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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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• (1305)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): Order, please. This is the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Today is April 26, 2012, and this is the 33rd meeting. Pursuant to Standing Order 108(2), we are studying the human rights situation in Burma, or Myanmar.

[English]

We have with us today witnesses from the Department of Foreign Affairs and International Trade, specifically Greg Giokas and Lisa Rice Madan, who are both from the Southeast Asia and Oceania Relations Division. Also, Jeff Nankivell and Leslie Norton are here from CIDA.

At the end of our meeting, following our presentations, we will do a little bit of in camera business, including a report I have to give from my recent visit to our parent committee.

Normally, we do presentations of about 10 minutes each. I will state the obvious: the more time we spend on presentations, the less we have for questions. We will adjust the time for our questions based upon dividing the available remaining time into six even slots.

Ms. Sgro was trying to get my attention; I apologize. Then I will go to Mr. Marston afterwards.

Hon. Judy Sgro (York West, Lib.): I am sitting in place of Mr. Cotler today, who is ill and unable to be here. I have a double booking of another meeting upstairs that I need to slip out to, and then I will be back. We have quorum. I wanted to make sure we had quorum to get started. I'm going to have to leave for about 10 minutes, and then I hope to get back to continue on with the meeting.

Thank you.

The Chair: Mr. Marston.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): At the end of the meeting I'm going to have to leave because I have a statement in the House today.

The Chair: Okay.

What we're doing in committee business involves no votes. It just involves reporting back. If necessary, maybe we can buttonhole each other. Actually, you probably already know what the business is.

Let's go to our witnesses. I understand that Mr. Giokas from DFAIT will go first. I welcome you, sir, to begin your presentation.

[Translation]

Mr. Greg Giokas (Director General, South, Southeast Asia and Oceania, Department of Foreign Affairs and International Trade): Mr. Chair, honourable members, thank you for your invitation to speak with you today.

I am responsible for the South and Southeast Asia and Oceania bureau at the Department of Foreign Affairs and International Trade, which includes the divisions responsible for Canada's bilateral relations with Burma.

[English]

Foreign Affairs Minister John Baird travelled to Burma on March 8, 2012. This was the first official visit to that country by a Canadian foreign minister. He conveyed Canada's hope that the progress made to date will continue and lead to further reforms. He also stated that, "We will be watching, in particular, the by-elections on April 1."

On April 24, 2012, Minister Baird announced that Canada would suspend some sanctions against Burma, which were among the toughest in the world.

[Translation]

Let me begin with a short overview of the situation in Burma which has served to inform Canadian policy in the past decades.

[English]

Burma is a country of some 60 million people, located at the crossroads of Asia, bordering India, China, and Thailand. The Burman majority is predominantly Buddhist, but the government recognizes 135 national races, which generally fall under seven major ethnic groups. These ethnic groups predominate in Burma's rugged border areas and collectively constitute roughly 40% of the country's population, while occupying as much as 60% of its territory.

Burma is approximately the size of Alberta, but its territory includes almost 2,000 kilometres of coastline and numerous islands in the Andaman Sea. A British colony until the late 1940s, it is blessed with a wide range of natural resources, including timber, precious gems and minerals, and energy in the form of natural gas deposits and hydroelectricity potential.

Despite these riches, decades of conflict, mainly in the ethnic-dominated border regions, and oppressive military rule have left the Burmese people among the poorest in the region. According to the latest UNDP data, Burma ranks 149 out of 187 countries on the Human Development Index. It is the least developed country in the Association of Southeast Asian Nations. The average life expectancy is just over 65 years.

● (1310)

[*Translation*]

The human rights in Burma have been an ongoing concern for more than two decades, including issues such as crackdowns against protesters, detention of political prisoners, and stiff restrictions on fundamental freedoms including freedom of the press, freedom of expression and freedom of assembly. There have also been well-substantiated reports that members of the Burmese military systematically committed gross human rights violations against civilians, particularly in ethnic minority communities, including forced labour, extrajudicial killings, and sexual violence.

Over the years, Canada has consistently spoken up about the human rights situation in Burma, raising this issue bilaterally at all appropriate opportunities, as well as in international forums such as the UN General Assembly and Human Rights Council. Specific concerns we have raised included the detention of hundreds of political prisoners, fighting and abuses in ethnic areas.

[*English*]

In response to these violations of human rights and fundamental freedoms in Burma, Canada, along with other western countries, imposed a range of diplomatic and economic sanctions and other measures against Burma. These have included the suspension of official development assistance; a ban on arms exports; adding Burma to the area control list; excluding Burma from the least developed country market access initiative; and finally, in 2007, a comprehensive ban on imports, exports, and investment, under the Special Economic Measures Act.

