



House of Commons
CANADA

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

SDIR • NUMBER 007 • 1st SESSION • 39th PARLIAMENT

EVIDENCE

Tuesday, December 5, 2006

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Chair

Mr. Jason Kenney

Also available on the Parliament of Canada Web Site at the following address:

<http://www.parl.gc.ca>

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•(1110)

[*English*]

The Chair (Mr. Jason Kenney (Calgary Southeast, CPC)): I'll call this meeting to order. I think we have a quorum. Well, I see one, anyway—unless someone is going to challenge me.

Good morning, and welcome to this morning's meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. We continue this morning our committee's study of the Canada-China bilateral human rights dialogue and related issues.

This morning we have appearing before us

[*Translation*]

Ms. Adèle Dion, Director General Human Security and Human Rights, Department of Foreign Affairs and International Trade, and Mr. Gordon Houlden, Director General, East Asia Bureau.

[*English*]

We also have Hau Sing Tse, vice-president, Asia branch, CIDA; and Jeff Nankivell, director of China and Northeast Asia division, CIDA.

I imagine the witnesses are all familiar with the context of our study, which has been going on for a few weeks. To date, we've met with a number of representatives of NGOs, academics, and others with an interest who have expressed a point of view on the efficacy of the Canada-China human rights dialogue. In the context of this study, of course, we've looked not just at the dialogue; the actual human rights situation in China has come up frequently. I think the committee wanted to have an opportunity to hear from officials of two of the relevant departments about the departmental view, and programming, certainly as it relates to CIDA.

So we welcome you all and look forward to hearing your presentations, which will be followed by a question period.

Why don't we start with our guests from DFAIT.

Mr. Gordon Houlden (Director General, East Asia Bureau, Department of Foreign Affairs): Thank you very much, Mr. Chairman, honourable members. Thank you for inviting us here today to speak on behalf of the Department of Foreign Affairs and International Trade.

My colleague Ms. Adèle Dion can speak directly to the Canada-China Joint Committee on Human Rights and on Canada's

multilateral human rights engagement with China. Mr. Hau Sing Tse will speak about Canada's human rights technical cooperation with China. I will speak to Canada's bilateral human rights engagement with China more generally.

Let me start by addressing the current human rights situation in China. This subcommittee has heard evidence from many witnesses with respect to human rights violations in China, including repression of minority rights and religious freedoms, arbitrary detention and imprisonment, and restrictions on freedom of expression. We share the serious concerns raised by these witnesses.

While we recognize that economic freedoms improved in China over the past 20-some years of reform, continued violations of civil and political rights are of paramount concern. Our key concerns include, but are not limited to, restrictions on freedom of expression, association, and spiritual belief; poor respect for the rule of law and lack of transparency of judicial proceedings; arbitrary detention and treatment of political prisoners; repression of ethnic minorities, especially in Tibet and Xinjiang; police violence and torture; persecution and prosecution of human rights defenders; crackdowns on freedom of the press and intimidation and detention of journalists; a continued ban on independent labour unions and harsh treatment of labour activists; lack of adherence to international standards of free and informed consent in the context of organ transplantations from executed prisoners; reservations to and non-ratification of international human rights conventions, including the International Covenant on Civil and Political Rights; and discrimination against people living with HIV/AIDS.

As stated in the Speech from the Throne, the promotion of Canadian values, including human rights and democracy, are important goals of our government. At the officials level, we work to implement this approach. Human rights are not only among the basic Canadian values and principles, but they're also enshrined in international human rights instruments, some of which China has signed on to. It is in this context that we seek to engage China to work towards concrete improvements on the ground.

We have a comprehensive relationship with China and seek to advance all Canadian interests, including human rights, trade, investment, health, security, and other multilateral issues. Engagement is the most effective means of advancing our multi-faceted interests with China, an approach consistent with other like-minded countries.

The more we engage with China on all fronts as part of a comprehensive relationship, the better placed we are to advocate forcefully on human rights. Without engagement, we would lose avenues for dialogue and the means by which to advocate for human rights improvements.

We have a range of tools at our disposal in conducting our human rights advocacy with China, ranging from public statements to official diplomatic representations—notes and *démarches*—to private government meetings at all levels, and in each situation we assess which tool is the most useful in terms of maximizing results. Using these tools, we express concerns on both systematic issues and on individual cases of concern that are brought to our attention by Canadians and Canadian NGOs.

Our goal is to continually improve the effectiveness of our advocacy to maximize results. We are constantly assessing and re-evaluating our approach based on input from civil society and consultations with like-minded countries and multilateral institutions. In other words, our human rights advocacy is not a “one size fits all” approach, nor is it set in stone.

One recent example where we employed a range of tools was in our response to the incident in which Chinese border guards shot at a group of unarmed Tibetans attempting to cross the border into Nepal. We made official diplomatic representations both in Ottawa and in Beijing and our minister made a strong public statement in the House condemning the unprovoked shooting of unarmed civilians. We remain seized with the issue of the well-being and whereabouts of the children detained during the incident, and continue to follow up with the Chinese government in our efforts to obtain this information.

A separate matter of concern involves the detention of one of our own citizens in China and our ongoing efforts to assure ourselves and his family of his well-being and that his human rights are respected. As the Prime Minister has said, “When it comes to the specific case of a Canadian citizen who's been mistreated, we have an absolute moral obligation to defend those citizens and express our views.”

We also employ a variety of tools to raise individual cases of concern that have been brought to our attention by Canadians and Canadian NGOs. We raise cases involving ethnic minorities, pro-democracy and labour activists, prisoners of conscience, lawyers, journalists, cyber-dissidents, and those with direct Canadian family connections.

• (1115)

The possibility of negative repercussions arising from advocacy on individual cases is of primary concern. It is why, whenever we raise any such case, we do so in close consultation with those who have brought the case to our attention. We also monitor for developments in each case, both positive and negative develop-

ments. To our knowledge, none of the cases we have raised have suffered as a result of our advocacy.

How effective is all this? This is a question we are constantly using to evaluate our progress on this front. Measuring and attributing results is a challenge for all like-minded countries. In addition, it is a challenge for one country alone to have a great systematic impact. It is why Canada coordinates with like-minded countries at every opportunity on both systematic issues and key cases of concern.

In fact, we have seen improvements in some cases of concern we have raised. Some prisoners in Canada and like-minded countries have been released early, while others have experienced an improvement in their treatment while in prison. For example, family visitation rights to a Chinese political prisoner were recently reinstated shortly after Canada sent a diplomatic note to the Chinese government requesting this, among other things.

However, we are by no means satisfied with the extent to which China has responded to concerns raised by Canada and the international community. Human rights violations are an ongoing reality in the lives of many Chinese people. We are committed to finding ways by which we can maximize the effectiveness of our efforts to help achieve concrete human rights improvements in China. This is a challenge for us, but it's one we readily accept, because it is the right thing to do.

Thank you.

The Chair: Thank you, Mr. Houlden.

[*Translation*]

I will now give Ms. Dion the floor.

Ms. Adèle Dion (Director General, Human Security and Human Rights, Department of Foreign Affairs): Thank you.

[*English*]

I thank the subcommittee for the invitation to speak today on Canada's bilateral human rights relationship. As indicated by my colleague earlier, I will speak specifically about the Canada-China dialogue, which is known as the joint committee on human rights.

Perhaps to begin, I'll give a bit of background. The dialogue was initiated in 1997—that is nine years ago—as an alternative to co-sponsoring the annual resolution on the situation of human rights in China that was presented at the UN Commission on Human Rights. It was jointly agreed upon by the Canadian and Chinese sides, the agenda to be negotiated in advance and discussions to be conducted in private in the spirit of mutual respect and understanding. That is to say, no megaphone diplomacy.

It was agreed that discussions would benefit from the participation of civil society organizations, academics and domestic ministries. In addition to the discussions, normally each session includes a so-called site visit, such as a visit to a regional provincial capital, training centre, or correctional institution, depending on the subjects that are being discussed. In the past, site visits within China have, for example, included Tibet, Hunan, and Xinjiang Uygur.

