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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)): Order, please.

Welcome to the 59th meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Today is March 10, 2015.

[English]

We are televised today.

We are following up on a study of the Inter Pares program in Burma.

We have with us today a series of witnesses from Inter Pares. I apologize for the fact that I only have three of you listed here on my list, but I can see, going from my left to my right, that we have Kevin Malseed, Rebecca Wolsak, Wahkushee Tenner, Jessica Nhkum, Philippa Curwen, and Htwe Htwe.

The way this committee works is, unfortunately, we always have a little bit less than an hour. We have to allow time for questions from each of the six MPs sitting here, but you give your presentation first.

Because of the fact that you were being rushed in here while the other committee was clearing out, I have not had a chance to ask how you propose to do your presentation. Is it one presenter or two presenters? Rebecca Wolsak, are you the person I should be negotiating this with?

Ms. Rebecca Wolsak (Program Manager, Inter Pares): I can explain. I was going to give you some introductory remarks, then Wahkushee was going to present, and then Jessica. Then all of us are available to answer questions.

The Chair: Okay.

Normally what we do is we try to keep our introductory section, including all the people who are doing introductions, down to about 10 minutes. We're not going to do anything awful if you go over, but that's what we prefer. That allows enough time for decent question and answer sessions, which are built around delving more deeply into the areas that you raised in your initial testimony.

With that said, we're glad to have you here. We're honoured you could arrive. We're thankful for your patience both with my pronunciation and with the issues of getting the meeting ready to go.

I will turn the floor over to you, Ms. Wolsak.

Ms. Rebecca Wolsak: Good afternoon. Thank you for giving us this opportunity to speak with you today.

I want to take a moment to commend you on your 2013 study of the human rights context in Burma and its excellent recommendations.

I work at Inter Pares. We're a small Canadian social justice organization based here in Ottawa. Before passing the floor to my colleagues from Burma, I want to note that the amazing work they do is part of a large Burma program that is funded by the Government of Canada and managed by Inter Pares.

We've been working with people from Burma since 1991. For much of the past 20 years we have had significant financial support from CIDA and now the Department of Foreign Affairs, Trade and Development. The focus of our work is in the conflict-impacted communities in Burma.

By way of introduction, I want to make one point.

Burma has two intertwined struggles: the fight for democracy and for ethnic autonomy.

Over the past four years we have seen some progress in the democracy movement. This progress is often somewhat superficial, and we have sadly seen backsliding over the past year.

Just today, hundreds of riot police cracked down on peaceful student protesters north of Rangoon. An estimated 100 people were badly beaten and over 120 were arrested. Those attacked included protestors, villagers, medics, monks, and media.

In terms of the struggle for ethnic autonomy, it's important to note that about 40% of the population identifies as an ethnic nationality. There has been conflict in the ethnic states for the past 60 years. This conflict is rooted in ethnic people's desire to have some control over their own lives, to be able to speak their own languages, to practise their religions, and to manage their own social services, education, and resources. In general they aspire to a federal system much like we have in Canada. There has been very little progress on these aspirations.

We firmly believe that democracy and sustainable peace in Burma will only be possible if they are inclusive processes and if ethnic aspirations are addressed.

With that, I will pass the floor to Wahkushee.

•(1315)

Ms. Wahkushee Tenner (Joint General Secretary, Women's League of Burma , Member of Karen Women Organization, Inter Pares): My name is Wahkushee. I'm ethnic Karen, and I come from southeast Burma. Thank you very much for having me here to speak to you today.

First, I would like to say thank you very much to the Canadian government for their long support of ethnic civil society organizations and direct aid to ethnic communities in Burma. Through your support, we have been able to set up our organization, the Women's League of Burma, build capacity for women, provide services and support to survivors, and advocate for them.