These sanctions were designed to cut off all trade with Burma, apart from exports of humanitarian goods such as food or medicines in response to a natural disaster, except if the Minister of Foreign Affairs issued a special permit. As a result, trade with Burma in 2011 consisted of roughly \$60,000 in imports and just over \$800,000 in exports, primarily the export of medical instruments.

With this background in mind, I would now like to update you on the most recent developments in Burma.

In November 2010, the country held its first general elections in 20 years. Aung San Suu Kyi was still under house arrest at the time, and her party boycotted the elections, though a number of other opposition parties did participate. Canada's Minister of Foreign Affairs, along with other members of the international community, criticized the process, which was viewed as deeply flawed, neither free nor fair.

Under Burma's current constitution, 25% of all seats in Parliament are reserved for appointed members of the military. Of the remaining seats that were contested, the regime-associated party, the Union Solidarity and Development Party, claimed an overwhelming 76.5%.

The new parliament convened for the first time in early 2011, and the new nominally civilian government led by President Thein Sein was inaugurated in the spring. This represented the completion of the road map to democracy that had been laid out by the military regime.

Since that time, the Burmese government has embarked on a remarkably reformist path, which has already led to an improvement in the human rights situation, with more steps promised. In the spring of 2011, a small number of political prisoners were released as part of broader prisoner amnesties. More significantly, over 200 were released in October 2011, and in January 2012 a further 650 were released, including several high-profile dissidents and political figures.

Aung San Suu Kyi was herself released from house arrest within days of the 2010 elections. To date, her safety and freedom to travel within the country have basically been protected, unlike on past occasions when she was briefly released but continued to be harassed and was eventually re-arrested.

In August 2011 and again in April of this year, she met personally with the president and has also met on several occasions with other high-ranking members of the government. She has stated publicly that she believes the president is sincerely committed to reform.

Following changes to the country's election laws in late 2011, her party decided to re-register and ultimately to participate in by-elections held on April 1, 2012. These by-elections were to fill 48 seats in state and national assemblies vacated last year by appointments to cabinet. Burmese ministers do not continue to serve as MPs.

By-elections in three constituencies in Kachin state were cancelled, and an NLD candidate was disqualified in one other constituency. Nevertheless, the NLD won 43 of the 44 seats they contested, with Aung San Suu Kyi personally running and winning a seat for the very first time. This is a historic development, even though it gives the NLD fewer than 7% of the seats in Parliament.

● (1315)

Other positive steps have included the signing of ceasefire agreements between the government and most ethnic armed groups. Fighting between the government and these various groups has gone on intermittently for decades and flared up in eastern Burma after the 2010 elections, so new ceasefires are a welcome development. These ceasefires must be followed by more comprehensive peace and reconciliation talks and agreements, but we are encouraged that the government appears to be willing to engage in dialogue.

These and several other developments suggest that Burma is at last beginning to move along a more hopeful and democratic path; however, several concerns remain. It is believed that a significant number of political prisoners, possibly in the hundreds, remain in detention. Canada continues to urge the government to unconditionally release all remaining political prisoners. Despite ceasefires in other areas, fighting continues in Kachin state, and human rights organizations continue to document practices such as the planting of land mines on villagers' property, recruitment of child soldiers and forced porters, and violence—including sexual violence—against civilians. Moreover, access to conflict-affected areas by international humanitarian organizations has been very limited. In his most recent report in March 2012, the UN Special Rapporteur on Human Rights in Myanmar, Tomás Quintana, welcomed positive changes in Burma but flagged several other areas still in need of major improvement, including treatment of prisoners, consistency of certain laws and provisions of the constitution with international human rights standards, and reform of the judiciary.

[Translation]

I would be happy to respond to your questions about the situation in Burma and Canada's Burma policy.

[English]

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[Translation]

Thank you very much.

[English]

The Chair: Thank you very much. That was a very well-timed presentation. I always keep track of these things, and you took 10 minutes and 15 seconds, which is as close to perfection as we can realistically expect.

I gather from the fact that you've been shuffling your papers, Mr. Nankivell, that you're the one doing the presentation on behalf of your agency.

Mr. Jeff Nankivell (Acting Regional Director General, Asia, Canadian International Development Agency): That's correct.

The Chair: All right. Please fire away.

Mr. Jeff Nankivell: Thank you, Mr. Chair, honourable members.

Thank you for the invitation to appear this afternoon. I'm pleased to be here. As the regional director general for Asia in the geographic programs branch, I am responsible for CIDA's bilateral development programming in Asia—with the exception of Afghanistan and Pakistan. My colleague, Leslie Norton, is the director general of the international humanitarian assistance programs in the multilateral and global programs branch of CIDA and is responsible there for our global humanitarian assistance programming.