When the dialogue was first initiated, the framework used was the Universal Declaration of Human Rights. However, China has ratified several of the major human rights conventions: the Convention against Torture; the Convention on the Elimination of All Forms of Discrimination against Women; the International Covenant on All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the convention on the rights of the child. It has also signed the International Covenant on Civil and Political Rights, although it has not yet ratified. They are preparing to ratify, and Canada has been supporting these efforts.

As the dialogue has evolved, we have focused more on the implementation of international standards. Canada and other western dialogue partners actively encourage China to sign, ratify, and implement international human rights instruments as well as to agree to visits to China by the various UN human rights monitors, for example, the Special Rapporteur on Torture.

Visits have been undertaken by the UN Working Group on Arbitrary Detention—they've actually visited twice, once in 1997 and again in 2005—the special rapporteur on the right to education, and the special rapporteur on torture, who was there in 2005. Future visits that China has agreed upon in principle include the special rapporteur on freedom of religion or belief and the independent expert on the question of human rights and extreme poverty.

I should also mention that the UN High Commissioner for Human Rights has visited twice: first Mary Robinson in 1998, and most recently Louise Arbour in 2005. That last visit resulted in an agreement to formalize the continuation of a program of technical cooperation between China and the office of the high commissioner, which focuses on facilitating China's ratification of the International Covenant on Civil and Political Rights, as well as the implementation of recommendations of the UN Committee on Economic, Social and Cultural rights.

● (1120)

Perhaps I could touch briefly on the commission's assessment that the department undertook in 2005. The background to this is that Foreign Affairs, other government departmental partners, and indeed all members of each delegation to the bilateral dialogue undertake to evaluate each round. In addition to that, in 2005 an independent academic review was commissioned to assess the overall dialogue and to identify areas for improvement. As I believe has already been mentioned, my department concurs with many of the findings, and the report was made public as a matter of transparency. The view was that we all share the common goal of improving the human rights situation in China.

In our discussions with the Government of China, we've underlined our concerns with the last dialogue round, as we have in each of the previous years. This is part of the ongoing process of engagement with Chinese ministries. The Chinese Ministry of Foreign Affairs, as well as other Chinese partners, have agreed with the importance of reform. We're now working to put together a set of proposed constructive reforms based on the findings of this commissioned assessment and other recommendations from civil society and NGOs and our own in-house officials. We will be seeking guidance from ministers once we have an agreed-upon package.

Perhaps I could also touch on some of the recommendations we have received from the non-governmental community—from our NGO partners—many of which have, I think, also been made to this subcommittee, such as collaborating with other countries that have human rights dialogues with China. We are systematically in contact with other western countries that have bilateral dialogues with China concerning human rights. We share information, working methods, and best practices with these countries.

Another recommendation was increased NGO participation in the dialogue, and we do agree with this. We would like to see increased civil society participation. China has expressed openness to this proposal. Both academics and NGOs have participated in previous years, including, among others, Rights and Democracy, Amnesty International, All-China Women's Federation, the Canadian Labour Congress, South Asian Women's Association, the Canadian Council for Refugees, and the Canadian Race Relations Foundation.

Independent NGO participation was introduced in 2004 in Beijing with a round table discussion with Chinese NGOs on HIV/AIDS. In 2005, the dialogue was held in Canada, and the Chinese official delegation agreed to meet with Canadian NGOs. This included a round table discussion organized by Rights and Democracy on the topic of the partnership between the Government of Canada and non-governmental partners. We wish to further build on this kind of progress.

Another recommendation concerns feedback to civil society. We certainly endeavour to maintain open communication with civil society on dialogue activities and discussions. Consultations in the form of teleconferences are held before and after the dialogue rounds. Prior to them, the officials share the planned agenda and invite participants to relay comments, concerns, and priorities with respect to human rights in China. Officials undertake to incorporate these points into representations and discussions within the dialogue. Similarly, we have post-dialogue debriefings in order to relay to our civil society partners discussions, activities, and Chinese engagement.

● (1125)

On the presence of other government departments beyond the MFA at the table, we agree that those departments responsible for implementing human rights norms should not only be at the table, they should be actively involved in setting the agenda. A key objective of the dialogue is to have the knowledge, methodologies, and ideas further disseminated and acted upon back in the participants' home ministries. We think we've made considerable progress in this regard in the last few years. Last year we had approximately five Chinese ministries and organizations represented. On the Canadian side, we brought in a range of government departments in support of our whole-of-government approach.

In terms of the recommendation that objectives must be set and benchmarks used, we do agree that concrete objectives and benchmarks are required in order to set predefined and mutually agreed-upon goals and to measure our progress. The key here is to establish benchmarks that are measurable. Of course, for them to succeed there must be agreement with the Chinese side on the outcomes.

High-level government participation is another key recommendation. The participants of the bilateral dialogue are at the senior working level. Meetings are usually opened by directors general or assistant deputy ministers of the country hosting that particular round. This level was mutually agreed upon as being the most effective in order to be able to discuss practical technical issues and concerns in an in-depth manner.

My colleague has already touched on the next recommendation, to reassess the presentation of prisoner lists in the JCHR; the safety and well-being of prisoners may have been put at risk by highlighting their cases. I would simply flag the fact that the Government of Canada regularly presents prisoner lists in bilateral meetings at all levels, including within the JCHR. If there are specific cases we should be aware of that suggest in fact some prisoners were put at risk, we would certainly like to hear about it from our non-governmental partners.

Another recommendation is that a resolution on human rights in China be again presented within the UN system. On that recommendation, I would simply say that the decision to introduce or support a resolution on China would have to be taken at the political level by cabinet. However, within the new Human Rights Council there is a mechanism of universal periodic review under development. It will require all UN members to have their human rights record reviewed by their peers, starting with the Human Rights Council's member states. China is a member of the Human Rights Council.

I will leave it at that, Mr. Chair. I'll be happy to respond to questions and comments.

Thank you.

• (1130)

The Chair: Thank you. We'll go to questions once we've heard from our guests from CIDA.

Mr. Tse.

Mr. Hau Sing Tse (Vice-President, Asia Branch, Canadian International Development Agency): Mr. Chairman, honourable members of the committee, it is a great pleasure for me to testify, along with my colleagues, before the subcommittee today.

Following on the presentations given by my colleagues from the Department of Foreign Affairs and International Trade, the purpose of my presentation is to provide you with information on CIDA's development cooperation program with China related to human rights.

Since its inception in 1981, CIDA's programming in China has covered a broad range of areas. Through the 1980s and into the mid-1990s, the focus of the program was on food aid, personnel exchanges, and institutional linkages. As China's economy grew and

its capacity in these areas increased, CIDA has changed its programming to take advantage of new opportunities in key areas where the Chinese are ready to work with Canadians and where CIDA support can serve foreign policy priorities such as human rights.

Accordingly, CIDA has steadily increased its programming related to human rights with a focus on strengthening the rule of law in China, as defined by international norms, standards, and agreements to which China is a party. Of course, the governments of Canada and China have very different views with respect to the state of human rights in China. CIDA works very closely with the Department of Foreign Affairs to ensure that Canada has a coherent and consistent approach to human rights, and we continue to look for ways to strengthen that approach.

CIDA complements the Department of Foreign Affairs' lead on policy issues by supporting the provision of Canadian expertise to address human rights concerns over the long term. For example, the annual Canada-China human rights dialogue has led to new CIDA projects and initiatives. A direct outcome of a request made by China's public security ministry at the 2005 dialogue has been a new sub-project under CIDA's policy options program, a sub-project dealing with inmates' rights.

Another initiative related to the dialogue is an activity within the long-term CIDA-funded program on implementation of international standards in criminal justice policy. This program, which is run by the Vancouver-based International Centre for Criminal Law Reform and Criminal Justice Policy, is opening a new element of activities to work on issues of police accountability, beginning with a mission to Beijing next week, involving Canadian academics and law enforcement officials. These experts will make presentations on issues such as police accountability, police corruption, witness and victim protection, and gender issues in transnational crime.

In our current programming related to human rights, CIDA has engaged a range of Canadian expertise and partners such as the Canadian Bar Association, the Parliamentary Centre of Canada, the Supreme Court of Canada through the National Judicial Institute, Justice Canada, provincial authorities, the Federation of Canadian Municipalities, and the International Centre for Criminal Law Reform and Criminal Justice Policy.

