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June, 2010

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A Diplomatic Theatre of the Absurd: Canada, the OAS and the Coup in Honduras

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March 8, 2010

Introduction

“Canada congratulates the Honduran people.” With these words Canadian Minister of State for Foreign Affairs, Peter Kent, effectively endorsed the outcome of the November 29 Honduran presidential election of the conservative National Party candidate Porfirio “Pepe” Lobo.

The following month, in a statement on the inauguration of President Lobo, Kent reiterated his congratulations: “I am confident,” he said of Lobo, “that he will provide the strong political leadership needed to help Honduras move beyond its lengthy political impasse.” Kent expressed disappointment that the San José-Tegucigalpa Accord—the agreement brokered between *de facto* government of Roberto Micheletti and ousted President Manuel Zelaya under the auspices of Oscar Arias, President of Costa Rica, and the US State Department—had not been “fully implemented,” but promised that Canada would support efforts to “reintegrate Honduras” into the Organization of American States (OAS) once that nation had returned to “full democratic and constitutional order.”

The suggestion that the Tegucigalpa-San José Accord had not been “fully implemented” took diplomatic euphemism into the realm of theatre of the absurd. The Accord called for a

government of national reconciliation, which was never formed. It called for the accreditation of international observers, yet the OAS could not send a mission of election observation without the invitation of *both* parties (which it never received). And it called for a vote in Congress to decide whether to restore Zelaya to executive power but, fatally, did not set a deadline. The vote was held *after* the election, and, in a slap in the face to the OAS, it ratified Zelaya's removal from office. The only significant component of the Accord that seemed to have the potential for implementation was the appointment of a truth commission by the Lobo administration.

Faced with what might better be described as the complete failure of the Accord, the choice before the international community was a stark indeed. Normalizing relations with Honduras meant, in effect, accepting that caretaker coups are permissible in eyes of the inter-American community as long as they culminate in elections—even if the elections, held in a context of violations of civil and political liberties and restrictions on freedom of the press, and marred by boycotts and abstentions, were not observed by the OAS and could not be certified as free and fair by the international community.

By such standards, the 2002 coup in Venezuela would have been tolerated, provided elections were called soon after Chávez was removed—which, of course, was exactly what Pedro Carmona, the leading coup plotter, promised. Given the high stakes of accepting the election results in Honduras, and the damaging precedent it sets for the hemisphere, why was Canada so quick to accept the outcome of the election? Indeed, why did Canada oppose efforts to challenge the legitimacy of the elections both before and after they were held?

The answer is simple, but it exposes deeper enigmas. Canadian government officials never liked nor trusted Manuel Zelaya. Although they did not break ranks with the Latin American countries and the rest of the international community calling for his restitution, they

were privately relieved that he was not restored to power. They placed their hopes in the prospect that elections would resolve the “impasse” without further disruption.

The crisis revealed inherent ambiguities in Canada’s engagement with the Americas. Since joining the OAS, Canada worked hard to be a respected and constructive player in the region’s most important multilateral organization. But the commitment to multilateralism often clashed with Canada’s desire to help the United States achieve its objectives in the hemisphere, even when pursued by unilateral means. Throughout the Honduran crisis, Canada moved in lockstep with the United States, even as US policy diverged from the hemispheric consensus.

Typically, Canadian policymakers are wary of being pinioned in the crossfire between the United States and hostile governments in Latin America, but Harper is one of the most ideological prime ministers in recent memory. Although he framed Canadian engagement in terms of seeking a middle ground between ideological extremes, this framing perversely reinforced the tendency to dichotomize the hemisphere along ideological lines—with the Bolivarian alternative on one side, and free traders on the other. Since Canada was decidedly aligned with the free traders, fewer and fewer countries bought the so-called “third way” that Canada ostensibly peddled, with the result that the typically multilateral Beaver was increasingly regarded, perhaps to an unprecedented degree, as a virtual agent of the unilateral Eagle.

Bright Beginning

The initial response to the coup in Honduras was auspicious. The first official response was: “Canada condemns the coup d’état that took place over the weekend in Honduras.”ⁱ Canadian officials upheld multilateral principles by joining the rest of the hemisphere in invoking the Inter-American Democratic Charter to expel Honduras from the OAS. As the crisis dragged on,

however, it became increasingly evident that Canada was ambivalent about Zelaya and saw elections as the key mechanism to diffuse the crisis.

