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Chair

Ms. Anita Vandenbeld

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

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• (1310)

[English]

The Chair (Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.)): Welcome. It's very good to have everybody here, together with our witnesses, for continuation of our study on the situation of women human rights defenders.

Today we have two witnesses.

From Geneva, by video conference, we have Sara Hossain.

Ms. Hossain practises constitutional, public interest and family law at the Supreme Court of Bangladesh. She serves pro bono as the honorary executive director of the Bangladesh Legal Aid and Services Trust, which is called BLAST. That is a trust that works to make the legal system in Bangladesh more accessible to poor and marginalized people. Among a number of other things you'll see in her bio, she is also an honorary executive director of legal aid services and was the recipient of the 2016 International Women of Courage Award, presented by the United States Secretary of State.

We will start with Ms. Hossain, but before that I will introduce our witness who is here with us today: Asiya Nasir, who is a Pakistani politician, a parliamentarian affiliated with the political party Jamiat Ulema-e-Islam. She has been a member of the National Assembly of Pakistan, from 2002 to May 2018. She has opposed a ban on consumption of alcohol by non-Muslim Pakistanis and also protested the ban on non-Muslims being elected prime minister or president of Pakistan. Her CV has also been submitted to the members of the committee.

I welcome both of the witnesses, recalling that the purpose of our study, of course, is to find out the different impacts and issues that are faced by women human rights defenders around the world.

We will begin with the video conference.

Ms. Hossain, you'll have 10 minutes to present your testimony.

Ms. Sara Hossain (Honorary Executive Director, Bangladesh Legal Aid and Services Trust): Great. Thank you very much.

Good afternoon, and thank you very much for the opportunity to provide a statement to you, in connection with your study on women as human rights defenders, which is sorely needed, I think, at this point.

My statement is based on my experiences with the Bangladesh Legal Aid and Services Trust. I'll try to focus on the risks faced by women human rights defenders in the course of seeking, or trying to secure for others, access to justice, and how they are affected particularly in relation to the intersections with ethnicity, sexuality, language and disability, amongst others.

As you heard, I am a lawyer in private practice, and I serve pro bono with BLAST. I won't speak about my personal circumstances now, but just about our experiences, and the experiences of both colleagues and clients who are women human rights defenders.

Before I discuss our key concerns, let me speak for a moment about our work in BLAST. We are an unusual organization, and were set up following a resolution of the Bangladesh Bar Council, the professional regulatory body, as part of its commitment to providing legal aid for the indigent and those from marginalized communities. We were set up at a time when Bangladesh was emerging from military rule into a period of elected government.

We work, right now, after 25 years, across all 64 districts of the country, and we are locally managed by the bar association in each district. We have about 500 staff and about 2,500 panel lawyers, a pro bono lawyers network. We now work increasingly with community organizations and the universities through legal clinics and community law clinics.

Our legal services involve community awareness programs on rights, remedies and services. Our litigation focuses on individual litigation, primarily on family law, but also on land, labour and criminal defence, as well as constitutional rights. We also do strategic litigation around discriminatory or arbitrary laws, policies and actions.

We have been deeply involved in condemning impunity for violence against women, and in particular, issues of child marriage, domestic violence and rape. We have taken up cases of violence against women and girls from marginalized communities. Some of our landmark equality litigation includes cases challenging so-called fatwa violence, forced veiling, discrimination by the police in recording rape complaints by women from indigenous communities, the recent prohibition of the so-called two finger test—a medico-legal procedure—as well as challenges to disability-based discrimination in public employment.

From our perspective, women human rights defenders are women working on many rights and for many communities. These include, for example, civil and critical rights, alleged disappearances, extradition killings or torture of family members; freedom of expression and association, particularly for labour rights activists; economic and social rights around rights to housing and resisting forced evictions; and the right to education and health. We also include women working with different communities where there are indigenous people, sexual minorities, people with disabilities or Dalits.

I'd like to start by setting out a couple of emblematic cases, which I hope will illustrate our key concerns regarding a situation faced by women human rights defenders.

One of these cases is that of Kalpana Chakma, from the Chittagong Hill Tracts, an area in the southeast of Bangladesh which, until recently, was predominantly inhabited by indigenous peoples. Kalpana was a woman human rights defender, a leader of the Hill Women's Federation and a well-known activist in women's rights. She was allegedly abducted from her home in 1996. Now, more than 20 years later, the case remains under investigation. A third investigation has begun, and sees no sign of ending. It is a clear, demonstrable example of total impunity, in a particularly egregious case, and it's had a very chilling effect on women activists in that region, as well as across the country.

There is also the case Rizwana Hasan, a fellow lawyer and the leader of the Bangladesh Environmental Lawyers Association, who conducted landmark litigation herself around environmental rights and justice. A few years ago, Rizwana faced a situation in which her husband was abducted. He was found only after she made public appeals, including to the prime minister, for his recovery. Again, this is a case that has sent chills through the spines of many of us.

