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EVIDENCE

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Chair

Mr. Scott Reid

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

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•(1310)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): It is February 9, 2012, and I wish to welcome you to the 21st meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

[English]

Today we have as our witness the ever reliable Alex Neve, from the English section of Amnesty International, of which he is the Secretary General.

Our clerk was just commenting—and I want to repeat it—how grateful we are for the considerable flexibility that Mr. Neve always shows in being able to be available for us when we need him and in working around our schedule. It is very much appreciated. It is not a universally shared feature of our witnesses, because they're obviously a varied bunch.

We appreciate it. Thank you.

I do also want to welcome back our good friend Mr. Marston, who is recovering from an injury. I'm told that Wayne was wrestling with his conscience. Ultimately, he won—

Voices: Oh, oh!

The Chair: —but at the cost of considerable personal physical harm. We wish him well.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): You just have to be careful of Senate elevators.

The Chair: That's right.

Let's go right into Mr. Neve's testimony. Then we'll go to questions.

Please proceed.

Mr. Alex Neve (Secretary General, Amnesty International): Thank you very much, Mr. Chairman, and thank you for those comments expressing gratitude. I assure you the gratitude is felt right back at you. Certainly Amnesty International appreciates the fact that this subcommittee looks at so many issues that are of real concern for us, and that you welcome us here to provide our advice and views.

We certainly appreciate being here today, and in particular we welcome your decision to turn your attention to the human rights

situation in Eritrea, for two very obvious reasons. First, I welcome it because it is a country that generally receives little international attention, from Canada or anywhere else. Second, I also welcome it because the grave human rights situation in that country for so many years now—and I'm going to paint that for you today, and I'm sure you're already aware of it—certainly deserves global, including Canadian, scrutiny and pressure.

At one point, Eritrea was, on the surface at least, a positive human rights story. I think the struggle of the Eritrean people for autonomy and ultimately independence was a key element in bringing an end to the cruel rule of former Ethiopian strongman, Mengistu Haile Mariam, who had presided for some 15 years over massive human rights violations throughout Ethiopia, most certainly including what was then the Ethiopian province of Eritrea.

The brutality of the human rights violations endured by the Eritrean people was such that when Mengistu was overthrown and fled Ethiopia in 1991, leading eventually to full Eritrean independence in 1993, there was great hope and promise felt both within Eritrea and on the world stage.

Amnesty International, however, very quickly began to hear a different story coming out of Eritrea. I think back to my own experience. Back in 1992 and 1993, I was working as the coordinator for Amnesty International's refugee program here in Canada. We suddenly began to be approached by individuals fleeing Eritrea who were bringing with them stories of a cruel, autocratic government led by President Isaias Afwerki and his Eritrean People's Liberation Front—now ironically renamed the People's Front for Democracy and Justice. These individuals told us of no tolerance for dissent and of terrible human rights violations, including torture and summary killings of supporters of any and all parties other than the EPLF.

Many who fled to Canada at that time were members or sympathizers of the Eritrean Liberation Front, the ELF, an opposition group not recognized by President Afwerki. Their stories were not believed here in Canada: there was very little information available at the time. The international community still viewed Eritrea as a good-news story. Many of those individuals went into hiding or took refuge in churches rather than face deportation to Eritrea. Amnesty International intervened in many of their cases, but it was a considerable uphill struggle.

I'm really struck by how time has certainly proven those early refugees correct, very sadly so, and the years since have only seen the patterns of widespread human rights violations in Eritrea deepen and become entrenched. Almost 20 years after it gained independence, I believe most international human rights organizations and experts would agree that the human rights situation in Eritrea figures not only among the most serious and worrying in the world today, but also one that gets the least attention.

President Afwerki, of course, remains in power, and there is no indication at all that he intends to schedule long-delayed elections in the country. His party, the People's Front for Democracy and Justice, is the only political party lawfully allowed to operate in Eritrea. It certainly makes a joke of its name. I think the word "Democracy" in the title should suggest that there be more than one party allowed.

There is no independent judiciary, and Eritrean society remains unbelievably militarized. All adults face compulsory military service, which is often extended indefinitely for many years. The costs of conscription on such a massive scale, and of militarization more generally, have been crippling for a fragile national economy.

•(1315)

Humanitarian needs mount in Eritrea as well. The country was one of those hit by last year's severe drought in the Horn of Africa. The United Nations has estimated that two out of every three Eritreans are malnourished.

In the face of that overwhelming need, what do we see? Well, the Eritrean government has restricted food aid and humanitarian access, seemingly as a way of controlling and punishing the population and limiting external influence in the country. In November, the Eritrean government informed the European Union that it intended to close all EU development programs in Eritrea.

In the face of this dire situation, large numbers of Eritreans, particularly young people, continue to flee the country. The Eritrean government maintains a shoot-to-kill policy for anyone caught trying to cross the border into neighbouring countries.

