_governance_note.pdf)

<sup>6</sup> Colombia Working Group Welcomes Steps Towards Peace Agreement in Colombia (Oct. 1, 2015): [www.ccic.ca/files/en/working\\_groups/2015\\_10\\_08\\_CWG\\_Statement\\_on\\_Colombia\\_Peace\\_Process.pdf](http://www.ccic.ca/files/en/working_groups/2015_10_08_CWG_Statement_on_Colombia_Peace_Process.pdf)

<sup>7</sup> <http://www.norway.or.ke/Global/NorwegianPrioritiesUNGA70%20-%20OVERVIEW.pdf>, p.4.

<sup>8</sup> <http://www.government.se/contentassets/b799e89a0e06493f86c63a561e869e91/action-plan-feminist-foreign-policy-2015-2018>



common interest of all humans and the planet itself. APG experience is that changing laws “at the top” is not sufficient: voices from below must be included to accompany and push for deeper change.

Exchanges among civil society groups in Canada and the global South promote universality and common values in international development. Furthermore, public engagement initiatives to link international development and work with Indigenous peoples and diaspora communities in Canada is essential in the pursuit of pluralism and diversity.

Specific initiatives like the impunity commissions (such as CICIG in Guatemala<sup>9</sup>) are worthy of support. It is also crucial that Canada provide sustained support for regional human rights mechanisms that have proven to be highly effective in addressing high levels of impunity for human rights abuses, most notably the Inter-American Commission on Human Rights.<sup>10</sup>

### Recommendations:

- Support the call from many civil society organizations to create a stand-alone pillar for work related to advancement of women’s rights. Gender equality and women’s rights should also be a cross-cutting priority, integrating a gender and lifecycle perspective into all of Canada’s thematic priorities in a manner that acknowledges and empowers women as active agents of change
- Development partnerships require sustained focus and investment. The current GAC funding framework (based as it is on periodic calls for proposals that often dictate geographic regions and themes) does not serve medium and long-term development goals. Canada should recognize local capacities, not assume that it is there to build capacity or to treat partners as sub-contractors, but rather to hear and respond to their indications of needs and goals.
- In supporting human rights, pluralism, diversity and good governance, Canada must ensure progress by focusing on longer-term processes: helping grassroots organizations (often on the front-lines as first-responders) to become stronger, more democratic and inclusive, and networked with other organizations to achieve positive impact over the medium and long-term.
- Global Affairs Canada should create a predictable and flexible funding environment that strengthens diverse types of civil society organizations – local, national and regional CSOs operating overseas and in Canada. Grassroots organizations in particular face risk of dissolution because of long gaps in funding.
- APG members also signal the importance of the International Labour Organization’s Decent Work<sup>11</sup> Agenda—employment, social protection, rights at work, and social dialogue—that are integral elements of the new 2030 Agenda for Sustainable Development, calling for full and productive employment and decent work for all, including women and young people, as the most effective route out of poverty.

<sup>9</sup> APG letter to Hon. Rob Nicholson, Minister of Foreign Affairs, April 21, 2015, regarding renewal of CICIG mandate: [www.ccic.ca/files/en/working\\_groups/2015\\_04\\_21\\_Letter\\_Minister\\_Nicholson\\_renewal\\_CICIG.pdf](http://www.ccic.ca/files/en/working_groups/2015_04_21_Letter_Minister_Nicholson_renewal_CICIG.pdf)

<sup>10</sup> APG letter to Hon. Stéphane Dion, Minister of Foreign Affairs, May 30, 2016, regarding the financial crisis at IACHR: [www.ccic.ca/files/en/working\\_groups/2016\\_06\\_01\\_Letter\\_APG\\_Stephane\\_Dion.pdf](http://www.ccic.ca/files/en/working_groups/2016_06_01_Letter_APG_Stephane_Dion.pdf)

<sup>11</sup> See ILO: [www.ilo.org/global/topics/decent-work/lang--en/index.htm](http://www.ilo.org/global/topics/decent-work/lang--en/index.htm) and the Canadian Labour Congress: <http://canadianlabour.ca/news/news-archive/october-7-2014-%E2%80%93-world-day-decent-work>