Through the CIDA program, Canada has also developed relationships and strong credibility with a wide variety of Chinese institutions that have a direct bearing on human rights, including the Ministry of Justice, the Supreme People's Court, the All China Lawyers Association, the Supreme People's Procuratorate, the Ministry of Public Security, and the National Legal Aid Center.

Since the mid-1990s, human rights have comprised an increasing share of CIDA's overall program, and this trend is strengthening. Through the CIDA program, Canadians have been able to achieve some notable results, and here are some examples. CIDA's Canada-China women's law project, which was implemented by the Association of Canadian Community Colleges trained hundreds of Chinese judges, court officials, and police officers on gender issues, developed extensive materials for future use, and helped to create special courts and legal aid clinics to inform and advise women of their rights. Canadian expertise was also used to develop and enact new legislation on domestic violence.

A project implemented by the Canadian Bar Association, sharing Canadian models for provision of legal aid, has contributed to the Chinese government devoting increased funding to legal aid services and improving citizens' access to justice. Legal aid lawyers are now taking on more cases in areas such as claims for wages owed to migrant labourers and claims for compensation by injured workers.

• (1135)

[Translation]

Thanks to the work done by the International Centre for Criminal Law Reform and Criminal Justice and Policy of Canada, a Canadian model for community correctional services was adopted in Shanghai and subsequently in 18 other provinces. This international centre has also worked with Chinese legal scholars, judges and top policy-makers to improve their understanding of international legal norms and standards, including the International Covenant on Civil and Political Rights, the ratification of which continues to be under study by the State Council.

CIDA also supported the University of Ottawa's Human Rights Research and Education Centre with the University of Beijing on a series of human-rights projects, with results including the establishment of China's first human-rights research centre.

Also, CIDA's Civil Society program, which began in 1998 and was expanded in 2001, is managed in close collaboration with colleagues from the Department of Foreign Affairs at the Canadian Embassy in Beijing. This program has contributed directly to the creation of 20 new Chinese civil society organizations. Another 107 other organizations received training in management and organizational capacity building. More than half of the beneficiaries of this project are women. This program has also funded the creation of one of China's leading NGO advocating for the rights of people living with HIV-AIDS and was an early financial supporter of the work of Mr. Wan Yanhai, who was recently detained by the authorities for his advocacy activities.

The Tibet Basic Human Needs Project, implemented by Agriteam Limited of Calgary, has piloted models of participatory planning models in several hundred rural communities in Tibet. These models have been adopted in rural villages throughout the autonomous region of Tibet.

• (1140)

[English]

As you will have noted, these initiatives use the expertise of Canadian organizations and implementing agencies. We continue to

explore opportunities to advance the human rights agenda in China through practical cooperation.

I've provided a snapshot of the results that are being achieved in the area of human rights. In order to provide the committee members with more details, we are distributing a list of relevant projects.

In addition, I would encourage this committee to invite representatives from some of the Canadian organizations I've mentioned. These people can tell you much more about the practical work being done by Canadians in China in the area of human rights.

Thank you for your time. I welcome your questions. Mr. Nankivell is here, and he is also ready to provide the required details.

Thank you.

The Chair: Thank you to each of our witnesses.

We'll begin with questions, starting with Mr. Silva.

Mr. Mario Silva (Davenport, Lib.): Thank you, Mr. Chair.

I thank everyone from the departments.

I have a series of questions, and they're all related in one way or another.

First of all, Mr. Tse, you mentioned the fact that you have a list. I'd certainly like to see the list, if it's possible, and we could also analyze the list.

Oh, there is a list here. Okay. Thank you.

At times there has been criticism that the departments don't work together and that there's a silo mentality. I want to make sure that in Foreign Affairs and with the other branch of CIDA, the goals are in fact being met. If there is an objective here in terms of promoting the entire dialogue on human rights, is CIDA accomplishing a working collaboration with these goals or are there completely separate mandates, without any relation to one another?

Mr. Hau Sing Tse: Perhaps I can start and my Foreign Affairs colleagues can either confirm or dispute this.

Fundamentally, if you look at the annual human rights dialogue that's spearheaded by the Department of Foreign Affairs, CIDA officers, generally at the director level, are part of the Canadian team. As I mentioned earlier in my statement, some projects and ideas fell out from that dialogue; in 2005, for example, we picked up dealing with inmates' rights as a project.

To give you another example, in the civil society program that is run out of the embassy in Beijing, there again it is the Foreign Affairs and CIDA officers coming together to look at proposals and those kinds of ideas. Of course, at various different levels in the interaction on human rights issues, the two departments work closely together.

Mr. Gordon Houlden: Perhaps I could add a few words to that. I've been participating in the joint human rights committee for many years. I was at the first meeting. CIDA was present, and they have been present subsequently.

The changing nature of CIDA's profile in China has necessitated closer and closer cooperation between the two. I've served a couple of times in the embassy in Beijing, and because CIDA group is now working on sensitive projects involving human rights and civil society, the political section of the mission, the Department of Foreign Affairs, in effect has been in daily contact with our colleagues on the CIDA side. We meet regularly here in Ottawa as well and, of course, before and after the JCHR meeting.

Mr. Mario Silva: I would expect, and I'm not surprised, that there would be at least contact meetings. I'm not surprised that there is some level of cooperation and working relationship. I'm more concerned about whether the mandates are the same.

Is one working with civil society and with groups that are trying to promote democracy, while other department might be saying, well, they're doing that, but we're doing something totally different, and pay attention to us because we're the foreign affairs department?

Mr. Gordon Houlden: I think you raise a fair point. My response to that would be that when CIDA first began to operate in the early 1980s in China, other projects that did not have a direct impact on human rights were part of that. There was food aid. There was assistance to poverty alleviation and other aspects. As they have drawn closer to an emphasis, an emphasis that governance projects have necessitated and have resulted in this cooperation, I'm not saying we're on the same line of the same page every day, but we do cooperate and communicate on a regular basis.

Overall I would say the answer is yes, but perhaps my colleagues could add to that.

• (1145)

Mr. Jeff Nankivell (Director, China and Northeast Asia Division, Canadian International Development Agency): In terms of mandate, the guiding mandate that we have presently for the CIDA programming in China is a country development programming framework that was defined in 2004 and revised in 2005. That has given us our two main priority areas, which are, number one, in human rights, democratic development, and good governance; and number two, in the area of supporting China's environmental sustainability. This is the mandate that we have for the program.

Very extensive work goes in each time these policies are determined. Very extensive work goes into that, and our colleagues at the Department of Foreign Affairs, particularly working together in the embassy in Beijing but also here in Ottawa, were intimately involved on the Canadian side in our arriving at those two main priority areas for the program, which are in line with Canadian policy priorities for engagement with China. It's not the sum total of Canadian policy priorities for China, because there are policy interests in areas such as trade. That's not an area in which the CIDA program works these days.

But in terms of our main areas of programming, these were derived together on the Canadian side. When we come to the table with the Chinese to agree on what the priorities are, our priorities have been determined together as Government of Canada priorities

and we end up with a set of objectives governing our current program that has been agreed with the Chinese government. But there could be other things that the Chinese government would have wanted us to do that didn't correspond with Canadian foreign policy priorities, and that's how we've ended up with the ones that we have. But they are worked out jointly between Foreign Affairs and CIDA before we come to the table with the Chinese.

Mr. Mario Silva: The figures I've heard and read are in the neighbourhood of between \$43 million and \$50 million that we spend annually on aid and working with CIDA in China. In the last Parliament, there was incredible criticism from the Conservative Party that this was a waste of taxpayers' money, given the fact that China is such a wealthy country. In fact, there were those who argued that even though China certainly has tremendously improved economically in the last few years, there still are very high rates of poverty, and particularly child poverty. There was some justification for that.

I don't think it's fair of me to ask what you think the government's position should be in that regard, because the political question is a decision for the government to make in terms of whether they want to continue that aid or not. But I do want to ask you the question in relation to those who argue that the money was necessary, that it was a way to almost buy into the Chinese market, that it was a way for Canada to engage the Chinese, saying somehow that, yes, we're concerned about human rights, but we're still helping with aid and we're giving you money to allow for other economic.... There was the economic or business interest tied into that aid as well. Is that in fact fair, or was that just a "somewhere out there" argument?