[Translation]

Burma's development challenges are significant. According to the 2011 UN Human Development Report, Burma ranked 149th out of 187 countries on a composite measure of income per capita, life expectancy and education levels. In the border regions where fighting continues between the national army and armed non-state

ethnic groups, there is evidence that the depth of poverty is considerably greater than the national average for Burma. In addition to impeding long-term social and economic development in the affected regions, these long-standing conflicts have resulted in widespread displacement within Burma and migration across borders.

• (1320)

[English]

From 1950 to 1988, Canada provided over \$100 million in official development assistance to Burma. Assistance was directed toward areas such as agriculture, forestry, health, and industrial development, with the occasional provision of food aid.

Following the Burmese army's massacre of pro-democracy demonstrators in 1988, Canada suspended bilateral development assistance to Burma. In 2007, Canadian sanctions were strengthened through the special economic measures (Burma) regulations. Under these sanctions, the provision of development assistance other than humanitarian assistance was only possible through a special permit from the Minister of Foreign Affairs.

While the easing of sanctions removes this constraint to Canada providing long-term bilateral development assistance in Burma, at the present time Canada does not have a bilateral development program inside Burma, nor do we provide any official development assistance directly to the Government of Burma.

Under Canadian sanctions, provision of humanitarian assistance in support of crisis-affected people within Burma was permitted. As elsewhere in the world, CIDA provides humanitarian assistance on the basis of need and in response to appeals issued by experienced humanitarian organizations in the UN system, the Red Cross movement, and Canadian NGOs.

In Burma, CIDA has provided humanitarian assistance to help people affected by natural disasters, conflict, and statelessness. Between fiscal year 2009 and fiscal year 2011, CIDA's humanitarian assistance in Burma totalled approximately \$29 million. Twenty-five million of this was provided in response to Cyclone Nargis, which struck southern Burma in May 2008, killing 140,000 people and severely affecting 2.4 million others. That sum includes \$11.6 million provided by the Government of Canada through a fund set up to match Canadians' charitable contributions in response to the disaster.

CIDA support helped humanitarian partners achieve important results, including the provision of life-saving food assistance to some one million people, emergency shelter material to over 350,000 families, and essential household and hygiene items to over 800,000 people.

[Translation]

In fiscal years 2011 and 2012, CIDA's humanitarian assistance to Burma included \$3.5 million to the United Nations World Food Program. Results of this included, in 2011, in northern Rakhine State, provision by WFP of a monthly food basket during the six-month lean season to 70,000 particularly vulnerable households, as well as supporting the regular school attendance of 113,000 students through the provision of a monthly rice ration.

[English]

Since 1988, CIDA has also provided assistance to displaced Burmese migrants and refugees through a border area programming approach. The current phase of this programming, which runs until 2015, is the Burma border assistance program, implemented by the Canadian NGO Inter Pares with a five-year budget from CIDA of \$15.9 million.

This initiative delivers food, fuel, and shelter to approximately 145,000 refugees in camps in Thailand, as well as health care services for 500,000 displaced Burmese living in border areas. I would note that we have some folks from Inter Pares in the room with us today.

Under this program, with CIDA support, over one million cases of malaria, acute respiratory infections, TB, and severe malnutrition have been treated. This same initiative is helping to improve the capacity of over 50 civil society organizations to access, document, and disseminate information on human rights, including women's rights, and on environmental sustainability.

My colleague Leslie Norton and I are pleased to join our colleagues from Foreign Affairs in answering your questions.

Merci.

The Chair: Thank you very much.

All right. We have 26 minutes left, but since that's not divisible by six, we're going to give you each six minutes and hopefully we'll have two minutes left over for especially interesting answers.

We'll start with Mr. Hiebert.

• (1325)

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Thank you all for being here. I appreciate your attendance and the information you've provided.

I wanted to start by finding out if there's been any corresponding increase in other freedoms, especially as it relates to freedom of the press, that complements the reforms the Government of Burma has initiated toward democratic reform.

Mr. Greg Giokas: The signs are very good, in fact, but it remains to be seen exactly how this will play out over the coming year or two. The fact that there was a decent election and that Aung San Suu Kyi, who previously could not be seen in public pictures or images or statements...the country was basically festooned with pictures of her and she was speaking publicly and running for office. So that was an important first step.

Also, in the past 18 months they've been unblocking Internet access. At last count, 30,000 websites had been unblocked. Twitter

and Facebook, things like that...so social media are starting to be freed up for internal people-to-people communications, that sort of thing.