There are, of course, UN Security Council sanctions in place against Eritrea, including an arms embargo, on the grounds that the country supports Somali armed groups and has failed to resolve a border dispute with neighbouring Djibouti.

Finally, the Afwerki government also continues to use the fear and suffering associated with the 1998-2001 war between Ethiopia and Eritrea as a pretext for human rights violations. Relations between the two countries remain, to say the least, tense. Ethiopia has failed to comply with the 2002 decision of the Eritrea-Ethiopia Boundary Commission to withdraw from the contested border village of Badme. The Eritrean government, though, deftly manipulates this worry about a resumption of hostilities with Ethiopia as justification for curtailment of rights in the country.

Against that backdrop, I'd like to sketch out some concerns around some key human rights concerns. I'm going to focus on the following: freedom of religion, prisoners of conscience, freedom of expression and press freedom, and military conscription. Those are the local issues in Eritrea. But I'd also like to touch on three issues with a more international dimension, including: the treatment of Eritrean refugees in other countries; an issue of corporate

accountability with a Canadian connection; and finally, possibilities for greater human rights action within the UN with respect to the situation in Eritrea.

Freedom of religion is heavily restricted in Eritrea. Only members of permitted faiths—and there are four of them: the Eritrean Orthodox church, the Roman Catholic and Lutheran churches, and Islam—are allowed to practise their religion. Members of banned minority faiths, on the other hand, face harassment, arrest, incommunicado detention, and torture. Many have been arrested while clandestinely worshipping or at religious ceremonies such as weddings and funerals. Many have died in custody.

More than 3,000 Christians from unregistered churches are in prison at this time, including more than 50 Jehovah's Witnesses. Several of the detained Jehovah's Witnesses have in fact been imprisoned since 1994—that's getting close to 20 years. In May, 64 Christians were arrested at a village near the capital, 58 of whom remained imprisoned at the end of 2011. In October there were reports that three Christians died in detention, having been arrested in 2009 when a prayer meeting in a private home was raided.

A large but unknown number of prisoners of conscience and other political prisoners continue to be held. They include critics of the government, political activists, journalists, religious practitioners, draft evaders, military deserters, and failed asylum seekers who have been forcibly sent back to Eritrea.

Many are held incommunicado, such as a group of 11 prominent politicians, former members of the governing PFDJ's Central Council, including three former cabinet ministers. They were all imprisoned back in September 2001 simply because they dared to call for democratic reform in the country. They are all held incommunicado, have not been charged or tried, and have no access to families or lawyers. There are very grave concerns about their health and the likelihood that they have been tortured and ill-treated.

•(1320)

To say the least, there is no freedom of the press. Journalistic freedom is dramatically curtailed. The government controls all media. Independent journalists have effectively been banned since 2001. Many journalists are in incommunicado detention without charge or trial. There have also been reports by Eritrean journalists outside the country, particularly those based in the United States, facing harassment and surveillance abroad by Eritrean government supporters.

Military service is compulsory, as I'm sure you realize, for both men and women over the age of 18. It involves an initial period of 18 months of service, often including forced labour on state projects, and including being forced to work for companies owned and operated by the military and ruling party elites. They are paid minimal salaries that do not come close to meeting basic needs.

The 18 months required under law can be and very often is indefinitely extended for years and years. It is also followed by reserve duties.

There are many draft evaders or military deserters, as you might imagine. The penalties they face are harsh, including torture and detention without trial.

Now I want to touch on those three issues that have a more international feel, starting with refugee concerns. Many Eritreans flee the country in the face of this unrelenting pattern of human rights abuse. Family members left behind face severe reprisals, including fines and prison sentences. Anyone caught while fleeing across the border is also treated harshly; many are shot and killed.

There are now approximately 250,000 Eritrean refugees living abroad, which is a very significant number for a country of only five million. The UNHCR in fact estimates that 3,000 Eritreans continue to flee the country every single month, so this hemorrhaging from the country is by no means coming to an end. They have issued guidelines calling on states not to forcibly return Eritrean refugees to the country. However, countries in the region regularly carry out mass deportations. Sudan, for instance, regularly hands Eritrean refugees back to the Eritrean government.

On October 17 of last year, Sudanese officials, in an outrageous example, handed over more than 300 Eritreans directly to the Eritrean military without even first screening them for the possibility of refugee status. Very notably, that coincided with a visit to Sudan by President Afwerki. Also last October, at least 83 Eritreans were deported from Egypt.

Amnesty International has sadly had to issue a series of urgent actions in recent years on behalf of Eritrean refugees at risk of imminent deportation or other human rights concerns. Just a couple of weeks ago, on January 31, we issued an urgent action on behalf of six Eritreans imprisoned in Ukraine who have been threatened and beaten and face possible deportation. On November 2 of last year, we issued an urgent action on behalf of 118 Eritrean men, all facing imminent forceable return to Eritrea from Egypt.