Mr. Hau Sing Tse: I would say that if you look at the current programming, it's highly focused on human rights and the environment. In those areas, we are sharing and providing Canadian expertise to help influence the opening up of China in those sensitive areas. In the case of the environment, it has clearly had a major impact on the rest of the world and in Canada.

Therefore, notwithstanding the economic growth in China, the opportunities for us to work in the human rights and environment areas are there, and this is the way we are currently doing all our programming.

Mr. Mario Silva: You do not agree, then, with those who argue that providing \$50 million is almost like entry fee money into China.

• (1150)

The Chair: Sorry, Mario, but we're at nine minutes.

Mr. Mario Silva: Maybe it's a yes or no question. Do you agree or not that this is the way for the business community to get into China?

Mr. Jeff Nankivell: It's neither a yes nor a no. First of all, what we have been doing in recent years has not involved the provision of money to China. It's the provision of Canadian expertise and it's paying the cost of bringing Chinese to Canada to engage with Canadians for training and discussions and exchanges.

It's also important to understand that when you look at individual projects, getting a CIDA project is not something that would be considered by a Chinese partner on a project as a reward. On any of the projects that you see in that list, the Chinese partners on those projects have to put in substantial resources on their side in terms of time and money to be engaged in these long-term projects. It's a significant investment for them, so it's not something we certainly perceive as being seen by them as a reward for anything or as a gift from Canada to China.

The Chair: Before we pass to Madam St-Hilaire, I just want to seek further clarification on a point that has come up here.

What percentage of CIDA projects related to democratic development and good governance and human rights are vetted or approved by the Chinese government?

Mr. Hau Sing Tse: Right now, I think we're looking at 40-something per cent of our programs being in the human rights and governance area.

Mr. Jeff Nankivell: The percentage of those projects vetted by the Chinese government would be very close to, but not up to, 100%.

The Chair: Right.

Dr. Charles Burton—he wrote the study—asks how projects for democratic development that are approved by a non-democratic government can lead to effective democratic development. It's a paradox, isn't it?

Mr. Hau Sing Tse: It's a question of where you want to have some entry points that will make sense, given the conditions in China. Just to give you one fact—and this is in response to the earlier question about scale and whether there should be conditionality and economics and so on—at the end of the day, the ODA in China is less than 0.1% of their capital flows. Therefore, where Canada or the CIDA program can make a difference is really in being able to look at opportunities that can have a catalytic effect. Take a longer-term view while knowing that there are many serious differences of opinion and approach on how to deal with human rights issues between Canada and China, and look at where we can share with them the best practices, the Canadian practices, on how we deal with these issues. Focus on the conditions and areas where conditions in China permit certain reform-minded people and units or organizations or institutions to be able to capitalize on the Canadian development assistance program to advance the human rights agenda.

The Chair: Madam St-Hilaire.

[*Translation*]

Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ): Thank you, Mr. Chair.

Good day and thank you for being with us this morning.

The Canadian Coalition on Human Rights in China sent a letter to the Prime Minister on October 6. Did the department make recommendations to the Prime Minister about an answer? No one is aware of this letter?

[*English*]

The Chair: The letter to the Prime Minister from the coalition?

[*Translation*]

Ms. Caroline St-Hilaire: Obviously then no one will be able to answer.

My second question concerns mainly CIDA. When I questioned the Minister of International Cooperation about funding sent to China, she clearly told me that no funding was going there. From what I understand, funds are not sent directly to the government but CIDA funds programs in China. If I understand correctly, this represents \$43 million a year, which is not negligible.

First, I want to know whether you do assessments allowing you to determine the impact of your projects and whether they have a positive impact on human rights. Since the committee has been studying the issue of China, we have been told that the situation there has never been so bad in terms of human rights, despite the constant increase in funding from the Canadian government to various programs.

No doubt there is work to be done, to say the least. However, as a public servant, do you not find it somewhat paradoxical for the Canadian government to fund programs in China through CIDA and for China to send money to Darfour? We are trying to help improve human rights, but they don't seem to be improving at all and, at the same time, China thumbs its nose at us by sending money to Darfour. Is this not a funny message being sent to taxpayers? In your opinion, how can we explain this situation to the public?

• (1155)

Mr. Hau Sing Tse: To answer your second question, I will say that human rights are not very important to the Chinese government. That is why our program specifically focuses on human rights.

As for the Chinese aid for Darfour, in Africa, it is important to note that the international community has the opportunity to influence China regarding the implementation of this aid program and to encourage it to consider factors such as governance and rights.

Mr. Jeff Nankivell: I would like to add a few words in response to the second question. I want to clarify that no resources are provided to the Chinese government that could be used for purposes other than implementing our joint projects. When we send Canadian experts to China, the Chinese cannot use that expertise to promote projects elsewhere in the world. There is no direct or indirect ties between the development assistance we provide to China and the Chinese programs overseas.

[*English*]

On the first question, about the extent to which we try to measure the impact of our work, in fact we devote quite a bit of time, energy, and resources to this. Every project, and all of the projects that you see in the information you have, has a performance measurement framework at the beginning of the project. It's a condition for a project to be considered for approval. The performance measurement framework includes objectives, and targets and indicators for the outputs of the project, which is how many people, say in a training project, get trained; the outcomes of the project, which would be what the institution is able to do at the end of the project that it was not able to do at the beginning of the project; and the impact of the project, which is how that project affects people's lives.

Really, it's on the impact side that we try year by year. We do annual reporting within CIDA. All of our projects have to make an annual accounting to us of their progress in that 12-month period against those three benchmarks of outputs, outcomes, and impacts. We do a reporting for the China division. We do a reporting upwards within CIDA, an annual progress report, that gives an accounting of those results.

On the impact side we look at where there is progress in terms of systemic impacts. That's a long-term proposition, for sure. China's a very big country. As Mr. Tse has mentioned, there are some areas where we have found that our projects are having some impacts. There are other impacts, we hope, that will come in the future, as projects complete their outputs and their outcomes.

But we have a rigorous system for assessing this. When you talk with institutions in Canada that implement projects that are supported by CIDA.... As MPs you may hear complaints from time to time that CIDA is difficult to work with. I think you'll find, if you ask for the details of that, that one of the challenges they face is the rigour with which we approach these questions of performance measurement. We spend a lot of time working with them, asking them very detailed questions to provide us with more information about the impacts of their projects.

• (1200)

[Translation]

The Chair: Unfortunately your time is up.

Mr. Menzies.

[English]

Mr. Ted Menzies (Macleod, CPC): Thank you, Mr. Chair.

Thank you to our presenters today, continuing along our discussions of human rights.

When we talk about human rights issues, I think we maybe tend to forget the amount of poverty that still remains. I probably am still on the record in *Hansard* as asking the same questions that Mr. Silva asked, but I think we need to recognize—and I appreciate the comments—that there are still an awful lot of people who are living below the poverty line, who live on less than a dollar a day.

Can we be assured that none of this money goes to places we don't want it to go—goes to the government—and instead goes to those poor people?

Can you give us an idea of how many people in China still live on less than a dollar a day, and how we're addressing that?

Mr. Hau Sing Tse: If you look at the numbers, the income per capita in China is about \$1,700. Depending which sorts of numbers you follow, in the case of the Chinese and using their standard, there are about 30 million below the poverty line.

Mr. Ted Menzies: What percentage of the world's poor would that be?

Mr. Jeff Nankivell: I can help out here.

In terms of the international standard, a dollar a day, it would be more than 100 million people in China. In terms of a two-dollar-a-day standard, which is not a lot of money, it would be more than 200 million people in China, and a substantial proportion of the people in

the world live at that level of income. In terms of new projects that have been brought forward since 2005, our program is no longer focused on directly assisting poverty reduction in China, because the Chinese government has programs in place to deal with that. We have worked with them in the past on how they can target those programs more effectively, but in line with Canadian foreign policy priorities, our current focus is on the areas of human rights, democratic development, good governance, and environment.

Mr. Ted Menzies: We get conflicting messages. We've heard from many witnesses who say human rights abuses are worse than they've been, and yet we have other people telling us the human rights record in China is improving. What do we use for a benchmark? What do you use for a benchmark, both Foreign Affairs and CIDA, to decide whether or not it is getting better or getting worse?