Over 200 publications, mostly sports and entertainment, are now free for publication, but news is still subject to a censorship review. Whether it is actually going to be completely censored or not is another question, but these are the types of things that we want to be looking at as this unfolds.

As you know, the minister announced the suspension of sanctions and that there's a willingness to reimpose sanctions if conditions warrant. So that's the condition we're in.

There was a press report today on the president announcing that he would put forward a new broadcast law. Their first broadcast media law is being drafted and is likely to be implemented by the end of this year.

Mr. Russ Hiebert: [Inaudible—Editor]

Mr. Greg Giokas: Again, we will see. The movement is really in the right direction on many fronts, but it's a difficult situation. As both my colleague and I have pointed out, this is an impoverished country. It has been under military rule for decades. It has been shut off from much of the world. There's much to be done, so they're going to have to carefully calibrate how they develop the various freedoms that are necessary for a democratic and free society, which is the basis for economic prosperity, while at the same time ensuring that there is some economic prosperity so that people are assured that they can seek their livelihoods successfully while all of this is happening.

Mr. Russ Hiebert: Mr. Giokas, I noticed in your opening statement that there were by-elections on April 1, but at least three of the by-elections in the Kachin state in the north were suspended. It's my understanding they were suspended due to violence. We've also been getting reports about ongoing religious persecution, the burning of churches and what have you in that region. Can you provide us any sense as to what's going on in different pockets within the country? The overall picture is positive, but there are still some specific concerns about certain areas, including the Rohingya Muslims in the south.

Mr. Greg Giokas: Absolutely. This is the concern we have, that there are areas of insurgency, conflict, particularly with the Kachins. It's hard to give you a direct assessment because we don't yet have people on the ground who can travel to these regions and investigate for themselves. This is part of the opening up that we're looking forward to, to engage with the Government of Burma on these types of issues.

In the area of religious freedom, there are concerns, very definitely. It is also listed by the United States as a country of concern for religious freedoms.

The short answer to the question is a repetition of the reasons why we would suspend sanctions and want to monitor carefully what is going on, in order to encourage but also to ensure that there's due process and due respect given to the areas of concern that resulted in these sanctions in the first place.

• (1330)

Mr. Russ Hiebert: Do we have any idea how many additional political prisoners are still in captivity? With the lifting of sanctions, which is a kind of response to good behaviour, do we still have that level of influence or engagement under those circumstances? They're getting the freedom to access our markets, our exports, but do we still have the influence to help these prisoners be released and to see further reforms?

Mr. Greg Giokas: To our best understanding, and it is an assessment and an estimate to a large extent, there are concerns about prisoners of conscience or political prisoners remaining in detention. There could be hundreds—our estimate is up to 1,000, but these are estimates.

The real question, and I guess why we are here today, is what can we do in order to encourage, facilitate, and assist in democratic development and change? The suspension of sanctions enables us to engage with these issues. Whether that is a question of losing influence or gaining influence remains to be seen; we don't know yet. But the enthusiasm that the world has shown, that Canadians have shown, that our allies and people in those countries have shown for the opening up of Burma to democratic principles, the espousal, apparently sincere, backed up by actions that show a willingness to implement democratic legislation, to entertain debate in their Parliament.... For the first time ministers are answering questions on fundamental issues of poverty alleviation, principles of freedom and justice. So they're doing the right things. That is to be encouraged, and we hope to engage with them to encourage it more.

The Chair: Thank you.

Mr. Marston, go ahead, please.

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

I appreciate the witnesses being here today. Prior to the election, when we first heard they were going to allow 159 observers into the country, it felt almost like a wave of change on many fronts. To us, it seemed like a very significant change.

My question concerns the recent election on the ground at the polling stations. Are there reports that it was fairly open, that it didn't have anything close to the level of intimidation that was there in the past? Anybody can answer; I'm not looking for any particular person.

Mr. Greg Giokas: The short answer is yes. There were concerns. Aung San Suu Kyi herself highlighted some issues of concern—people who were apparently dead who were registered to vote, these sorts of things.

One could get into various aspects of the electoral process in each and every one of the electoral districts, but the result in many ways spoke for itself. If there was election rigging going on of any significant dimension by people who had a stake in rigging those elections, they certainly failed. We had monitors on the ground who reported that it looked fairly good, but they didn't have proper access; they were observers more than monitors. This was not a process that was really scrutinized in great detail by experts in the area of election monitoring.

I think the simple answer to the question is that the results speak for themselves.

Mr. Wayne Marston: Countries with a far better reputation than this country still have a lot of problems with their elections, to this day. Compared to the treatment of people in the past, we've got to look upon this as a very serious move.