Civil war has been going on for more than 60 years in Burma between the central government and the ethnic people who want equal rights within the federal system. Millions of people continue to be displaced. Many human rights violations committed by the Burmese army can be classified as war crimes and crimes against humanity. Rape, sexual violence, is one of these crimes. This has been going on for decades. Recent research by members of the Women's League of Burma has shown that this has carried on unchanged since Thein Sein became president and the reform process began in 2011. Our report, "Same Impunity, Same Patterns", documents the more than 100 women who have been raped by the Burmese army since the election in Burma in 2010. Due to restrictions on the documentation of human rights violations in Burma, we believe this is just a fraction of the true number. In none of these cases were the perpetrators brought to justice.

These crimes are more than random acts by individual soldiers. Their widespread and systematic nature indicates a strategy. The Burmese military continues to use rape as a weapon of war. Unarmed civilians are deliberately targeted as they are seen as potential threats. Of the rapes documented in this report, 47 were brutal gang rapes, and 28 of the women were either killed or died of their injuries. Some were as young as eight. Others were grandmothers.

Another follow-up report by my organization, "If They Had Hope, They Would Speak", documented another 14 rape cases by the Burmese troops from January to June 2014. Many of the women who survived fled into the areas not under control of the government. These are areas where humanitarian aid is either totally or severely restricted by the Burmese government, and where local community organizations play a key role in delivering humanitarian and other assistance. In Kachin State and Shan State in northern Burma, where many of these rapes have taken place, often the only way to get life-saving aid is through an official community-based mechanism, but the UN and most governments will not fund this kind of aid.

The Canadian government is setting a good example for other international governments and donors in giving direct support to ethnic organizations and communities who have been suffering and oppressed by the Burmese government. We really appreciate your long support. It is important that this support continue. Through your support, we are able to continue struggling for our right to equality and self-determination.

Unfortunately, we still have a long way to go. Even though the Burmese government has signed a new ceasefire with most of the

ethnic armed groups since 2011, it has so far refused to start political dialogue. It has also continued to build up troops and launch military offensives in ethnic areas, including against groups that have already signed the ceasefire. While this offensive continues, military sexual violence will persist. But just ending the offensive will not solve the problem while the military remains outside civilian control. The long-term solution for ending military sexual violence in Burma is for the constitution to be changed, to place the military under civilian control, and to grant equal rights to the ethnic people under the federal system of government, which would bring an end to the civil war.

•(1320)

It is urgently needed to pressure the Burmese military to stop committing sexual abuses and to begin a process of political reform.

I have two recommendations for the Canadian government. Number one is to take a lead in calling for an international investigation into human rights violations in Burma, particularly related to military sexual violence. Number two is to continue providing direct support to ethnic civil society organizations that are providing services and protecting the rights of their communities in the conflict areas.

Thank you very much for your attention. Now I would like to give the floor to my colleague Jessica.

Ms. Jessica Nhkum (Joint General Secretary, Kachin Women's Association, Inter Pares): Thank you so much for having us here today. I'm an ethnic Kachin and I come from the northern part of Burma. With the support of the Canadian government, community-based organizations like us can continue to work there for the improvement of human rights violations and peace in Burma.

Today I am going to share with you the situation about ongoing civil war and the continuing human rights violations in Kachin areas in the north of Burma.

Since the Thein Sein-led government took power in March 2011, there have been some positive changes, mainly in the cities in the centre of Burma. There is a little bit more freedom of speech and media. The international community has welcomed these changes and has increased investment and aid to the government. Many international non-governmental organizations are now officially working in Burma.

However, in the ethnic areas, which cover more than half of the country, the Burmese army has not stopped its militarization and operations to control the rich natural resources such as jade, gold, and timber. In Kachin and northern Shan states, attacks by the Burmese army started in June 2011, only three months after the current government took power. This huge increase in Burmese troops in Kachin areas has led to a sharp increase in human rights violations. These include sexual violence, killing, arbitrary arrest, disappearance, forced perjury, torture, and forced labour.

In the last two months we have documented violations committed against 14 Kachin men and women. These included cases of torture, killing, disappearance, and rape. None of those cases were going to court and there has been no justice yet.