The ranking Canadian official involved was cabinet Minister Peter Kent. A former journalist, Kent was elected to parliament in October 2008. In the 1980s he reported on Nicaragua while working for NBC in Miami in the 1980s. As his website proclaims: “His beat spanned an era when many countries of the region struggled to survive communism and narco-terrorism.” Kent enjoyed a cordial and close working relationship with OAS Secretary General José Miguel Insulza, and both Zelaya and Micheletti took him seriously. He was an active participant in most of the key meetings, and when he could not be in Washington or Tegucigalpa he spent a lot of time working the phones from Ottawa.

Although Kent criticized the coup, his statements often reflected ambivalence toward Zelaya, some of which was personal. Zelaya’s decision to attempt to fly back to Tegucigalpa shortly after the coup, where he was prevented from landing by troops on the runway, was cheered by some as a heroic act of defiance, but was regarded by Canadian diplomats as imprudent and unhelpful. Democracy Now’s Andres Thomas Conteris, who served as an interpreter for the ousted President while he was holed up in the Brazilian Embassy, explained that Canada’s irritation with Zelaya was regularly conveyed by Kent in his telephone diplomacy, during which the Minister, “blatantly attacked [Zelaya] or made direct complaints.”

More importantly, perhaps, Kent chastised Zelaya for contributing to the crisis that resulted in his overthrow, saying, “there has to be an appreciation of the events that led up to the coup.”ⁱⁱ Asked to clarify, Kent said the coup was “unquestionably illegal and must be reversed,” but that Canada “recognizes the context which preceded the coup” and that the “supreme court

and congress had acted within the constitutional framework up to the moment that the armed forces arrested and expelled Zelaya.”ⁱⁱⁱ

Yet the Congress and Supreme Court could be criticized for refusing to accept the right of the executive to remove the chief of the armed forces.^{iv} Is it not possible for the judiciary or congress to be a facilitator of a coup?^v Moreover, if we accept that these organs acted within the constitution prior to the coup, it follows that Zelaya’s insistence on holding a non-binding consultation on constitutional reform was illegal and unconstitutional. That is, after all, exactly what the congress and court said.^{vi} Although such an interpretation does not justify the coup, it would put a tight straightjacket on the prospect of constitutional change in Honduras.^{vii}

Such a straightjacket was exactly what the Honduran political elite wanted. How could they regard an initiative as innocuous as a non-binding consultation on constitutional reform to be a fundamental threat to their democracy? Zelaya’s growing alignment with Venezuela and the Bolivarian Alliance for the Americas (ALBA) in the latter part of his term provided the context in which the coup coalition formed.^{viii} Honduran political elites, acting out of an exaggerated fear of change, sought to prevent Honduras from following a script that had been played out in Venezuela, Ecuador, and, with qualifications, Bolivia.^{ix}

Muddled Middle

As the months passed it became increasingly evident that Zelaya would not be restored to office before the November elections. The *de facto* government gambled that it could run out the clock. Once elections were held, it reasoned, the international community would be presented with a *fait accompli*. The logic of the position was impeccably stated by Micheletti himself in an editorial in the *Washington Post*: “Although much of the international community disagrees

with our past actions, we can all agree on the necessity of ensuring Honduras's full commitment to the electoral process...I have said from the moment I was sworn in as president of Honduras that I do not intend to remain in office one second more than what our constitution mandates.”^x

Having expelled Honduras from the OAS immediately after the coup, the international community had little further multilateral leverage. The United States was the only country with much material bilateral leverage. Belatedly, it revoked the visas of numerous Hondurans associated with the coup and suspended \$16.5 million in military aid. The European Union suspended around \$90 million in aid; and Honduras’s neighbors Nicaragua, El Salvador and Guatemala announce a temporary cessation of cross-border trade. International institutions similarly began to withhold funds, with the World Bank announcing a “pause” on the release \$270 million.