In some of the background papers we're reading, I note the fact that of the 16 ethnic minorities, seven haven't signed a ceasefire. Anyway, I think we've got quite a bit to be optimistic about. Do you have any information on the reasons they may not have chosen to? What are the chances that they will?

• (1335)

Mr. Greg Giokas: We're always hopeful, of course. One of the things we've noticed is that the civilian government doesn't necessarily control the military. There have been orders from the civilian government to implement ceasefires, and some of these orders have been ignored in Kachin state.

The fundamental issue we keep coming back to is why the Burmese government is moving ahead like this. It's basically self-interest. We are willing to engage in support, but they have their own interests, and according to what they say about themselves, this is the motivating factor. They know they have to deal with ethnic tensions in their country, so this is something they're moving forward on. How successful they will be will depend on the attitude of the groups they're dealing with, some of which have their own issues. But we've seen progress. We hope to see more, and we believe the Government of Burma wishes to facilitate this by doing many of the right things. They still have to get complete control.

This will come up perhaps in other answers in our discussion, so I'll mention this now. There is a huge issue of capacity. They are charging ahead with reforms that they don't really have the capacity to implement properly. This is one of the major issues that could assist or hinder the development of prosperity and security and peaceful and harmonious relations in Burma.

Mr. Wayne Marston: We also have the issue of the people who fled the country and will probably at some point want to return. That's going to add another significant burden. In the area of the carrot and the stick, the stick seems to have worked. I think it's the sanctions that drove them to this. I don't think we've seen indications from the military that they would make this change unless they felt they had to.

In the UN periodic review that took place recently in the visit from the UN special rapporteur, they were talking about ill treatment of people in interrogation. Was anybody from either of these departments part of that periodic review on Canada's behalf? No? We wouldn't normally as a government come back to folks like yourselves for advice. It just strikes me that if we're going to be reviewing a nation you need to have some pretty good background to work from.

Mr. Greg Giokas: The UN process of periodic reviews is one where we will have comments, but this particular review is not one that we participated in directly.

Mr. Wayne Marston: I was looking for whether we had taken part in this or whether there were any officials we could contact, because that would have given us a different point of reference. The background you would work from there would be very good information for this committee.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Marston.

We go now to Mr. Sweet.

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

It's no surprise that I agree with the government's position in lifting the sanctions. The European Union has also done that. The United States hasn't so far. In fact, it commented on the conditions that are still there.

I'm very positive and excited about what is going on, of course. We all celebrate the fact that Aung San Suu Kyi is not only free but actually elected, which is extraordinary. But I think there's room for a modicum of cynicism. These elections were robust and free and fair from everything that we were able to observe, but they were only 10% of the Parliament, because these ministers can't stay in Parliament.

I'm wondering if this is a sobering thought as we take a look at this development. I ask this question in an overall positive nature, in the spirit of what I think everybody feels about what's happening in Burma or Myanmar.

Mr. Greg Giokas: Certainly the timeline we end up with—which works, in fact—is 2015, when general elections are to take place.

So that provides a bookend that is really quite useful, from both perspectives. It also conditions the Burmese government to understand that there will be intense scrutiny of those elections, and it will be the appropriate type of scrutiny, not just observers but proper monitors and that sort of thing.

So let's take yes for an answer for now and work with it, and see how far we can get with this and measure progress on all those many important elements of “yes” that we need to see demonstrated. But they will require capacity building.

One of the areas our minister has expressed interest in is parliamentary exchanges or contacts with the Government of Burma. He has mentioned publicly that this would be a good starting point, to engage not just with the opposition parties but also with government members. What is it like to be a member of parliament in a functioning democracy? How do you deal with the many stresses and pressures and requests and different social pressures that you receive?

● (1340)

Mr. David Sweet: Frankly, that would deal with your capacity issue as well, the fact that so much reform is required. Really, the history, the institutions, and the experience aren't there at all. So they really need that capability to be able to have the mentors and the benchmarking to really move forward.

The other thing is there's some news coming out of Burma now that Aung San Suu Kyi and her party have said they have some real concerns about the oath of office that needs to be taken. That brings me to a question I wanted to ask as well. Have we received any indication from the Burmese government that it is prepared to deal, for the long term, with the 25% of seats that are set aside for the military? To us it's thoroughly undemocratic, and it's absolutely not a

way a constitutional democracy would work. Have you had any indication from the Burmese government in that regard?

Mr. Greg Giokas: What we have is essentially from public records and press reports. Initially President Thein Sein was in Japan when this issue came up, and the report was that he was not comfortable discussing the oath that members of parliament have to swear in order to enter parliament.