I would like to share one of these cases involving two school teachers who were 20 and 21 years of age. They were volunteering at a small Kachin village in northern Shan State. They stayed at the church compound at the edge of the village. On the morning of January 20, about 30 Burmese soldiers came into the village and that night the soldiers took security around the village. The next morning on January 21, the teachers were found half naked and killed in their hut. Early that morning an army truck was seen leaving that village.

It is so clear that the Burmese soldiers committed the crime, but they threatened and accused some of the villagers. They brutally tortured two boys to make them confess that they did the crime. The authorities told them they would pay 10 million kyat, which is about about \$10,000 U.S., if they admitted to it. The government media reported that legal action would be taken against anyone who accused Burmese soldiers of committing this crime. Even though everybody knows the truth, it is still very challenging to get justice in Burma as the 2008 constitution grants impunity to the military in Burma.

During the past four years, the war in Kachin areas has led to the displacement of 120,000 people. Among them 80,000 are sheltering in Kachin-controlled areas and the rest are in the cities in the government-controlled areas. The Burmese government has been blocking aid to the IDPs, internally displaced persons, in Kachin-controlled areas. There is a shortage of basic food and health care, especially for young children and pregnant women. The women cannot get proper treatment in the IDP camps and die while delivering.

There has also been an increase in other problems such as human trafficking because of the war. Displaced women and girls try to find work in China and end up being sold as forced brides or sex workers.

During this time of conflict in Kachin areas, our organization has been documenting the human rights violations and reporting them to the international community. We have been raising community awareness to prevent trafficking, and taking care of trafficked women who escape back to the border area.

• (1325)

We have been empowering our community by conducting courses on political issues and providing primary health care to 8,000 people through three small clinics. We believe that empowering and mobilizing the community will help change our country from the bottom up. Therefore, supporting community-based organizations in the ethnic areas is very important in order to gain true peace in Burma in a sustainable way.

In conclusion, I would like to request that the Canadian government pressure the Burmese government to begin troop withdrawal from Kachin and other ethnic conflict areas and that it enter into political dialogue to provide more humanitarian aid through community-based organizations working to assist internally displaced people in ethnic areas.

Finally, we urge Canada to have a conflict-sensitive approach to everything it does in Burma, including any large investment projects.

Thank you very much for your attention.

The Chair: Thank you to all our witnesses.

We probably have enough time for five minutes each. If the answers turn out to be long because of multiple witnesses responding to a single question, it may mean that questioners will get only one question, so if you feel you've received an answer and don't need other people to intervene in response, don't be shy about letting us know that. You've only five minutes each to work with for your round, so act accordingly.

Mr. Sweet, go ahead, please.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Let me just say from the outset that there aren't words strong enough for me to express my absolute disappointment with the lack of progress in Burma. I reviewed testimony from 2012, in fact, the previous testimony of Inter Pares.

Thank you very much, Ms. Wolsak, for being here.

I have before me the executive summary of a 2011 report from Physicians for Human Rights in Burma. They made three strong findings: the army forced Kachin civilians to walk in front of tanks to set off land mines; it pillaged food and supplies from civilians; it fired indiscriminately on villages. Even though I see this and it's repulsive and repugnant and absolutely unacceptable, I don't see anywhere in here that in 2011 rape was being used as a weapon of warfare. Now, all of a sudden, instead of getting better, as it promised us, it has continued to allow the military to act even more maliciously, and now to start targeting and attacking women.

I wanted to make sure that I expressed my deep concerns about that, and I hope there will be a statement from this committee in that regard after so little progress has been made. In fact, there has been regression in the case of human rights and the rule of law in Burma.

I don't know where to start. Maybe I should just ask, is it still the case that 25 seats, which were a concern in the parliament of Burma, are set aside for the military, or has that situation been rectified in the government in Burma?

Ms. Rebecca Wolsak: That's written into the constitution. The 2008 constitution says that 25% of seats must be held by active duty officers, and to change the constitution you need a 75% plus one vote.

Mr. David Sweet: Has there been no dealing with that?

Ms. Rebecca Wolsak: No.