Kent insisted that it was not the right time “to talk about suspending, cutting aid or imposing sanctions.”^{xi} Admittedly, Canada’s bilateral leverage over Honduras was limited. Honduras was a significant recipient of Canadian official development assistance, Kent told the CBC in a July 2009 interview,^{xii} but aid for 2009 had already been disbursed. Military assistance amounted to little more than language training. Yet Canadian investors were major players in Honduras. The reluctance to impose sanctions was mainly due to the Harper government’s refusal to jeopardize Canadian business interests in Honduras. Asked by a journalist whether Canadian policy was driven by business interests, Kent replied that “Canadians should be proud” of such multinational firms as apparel manufacturer Gildan Activewear and mining firm Goldcorp.^{xiii}

The other source of leverage the international community held was refusal to accept the legitimacy of November elections. Neither Canada nor US would play this card. Together they

opposed resolutions by the OAS that would have rejected the elections in November 2009 without the prior reinstatement of Zelaya. By early October, the media was speculating that Canada and the US, along with a handful of other countries like Costa Rica and Peru, were toying with the idea of dropping Zelaya's return to power as a precondition for acceptance of the November elections.^{xiv}

Canadian officials hotly disputed by such claims. Still, by the end of the month the US had brokered the ill-fated Tegucigalpa-San José Accord and signaled its intention to accept the outcome of the November election with or without the restoration of Zelaya. Canada tacitly did the same, even if it never publicly stated this view.

The agreement included a provision that required that all parties desist from "calls for a National Constituent Assembly, either directly or indirectly," and also renounce "the promotion or support of any public consultation for the purpose of reforming the Constitution to permit presidential reelection, modify the form of Government or contravene any of the unamendable articles in our Founding Charter." A tighter straightjacket could not have been found.^{xv} But this was not enough for the *de facto* government in Honduras, which perceived correctly that US acceptance of the election outcome was the only guarantee they needed.

The hope that elections would diffuse the crisis, even after failure of the Tegucigalpa-San José Accord, meant that neither the US nor Canada had much to gain from making a fuss about rights violations. That could only create doubts about the legitimacy of the November elections. But the violence enacted against those who protested the coup is hardly contestable. According to the human rights group Comité de Familiares de Detenidos Desaparecidos en Honduras (COFADEH) there were at least 708 documented cases of human rights violations, including the right to physical integrity, free association, peaceable protest, free movement, and life.^{xvi}

Notably, these violations have continued against labour activists and supporters of Zelaya since the inauguration of Lobo.

Prior to the election, Minister Kent expressed concern about violence by “calling on all parties to show restraint, to refrain from any actions that could lead to further violence, and to respect the right of Hondurans to peace and security,” and encouraging “national dialogue and reconciliation involving representatives of both parties.” The effort to be balanced was parodied by *Globe and Mail* reporter Douglas Bell: “Presumably by ‘both parties’ Kent means, on the one hand, the party getting its teeth kicked in and their heads split open, on the other, the party doing the kicking and the splitting.”^{xvii}

These violations were not irrelevant to the electoral process. Laura Carlsen, Director of the Americas Program for the Center for International Policy, reported from Tegucigalpa: “The coup’s dictatorial decrees restricting freedom of assembly, freedom of speech and freedom of movement held the nation in a virtual state of siege in the weeks prior to the elections. Over forty registered candidates resigned in protest. Members of the resistance movement were harassed, beaten and detained. In San Pedro Sula, an election-day march was brutally repressed.”

On the night of the election, Honduras’s Supreme Electoral Tribunal (TSE) released the election results, claiming that 62 percent of the electorate had gone to the polls, in what many have interpreted as a deliberate inflation of the election figures to give the process, as well as the coup itself, legitimacy. It was within this window that many countries, including Canada on December 1, endorsed the election results. Several days later, the TSE revised the number of those who voted down to 49 percent, which, after subtracting blank or spoiled ballots, falls to about 45 percent of the electorate. Having secured 57 percent of the votes, and assuming zero fraud, Lobo’s vote tally represents 26 percent of the electorate (approximately 1.2 million out of

4.6 million registered voters) – in an election in which the majority did not participate, held under conditions that could not be certified as meeting international standards of fairness and freedom, and in the context of the call for a boycott by the outgoing president.

Disappointing Denouement

Bolivian Ambassador to the OAS José Pinelo expressed the disappointment felt by many in the region when he said at a December 4, 2009, meeting of the OAS: “...recognizing Mr. Lobo is the same as recognizing Micheletti. It means...trusting that those who took power with guns on June 28th, suddenly turned into democrats on November 29th, administering or allowing free elections.”

Nonetheless, it seems likely that most countries will gradually choose to recognize the Lobo government, restore diplomatic relations where they had been broken, and, at some point, a critical mass will emerge to enable Honduras to return to the OAS. This points to the failure of the OAS, which, ironically, has been subject to scathing criticism in Washington.^{xviii} It has been a disappointing denouement from the standpoint of the sort of multilateral diplomacy Canada has historically championed.