- With respect to innovation, Global Affairs Canada should explore cross-cutting ways to engage the Canadian public, Indigenous peoples and diaspora communities in development-related activities, and to ensure mutual learning among groups North and South.
- Canada should renew funding to the Inter-American Human Rights Commission, a body that has demonstrated a solid capacity to defend and promote human rights in many countries where high levels of impunity put marginalized populations at high risk for human rights abuses.
- In the context of the universality of SDGs and to achieve pluralism and diversity, Canada needs to support public education programs and exchanges that link international development with civil society in Canada, particularly Indigenous peoples, diaspora communities, women and youth.

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### 3. Women, Peace and Security

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Canada has an opportunity now to recover its reputation as an “honest broker” in several countries in Latin America.<sup>12</sup>

Despite high rates of violence, forced migration, displacement and death, many of the conflicts in Latin America are not designated as “conflicts” in an official sense. Some states may not technically be “failed states” yet, but they are certainly “in conflict.” Various issues converge, contributing to high levels of insecurity:

- state collusion in drug-trafficking (and other gang-related criminal activity)
- “iron fist” responses to both criminal activity and peaceful dissent
- militarization, repression and violence against Indigenous peoples and affected communities in the face of land grabs, resource extraction and other mega-projects that violate Indigenous and community collective rights, such as to water and a healthy environment, and
- the evident “normalization” of violence against women and/or marginalized and/or impoverished populations, including high levels of disappearances, extrajudicial killings, widespread use of torture (including sexual torture), and femicide.

Members of the Americas Policy Group and their partners have documented the particular impact in Mexico and Central America of the failed “war on drugs” and the current US-sponsored security framework to which Canada has contributed.<sup>13</sup> Women human rights defenders who are on the front lines of responding to the spiralling levels of violence have become themselves targets for violence. In Mexico, for example, women-led organizations are leading the way in addressing disappearances (government data puts the number at 27,000 since 2006). They support families in searching for their missing relatives and, in the absence of official investigations, collect evidence to try to bring justice in these cases. Unfortunately, this work has made these same defenders vulnerable to attacks and threats from local

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<sup>12</sup> Jim Hodgson and Tara Ward, Americas Policy Group, “Canada Should Seek a Greater Role beyond Trade in the Americas, April 29, 2015, [www.ccic.ca/files/en/media/2015\\_05\\_19\\_Canada\\_in\\_the\\_Americas.pdf](http://www.ccic.ca/files/en/media/2015_05_19_Canada_in_the_Americas.pdf)

<sup>13</sup> Americas Policy Group Briefing Note on Security (2012): [www.ccic.ca/files/en/working\\_groups/apg\\_2012-04-12\\_security\\_note.pdf](http://www.ccic.ca/files/en/working_groups/apg_2012-04-12_security_note.pdf)



police, the same state actors that are failing to investigate the crimes and in many cases are believed to be committing the crimes.

Women are particularly vulnerable to the negative impacts of resource extraction including an increase in violence against women. This violence is exacerbated in a context of military conflict. When women speak out to defend their land and communities, they are often harassed, threatened and even killed. Partners report an increase in attacks against women human rights defenders and femicide in relation to resource extraction.

It is time for a new policy approach, one that does not contribute to alarming levels of armed violence and deepen state complicity in the crisis of violence.<sup>14</sup>

In shifting the policy approach, we therefore believe that Canada is well positioned to take a global lead in supporting civilian-led approaches to peace-building, and to community-based protection programs. There are lessons to be learned from some municipal governments (Mexico City, Bogotá and Medellín, for example.) Women's police stations in Lima and courts in Barrancabermeja may also provide models that can be introduced in other settings. Women are key catalysts for change when they create and exercise leadership in human rights, peace-building and ecological justice.

APG members have worked in the region for many years. Experience gained by APG members and their partners during the peace processes in Central America two decades ago can be brought to current, very complex, peace processes in Colombia. And while those processes advance, the number of internally-displaced persons continues to grow, reaching almost seven million people.