Since then there has been a little bit of a modification in that stance and an indication that within the next little while they could come up with something. Frankly, from a distance, right from the very start it didn't look like necessarily the best issue to take on, but it was an important issue. The issue that the new members of parliament are speaking to is the constitution, which provides for this safeguarding of 25% of the seats for the military. An amendment to the constitution requires a vote of three-quarters of the parliament. They don't have those votes. Over time they will have to get those votes if they wish to amend that particular aspect of the constitution.

This is now, I would suggest, a domestic issue to a large extent in which we have a great deal of interest, but if they're going to develop a functioning democracy, they're going to have to deal with these things in a democratic fashion. It's not the most appealing representation of a democratic system, but it's not unusual in many countries where there have been coups or military takeovers or military involvement in governance in a big way that it takes many, many years—even decades—to move out of that. This is in fact a very clear and concrete expression of it. It's in the constitution. It's 25%. It's mandated. So there's clarity about what you have to change.

Going back to the oath, we're hopeful that this will be resolved soon.

Mr. David Sweet: You're correct. We're really asking these questions from the Emerald City, with centuries of democratic history behind us. There's no question but we want to take a look at those indicators.

I also wanted to ask you about NGOs. They're another measure. Are they getting freer access now?

● (1345)

Mr. Greg Giokas: My understanding is yes—and, Jeff, you may have a little bit more on this—but in fact our understanding is that international NGOs in particular are able to operate in areas where they want to, but in a limited function. The reporting that we get is that there is generally good support and ability to operate in health and humanitarian areas.

Mr. David Sweet: Thank you, Mr. Chair.

The Chair: Ms. Sgro, please feel free to continue.

Hon. Judy Sgro: Thank you, Chair.

It's good to have you here today.

Following up on that and the concerns about capacity and certainly our immense desire to see things continue to go in a positive direction there.... From a capacity perspective, from either Foreign Affairs or CIDA, what's your capacity to be able to assist and see that that is the ultimate goal? What's the capacity of either one of your departments to be able to give them the assistance they need to move forward?

Mr. Greg Giokas: I'll speak very briefly to that and then pass it over to my colleague, who also has a little bit more information, I believe, on the operation of NGOs.

We'll be having a mission going in from our embassy in Bangkok, and an official or two from Ottawa, to go and look at what areas of programming could be contemplated. We have done some modest programming outside of Burma, of course. But now is the time to start looking at what we can do with the mechanisms that we have in order to provide support.

Canada is generally very good at doing quite a bit with the means we have, so I would suggest that we do have a good starting point. We have abilities in areas of interest to them. The first area that our minister has highlighted is parliamentary contact and exchanges of information and support.

That would be it from our department. I'll turn it over to my CIDA colleague.

Mr. Jeff Nankivell: Thank you.

First, as an addendum to my colleague's answer on the question of NGO access, we have, through our CIDA border areas programming, just a very small window on a slice of life in Burma as seen from the border, and we work indirectly with over 50 NGOs based in border areas in the neighbouring countries, principally Thailand but also in the other neighbouring countries. What we are hearing anecdotally from some of them is that they are seeing some improvement in their ability to do things. Some of them are people who go in and out of Burma. Some media organizations that we support report that their websites are no longer blocked in Burma. They can track where the visits to their websites are coming from and they're seeing a definite increase in the traffic on their websites from readers within Burma, so that's encouraging.

At the same time, access is a really big issue for anyone wanting to help in Burma, especially in the border regions and in those places where ceasefire arrangements have not been concluded yet. It's very difficult to get to populations in these border regions. Typically they are so-called ethnic minority populations and it's very hard to access them from within Burma. It can also be difficult to access them from outside, of course.

We have anecdotal stories of some definite changes in the last six months, but still there are huge challenges.

On the question of capacity to assist, in CIDA we are monitoring the developments in Burma very closely. We're encouraged by the changes that have taken place. We have been providing humanitarian assistance, as I mentioned in my statement, and we have been providing assistance to the communities of displaced persons and refugees in the border areas.

CIDA is not opening a bilateral program in Burma at this time. We're monitoring the situation closely. We have staff in the region in Southeast Asia who are in touch with other donor agencies—the UN agencies as well as the international financial institutions, the World Bank and the Asian Development Bank, and bilateral donor agencies, countries like the United Kingdom, Australia, and the U. S. We are in touch with them about what they are doing, but as Mr. Giokas mentioned, the Canadian capacity to be involved on the ground is extremely limited at this time.

• (1350)

Hon. Judy Sgro: What are the steps the Government of Burma needs to take in order to assure the world that they really are on the way to reform?