On July 20 of last year, an urgent action was put out on behalf of seven Eritreans facing deportation from Kenya to Eritrea. Kenyan officials were not even allowing them to make refugee claims because they had come to Kenya via other countries rather than directly from Eritrea, something that's a little difficult to do given that Eritrea and Kenya don't share a border.

Those are just three examples. We have issued many more urgent actions on behalf of Eritreans who are at risk in Libya, and in a number of European countries as well. An additional cruelty for Eritrean refugees is that they are often subjected to extreme abuse at the hands of people traffickers in the region. For instance, there are credible reports that smugglers and traffickers are holding up to 300 Eritreans hostage in Egypt's Sinai Desert—held for ransom and subjected to abuse.

• (1325)

Many appear to have been trying to reach safety in Israel. In some cases, the Egyptian authorities have carried out mass arrests of migrants in the area. They do not ascertain whether any of those arrested are victims of trafficking or asylum seekers. Most simply are then slated for deportation.

Worryingly, Egypt does not allow the UNHCR to have access to any of the migrants arrested in Sinai. Additionally, Egypt's border guards regularly shoot and kill people caught trying to cross into Israel from Sinai. At least 85 have been killed in the past five years, most of whom were Eritrean.

That's the refugee situation. I now want to touch on an issue involving a Canadian company. It's quite remarkable. It's such a closed and restricted country, I'm sure you'll agree, but notably, there's a very strong Canadian connection that thrives inside Eritrea. Canada's Nevsun Resources, headquartered in Vancouver, operates a large mine in Bisha, Eritrea—gold, silver, copper, and zinc. The mine began construction in September 2008 and went into commercial production just a year ago, in February 2011.

There have been many very serious and disturbing allegations made about poor working conditions and harsh treatment of workers at the hands of government security forces stationed in and around the mine. Amnesty International has also received credible allegations that forced labour of military conscripts is being used by local companies that have been subcontracted by Nevsun Resources. I expect that Elsa Chyrum, whom you will be hearing from next week, will have more to offer you about those concerns. Amnesty International, denied access to Eritrea, has not been able to investigate or verify the allegations. We note them, and we do feel they are troubling. The mere fact that Nevsun is operating in such a repressive country, with an appalling human rights record, carries very serious human rights responsibilities.

Given that, the description of the situation in Eritrea on Nevsun's website is, to say the least, astonishing. The political situation is summed up as: "Single party state. No corruption. UN arms embargo/sanctions have no impact" on the company. A reference to culture simply says "50% Islamic, 50% Christian", with a later reference to Christian and Muslim being the prevalent religions, "split relatively evenly across the society and in government". I don't expect a hard-hitting human rights critique, but this sort of disingenuous description of conditions in the country is deeply troubling.

A section on social responsibility does not build any greater confidence. It's mostly at the level of philanthropy and platitudes. There is no indication of a specific human rights policy or a detailed policy to deal with concerns about their relationship with Eritrean security forces. There is no evidence, either, of engaging with Eritrean authorities about the grim human rights situation in the country.

As I say, Amnesty International has not had an opportunity to look into Nevsun's operations, and we have not met with or communicated with Nevsun. Given the size of the project, the influence the company would therefore have with Eritrean officials, and the inevitability that their operations will face a range of very serious human rights challenges, I would suggest that this subcommittee might want to hear from them directly.

To add one more Canadian hook here, the Canada Pension Plan, notably, owns almost 2.5 million shares in Nevsun. To a certain degree, all Canadians are implicated by their presence in Eritrea.

Perhaps most directly relevant here is the fact that the UN Security Council, in its most recent resolution on Eritrea, resolution 2023, just adopted on December 5, 2011, has expressed concern about “the potential use of the Eritrean mining sector as a financial source to destabilize the Horn of Africa”.

• (1330)

The Security Council, therefore, calls on states that are home to companies active in the Eritrea mining sector—that would be Canada—to issue due diligence guidelines to ensure that company operations do not facilitate the violation by Eritrea of any of the numerous UN Security Council resolutions dealing with the situation in the country.

Finally, what should we do? What are the options for Canada?

I have four quick suggestions for you in my final comments.

First, obviously, evidently Canada must continue to maintain pressure on Eritrea directly in whatever ways possible and to work with other countries to push for human rights change in the country. As you might imagine, the agenda for change and reform is a lengthy one, but it is out there. Amnesty International, the UN, and human rights experts have identified the changes to law, policy, practice, and governance that need to go forward if this human rights nightmare is to turn around.

Amongst others, one focus of Canada's advocacy must be to press for an end to incommunicado detention of prisoners of conscience—and I pointed out to you earlier that the list is a long one—imprisoned for their religious beliefs or their political activities, and to press for the International Committee of the Red Cross to be given immediate full and unconditional access to all detainees.

Secondly, Canada should make a determined effort to ensure that Eritrean refugees, certainly including those who make claims in Canada, receive protection. And most critically, Canada should pressure governments in the region to stop the shameful practice of deporting Eritreans back to their country. That might mean providing greater resources to assist some of those countries with the protection of Eritreans and perhaps boosting resettlement of Eritrean refugees from neighbouring countries to Canada.