Mr. Gordon Houlden: I could venture a general answer. This is not a simple question. This is 20% of the world's population. It's possible both may be true at the same time, and I'm not trying to be facetious. It is simply that with increasing prosperity in China, although relative—and we've just noted a couple of hundred million people who are living close to abject poverty—certainly their conditions of life have improved.

At the same time, we see no signs that the grip of the Communist Party, the authoritarian nature of the political system, is changing or mellowing in any fashion. On the other hand, many Chinese now have limited access to the Internet. They're able to travel. These are not insignificant things. They used to be limited in the places they could travel and fixed in their addresses. They had to have permission even to get on a train and go to another part of China, let alone go outside China.

It's a very mixed message, but what concerns us is that particular groups, defenders of human rights in particular, people who raise their hands and protest, people in minority groups who try to organize to improve their condition, these people are in very difficult straits or find themselves very quickly under arrest or in detention. Any sort of political organization quickly seems to bring the hand of the authorities down upon it.

I would submit that both are true. There are ongoing problems, some of which have got worse. On the other hand, there have been some very substantive improvements, particularly on the economic side. How do we measure this? It's not easy to measure it in exact numerical fashion, but there are groups that attempt to do that. We certainly exchange views with other countries, other western countries in particular. I was in Washington last week and spoke to the American government and institutions there on their take on human rights as of 2006. My colleague has just come back from Europe, and we travel regularly and exchange, of course, through e-mail and correspondence. We read each other's reports, and by that, one gathers an overall picture, but one has to share it because the resources are incomplete.

We do the best we can to gauge the overall state. Of course we ask each mission, including Beijing, to produce an annual human rights assessment for our government as to particular improvements or degradations in the state of human rights in China, and policy-makers use that as a guide as well.

•(1205)

Mr. Jeff Nankivell: To answer your question about the big picture in terms of the CIDA program, we keep an eye on the larger indicators and larger progress, but in practical terms we do our work in particular sectors. China is a huge and complex country. Any country is complex, but China is particularly huge, and so we focus our analytical efforts and the staff we have in the embassy and in headquarters on the particular areas where we are hoping to make a difference and where we see openings in areas like legal and judicial reform, helping to build a civil society. We look at progress and track progress or lack of progress more closely in those areas.

It's more meaningful for our day-to-day work and seeing where Canadians can really have an influence than focusing at the macro level, because we're trying to inform how we can plan better interventions on the part of Canadians.

Mr. Hau Sing Tse: For us, we have to operate at a very practical level. To give you one example, we have a project dealing with migrant labour rights. The reason we've been able to do it is that right now China has a tremendously large number of migrant workers. Therefore, it becomes an opportunity for the international community and for us to be able to look at how we can address some of those labour rights issues.

And you can look at the early days when we started to work with them in establishing legal aid centres. It started with four of them in four provinces, and now there are over 2,000.

The issue is complementing what our Foreign Affairs colleagues are doing in advocating on the larger human rights—because it's not one little thing, there are so many different aspects to it—and advancing the human rights agenda with the Chinese at a policy advocacy level.

Within CIDA, we are looking for those practical opportunities where we would be able to influence. It's not about a big amount of money per se, because China is just too huge. We try to do our best by working with our Foreign Affairs colleagues, as well as internationally, to see some of the areas where we can make a practical difference.

•(1210)

The Chair: We're over time.

Mr. Marston.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Thank you, Chair.

I'm going to pick my words carefully here, and you'll understand in a second. I want to tell Mr. Houlden that I agree with his evaluation that there are some areas of human rights that are improving and some that are going downhill.

I met last week with a person from Hong Kong who works underground in China with the civil society groups. This is why I'm going to choose my words carefully. This person was telling me that they believe in the last 15 years there has been a fairly significant change in human rights and that there have been improvements. What this person spoke about, though, was that it seems the military or the police in certain districts are more offensive than in others in

the area of human rights. It's almost like the government itself doesn't have that control; it's not systemic through the government.

I'm just thinking for a second, because again I'm watching my words. This person was saying that they're watched, they're interviewed, but they're not apprehended to the degree they used to be. It still occurs, but not like it was before.

I have one question for CIDA. Has there been an external evaluation of your human rights programming in China?

I'll just go a little further and come back. I've made the suggestion here, and others have spoken to it as well, that the dialogue should be accountable to this committee and reporting to this committee. I'd like to see what folks think of that.

The final one is for Foreign Affairs. What specifically has been done, that you can comment on, to ensure the safety and to secure the release of Huseyinca Celil?

Mr. Gordon Houlden: May I go with the last question first, if that's all right—

Mr. Wayne Marston: Whatever order is fine.

Mr. Gordon Houlden: —particularly because of its importance. Of course, as you know, it has attracted the attention of our Prime Minister, who has spoken out strongly on this case, as have others, including some around this table and our chair.

In our view, this is a particularly egregious case, because this is a Canadian citizen who is being held incommunicado. He was travelling on a Canadian passport in a neighbouring country with whom we now have not been able to secure consular or humanitarian access.

Where has it been raised? As you know from the media, it has been raised at the highest level by our Prime Minister with the President of China. It has been raised in multiple meetings with the Chinese foreign minister. It has been raised through public comments by our political leaders. It has been raised in meetings between our ambassador and the authorities in Beijing. It has been raised by our ambassador when travelling in Xinjiang, the region from which Mr. Celil originates. It has been raised with the Chinese embassy here.

I don't mean to give an exhaustive list, but at each opportunity that has any utility at all, this is something that comes to the fore. I believe members of Parliament have raised this issue as well during visits to China.

We're not going to rest until this situation is resolved. It is a particularly troubling case for us. It's not simply a case of human rights; it's also one of consular access and protection for Canadians.

The Chair: Are there any other questions, anyone?

Mr. Nankivell.

Mr. Jeff Nankivell: You asked the question about evaluation. The answer is no, we have not had an external evaluation of our human rights programming taken as a whole. We have had numerous evaluations, and it's something we do regularly on individual projects. We've had at least 15 evaluations or major reviews of individual projects in the last five years on our program. A number of those have been on individual projects dealing with human rights and rule of law issues. These are commissioned externally and they're available to the public.

Ms. Adèle Dion: Perhaps very quickly on the final point about the bilateral dialogue and where it could or should be reporting, that would be a decision for the government and for our ministers, of course. Simply to repeat again, it's a government-to-government dialogue.

• (1215)

The Chair: You have time for one more question.

Mr. Wayne Marston: I'll pass.

The Chair: Okay. Before we go to the second round, I'd like to ask a couple of questions.

The first question is for CIDA officials. What percentage of the programming is in the area of the legal system, training judges, etc.?

Mr. Jeff Nankivell: We will have to get back to you in terms of a definition of what projects that would include. In terms of our governance programming—writ large, human rights, democratic development and good governance programming—last year 45.5% of our overall disbursements were in that sector, if you can call it that, with the rest being in environment and some older projects from earlier priorities that are running out.

The Chair: My second question is this: are you aware of a precedent of a single-party state, including communist systems, where there is an independent judiciary and respect for natural justice?

Mr. Hau Sing Tse: I think if you look at the kinds of initiatives we focus on, it's really working on some of the enabling environments, such as making the courts more professional.

The Chair: I'm talking globally. When you look at programming in this area, for a system like the one we find in China, are you aware of any precedent where a single-party state has an independent judiciary?

Mr. Hau Sing Tse: I cannot think of one off the top of my head.

The Chair: I'll relate to you an anecdote. The chief justice of a supreme court of one of the European countries told me he was leading a mission of European judges to the PRC and *inter alia* attended what appeared to be a model criminal trial where natural justice and due process seemed to be perfectly observed. Following the trial, he left the court building in Beijing, and while they were waiting to board their bus, they saw the prosecutor and the defence attorney and the accused and the judge and the court reporter, all of the personnel involved in the trial, come out the side door of the court building dressed in their civilian clothes. It was his inference that it was a mock trial.

That is to say, this chief justice of a European supreme court suggested to me that many of the programs of exchange with western

legal and judicial authorities are not undertaken in good faith. Do you have any comment on that kind of experience?

Mr. Jeff Nankivell: I can't comment on that specific experience. I think that the kinds of programs we support are about long-term engagement, where the same players on each side are involved with each other over an extended period.