Mr. David Sweet: Okay.

Is the women's organization that you lead pan-Myanmar, pan-Burma? Is it in every location, or is it focused in one state?

Ms. Wakhushee Tenner: The Women's League of Burma comprises women's organizations from different ethnic backgrounds, so we're working in nearly every ethnic state. Rape cases occur in nearly every ethnic state where the conflict is taking place.

• (1330)

Mr. David Sweet: That's outside of the capital.

Are there any calls for justice in the outlying states from those people in the capital who are identified as human rights defenders? There were none before. Has that changed now? Are there champions who are voicing their concern and telling the military to stand down and proceed with peace talks with the ethnic minorities in these outlying states?

Ms. Wakhushee Tenner: Yes, we are working together with the Women's Organizations Network. It is also a big women's organization inside Burma. For them it's a bit difficult as they are living in Burma. We are based in Thailand for security reasons, but most of our activities are taking place in Burma. We are still working together. When it comes to military issues, they have to be very careful.

Mr. David Sweet: I would like to reiterate that question then. As far as those who are identified as human rights defenders in the capital, are they voicing concerns about the Rohingya, about those in Kachin State, about all the ethnic minorities, or is there still a silence in that regard? Are they only focusing on, as you said, the struggle for democracy in the capital and close lying regions therein?

Ms. Rebecca Wolsak: There definitely are some advocates within Rangoon who are identifying these particular issues. It's very difficult for them and their space is becoming increasingly limited.

Mr. David Sweet: Is it riskier for them these days than it was when you first testified here three years ago?

Ms. Rebecca Wolsak: I would say so, yes.

Ms. Jessica Nhkum: I would like to add a little bit to that question.

For example, in the case that I'm testifying, the two teachers that were raped and killed, the people raised this issue in the city. The government's media stated that whoever accused the soldiers, they will be arrested. This is the situation in Burma. It's very difficult. These soldiers are committed everywhere. We can never take action like that because the law already covers them and protects them.

The Chair: Mr. Marston.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): I want to welcome everyone, especially Rebecca, once again. I appreciate it.

I was part of a parliamentary delegation that travelled to Burma. At that time there was a sense of optimism. We met with Aung San Suu Kyi for part of an afternoon and we visited the house where, unfortunately, we learned, as Mr. Sweet has indicated, that 25% of the army was seated in that room. Worse still, the top two generals of the country, one was the speaker of the upper house and one was the speaker of the lower house...so clearly, when we met with Aung San Suu Kyi.... I had a conversation with her. Everybody in the street was telling us she would be the next president, and I said to her that in my view, there was no hope of that happening unless she was able to negotiate a power sharing deal with those two generals because they had no reason to give up power.

The advantage I think they have is that they are aging. There may be the potential for setting aside past grievances and allowing them to move forward, but unless that's guaranteed.... I'm really, really concerned.

We set up a new embassy there and we had an ambassador go in around that time. I sense Mr. Sweet's disappointment over there. We all share it because we had great hopes. What I'm hearing is that the same level of impunity is there that has always been there. Until you have the rule of law, and where women who are attacked get justice, then I think that's down the road a way.

While I was in Rangoon, we were shown a centre where they were bringing people together. I forget the name of it. NGOs and other people were given a certain amount of a budget. It looked to me that it might have been window dressing at the time, but some of the leadership was brought in there and you had a sense that they were being empowered.

Can you comment on that at all? I apologize, but I don't remember the name of the organization.

I see some quizzing going on, so I may have led you down the wrong path. I'll find out, Rebecca, and get back to you on that.

It was like an incubation centre and it was right in the centre of the city. Some activists were there who had been activists fighting for land and a variety of things. It sounded like they were at least being given a forum. A forum in that country was something that was very high risk in the past and we were worried whether or not they would actually survive. It was a government initiative, so I think it was window dressing we were seeing.

Do you have any comment?

• (1335)

Ms. Rebecca Wolsak: I'm not sure which of two or three different things it could be, so I'm not going to respond.