Third, Canada must engage intensively with Nevsun Resources with respect to its mine in Eritrea to ensure that it is operated in a way that strengthens human rights protection and does not contribute to human rights violations. There should be particular attention given to the possibility that forced labour is being used by Nevsun's subcontracting partners.

Canada must also move quickly to develop the due diligence guidelines that the Security Council requires of us.

Finally, Canada should consider options for increased attention by the UN Human Rights Council to the situation in Eritrea by exploring possibilities to perhaps present a resolution to an upcoming session of the Human Rights Council. It's likely too late to do so at the next one, which begins in just two weeks' time, but there are many other sessions to come.

Such a resolution amongst other things could lead to the appointment of a UN special rapporteur focused on Eritrea's human rights situation, which would be a very welcome step in finally bringing some increased international attention and scrutiny to this very sorrowful human rights situation.

Thank you. Those are my comments.

The Chair: Thank you very much.

Given the amount of time we have, we have time only for a very ruthlessly enforced five minutes each, including questions and answers.

I'm going to suggest to members that you try to have one question—put all the material you have into one question so that we can have one response from Mr. Neve. I think that will make the best use of the time that's been allocated to each of you.

We start with Mr. Sweet, and just to go through this, the order changed a little while ago. It's Conservative, NDP, Conservative, Liberal, Conservative, NDP. That's how we'll do this.

Mr. Sweet, you're first.

• (1335)

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Mr. Chair.

With such a wide open situation of human rights abuses, it's hard to even focus on one specific area. I note that Nevsun's website says they harvested 379,000 ounces of gold in 2011, and yet two-thirds of the population is malnourished. It would be interesting to hear the math on that, Mr. Chair. I think it would probably be a good idea if we were to check for a consensus at the end of this meeting regarding calling the president of Nevsun as a witness.

One of the things I'm puzzled about in particular is the countries that are around Eritrea. My understanding is that Eritrea has a reputation for being a real tormentor in the region, with al-Shabaab and insurgents going into different countries.

I have two quick questions. Why would they return these refugees when they could harm the regime by allowing these refugees—by giving them the capability—to at least move to another country and seek UNHCR support? You mentioned Israel at least once, maybe twice, with respect to Eritrean refugees trying to make it to Israel.

Has there been a significant contribution on Israel's part in receiving Eritrean refugees?

Mr. Alex Neve: I think you're absolutely right that Eritrea has a very clear and well-earned reputation as a troublemaker in the region, and it foments conflicts and human rights violations and insecurity throughout the Horn of Africa.

I think the pattern we see in terms of who is sending refugees back to Eritrea doesn't include the countries with which Eritrea has a particularly hostile relationship. We've not been documenting forced returns from Ethiopia, Djibouti, and from Somalia—if Eritreans would even want to flee to Somalia. Obviously it too is in such dire condition.

Instead, the deportations have been from countries that have an amicable or at least neutral relationship. Certainly the most immediately neighbouring countries where we have documented this have been Sudan and Egypt. A little further afield it was Libya, particularly while Gaddafi was in power.

I think the pattern of deportation fits the pattern of what kinds of relationships Eritrea has been maintaining or disturbing with its neighbouring countries. With respect to Israel, I don't have numbers myself as to how many Eritreans have been able to make it to Israel. As I told you, there is a very troubling pattern of Egyptian border guards, particularly in the Sinai area, trying to interrupt that journey, shooting and killing many Eritreans. Others are arrested and subject to deportation.

I have heard a significant number do make it into Israel. I don't think it's a huge number, but clearly it's an end point for many Eritreans. Many Eritreans do view Israel as a safe place.

Mr. David Sweet: I think I have a minute or so left. You mentioned just about every group of people, and I know you had limited time. I want to ask about women and children.

Is there any particular cruelty toward women and children? I think it's obvious whenever you talk about large-scale malnutrition, that usually is the group that suffers. Do you have any anecdotal evidence from some of the allegations that are coming out about women and children?

Mr. Alex Neve: Certainly many of the prisoners—political prisoners, prisoners of conscience, be they individuals detained because of their religious background or their political beliefs—do include women. Amnesty International has taken up many female prisoners of conscience in Eritrea.

We do know a number of instances where women have been subject to rape and other sexual violence in prison. There are certainly very serious concerns on that front. More widely, as you highlighted, very serious humanitarian concerns in Eritrea are very significant for both women and children—the consequences of the drought, most certainly.

Often families, women and children, have been left behind as many men—not only men, but often men—have tried to flee, and they have suffered serious consequences for that, including imprisonment. That certainly has often included women and children.

• (1340)

Mr. David Sweet: Thank you.

The Chair: Mr. Marston, please.

Mr. Wayne Marston: Thank you, Mr. Chair.