I really think the committee would need to talk with the Canadian experts—judges, legal scholars, and so on—who are involved in the actual programs we're supporting to get a sense from them of what they've been seeing, and whether or not when they visited courts and engaged with court personnel they had a sense that something was staged for them.

Hypothetically, I would suggest that a one-time visit, a one-time exchange, has a greater risk of that kind of thing happening than if you have a sustained series of visits back and forth with people who are talking as professionals to professionals.

Certainly our experience, from talking with the people who are involved day-to-day in the projects that we are supporting at the National Judicial Institute, the International Centre for Criminal Law Reform and Criminal Justice Policy, and the Canadian Bar Association, is that they have professional counterparts and professional discussions.

When our Supreme Court justices engaged with their counterparts in China, they reported to us that they had substantive discussions, and that's what we have to go on in terms of having a level of confidence.

Mr. Hau Sing Tse: This is also quite symptomatic of a country that is moving forward and evolving, with a lot of rapid changes on multiple levels. In terms of the CIDA program, that's why we try to work with and put a lot of effort into identifying the reform-minded elements among the people we work with, so that we don't get exposed to those kind of situations.

• (1220)

The Chair: The last question is a general one for Mr. Houlden or Madam Dion.

In his report, Professor Burton quotes an official at the Chinese Ministry of Foreign Affairs stating that the main purpose of the dialogue is "to defuse foreign unease with China's human rights record". That's on the Chinese side.

On the Canadian side, I asked Professor Burton and other witnesses if they thought that Canada's commencement of the dialogue in 1997 was motivated principally by a desire to have an alternate track from presenting or supporting resolutions at the Office of the United Nations High Commission for Human Rights in Geneva. Mr. Burton's response was that he couldn't comment, because this related to a classified section of his report. But he said it was pretty clear in the discussions that Mr. Axworthy had with Chinese leadership in this regard, and he referred to public statements that Mr. Axworthy made in 1997.

Alex Neve of Amnesty International responded to the same question and said, “Our view is that the decision was made”—the decision to go into the bilateral dialogue, as opposed to the UN High Commission for Human Rights resolutions—“to get the uncomfortable topic of human rights out of the Canada-China relationship”.

So given that there are people on the Chinese side who say that the dialogue was designed to defuse foreign unease with China's human rights record, and there are people on the Canadian side who say that it was designed to avoid public discussion of these issues and to downgrade human rights in the dialogue, do you think these are fair and reasonable characterizations of the policy? If so, how can we expect to be effective if indeed it was developed to avoid a full and frank exchange?

Mr. Gordon Houlden: Thank you, Mr. Chair.

These are people I've known for a long time, including Dr. Burton. I've worked with him in the Canadian embassy in Beijing and have known him for many years. Many of the other people you've had as witnesses I've known for a very long time as well. I respect their views in general.

There's not an easy answer to this one. I was involved with the first round of the dialogue, and I took it seriously. I certainly didn't see it in policy terms as a way to let the Chinese off the hook. It does not surprise me, on the other hand, that the Chinese foreign ministry may see it in these terms. Their motivations are not precisely known to me, but ours are certainly very different. They may see this as a way to deflect criticism, but our view is that it's an opportunity to bring criticism home to their own ministries, to investigate human rights abuses, to learn more about them, and hopefully to suggest to some of their officials better ways in which things can be done.

There is also in some cases motivation on the Chinese side towards stability, and we can use that to our own effect by modernizing some of their systems. That's the theory behind it.

Whether Dr. Burton came to the conclusion, after almost 10 years of the dialogue, that it was overall utility... I've read his report—we commissioned it, after all—and I respect his views in general.

As to the other question, I was involved in those decisions, as I have been in.... It was my 21st year working on China affairs. I am not aware of, in effect, a cynical desire to substitute for the resolution a dialogue. There was a sense among many people that the annual vote on the resolution had become a somewhat sterile exercise and that we needed to try new approaches, that perhaps directly dealing with Chinese ministries and the Chinese government might bear fruit.

Dr. Burton and others, and obviously the members around this table, will come to their own conclusions about whether that has been achieved. But certainly the motivation of the officials involved, speaking for myself at least, was not to make a cynical trade-off. But the proof of the pudding is in the eating.

What is the evaluation of the dialogue? I think it has merit. Can it be made better? That's certainly worth an effort. But it is really for the government as a whole to determine the course forward.

The Chair: On a second round, we go to Mr. Sorenson.

Mr. Kevin Sorenson (Crowfoot, CPC): Thank you, Mr. Chair.

Madame Dion, you talk about the next round of discussions with the Chinese government. In the last round of discussions we had with some of the Chinese officials, there was a group of Canadian NGOs that met in Toronto and Montreal, who sat down and discussed some of the issues.

How do you get on the list to be one of the NGOs represented? It's my understanding that there was a group of NGOs that have had a long history of work and development in China but were not invited. How do you get on that list when these decisions are taking place?

• (1225)

Ms. Adèle Dion: I was not in my present job when the dialogue took place last year, but my understanding is that all of the Canadian non-governmental organizations who are interested should be in touch with Foreign Affairs, with the department, beforehand. We try to consult as comprehensively as possible.

Of course, because this is a government-to-government discussion, the Chinese side presents to us in advance their delegation list, and we are obligated to do the same thing. Both sides have a right of refusal, if you will.

Mr. Kevin Sorenson: Has it happened with China that they have said no, we would rather not have this group here?

Ms. Adèle Dion: Yes, it has.

Mr. Kevin Sorenson: How many times?

Ms. Adèle Dion: Although I don't have as long a record on China issues as my colleague Mr. Houlden, I was around and was present when the dialogue was initiated in 1997, and I was with it until about 2000. I would say, in that time, there were perhaps two or three times.

Mr. Kevin Sorenson: Can you tell us which groups were refused by the Chinese delegates?

Ms. Adèle Dion: No, I'm sorry, I can't, partly because I don't have a good enough institutional memory, but also because it is part of a government-to-government discussion.

Mr. Kevin Sorenson: So that wouldn't be available to this committee if we requested that information? Even though you don't have the information with you today, is it something you could provide to the committee?

Can you check?

Ms. Adèle Dion: Yes. We'll take it under advisement and get back to you.

Mr. Kevin Sorenson: These NGOs that were refused, are they still active in China? What's their status? If these NGOs were refused from sitting down in Montreal and Toronto, and they've had, in some cases, years and years of involvement there, I find it odd that they would refuse to meet with them. Have they been cut off from their...?

Mr. Gordon Houlden: Again, we do need to get back to you on this to make sure we're replying accurately, but my experience has been that the NGOs that are most difficult for the Chinese to work with, the ones that are most likely to be refused, are ones that are actually not operating, at least openly, on Chinese territory. They may be operating sub rosa, or they may be doing things outside of China that the Chinese find particularly difficult.

Mr. Kevin Sorenson: In your testimony, you talk about the “next round” and you say you've underlined your concerns in the last round, as has been done in previous years, and that this is part of the ongoing process of engagement.

In point 7 you say, “We are now working to build constructive reforms into the dialogue based on findings of the commissioned assessment, NGO recommendations, and in-house expertise.” And then you said you will be seeking guidance from the minister once this package is completed. When will that package be completed?

Ms. Adèle Dion: Well, at the moment we are very much in the information-gathering stage. Frankly, when this subcommittee decided to conduct this study, we felt we would not be in a position to provide full advice to ministers until we had the results of your study, your report and recommendations.

Equally, the other aspect is, of course, that this involves dialogue with the Chinese side. I think I mentioned earlier that they do agree that the dialogue would benefit from some reform and strengthening, so we are in ongoing discussions through our embassy to look at various proposals for change.

• (1230)

Mr. Kevin Sorenson: Sitting on this committee, I know there have been a lot of people who have asked questions about indicators of success and gauging success. I don't know if you're optimistic or what your feelings are towards it. For myself, in business or whatever, I like to have achievable goals. I like to say, after one month, this is something I can achieve; after five years, this is something I can achieve.