Mr. Wayne Marston: It's under the umbrella of the government itself directly.

Ms. Rebecca Wolsak: Right. Sorry.

Mr. Wayne Marston: That's fine.

Do you have any suggestions as to the recommendations this committee might add in a statement to the...?

We commented three years ago on the situation. What else can we do to help you? What else can we do to perhaps influence the government in one particular direction?

Ms. Wakhushee Tenner: Our two recommendations as I mentioned before include taking a lead in the call for an international investigation into human rights violations in Burma, particularly related to the military sector violence, and continuing to provide direct support to the ethnic civil society organizations which have provided services and promoted and protected the rights of their community.

Also, there was the Global Summit to End Sexual Violence in Conflict that was initiated by the British government. Canada also made commitments to this declaration. This is why it's important that Canada ensure it takes this lead.

Thank you.

Mr. Wayne Marston: Tonight in the House we'll be speaking to rape as a weapon of war in the Democratic Republic of Congo, a report which came out of this committee. I find trouble putting "democratic" with "Congo", but that's beside the point. The point is, again, and Mr. Sweet alluded to this, it's top of mind to parliamentarians here, the fact that rape is being used in a manner as horrific as it always has been, but it's even more horrific now and it seems to be around much of the world. It's very troubling.

The Chair: Thank you. Mr. Marston. You're out of time.

Mr. Wayne Marston: Okay, thank you.

The Chair: It was actually very well-timed.

I hoped there was going to be a question at the end of that and I thought I'd have trouble fitting that in. Thank you.

Mrs. Grewal, please.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, witnesses, for coming today to address human rights abuses against Burmese women.

It is sad to see the recent events and changes that have occurred in Burma. When we concluded our report in 2013 there was hope for positive democratic change and the improvement of human rights across Burma. Now Burma appears to be regressing and continuing human rights abuses. Recently, the Burmese government has considered legislation that would discriminate against women by restricting interfaith marriages, conversion to another religion, and allowing the government to regulate family planning.

Why does the government want to implement these kinds of changes?

Ms. Wakhushee Tenner: Actually, regarding the interfaith marriage bill, they say this is to protect the women, but the protection that we want is not this bill. It is not protecting women. It is restricting women's rights and it is not in line with international law. Through this they say that they are going to protect women. We are working very hard for it not to move forward, not to proceed.

Those who are working, especially women's groups, inside Burma, and also from the ethnic areas, are working very hard to stop this process, but we are receiving a lot of threatening messages, especially those who live in Yangon. The women activists receive more than 100 threatening messages a day. They receive phone calls threatening to kill them if they are involved in this interfaith marriage law.

• (1340)

Mrs. Nina Grewal: Is there anyone else who would like to comment on this?

Mr. Kevin Malseed (Program Manager, Inter Pares): I think things like the interfaith marriage law and those other laws are consistent with long-standing government tactics in Burma that involve trying to divide groups and pit them against each other so that they won't oppose the government, and also trying to stir up nationalism.

They've been deliberately stoking anti-Muslim feelings throughout Burma. That has led to a lot of the violence that you've heard about over the last few years. This has been a way of trying to present Muslims as a threat and therefore to swing the population

more behind the government and the army, when they weren't behind them before.

Mrs. Nina Grewal: Do human rights defenders and women who participate in public and political life inside Burma face a heightened risk of violence? If so, to what extent is that? If at all, do you think that this heightened risk is related to the fact that the person speaking out is a woman?

Ms. Wakhushee Tenner: Especially for this interfaith marriage law, those who are strongly involved in stopping this are women, the women's organizations, but also other supporters, and yes, the risk is getting high for them and they have to be careful. As I mentioned before, they keep receiving phone calls and threatening messages, which means that it's not safe for those who may be human rights defenders who are based in Yangon.

Mrs. Nina Grewal: The upcoming federal election will be the first since the democratic change occurred in 2011 and 2012. Will these elections foster democratic change, or will they allow for continued human rights abuses? What do you think?