Mr. Neve, thank you for a very comprehensive report, as always. It's not a surprise coming from you, but this seems particularly more

pervasive—the explanation of the more pervasive violations there. I want to start by giving the government members some credit here.

I'm going to be a little critical of the government, but the government members are the ones who brought to us that we should do this study. I think it's only fair to say that. We had a situation here, as you will recall, where we tried to get Bill C-300 on corporate social responsibility through the House a few years ago, and that failed.

When I look at your comments about the guidelines from the United Nations, it's in line with the due diligence guidelines we were hoping to get through our own House. You have a United Nations mission in Eritrea and Ethiopia. Do you know if they have any access in this country? As well, is Canada a participant in that particular group?

Mr. Alex Neve: I don't know the extent of Canada's involvement in that particular initiative. Clearly there are times in which Canadians have played significant roles in various UN initiatives with respect to Ethiopia and Eritrea. Most notably, of course, Lloyd Axworthy, at a certain point was the UN special representative with respect to the Ethiopia-Eritrea situation.

Certainly there is a history of Canada being quite involved. I don't know the extent of Canadian involvement at this point.

With respect to access in Eritrea, do you mean in terms of access, for instance, for prison visits and that sort of thing?

Mr. Wayne Marston: Any access, if there's any at all, because—

Mr. Alex Neve: I do believe there is. I don't know the details, but I believe there is some UN access to the country. But access to prisoners has been a major problem. As I highlighted, we need to see the ICRC, the International Committee of the Red Cross—

Mr. Wayne Marston: Yes.

Mr. Alex Neve: —be given access. I'm not aware of any UN investigators or special rapporteurs being allowed that kind of access at all. Certainly, given the—

Mr. Wayne Marston: I'm not surprised to hear that, but I wanted to confirm one way or the other.

Has there been much said about Canada as a government, our relationship and the position on human rights in this country? I don't recall hearing too much comment from our government at all. Have you noted any?

Mr. Alex Neve: As has been the case globally, there has been very little attention in Canada to the situation in Eritrea. I don't single Canada out in particular here. I think it's reflective of a wider global phenomenon. No one has really been paying attention or has expressed much concern about the situation in Eritrea.

Clearly, if a country like Canada were to start to demonstrate some more leadership, in terms of what kind of evident bilateral pressure we're putting on the Eritrean government, but also some initiatives at multilateral settings, like the UN Human Rights Council, that may start to finally move things forward.

Mr. Wayne Marston: I certainly support what the government side has said in this, about bringing the president of this Canadian company here. I think it's crucially important that we make clear our expectations. If it's not done legislatively, it certainly can be done by bringing this to the fore, so that people understand what the potential problems could be. I'm not saying this company has done anything, but certainly the potential is there. We know in other countries that Canadian mining companies are starting to hire militia groups, which is taking us to another whole different level.

I presume I'm getting close to the end of my time.

One question does strike me. You say that it's in the 200,000 range, the people who are exiled from this country. In relation to the number of people who get out, is there any estimate as to how many have been killed? It sounds like a few get out, and it could be really a monstrous number....

Mr. Alex Neve: I don't think I've seen any reliable estimates of that figure. There has been some accounting, for instance, of refugees who have been killed outside the country, once they have made it across the border, for instance. I talked about the fact that 85 refugees trying to reach Israel, most of whom were Eritrean, have been killed in the Sinai over the last five years. But because of this impossibility of getting access to meaningful information inside the country, the numbers of individuals who are shot and killed by Eritrean forces as they're nearing the border or trying to cross into neighbouring countries is simply unknown. We know it's a very serious concern now.

• (1345)

Mr. Wayne Marston: How much pressure is being put on the diaspora here in Canada? It sounds like there's a similarity with what was happening with the Tamil Tigers.

Mr. Alex Neve: How much pressure is being put on the diaspora by the Eritrean government?

Mr. Wayne Marston: Here, yes.

Mr. Alex Neve: I think it's become very clear right around the world. While I don't have the details, I'm sure this is a concern with the community here in Canada that Eritrean government supporters, and perhaps even agents, are quite active. They exert pressure. I know in the United States there have been many reports of independent Eritrean journalists, for instance, working in the United States being subject to surveillance and harassment. So that is another serious part of the story.

Mr. Wayne Marston: Thank you.

The Chair: Mr. Hiebert, please.

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Thank you.

Mr. Neve, it's always good to see you. Thank you for being back.

With the limited time I have I want to focus on something that came to our attention at our last meeting, and that is the diaspora tax, which I don't know if you mentioned in your remarks.

Mr. Alex Neve: I did a little bit, but not much.

Mr. Russ Hiebert: We were told on Tuesday that Eritreans in other countries—expatriates, of course—are forced to give back a percentage of their income to the Eritrean government. According to

the UN Security Council resolution of last December 5, that money is used to procure arms and related material for transfers to armed opposition groups, and so on. That resolution in item number 10 condemns the use of this diaspora tax.