Mr. Greg Giokas: They need to more or less put in place what they're talking about. It has been more than just good talk; they've been backing it up with actions. Very often in situations like this we see statements for international public consumption and then actions that defy the intent or apparent intent of the statement. They appear to be doing what they're saying, in other words, developing democratic instances in their institutions and dealing with media freedom and freedom of people.

They really have to deal with a lot of these border conflicts. They have to find a way through this. That's one key ingredient. They are making those attempts, but they have to keep making them. I imagine they will also have to get more appropriate civilian control over all the institutions of their government.

The other thing is economic development. This is where the sanctions have likely had an effect. They will want to attract investment. They will want to see employment. They will want to see economic activity for their people. Without that, everything else will likely become problematic. So there's an economic piece to this that really needs to be developed, and that's where western expertise, technology, innovation, and ability will come in handy. In order for that to succeed, they will need to have the appropriate mechanisms.

As we sit now, it would have to be a brave and bold company to invest in that environment. There's a desperate lack of infrastructure. There's virtually no cellphone capacity, so communications are difficult. The government has been controlled by the military, which will for some time have personal and physical linkages with the important infrastructure and development in that country. They will need to work on a set piece of institutions and architecture to attract the type of investment they will require to create prosperity in their country.

Those things all fit with democratic development. If you have a situation where you're denying your people fundamental freedoms, you're not allowing them to free up their innovative capacity either. If you allow them to free up their innovative capacity and you don't want that to turn into riots in the street, you need to have them gainfully employed or feeling that there are prospects, hope, and a future for them and their families.

That is where we sit now.

Hon. Judy Sgro: Thank you very much, Mr. Chair.

The Chair: Thank you very much.

Mr. Van Kesteren, please.

• (1355)

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Thank you for appearing before us today. It's good to see you.

Jeff, I'm curious. As you're aware, CIDA's efforts are centred mostly in Africa, but we were talking about how we can pair up with industries to develop aid. I believe you were with us at one of our proceedings just recently.

We just heard that there isn't a whole lot of industry going on, but what about microfinancing? Is there opportunity? We know that as Burma begins to move out of this dark period in their history, the industry and commerce of the nation...that has sometimes proven to be the best method for us to help other countries.

Is there any opportunity for micro-financing? Has any of that been happening? Is CIDA involved with any of that in Burma at this time?

Mr. Jeff Nankivell: CIDA is not involved with that in Burma as we don't have and are not now opening a bilateral program.

With respect to other donor countries and the multilateral agencies, we understand that what these other agencies are doing in development assistance, given the very weak capacity in Burma and the poverty and the needs on the ground, is focused on basic health and education needs. They are helping to deal with water and sanitation issues and infectious diseases. These are the kinds of things one deals with on an emergency basis.

There's no question that the way forward for economic development in a country like Burma will depend on building up that kind of grassroots economic development, where microfinance plays a critical role. But it would be premature for me to speculate now about what that might mean for CIDA. It's certainly one of the things we are looking at, as you've heard in other sessions. And it's something we're looking at everywhere in the world now when we're looking at challenges of economic development and sustainable economic growth.

Mr. Dave Van Kesteren: Maybe I can just direct my questions to Foreign Affairs.

You mentioned that it would take a brave company, indeed, to set up shop in Burma at the present. Are there any Canadian companies operating in Burma at this time?

Mr. Greg Giokas: There are none. The sanctions have been very effective.

Mr. Dave Van Kesteren: Is there no movement to change that at this particular time? Will there be an opening available when the sanctions are lifted?

Mr. Greg Giokas: Yes, of course. It would be possible now for Canadian companies to get involved in Burma and look at economic opportunities and investment opportunities. The minister just this week announced the suspension of sanctions.

Mr. Dave Van Kesteren: Okay, so who filled the void at the time when most of these companies from the west left?

Mr. Greg Giokas: It was China, Thailand, and India, as well, to a certain extent.

It's a mineral-rich country. There is also gas, and there are deposits that have been.... Under the American and European sanctions, there was a grandfathering of companies that were already active. So Chevron has been active. Total, out of France, has the largest foreign presence in Burma, which is about 100 employees, we understand. That's not very big for a foreign presence in the oil and gas sector.

Again, this has been the effect of sanctions. You don't have that type of economic activity. And you have investment from a limited number of countries that have specific interests, which are also in their own particular interest. You become a country that needs this

type of economic activity, and you take a careful look at how you attract it. This is why we believe, from everything we've heard so far, that this is a very sincere attempt to open up the country to democratic institutions to ensure prosperity and stability for their people.

• (1400)

The Chair: You have one minute left.