Yet the sense of relief in Ottawa was palpable. In an up-beat visit to Honduras during three days in February, Minister Kent met with both senior officials and Canadian entrepreneurs operating in Honduras.^{xix} Shortly thereafter, Canadian textile entrepreneurs from Gildan Activewear promised to make \$200 million in new investments provided the Lobo government could guarantee their juridical and legal security.^{xx} Business as usual had returned to Honduras.

To date, Canada’s “engagement” in the Americas has yielded few results. Apart from a couple of bilateral free trade agreements, which indubitably benefit Canadian investors,

Canada's standing in the hemisphere has not been enhanced by the tendency of the Harper government to play divide and rule.

In light of Canada's acceptance of the Honduran election outcome, despite gross democratic deficiencies, Minister Kent's January 2010 criticisms of the "shrinking democratic space in Venezuela," rang hollow. "Freedom of expression and access to information from a wide range of sources are fundamental elements of a healthy democracy,"^{xxi} is an argument that should be taken seriously in Venezuela, but also in Honduras—not to mention Colombia where a hard-hitting investigative magazine *Cambio* was closed by its owner seeking a license to operate a television network. More to the point, Harper's constitutional democratic credentials are hardly above reproach. Roy Chaderton, Venezuela's ambassador to the OAS, responded to Kent's criticisms by saying that Venezuela will take no advice from a Prime Minister who had prorogued (closed) parliament to avoid debate over the role of Canada in the torture of Afghan detainees.^{xxii}

It is not just bilateral relationships that are at stake. In late February 2010, while Kent was in Tegucigalpa, Latin American and Caribbean leaders met in Cancun, Mexico, to launch a new regional political and economic organization that would exclude both Canada and the United States. This tentatively named "Community of Latin American and Caribbean States" would provide a forum for the leaders of the hemisphere outside the OAS, where the US is still clearly seen as too dominant. With characteristic elegance, a Brazilian diplomat offered this reassurance to Canada: "I don't really see these as a measure to exclude Canada or the US from the Americas. We do have our hemisphere, but within the hemisphere there are differences between the countries, and those countries that are still in development decided to talk."^{xxiii}

However you sugar coat it, the meaning is clear: Canada is "them" not "us."

Endnotes

ⁱ “Canada condemns Honduran coup,” Canwest News Service, June 29, 2009.

http://www.canada.com/story_print.html?id=1743900&sponsor=

ⁱⁱ Marc Lacey and Ginger Thompson, “Envoy Prepare to Visit Honduras,” *The New York Times*, 3 July 2009, p. A10. <http://www.nytimes.com/2009/07/03/world/americas/03honduras.html>

ⁱⁱⁱ 29 July 2009, interview with Peter Kent. See:

<http://www.cbc.ca/thecurrent/2009/200907/20090729.html>

^{iv} Leticia Salomón, “Honduras: Políticos, empresarios y militares: protagonistas de un golpe anunciado,” *Revista Envío*, Numero 328, July 2009. <http://www.envio.org.ni/articulo/4022>

^v As occurred, of course, in Chile in 1973. See, again, Leticia Salomón, “El Golpe de Estado en Honduras: Caracterización, evolución y perspectivas,” *Enlace Académico Centroamericano*, July 3, 2009. <http://www.enlaceacademico.org/base-documental/biblioteca/documento/el-golpe-de-estado-en-honduras-caracterizacion-evolucion-y-perspectivas/>

^{vi} The view that the coup was a constitutional change in government was presented by former presidential advisor (2002-2005) and minister of culture (2005-2006), Octavio Sánchez, “A ‘coup’ in Honduras? Nonsense.” *The Christian Science Monitor*, July 2, 2009. The argument boils down to the claim that a president can be sent into exile for the expediency of not having him around while he is replaced on the grounds that by holding a *consulta popular* he showed intent to change the constitution in ways that are impermissible.

<http://www.csmonitor.com/Commentary/Opinion/2009/0702/p09s03-coop.html>

^{vii} A major dilemma for policymakers was whether the ouster of Zelaya could be characterized as a coup on the grounds that it was unconstitutional when the nation’s congress and courts insisted that they were only upholding the constitution. Saying that “it’s not up to us to determine what is in line with the constitution” was not good enough. The Inter-American Democratic Charter essentially requires the international community to make judgments about what is constitutional and what is not. See “Background Briefing on the Situation in Honduras,” U.S. Department of State, Washington, D.C. June 28, 2009. The case for considering the removal of Zelaya a coup was well made by Doug Cassel, “Honduras: Coup d’Etat in Constitutional Clothing?” *The American Society of International Law*, July 29, Volume 13, Issue 9.