There was an article in the *National Post* in December a few days after this resolution was passed. It highlighted this and actually made reference to a document that my staff was able to find. It's from the consulate general of the state of Eritrea, in Toronto. It is a form that is basically used, from what we can tell, for the purpose of collecting a 2% tax on Eritreans in Canada. The suggestion is—and I can't corroborate it—that if you don't pay the tax there will be consequences.

What could our government do to prevent or ban this kind of activity? We know that a variety of international terrorist groups and other groups that have been banned in Canada do use Canada as a source of fundraising. We've talked about that before. But I'd be interested in your thoughts at this point. What do you know about this diaspora tax, and what do you think could be done about it?

Mr. Alex Neve: We haven't done our own research into the practice. We certainly know of its existence. I think you're absolutely right. What greater source do we need than the fact that this is something that has been noted and condemned in a UN Security Council resolution? The UN Security Council has called on the Eritrean government to cease the practice, but has called on other countries—which would certainly include Canada to the extent that this plays out here—to take action to back that up. What laws can or cannot be used by the Canadian government to do so would take some study. I'm sure Justice lawyers here could give you some very good advice on that front.

Clearly there's a call for action by the UN Security Council. They've come at it because they've highlighted the ways in which they feel the tax is being used in destabilizing the Horn, including the security considerations and Eritrea's support for Somalia. Those are all very serious concerns. It's not a big leap from there to imagine that the tax also provides resources that facilitate human rights violations within Eritrea itself. It could be part of the wider strategy to address the kinds of concerns I've outlined in my presentation.

The UN Security Council has called for action. Canada needs no greater reason to do something.

• (1350)

Mr. Russ Hiebert: Do you know of any other countries that have a diaspora tax in Canada? Have you heard of this from other human rights-violating countries?

Mr. Alex Neve: There are certainly allegations that have been documented in the past about ways in which the Tamil Tigers engaged in something along those lines within the Tamil community. That's the only one that I am readily aware of. I wouldn't be at all surprised if it has happened in other communities also.

Certainly expatriate communities are viewed by a whole host of people—certainly by family members, but also by governments—as an incredibly important source of revenue. I'm sure sometimes they find this a temptation that's impossible to resist.

Mr. Russ Hiebert: Can you think of any reason why a government would not want to put an end to this practice if it were happening in their country—libertarian views or otherwise?

Mr. Alex Neve: Do you mean why wouldn't Canada or any other government not take action?

Mr. Russ Hiebert: Yes.

Mr. Alex Neve: Well, I suppose sometimes you get into difficult questions about sovereignty, and these may be people with dual nationality. It is certainly open to governments to tax their nationals, even when they're living abroad. You start to get into some complicated legalities here, which Justice lawyers and others would need to work through. Clearly, as an important starting point here, we have one of the most pre-eminent sources of international authority in law—the UN Security Council—saying, “End this and take action”. I would say it's therefore incumbent upon Canada and all other countries to explore the ways to do so lawfully.

Mr. Russ Hiebert: Thank you.

The Chair: Thank you.

Professor Cotler, go ahead please.

Hon. Irwin Cotler (Mount Royal, Lib.): I just want to echo the comments about the importance of this hearing, because I think human rights in Eritrea have just not been on the radar screen in Canada or internationally. That's allowed it to foster a culture of impunity, but more out of a kind of culture of simply ignoring what is going on in Eritrea.

As a parenthetical remark, there's a rather substantial number of Eritreans in Israel. They've not been deported back to Eritrea, but neither have they been given refugee status. The Israeli law on refugee status is, frankly, underdeveloped. So they're there, but Israel doesn't know how to deal with the situation, other than not to send them back for the time being. Indeed, there's a substantial number—as I found out when I was there—of African refugees who have come from Sudan as well as from Eritrea and elsewhere into Israel.

You mentioned about the cluster and categories of violations. I was going to ask you this in terms of freedom of the press and journalists. There were, as you know, some 20 men and one woman who were arrested, a group referred to as the G15, but nothing's been heard from them since 2001. Do we know anything about the status of that group?

Mr. Alex Neve: No. You're quite right, they remain in prisons incommunicado, with no charges or trials, no access to lawyers or family members. Amnesty International did a fair bit of campaigning last year marking the tenth anniversary of their arrest and imprisonment, and it continues to highlight them as being among the most emblematic cases of this pattern of political imprisonment and prisoners of conscience in the country.

Hon. Irwin Cotler: They were a rather courageous group who had published a manifesto at one point, critical of—

Mr. Alex Neve: Yes, and they included three former cabinet ministers, some very important and influential people, who were

certainly not taking up arms, were not fomenting or encouraging criminal activity. They simply were pressing for democratic change in the country, and they've paid a very heavy price for doing so.

Hon. Irwin Cotler: We've taken up cases of people in prison elsewhere. Here you have an utterly non-violent group simply seeking democratization and expression, yet they're being held incommunicado all these years and nothing is heard of them, and not much seems to be done on their behalf. Or am I reading it wrong?