But with China—am I wrong?—expectations seem awfully low as to success. Yes, we can keep on talking. Yes, the wheels of change turn slowly. Perhaps with any type of progress, you have to be an optimist, with small steps. But as you look at the overall picture, I'm just sitting here now thinking about how I could ever be an optimist in that job, with expectations as low as mine for China. Maybe it would have to be on a case-by-case basis, where we'd say, you know what, Celil is a case; answers to what's gone on in Tibet would be another case; and until we have answers here, we aren't really going to gauge success.

You talk about your goal being to continually improve the effectiveness of our advocacy. We have reference made by the chair about Canada's involvement in the judicial system in China. I can tell you, I agree with what our chair says. In a one-party state the chances of an independent judiciary are minuscule.

Do you see indicators that there is progress?

Maybe I'm a sucker for punishment, but last weekend I sat and watched parts of the Liberal convention. Mr. Chrétien held this up as an area of Canada's great success, providing help to the judiciary in China. It sounds awfully good on the television. But I kind of wonder how we are doing.

How are we doing?

Mr. Gordon Houlden: I think you'll understand if I stay away from the directly political issues. As a civil servant, it wouldn't be appropriate.

You've put your finger on some very difficult questions, and I can't give you facile or easy answers. One of the problems is, of course, that we're not alone working on this. There are a host of other countries, some of which work in loose coordination with us, that are pushing on the door at the same time.

If, for example, we see minor policy improvement released this last weekend about a slightly more open system for journalists visiting in the run-up to the Olympics, is that an important change? Well, in some ways, yes, and in some ways, perhaps not that important. Who achieved that? Was it because freedom of information has come out in our discussions? Well, I certainly couldn't say that it was us in meeting X on day Y. Was it the criticism and pressure from the outside world and western countries broadly? Perhaps.

I understand your frustration. In a business model you want to have clearly quantifiable outcomes, and in a place as large as China and with the relatively short levers that we have, it's not easy to measure progress. One can construct benchmarks. We do track individual cases of dissidents who've been jailed. We note sometimes that conditions improve after we've made representations, but the Chinese don't do us the favour of coming to us afterwards and saying, well, because you've complained in this case, we've now decided we're going to treat Mr. or Ms. X or Y better. It doesn't happen. There is a lot of guesswork, unfortunately, and as we all are, I'm open to ways in which this can be improved.

Maybe this isn't the best model. We commissioned Dr. Burton to have a look at it, to make his own recommendations. We're looking carefully at what NGOs have said. Good ideas are always welcome as to what is doable.

I do believe that China has improved in some important and measurable ways, if you look at day-to-day life. Having said that, there are huge gaps, and as this honourable member mentioned as well, it's very uneven. There's a saying in Chinese that heaven is high and the emperor is far away. There are regions that are unrecognizable from others in terms of the daily life. I'm not suggesting there's any place that's completely free in China, but there is tremendous variance within China itself. It's 20% of the earth, and the application of justice or the law is very unequal. There are some areas, minority areas in particular, where the record is terrible—I think of Tibet and Xinjiang in particular—and other areas where it may be a bit better.

I don't mean to give a rambling response, but I understand your difficulty and I share the same in terms of how you quantify progress.

• (1235)

The Chair: Would you want a second round?

Mr. Mario Silva: No, I think a lot of the questions I had have been asked.

The Chair: Wayne, go ahead, just briefly.

Mr. Wayne Marston: They lost the “iron rice bowl” in 1978 when they started to change the economic structure over there. The person I was speaking to last week assures me that after the horrific things that occurred in Tiananmen—and this person was in the square and is still connected with people there—there have been what this person called reasonably significant changes in human rights since those days. I want to stress that. We are all troubled by, as the member said, being sure of the balance or not, whether we are making headway.

My question really comes back around the dialogue, and whether you would see it reasonable to suspend it for this group to join with MPs, NGOs, and labour, civil society groups—the Berne group—and maybe come together with a strategy that we’re all moving roughly in the same direction on those things that we’re trying to accomplish in China. Would that make reasonable sense?

Ms. Adèle Dion: Certainly if we look at the like-minded western countries who have bilateral dialogues with the Chinese, we’re all doing it for the same reasons. We have similar values and interests. We’ve all signed the international human rights legal framework, and we have very serious and very specific concerns. We do try to concert our messages.

If you take any group of countries, obviously there are important variations as to what a specific government will prioritize. It’s not always relevant, I suppose I could say, to try to come up with a short list of five messages that everyone is going to push. Depending on individual relationships with China, it’s more useful for, say, Canada to take the lead on some specific issues where we might have more leverage, either because of our CIDA programming or because of our historic relationship with China.

As to overall coordination, yes, definitely—very important, very useful. Thinking back to 1996-97, when we were still involved in the resolution at the UN Commission on Human Rights, we certainly coordinated with like-minded countries on having that resolution adopted. I think amongst all of us there was a pretty general agreement by 1997 that the chances of success, of getting the resolution adopted, were becoming increasingly slimmer. That was certainly one of the reasons why it was felt that we had to look at additional options for engaging China.

Amongst all of the countries involved in bilateral dialogues, I think we certainly have independently come to the conclusion that with China it’s absolutely necessary to stay engaged. After all, they’re a huge country. They’re a member of the UN Security Council. They’re very active in UN and regional fora such as APEC.

As the honourable was saying earlier, it’s extremely frustrating because progress is so slow. But really, if we want to make a difference, if we want to see China become open to human rights, norms, and standards, what option is there except to engage in some way?

On the question of benchmarks, yes, they are absolutely critical. Clearly what we’re all aiming for here is an improved strength in dialogue.

• (1240)

The Chair: Thank you very much to all of our witnesses for your public service and for your appearance before us today, adding to our

deliberations. We very much appreciate it. If there are any further questions from the committee, I’m sure we could submit them to you in writing. Thank you, again.

As a closing point insofar as DFAIT has invited input on the policy review, obviously we hope the report of the subcommittee will be considered in that context as well. Thank you.

To my colleagues here, while we dismiss the witnesses, we have to discuss a little future business. I don’t think we necessarily need to go in camera on this.

To be quick, we have Mrs. Rebiya Kadeer, who is the founder and president of the International Uyghur Human Rights and Democracy Foundation, appearing before us next week. I think we’ve scheduled an hour. Insofar as we had the Dalai Lama’s representatives here for a special session, we’ve decided to give the same opportunity to the principal international spokesperson of the Uyghur people.

We had originally conceived having a second hour next week, adding a half hour to our usual meetings, to give an opportunity for representatives of the business community to appear before us to talk about the trade and economic dimensions of human rights. Last week there was some suggestion that we could perhaps add one or two academics as well. But we’ve had some difficulty scheduling some of these business groups and leaders because, for some reason, their schedules don’t seem to mesh with our own schedule.

The only person I think we have confirmed is Professor Mendes, who’s not from the business community, but it would be from an academic perspective. It was Mario’s suggestion.

I want to question the utility of having a second hour if we can’t get the business groups in front of us, as originally conceived.

For the committee’s consideration and to get your direction, we keep punting this Cuba report down the field. I’d like to suggest for consideration that we take the second hour to go through the draft review prepared by our analyst in the hope that we could actually prepare the report before we adjourn for Christmas. It’s one option.

Mr. Cotler has also given me verbal notice of a motion. He hasn’t presented it formally yet, but it comes from his original discussion on the question of incitement to genocide by the Iranian regime. I thought we could alternately spend part of the second hour next week reviewing his motion.

Those are our options. We could go ahead with the semi-panel in the second half of next week, or we could leave it to a regular meeting with Mrs. Kadeer, or we could get into the Cuba report and/or Mr. Cotler’s motion.

Mario.

Mr. Mario Silva: Very briefly, Mr. Chair, given that we’re not really sure what the schedule will be next week, I’m flexible.

If it’s the will of the committee to have it all, I don’t have a problem with that. But it might be worth it to have a one-hour meeting and wait until the new year so that we can at least be certain we’ll be dealing with it all.

I don't know what the schedule is going to be next week. If it's possible, I'd rather have it for one hour. If others have other ideas, I don't mind, and it's fine.

The Chair: Wayne.

Mr. Wayne Marston: I agree with that. I don't have a problem if we have to bump a couple of things over to the new year. I have an inkling we'll have some difficulty with the meeting anyway.

The Chair: There is a rumour, as there always is at this time of year.

Wayne, you're a new MP, aren't you?