A specific concern in Colombia is for the participation of women and their organizations in the official peace processes with the two guerrilla armies, and for the safety of youth and women ex-combatants as they are demobilized. Some partners of APG members have supported exchanges among women from Central America and Colombia, including former women combatants, to share experiences and knowledge, particularly around effective implementation of UN Security Council Resolution 1325.<sup>15</sup> Colombia also represents an opportunity for the government of Canada to work with Canadian and Colombian civil society (as it did in South Africa and Central America in the early 90s) to support local peace and reconciliation initiatives, as well as organizations that support displaced people who seek to recover their homes and land.

The women's movement in Colombia has had to work hard to create space within the current peace process for its demands to be heard by both sides, but these gains may be lost unless Canada and other countries with feminist foreign policies take the lead to ensure that women are an integral part of the implementation of the peace accords. Research shows that women's inclusion in peace processes and implementation of peace accords greatly improves the chances the accords will succeed and also be sustained.

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<sup>14</sup> Beth Woroniuk, "Feminist approach to peace, security requires more than words," *The Hill Times* [www.hilltimes.com/2016/07/13/feminist-approach-to-peace-security-requires-more-than-words/73578](http://www.hilltimes.com/2016/07/13/feminist-approach-to-peace-security-requires-more-than-words/73578)

<sup>15</sup> Project Counselling Services: [www.pcslatin.org/portal/index.php/recursos-y-analisis/sala-de-prensa/noticias-2015/3601-colombia-memorias-del-seminario-mujeres-y-paz-desafios-y-retos-para-la-cooperacion](http://www.pcslatin.org/portal/index.php/recursos-y-analisis/sala-de-prensa/noticias-2015/3601-colombia-memorias-del-seminario-mujeres-y-paz-desafios-y-retos-para-la-cooperacion)

## Recommendations:

- Review the peace and security framework that has informed Canada’s international assistance in the region, and question the policies that undermine human and sustainable development. Have contributions such as the training of police forces contributed to security, or hindered peace and security efforts? Has support to environmentally-damaging extractive industries undermined peace and security and exacerbated conflict in the region?
- Canada must focus its strength on the protection of women, diversity and plurality, by means of support to grassroots civil society organizations. It should focus funding and support away from the U.S.-led “security” framework imposed in Mexico, Central America and Colombia and towards grassroots and civilian-led processes.
- Canada must develop funding mechanisms to ensure resources reach women’s organizations and movements. These mechanisms must include easily accessible, multi-year, core funding for women’s organizations, with dedicated funding going directly to grassroots organizations. As well, Canada must earmark a minimum of 15% (and preferably 20%) of all funding related to peace and security for programs whose principal objective is to address women’s specific needs and advance gender equality as called for by the UN.
- Greater flexibility is needed to provide more direct funding to regional, national and local women’s organizations in the region. These organizations provide important frontline services to communities impacted by violence, including violence related to the extractive industries, and are leaders in peacebuilding. Moreover, a long-term approach to crisis prevention will mitigate risk and reduce the need to respond to crises.
- Provide direct support to women’s organizations in Colombia that are working on the peace process, as this support will improve chances that the peace accords succeed.
- Continue to support judicial reform in the region.
- Engage the United States, Mexico and the northern triangle Central American countries on the rights of refugees and displaced people so that these rights are fully respected.
- GAC should also consider the role, if any, that Canadian-supported projects (extractive or otherwise) may have had in exacerbating social and political conflict, and the role of conflict in driving migration.
- Open channels of funding for research on issues raised in the International Assistance Review so that organizations may develop capacity to provide high-quality evidence.
- Support efforts to implement fully UN Security Council Resolution 1325:<sup>16</sup> affirm the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peace-keeping, humanitarian response, and stress the importance of their equal participation in post-conflict reconstruction. The resolution also calls on all parties in a conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, in situations of armed conflict.

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<sup>16</sup> October 2000. [www.un.org/womenwatch/osagi/wps/](http://www.un.org/womenwatch/osagi/wps/)

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## ***Additional Recommendations:***

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### **Civil Society Partnerships and Aid Delivery**

Civil society organizations are a key strategic partner for the government of Canada and independent development actors in their own right.