Mr. Dave Van Kesteren: You mentioned earlier that you are encouraging parliamentarians to visit. Has the foreign affairs department begun some possible missions in that regard? Is there opportunity, possibly, to send a delegation there? Is that something you've looked into?

Mr. Greg Giokas: Not yet. The minister's announcement, his expression of interest in seeing engagement with the Burmese parliament, is all very recent.

Mr. Russ Hiebert: May I take the remaining seconds to follow up on my other questions?

We've seen tremendous progress in the country in terms of democratic reform, and I want to acknowledge that. But I want to follow up briefly on what's happening in the Kachin state, because it's very unique. The Burmese army has broken a 17-year ceasefire. They're very active. They've moved in battalions, according to Human Rights Watch reports.

I wonder why. When there's this outbreak of democratic reform throughout the rest of the country, and at the same time a dramatic increase in violence and conflict in the Kachin state in the north, I wonder if it is related to the natural resources there. Is it ethnic or religious? Is it related to China's influence in putting a transnational pipeline through the region? I'd be interested in your thoughts.

Mr. Greg Giokas: And literally they will be just thoughts, because we don't have concrete answers to a lot of that. I think all of those are excellent questions that we will need to ask the Government of Burma: what is going on? An important aspect of the progress forward is getting a clear understanding of why this is still happening and what needs to be done in order to stop it and achieve a greater degree of social stability in that particular region. But it is a resource-rich region. It is an ethnic group with which the Government of Burma has had difficulties, and they continue.

As peace is breaking out and progress is happening and enthusiasm is being expressed and countries are willing to engage, we still have this question mark as to what needs to be done in order to help this end.

The Chair: We will now go to Monsieur Jacob.

[Translation]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): My question is for Mr. Giokas or Ms. Rice Madan.

Your opening remarks included the following: In his most recent report in March 2012, the UN Special Rapporteur on Human Rights in Myanmar, Tomas Quintana, welcomed positive changes in Burma but flagged several other areas still in need of major improvement, including treatment of prisoners, consistency of certain laws and provisions of the constitution with international human rights standards, and reform of the judiciary.

In 2011, as part of the United Nations Human Rights Council, Canada made very specific recommendations to the Myanmar government on the controlling forces, the human rights training needed, banning the use of anti-personnel mines, cooperating with respect to the free circulation of human rights information around the country, the standards aimed at limiting restrictions on fundamental freedoms of expression, of assembly, of association, of the press and of religion, as well as reforming the judiciary. We also recommended immediate investigation into extrajudicial killings, the recruitment of child soldiers, torture, sexual maltreatment, forced labour and slavery, and the immediate liberation of prisoners held solely because of peaceful political activities or because of their ethnic or religious affiliation.

Are those recommendations still relevant in 2012?

Mr. Greg Giokas: Yes, they are in some respects. This is exactly the question we are asking in order to follow up on Burma's social and democratic development. The legislative authorities have basically been doing a good job for about a year. These people have also created a national commission on human rights. The judicial role is still a little difficult, but the authorities also seem willing to consider improvements in that area. The 2008 constitution includes provisions on the fundamental human rights of citizens. We can list a series of aspects that give us hope to the extent that there is progress. However, when we look at Canada's expectations, for example, we see that the list is really long.

We were surprised by the willingness and capacity that have been shown to turn that willingness into action. That's why the sanctions by Canada and other countries have now been suspended. There is a desire and a willingness to be productively engaged with Burma at several levels.

• (1405)

Mr. Pierre Jacob: So it seems that we are walking the talk, as we say. We assume it is in good faith.

I know that Canada, Europe and the United States, in particular, have been open to the good faith that Burma seems to be concretely showing, but with respect to carrying out these recommendations and improving these rights, are there any specific time frames?

Mr. Greg Giokas: Not exactly. I should say that this process involving the government is just getting started. Everything needs to be discussed, and the standards, phases, measurable aspects and so on need to be determined.

However, as we noted earlier today, elections are scheduled for 2015. So for the good of the country and our confidence in the developments and progress that Burma wants to achieve, there will have to be improvements that lead to general elections that will be free and fair this time. Targeting this objective, in order to work together and make the improvements needed so that elections bring the country to a second phase of development, is beneficial both for the Burmese government and for us.

Mr. Pierre Jacob: I like the expression "work together".

Thank you, Mr. Chair. I have no more questions.

[*English*]

The Chair: Perfect. That was exactly six minutes.

Thank you very much. We appreciate our witnesses coming in.

We have a bit of committee business that we have to wrap up, and the clock is running. I'm going to thank you all and ask you to leave, because we have to go in camera.

Thank you very much. We will suspend momentarily while we allow people to leave the room.

[*Proceedings continue in camera*]

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