Ms. Wakhushee Tenner: Regarding these elections, we can say that the military will stay in power unless the constitution changes, because the constitution guarantees to protect the military, and 25% will stay there. Also the winning party will be the military party, so it will remain the same, and human rights violations will continue unless we bring this military under civilian control through constitutional amendments.

Mrs. Nina Grewal: Thank you.

Mr. Chair, do I have more time?

The Chair: No, you're actually a little bit over.

We go now to Ms. Sgro, please.

Hon. Judy Sgro (York West, Lib.): To all of you, I applaud your courage and your commitment, and thank you so much for coming.

I'm very saddened to hear your depositions, though, because I too had thought that Burma had moved on in a more positive way, and we were looking forward to that. It's very sad to hear that it's actually gone not very far on this particular part of it.

Ms. Nhkum, you mentioned in your comments you were hoping that Canada would take a conflict-sensitive approach to our involvement in Burma, including resource development projects. Could you elaborate a bit on that?

Ms. Jessica Nhkum: Currently any investors in Burma from foreign countries, especially big investors, need to be very careful because these rich natural resources are more in the ethnic area, which is more than half of the country. There are still conflicts happening, and if the investors don't analyze the conflict sensitivity, then it will only cause more conflict in the area, more human rights violations.

For example, in 2011 the army attacked the Kachin area, which started because of a Chinese hydro power company that came and made this investment, and with this company the Burmese government sent a lot of troops to the area, which is where this conflict started, this kind of thing. Of course, where there are Burmese armies, it only means human rights violations increase. That's why.

• (1345)

Hon. Judy Sgro: That's terrible.

May I ask you, then, a question about some of the Canadian mining companies that are operating there? How can we help you? When you say conflict sensitive, are we to put more restrictions? Are we to put more conditions? If companies are going there to maximize their potential, how do we make sure that you'll get some protection out of this and that there are certain conditions before investments are allowed to go forward? By conditions, I mean protecting its people and protecting its women against things like rape.

Ms. Rebecca Wolsak: At the moment, as far as I know, there are no large-scale Canadian investment projects. From what we see, the situation is far too high risk, and I think that so far, Canadian businesses understand that and have not been.... There are no Canadian mining projects active at the moment, as far as we know.

To add to that, though, I believe that one of the things Jessica was saying in terms of having a conflict-sensitive approach is that it's really broadly speaking, so it's definitely in terms of trade, but also in terms of development. It's surprisingly easy to actually fuel conflict. For example, if you support the government in bringing a school into an ethnic community and they are teaching a government-controlled curriculum, this can fuel further tensions and will not actually do the good work that you're trying to do.

Almost all of the embassies in Rangoon, as far as I know, have conflict experts on staff. I believe the Canadian embassy does not yet have one, so that might be something that would be of assistance. I'm not sure, though.

Hon. Judy Sgro: You also mentioned that the funding is expiring and that you recently submitted a proposal for a five-year program to develop a more stable and multicultural Burma. You would be monitoring local strategies to monitor some of the human rights abuses and so on. Could you elaborate a bit more on how you would go about that?

Ms. Rebecca Wolsak: The work we are hoping to do is to continue to work with ethnic civil society. While there has not been a lot of concrete progress in the last few years and in fact it's backsliding, there is still hope. This time of not a lot of progress but a lot of hope is a really critical time to start looking at concrete plans for visions for a federal country.

For example, in the health care field, we've been working with local health organizations and looking at what kind of national federal health care system they would like to have. We've brought them here to study the Canadian federal health system. They're looking at that vision and how it practically could be implemented in Burma. We would like to continue to support them in trying to concretize that vision.

Hon. Judy Sgro: Ms. Tenner, you asked us to call for an international investigation into the sexual violence in and surrounding the military.

I would hope that we, along with many other countries, would take up that challenge. Have you been working at the international level to try to get that to move forward?

Ms. Wahnushee Tenner: Yes, when we travelled to the UN, especially the UN General Assembly, on our lobbying trip, we also tried to raise the same things and the same recommendations. Also, when we went to the U.K., at the global summit we also recommended the same thing in calling for an independent investigation.