^{viii} Zelaya’s gradual metamorphosis from oligarch to populist firebrand is nicely recounted in William Finnegan’s “An Old-Fashioned Coup,” *New Yorker*, Vol. 85, Issue 39, pp. 38-45.

^{ix} The same ideological frame is used by Roger Noriega, “A Coup in Honduras,” *Forbes.com*, July 29, 2009. <http://www.forbes.com/2009/06/29/zelaya-chavez-coup-honduras-opinions-contributors-roger-noriega.html>

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- ^x Roberto Micheletti, “Moving Forward in Honduras,” *The Washington Post*, September 22, 2009. <http://www.washingtonpost.com/wp-dyn/content/article/2009/09/21/AR2009092103111.html?wpisrc=newsletter>
- ^{xi} Payton, Laura, “No Plans for Sanctions Against Honduras: Kent,” *Embassy*, August 25, 2009.
- ^{xii} According to the Canadian International Development Agency, “CIDA’s 2007-2008 disbursements for projects and initiatives in Honduras: \$17.09 million,” Internet, <http://www.acdi-cida.gc.ca/acdi-cida/ACDI-CIDA.nsf/Eng/JUD-129123554-NN3>, accessed January 30, 2010.
- ^{xiii} 29 July 2009, interview with Peter Kent. See: <http://www.cbc.ca/thecurrent/2009/200907/20090729.html>
- ^{xiv} See Patrick Markey and Esteban Israel, “Honduras resists demand to lift emergency decree,” *Reuters*, October 1, 2009. <http://www.reuters.com/article/idUSTRE59106U20091002?sp=true>
- ^{xv} The English text of the Accord can be found here: <http://www.hondurasnews.com/2009/10/31/tegucigalpa-san-jose-accord/>
- ^{xvi} A 30 December 2009 report by the Inter-American Commission on Human Rights, entitled “Honduras: derechos humanos y golpe de estado,” was similarly critical of rights violations. See: <http://www.cidh.oas.org/pdf%20files/HONDURAS2009ENG.pdf>
- ^{xvii} See Douglas Bell, “Peter Kent: man on a mission,” *The Globe and Mail*, October 7, 2009. <http://www.theglobeandmail.com/blogs/douglas-bell/our-man-and-his-mission/article1315775/#comments> See also the Minister’s webpage: <http://www.international.gc.ca/international/honduras.aspx>
- ^{xviii} “Mr. Obama should press for changes at the OAS,” *The Washington Post*, February 10, 2010, and “Multilateralism in the Americas: Let’s Start by Fixing the OAS,” *A Report to the Committee on Foreign Relations, United States Senate*, U.S. Government Printing Office, Washington, D.C. January 26, 2010.
- ^{xix} See the Minister’s webpage: http://www.international.gc.ca/ministers-ministres/kent_honduras_2010.aspx?lang=eng
- ^{xx} “Canadienses ofrecen aumentar inversiones a \$200 millones,” *La Tribuna* (Tegucigalpa), March 5, 2010. <http://www.latribuna.hn/web2.0/?p=101978>
- ^{xxi} From Peter Kent’s official website, “Canada Concerned over Free Speech Rights in Venezuela,” Internet, <http://www.peterkent.ca/EN/8128/105449>, accessed January 30, 2010.
- ^{xxii} Chaderton mistakenly characterized the scandal as involving the torture of detainees rather than their transfer to Afghan authorities at a time when Canadian officials knew that prisoners were being tortured. Nevertheless, the criticism of Harper’s penchant for proroguing parliament has a solid foundation: constitutional experts have argued that the prorogation of parliament to avoid a vote of non-confidence, which occurred in late 2008, was of dubious constitutionality. See Andrew Heard “The Governor General’s Decision to Prorogue Parliament: Parliamentary Democracy Defended or Endangered?” Centre for Constitutional Studies, Discussion Paper No. 7, 2009.
- ^{xxiii} Carl Meyer, “OAS still best forum for Americas: Kent” *The Embassy* (Ottawa), March 3, 2010. <http://embassymag.ca/page/view/oas-03-03-2010>