- To support civil society to realize their potential, the government should promote and protect an enabling environment for civil society organizations, both in Canada and abroad.
- Canada should recognize the significant added value, and the depth and breadth of knowledge that CSOs can provide, given their decades of work with partners in specific countries and regions.
- Canada should move from supporting short-term projects to investing in longer-term support that reinforces democratic processes and builds permanent institutions and capacities (with a priority focus on support to CSOs and citizens, and not merely government). This will underwrite, sustain and catalyze long-term institutional development.

### **Recommendations to the whole of GAC and the whole Government of Canada**

- All parts of Global Affairs Canada should reflect **a human rights-based approach**, including the full complement of economic, social and cultural rights, and respect for Indigenous people in accord with the United Nations Declaration on the Rights of Indigenous Peoples and ILO Convention 169 and related jurisprudence, as minimum standards. It is not sufficient to submerge this approach only within Canada's global development cooperation. Further, Canada's Official Development Assistance should not be tied to Canada's trade and commercial priorities. Examples of a tendency to undermine promotion of human rights include:
  - the 2013 Global Markets Action Plan
  - support to other countries that attempts to influence their policy and institutional governance of resource extraction
  - support to resource extraction companies whose activities produce a “development deficit” of ecological and social damage for surrounding communities
  - inclusion in trade agreements of investor-state dispute settlement mechanisms that undermine government capacity to protect the environment or health of citizens;<sup>17</sup>
  - support to hydro-electricity production at the cost of Indigenous self-determination, and
  - weapons sales to governments that abuse the rights of their citizens.

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<sup>17</sup> See: *Whose rights are we protecting? Ensuring the primacy of human rights over investor protections in the international legal regime*. A publication by the three Regional Working Groups of the Canadian Council for International Cooperation. [www.ccic.ca/files/en/what\\_we\\_do/2016\\_03\\_Whose\\_rights\\_are\\_we\\_protecting.pdf](http://www.ccic.ca/files/en/what_we_do/2016_03_Whose_rights_are_we_protecting.pdf)



- **Resource Extraction and Governance:** Governance of the resource extraction sector is critical, but it is not just a matter for host governments. Global Affairs Canada should cease its involvement in influencing or reforming legislative regimes that govern extractive industry development or related institutions in other countries, whether using Official Development Assistance or other sources of public funding. Rather, GAC together with other parts of the government of Canada should dedicate the necessary resources to ensure enforceable protections in Canada for Indigenous peoples, the individual and collective rights of affected communities, workers and the environment to both prevent and remedy harms in connection with the overseas operations of Canadian extractive industries. APG is a member of the Canadian Network for Corporate Accountability and participates in its “Open for Justice” campaign.<sup>18</sup> The campaign urges the federal government to **create an independent ombudsperson** to investigate cases of alleged human rights abuse linked to the overseas operations of Canadian extractive-sector companies, and to **facilitate access to Canadian courts** for people harmed by such abuse. Also of vital importance is the revision of current trade and investment agreements based on the adoption of a new trade and investment model that is grounded on respect for Indigenous, human, labour and environmental rights.
- **Charitable Organizations and Development:** Global Affairs Canada should also work with other parts of government (notably the Canada Revenue Agency) to **re-think and expand the mandate of Canadian charitable organizations in international development**. Especially in very recent years, charitable goals and political activity by charitable organizations have been defined too narrowly. Development actors seek to assist overseas partners to become actors themselves, even political actors—in the sense of influencing public policy choices. Rules for use of Canadian charitable funds overseas restrict the possibility of long-term core funding that enables small organizations to take on long-term efforts for justice and peace, and to overcome poverty. Canada should recognize global partners of Canadian CSOs as full partners, and not treat them simply as operational sub-contractors of Canadian organizations. Working to prevent poverty and exclusion is a legitimate role for charitable organizations.

<sup>18</sup> See: <http://cnca-rcrce.ca/campaigns-justice/>