In Burma, even though human rights violations have been going on, there has not been any investigation. We need to have an independent investigation.

• (1350)

The Chair: That uses up your time, Ms. Sgro. I actually gave you a little extra.

We now turn to Mr. Lauzon.

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): I'm going to allot my time to Mr. Sweet since I'm just a replacement on this committee. I think Mr. Sweet has more pertinent questions he'd like to ask.

The Chair: All right. Mr. Sweet.

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

I want to follow up with other questions in regard to what's happening right now on the ground with women who are victimized.

Do women who now are being raped have access to some counselling or to medical care of any kind? How are they seeking help after they're victimized?

Ms. Wahnushee Tenner: Because of the lack of funding, we are unable to support the women, unfortunately. We always take information from them, but we also have a plan to work with women survivors to build a survivor movement and also to provide shelters and counselling for these women.

In the conflict areas it is difficult to keep track of the survivors. After they have been raped, they secretly move to other areas. Sometimes the village has been burned down and they move to other areas, so it has been difficult, but as long as we can do it, there are safe houses in some areas. We set up safe houses with support from Inter Pares through the Burma Relief Centre. We also try to raise awareness and hold discussions within the ethnic community about violence against women and also on the international violence against women day.

We also support those who are in need of emergency assistance. For example, if they need to refer the case to the courts, they might need some funding for that. We don't have enough funding, but we can contribute a bit. If they need medical assistance, for instance, or if they need to be referred to the hospital due to their injuries, we can contribute a bit, but it's not fully supported because we don't have full funding for that.

Mr. David Sweet: What about the subsequent births that would come from these rapes? What about the care for those children? Has there been abandonment in some cases? Has there been a need for people reaching out for adoption and those kinds of things, or even just for services for the women who, in a very tough situation, have to raise these children?

Ms. Wahkushee Tenner: Unfortunately, we don't have any support for them.

Mr. David Sweet: Okay.

Here is my final question. I understand that the Baptist convention has quite a significant presence in Burma. I think Inter Pares has testified alongside them here at this committee, if I remember correctly. We've had so many witnesses in regard to this.

Are there some good channels of working together with all these humanitarian groups, church groups, NGOs, to make sure the aid is leveraged to the best ability and to help the most people we can?

Ms. Jessica Nhkum: The most effective way will be by giving the funds to the local community-based organizations working on the ground, because now there are some shelters in the big cities, but the crimes are happening in the rural areas. The people from the cities don't want to go to the rural areas because of the insecurity, and they don't speak the language, and the local people also don't understand their language. Understanding is a barrier.

I would like to share a little bit about the cases that we are facing. I would like to tell you about two cases.

One recent case was last April, a rape by the Burma army, who were coming in for offensive in Kachin State. A 17-year-old Kachin girl was raped, and she wanted to get justice and go to the courts. One of our local organizations helped. We went to the court and appealed, but they said there was no evidence. When she was raped, she didn't have a medical checkup by a doctor so she had no proof. How could she get a checkup in the very mountainous area where she was raped, where there is not even a clinic? The courts in Burma say that the application mechanism for rape cases is that as soon as you are raped, you need to go to the women and children's affairs of Myanmar. They operate in the city area, but people are raped in the rural areas. Only the organizations that are really working with civil society on the ground can help take care of this.

In another case in northern Shan State, in Kutkai, a girl was gang-raped. She really wanted to get justice and she went to the court. She claimed that she was raped by two soldiers, but they said, "Oh, where are they? You didn't catch them, so why would we help you? You are embarrassing us. We will sue you." She was so embarrassed and said, "Why would I tell you that I was raped? In our culture, we are so embarrassed, and I am so shy about the rape. Why would I say that I was raped if I was not?" Now the courts, the soldiers, the police are saying, "No, you are accusing us, so don't come again or we will sue you."