Mr. Alex Neve: I think that's very true. I do imagine that governments, including the Canadian government, have on occasion found opportunities to raise their cases with Eritrean officials and that there are governments who have made it clear that they expect and want to see those prisoners released, but against a backdrop where we're not really seeing a wider significant, concerted global campaign of pressure on Eritrea with respect to these and other human rights concerns, it doesn't deliver positive results.

Hon. Irwin Cotler: There does not appear to be any NGO access in Eritrea, but what about the United Nations, which has its own monitoring mission with regard to Eritrea? Does it have access to prisoners? Has the human rights situation been addressed by it?

Mr. Alex Neve: My understanding—I wouldn't want to say it categorically—is that it doesn't have access to prisons and detention centres, nor does the International Committee of the Red Cross. That's one of the keys, as a minimal first step, in addressing the concerns associated with the tension. It's access of that sort that we need to see open up. Certainly, none of the UN special rapporteurs are given access to Eritrea. Amnesty International, Human Rights Watch, and other international human rights organizations aren't given access. Everything about how the country is run is about restriction and secrecy. As you know, that's exactly what breeds human rights abuse.

•(1355)

Hon. Irwin Cotler: I think that's what makes your recommendations, both with regard to the Red Cross access and also about having a UN special rapporteur with regard to Eritrea, even more compelling.

Thank you for that.

Mr. Alex Neve: Obviously, even if sort of magically sometime this year the Human Rights Council were to decide to appoint a special rapporteur in Eritrea, I think at least at this point in time we can safely imagine that Eritrea wouldn't let that individual have access to the country. That wouldn't be the first time a country has refused to allow a country-specific special rapporteur in, but at least it would be a first step in the UN human rights machinery starting to demonstrate some greater concern and focus on what's happening in Eritrea.

The Chair: Thank you.

We now go to Ms. Grewal, and then we'll finish with Monsieur Ravnat.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Chair, and thank you, Mr. Neve, for your presentation.

All of us know that the United Nations has imposed sanctions on Eritrea. Could you please tell us what effects have the UN sanctions had on Eritrea's armed conflict?

Mr. Alex Neve: There is an arms embargo in place, but clearly Eritrea continues to be a very heavily militarized country with a well-armed armed forces. I don't have research to share with you to illustrate where those arms are coming from.

Unfortunately, we know we live in a world where countries regularly violate the terms of UN arms embargoes. In fact, just before joining you today, I was across the street at the CBC studio talking about Amnesty International's new report today showing the ways that China, Russia, and Belarus have been blatantly violating the UN arms embargoes with respect to Darfur, which isn't too far away.

I'm not suggesting that Russia, China, and Belarus are responsible for arms transfers into Eritrea. They often are at the top of the list, though, when it comes to countries that show disregard for UN arms embargoes. Clearly, it's a serious concern, and clearly that's yet another piece of how the international action to deal with the crisis in Eritrea is not having the effect it should.

Mrs. Nina Grewal: That's all, Mr. Chair.

The Chair: That's it?

Mrs. Nina Grewal: Yes.

The Chair: We go now to Monsieur Ravignat.

Mr. Mathieu Ravignat (Pontiac, NDP): I was worried about the human rights situation in this country before, and after your report I'm even more worried. Thank you for that very informative presentation.

The question that has long plagued me is why is it that there is an uneven defence of human rights internationally by our government, but also by other governments? You would think there'd be a relationship between the level of blatant disregard for human rights and the level of effort the Canadian government would make in order to put pressure.

In this particular case, I'd like to get your opinion as to why it is that our efforts have perhaps not been as strong as they should be.

• (1400)

Mr. Alex Neve: Oh, if only I had the answer to that. I couldn't agree more that we live in a world plagued by inconsistencies, hypocrisy, and glaring gaps when it comes to the kinds of efforts that states, on their own or multilaterally, take to deal with terrible human rights situations like the one we see in Eritrea.

I think there are some obvious explanations. Clearly, if it's a part of the world that is of limited geopolitical, commercial, or security interest, it's somewhat less likely to attract human rights scrutiny. On the other hand, if it's a part of the world with complicated, volatile, and contentious geopolitical, security, and political relationships, that often means politics trump human rights concerns. To a certain degree, I think Eritrea suffers from both of those. The Horn of Africa, the situation in Somalia, concerns about terrorism, al-Shabaab, the crucial shipping lanes of the Red Sea—these are some of the reasons that this is an important part of the world. At the same time, though, Eritrea itself is a newer country. Whatever the reason,

it has never been approached as a key player in that bigger puzzle. So I think that's a piece of it. Sometimes it's just that priorities get set and they're done on a basis that leaves some countries off the list. Eritrea's been unlucky in that regard.

In 1990-91, there was an effort to topple the brutal government of Mengistu in Ethiopia. The international community was backing these horses, was all for the Eritrean people to finally have autonomy and independence, was all for a new government to come to power in Ethiopia. Both came to pass.