• (1245)

Mr. Wayne Marston: Yes.

The Chair: Every Christmas there's always a rumour that the House will break early. Sometimes it's true, and sometimes it's not. I don't know.

But if we break early, I'm going to be in Ottawa next week anyway to meet Mrs. Kadeer. If anybody can be here, I'd invite you to do the same. There's no pressure, but if we're not sitting next Tuesday, I hope you could try to do that.

Is it the will of the committee that we hear from Ms. Kadeer and try to schedule the other witnesses in the new year?

Mr. Kevin Sorenson: Yes, I think so. We want to stay fairly focused on China.

Chair, I know there have been a number of requests from other groups to appear. Maybe it could be a single meeting group.

This morning I had the chance to meet with the Canadian Ethiopian council. They're very concerned. It's a major recipient country of CIDA dollars, over \$100 million, with basically a communist style of government. They're hoping to have a meeting some time. They sent a letter. I don't know the status of that or whether or not it's been dealt with at a steering committee.

How many other groups are there? Would we want to venture into that?

The Chair: The problem is that we can't accommodate them unless we increase the frequency of these meetings. As I said at the beginning, I'm willing to do that, but it's up to the committee to try to find the time, if they're willing to do so. Otherwise, we can't accommodate all these worthwhile groups.

Mr. Kevin Sorenson: What I'm saying is this. In a case where we have an hour, is there a group like this that's centred here in Ottawa that we could use as fill?

Mr. Mario Silva: Mr. Chairman, I have to leave, but I hope we can agree to one hour.

I think the reality is that eventually we'll be finished with China and also with the issue of Cuba, because we won't take a whole year to do those, and then there are other issues we can deal with. Maybe at that time it would be more appropriate, because to ask groups to come in when we don't know their schedule or whether we'll be able to be here for more than an hour...it's going to be difficult to show respect for all those people who have issues. Maybe we should wait until the new year.

[*Translation*]

The Chair: Caroline, do you want to make any comments?

Ms. Caroline St-Hilaire: If possible, we need to meet with the groups and conclude our study on China. You were talking about a verbal notice of motion. I don't have a copy of that.

Perhaps there are also subjects that should be discussed. We had asked for the Burton report. Is there anything new in that regard? Furthermore, we need to know if there will be an answer to the letter that the coalition sent to Mr. Harper. Should the subcommittee not write to the Prime Minister about this?

In my opinion, subcommittee members should set aside some time to do a bit of work together.

The Chair: Do you want to set aside a second hour next week?

Ms. Caroline St-Hilaire: If we want to hear from witnesses and do some work in the subcommittee, we won't have any choice but to set aside two hours.

I don't understand: is this a problem?

[*English*]

The Chair: Okay. Ted.

Mr. Ted Menzies: What about Cuba? Could we wrap it up in one hour? Should we try to get a finish on it?

The Chair: I think we probably could. Marcus has done good work.

Mr. Marcus Pistor (Committee Researcher): If I get instruction from the committee to draft a report, I can then proceed to do that. It's basically there, but I have to have the instruction from the committee to do that.

Mr. Ted Menzies: It would be nice to put one thing to bed, if we could.

The Chair: Yes, I kind of agree, so we can move forward in the new year with a cleaner slate.

Caroline.

[*Translation*]

Ms. Caroline St-Hilaire: With regard to Cuba, I don't feel very comfortable. I looked at what Marcus gave us, but since I wasn't here before, I think I will need a lot more information before being able to consider a final report from the subcommittee.

I have a number of questions, it may be a good idea for the subcommittee to discuss Cuba. Kevin was no doubt here when Cuba was discussed. I was not here. I have a lot of work to do before being able to come up with a report. I certainly won't be able to do this by next week.

The Chair: Okay, but someone raised this issue. This was in Marcus's summary, at our first meeting. The proposal to write a report on this was discussed, and the committee had reached a consensus. In fact it was discussed a number of times. Witnesses appeared. Perhaps we could refer to their testimony.

I do not want to start something and then put it aside. However, we might consider the possibility of giving you a few additional weeks. The problem is that each week we say we want to conclude our study on Cuba but we never do. And this concerns me.

• (1250)

[English]

I'm trying to do these things consensually here. If we had some kind of consensus to finalize something on that, so that we didn't waste the work that was done in the last Parliament...

He has circulated the analysis. What do you call it, Marcus?

Mr. Marcus Pistor: It's a document outlining possible elements of a report, because there hasn't been a decision. It's there, it can be converted, formatted into a report. That's not a problem.

The Chair: Can I suggest, as a compromise, that the committee direct the researcher to prepare a report. If it's the consensus of the committee, when we see the report, that we need more time, that's fine. But at least let's move forward. I don't think we want to tread water constantly. We don't know how long this Parliament is going to exist.

Mr. Wayne Marston: Just treat it as a draft report. I have no problem with that. Then if we feel we have to get into further witnesses or whatever, we could do that.

The Chair: I think that's a reasonable compromise.

Kevin.

Mr. Kevin Sorenson: Are there recommendations included in that, Marcus? I think it's a positive. Cuba is in the news. The health of Castro is one of the things, and I think a report with some positive recommendations, at a place and time where and when it is in the news a little bit, is good. It doesn't mean we have to ratify it or give it the go-ahead next week, but I think that's a positive.

The Chair: Caroline.

[Translation]

Ms. Caroline St-Hilaire: I don't want to be misunderstood. I am not opposed to the subcommittee producing a report, on the contrary. However, I read Mr. Pistor's draft, and I am not sure that it reflects all of the consultations by the subcommittee. I consulted my colleague who was there at that time, and I have reached the conclusion that some witnesses are not mentioned in the document. I get the impression that the report is somewhat biased.

I know that it is only a first draft, but I am not sure that all the witnesses who were heard by the previous subcommittee are there. I was not there at that time and I just want to ensure that all the testimony will be taken into consideration.

The Chair: I want to tell all the members here that our researchers can help us analyze the testimony that was heard during the last Parliament. We should check whether it corresponds with what our analyst has written. I think that the report does not sufficiently criticize the Cuban regime. I would like us to add more.

[English]

I don't know if we need to do this by form of a motion or not. There is a motion on the table. I think Mr. Sorenson has moved that we direct the researcher to prepare a draft report.

Before we go to a vote on that, the idea is just to be consensual and to have a compromise. It's just to direct him to prepare something so that we have something substantive to look at. If you still have objections next week and we want more time, we can study it. But I suggest that we at least take another step forward here.

[Translation]

Ms. Caroline St-Hilaire: I feel like a troublemaker, but I don't think that putting a motion before the committee is a good idea. It's a matter of respect for our colleagues. I think that the subcommittee could ask the analyst to write this report.

Making motions without the slightest respect for procedure including the need to give notice, is not necessarily a good way to proceed. I would prefer to reach a consensus, and agree to ask the researchers to present us with a draft report. I would be more comfortable proceeding this way.

[English]

The Chair: But I think he needs a motion to do that. That's the problem.

Caroline doesn't want a motion with the absence of a Liberal MP.

Mr. Marcus Pistor: You have a discussion document, if you want to go with that. You have a base for a discussion. It would be awfully tight to get anything through to the main committee before the winter break in any case, even if we deal with that next week.

Just as a point of clarification, I prepared a short summary for the last committee a year ago. It was circulated, and we can recirculate that as well from the last Parliament. The witnesses were some of the same ones, except that this time we heard FOCAL and we had officials from CIDA and Foreign Affairs here, as well as other union groups. We didn't have a lot of hearings. We only had two in the last Parliament.

• (1255)

The Chair: There was also the Cuban-Canadian Community Group and there was the Communist Party of Canada representative, whatever his name was.

With respect to Caroline's point, then, let's direct Marcus to circulate, through the clerk, the draft report he had in the last Parliament. Again, rather than just ragging the puck on our concerns, I would invite people to come forward with suggested new language or specify our concerns in writing so that we can actually move toward a report, perhaps early in the new year.

Next week, then, by consensus, we'll just have a one-hour meeting with Mrs. Kadeer. We'll actually have an extra half an hour so we can deal with motions and so forth. You know what my preference is, but I'm trying to do this consensually.

Is that all right? Thank you.

The meeting is adjourned.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

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