Many cases, not only rape cases but other human rights violation cases, are happening like this. We cannot even think about going to the courts and the police, because it's hurting people twice, in many ways, so we are hiding in our communities and just sobbing like that.

● (1355)

The Chair: Thank you.

Mr. Benskin.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Thank you all for being here. Your testimony, and I echo the words of my colleagues, is definitely sobering.

In this committee we have been seized with the issue of rape used as a sexual weapon in various parts of the world. As my colleague pointed out, we are now in the process of going through a report on the Democratic Republic of Congo. We've been exploring this heinous activity throughout the world, and it saddens me that this is now heightened in Burma.

The work that you're doing is of great importance. For my own clarification with regard to your organizations, and I speak to Wahkushee and Jessica, are you on the ground in Burma, or are you basically expatriates working from outside of Burma?

Ms. Wahkushee Tenner: Our main office is based in Chiang Mai, but all the activities and member organizations are in different ethnic areas in the conflict areas.

Mr. Tyrone Benskin: I applaud your courage in the work you're doing, based on the testimony you gave.

At this point, what is allowing you to continue to do the work? It seems to me that there's a systematic closing down of options. You were saying that women are being shut out of the court system. They're saying, "You don't have evidence; go to a clinic", knowing full well that there are no clinics.

What is enabling you to continue to do the work you're doing? How can we in Canada and the west help you to be more effective in doing the work?

Ms. Wahkushee Tenner: Yes. Actually, I came to the refugee camp in 1995. I went to school there.

I started working with the women's organization in 2001, and I can never leave that organization because I have seen people who have suffered. All my family have set out to other countries like Canada and Norway, but for me, if I leave the people, especially women and children, I feel guilty. This is why I can never leave this organization and I continue this work until now.

There is still hope. I have been working for more than 15 years, and if I don't have hope, then it seems that I have been wasting my time for the last 15 years. This is why I'm still hoping that there will be change in my country so that we can go back and live peacefully.

● (1400)

Mr. Tyrone Benskin: For now, are the NGOs and the type of organizations you work for reasonably safe from military incursion?

Ms. Wahkushee Tenner: We are the first target.

There is no other organization that really touches on the military. We always monitor; we always touch on the military issues when it comes to the military. This is why we have a network inside Burma. It's also why we keep our office in Thailand or on the border, because of security. But we can go back and forth, and communication is better.

Mr. Tyrone Benskin: Okay. That's what I was wondering.

How can we better aid you in the work that you're doing?

Ms. Wahkushee Tenner: As we mentioned before, the funding has ended. We're worried that now most of the aid goes through the Burmese government inside Burma. The struggle in Burma is also ethnic rights.

This is why it's important that it go both ways, so that it's sustainable. Also, there should be an inclusive space for the democratic reforms. This is why it's important that the Canadian government continue its support to the ethnic areas and to the ethnic community organizations.

Mr. Tyrone Benskin: You would like to see this support go directly to the ethnic communities as opposed to going through the Burmese government.

Ms. Wahkushee Tenner: Yes, that's right.

The Chair: Mr. Malseed wants to say something.

Mr. Kevin Malseed: I want to clarify that most of the work of these groups is in Burma. Often, when people refer to inside Burma, they mean central Burma, as opposed to the ethnic states, but a lot of groups will have offices both in the ethnic states of Burma and Thailand as a fallback position. They're actually working in the ethnic states.

In Burma you have a situation where the government control does not actually cover the entire country. There are large parts of the country with mixed administration, where you have ethnic governments that exert as much or more control than the government. You can operate effectively in those areas without any government approval, but of course, if the government military comes into the area, you then become a target.

The Chair: Thank you to all of our witnesses to today.

We much appreciate your coming by and providing us with testimony. You've given us a lot of insight. Some of it is very timely indeed, given the fact that this evening we will be dealing with a concurrence debate, where the House will debate and then decide whether to concur in a report of this subcommittee dealing with rape as a weapon of war.

The testimony you've given us today provides, unfortunately, discouraging evidence that this remains an ongoing problem.

The meeting is adjourned.

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