I think we often see this in world affairs. States find it difficult to switch their tack when the horse they backed in the race proves to be imperfect. Eritrea and Ethiopia are sworn enemies, but in neither case are we seeing the kind of international pressure and scrutiny that's necessary to reduce human rights abuses. You wonder if this might be because these places might still be associated with good human rights stories, and many people may not have moved on to recognize more recent realities.

Mr. Mathieu Ravignat: Thank you.

The alleged collusion between mining firms and this particularly repressive government is a particular concern of mine and of all Canadians. There's another company that's active in Eritrea, NGEx, which extracts potash in the region, I believe. I don't know if you've heard of any alleged violations of human rights on their part.

Mr. Alex Neve: I don't know of that company's presence. As I said in relation to NevSun, regardless of what we do or do not know, or have or have not been able to confirm, the mere fact that a company has made a decision to operate in a country that is so repressive, that has such a pervasive pattern of widespread human rights violations, means that the possibility of being implicated in any number of ways in that country's sorry human rights situation is very strong. I say this even though it is true that no allegations against NevSun have yet been confirmed. Therefore, at a minimum, it is important to ensure that companies in that situation have clear, meaningful policies in place, policies to which they've devoted considerable attention and resources, with a view to improving the human rights situation in the countries in which they operate. I don't think we're seeing that kind of scrutiny or reporting from companies operating in Eritrea.

• (1405)

The Chair: I'm afraid that uses up the available time for that question. It actually brings our questioning to an end.

But I do have just one thing I wanted to ask. You mentioned that as long ago as almost 20 years ago you knew of some Eritreans in Canada. To what degree is there an expatriate community of Eritreans in Canada? Is it substantial?

Mr. Alex Neve: It is quite significant. I don't know the numbers, but it certainly is a community of note. They're organized, they have associations, and community centres. I know it most significantly in Toronto, but I would imagine it's present in other parts of the country as well.

The Chair: Has Amnesty been able to do any work on behalf of individuals associated with those families—you know, relatives in Canada of people who are oppressed or imprisoned in Eritrea—or is this the kind of country, as was true with Ethiopia under the Mengistu regime, where actually drawing attention to an individual did not help? What would the situation be?

Mr. Alex Neve: Sorry, do you mean are we able to work with people who are in Canada who have family members in prison back in Eritrea?

The Chair: Yes, those who have been identified as a person who, let us say, has a brother or a parent or whoever imprisoned in Eritrea. Are you able to work with them or not?

Mr. Alex Neve: We certainly have had individuals in Canada who have come to Amnesty International with that kind of information. The support we can offer is sort of the assurance that we are campaigning on those issues. As I said, even when you just think about religious followers, there are more than 3,000 religiously based prisoners of conscience in the country before you even start to look at the wider numbers. We're not able to take up every case in an individual way. Often we have to do the campaigning on issues and themes. There are some cases that we've taken up as emblematic of this much wider group of prisoners.

But certainly, whenever individuals in Canada have been able to provide us information about what's happening to their relatives, etc., back home, that's an incredibly important source of information.

The Chair: Actually, there is one last piece of contextual information that I just haven't been able to figure out. Everybody is familiar with countries in which religion A is beating up on religion B. Pick your country, and it's the Muslims beating up on the Christians, or the Hindus beating up on the Muslims, or something like that.

This is a little unusual. If I were just kind of casually putting religions together I wouldn't have thought you would get a situation where you have the Orthodox, the Muslims, the Lutherans, and the fourth one—

Mr. Alex Neve: Catholics.

The Chair: —and the Catholics kind of protected and everybody else oppressed, and out of that a significant amount of religious oppression going on. This is just an unusual situation.

Do you have any explanation as to why this is the way it is, or is it just beyond your knowledge?

Mr. Alex Neve: All I am thinking as you are asking the question is, “good question”.

I would imagine that if you go further with this study, there probably would be some sociologists or political scientists who would be able to give you some insights into that, because it is a very interesting phenomena as to why those four religions in particular are the ones that have been privileged—not to say that followers of those religions don't suffer for other reasons—

The Chair: Right, of course.

Mr. Alex Neve: —maybe not for their religious beliefs, whereas all others are so terribly vilified. It's a perplexing part of the story.

I think part of it is that there is just brutality and repression at the heart of so many decisions and policies that get set in Eritrea, and not necessarily always logic.

The Chair: Maybe it's simply that those religions have a strong enough external infrastructure to buy an exemption for their followers from the general system of abuse.

Mr. Alex Neve: Yes.

The Chair: I really appreciate that very much. Thank you for coming here again.

Thank you to all of our members.

Mr. Wayne Marston: Do you want to move a motion to invite the...?

The Chair: I'm not in a position to do that. Does someone want to do that?

Mr. David Sweet: I think if we do it at the next meeting in camera, because there are a couple of issues we need to discuss on that....

Mr. Wayne Marston: Okay.

The Chair: All right. We are adjourned.

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