Let me cut to a more recent case, not of a very high profile person, like Kalpana or Rizwana, but of an everyday, ordinary school teacher. A young woman, a school teacher in a remote district town, became a client of ours last year. When she was six months pregnant, she was arrested at about 1 a.m. from her home, while sleeping with her husband and five-year-old son. The police claimed that she had made a Facebook post in support of the school students' movement on road safety. She was held overnight in a police station and for several weeks in a local jail where there were no hospital facilities available for women. She was refused bail by the trial court and then by the appeal court. Ultimately, we only got bail for her in the high court after we were able to show her medical certificate showing the extent of her pregnancy and where no counterclaim could be made from the attorney general's office, even though they were trying to resist her release from prison at that point.

• (1315)

Let me tell you about a few cases of everyday threats and everyday risks that are faced by women human rights defenders. As I said, we consider not only lawyers but others to be human rights defenders, anyone standing up for the protection and promotion of human rights.

Our front-line colleagues, our paralegals, face particular risks. Particularly those who work in urban informal settlements in low-income communities have spoken about many situations, often daily

situations, in which community leaders, particularly those who are elderly and influential, have threatened them and tried to stop them from providing support to women and children who are survivors of violence.

In one case, for example, involving sexual violence against a child, one of our women paralegals was trying to stand by that child and her family in the situation. She found herself encircled inside this dense informal settlement and, afraid that she might be hurt physically, she had to retreat and couldn't in the end pursue the case at all.

We also find from women paralegals that they face many threats that are simply not even considered to be relevant by their male counterparts. For example, they can't work in these areas after dusk; there's too much risk of physical assault. They also face, even in broad daylight, continuous commentary about themselves—about their clothing, their appearance, about just the fact that they're going into homes—and they're often accused of breaking up families or trying to disrupt the peace.

They're often accused about why they don't have families themselves. They're interrogated about their own personal situations: whether they're married; if they're not married, why they're not married; how many children they have and so on. They are generally made to feel that their marital state is more relevant than their capacities and abilities to work.

Many also face cyber-threats. Both men and women face these, but women particularly face cyber-threats again in relation to their sexuality, their behaviour and their dress.

In the case of human rights defenders who are transgender, from the hijra community, we have colleagues who work around trying to espouse and promote the rights of the hijra community, given recent high-level government recognition of the community. They face particular, threefold threats: first, threats from other hijra groups, with whom they may have rivalry; second, from leaders of the hijra community; and third, from the police, who often don't accept or are unwilling to take in their complaints if they go to police stations to register complaints regarding violence from within the community.

As for women human rights defenders who work on LGBT rights, the threat of violence is particularly severe, irrespective of whether they are members of the community themselves. This is because there are very few safe spaces to talk about LGBT issues. We still, like much of the post-colonial world, live with this famous or infamous section 377 of our Penal Code, which effectively criminalizes same-sex relationships.

The murders of two prominent LGBT rights activists in 2016 shook the movement to its core. It's an emerging movement in Bangladesh in the last 10 years, but it's been very severely pushed back by this incident in 2016. The response of state authorities after that, who have, of course, acknowledged that they're continuing the investigations but at the same time have issued public condemnations of same-sex relationships and asserted both nationally and internationally that such relationships are "against Bangladesh culture", has again been a situation that has created further fear and anxiety in the community, such that it can't express itself, can't come forward, can't claim its rights under the law, because the law itself is criminalizing.

I want to talk very quickly about our own organization issues. BLAST is a leading organization campaigning for compliance with the Supreme Court judgment mandating the establishment of investigatory mechanisms on sexual harassment by all public and private bodies. We frequently train organizations around the country, and yet we face the situation that women colleagues, all trained or practising lawyers and working at our head office, face serial sexual harassment from a young male colleague, also a lawyer. All of the women unfortunately remained silent about their experiences for weeks on end. Ultimately we found out they were afraid that if they spoke out, they would be stigmatized, because most of them were single women, unmarried or divorced.

• (1320)

This incident illustrated well for us how women human rights defenders are impacted upon by prevailing social norms and attitudes, including moral judgments based on sexuality and the enormous emphasis on marriage as a mark of respectability and worth. It also illustrated in the end how mobilizing, by women and by men in their support, can result in change.

In this case, the silence that had continued for so many weeks broke after one of the young women involved finally spoke to an older woman colleague, who incidentally sits on our own sexual harassment complaints committee. The older colleague then reported the matter to human resources and then to a male board member, a well-known leader of the bar, nationally.

We were able to finally take steps in an investigation and action against the offending lawyer, and then we took further systematic action. We printed posters and information communication materials, overhauled our internal audit policies, provided training to staff and started reporting to our board in compliance. We're now advocating with the bar associations around the country, as well as the bar council, to adopt these Supreme Court guidelines, so that we can see more systemic change happening.

The Chair: Ms. Hossain, could you wrap up fairly quickly? Your time is finished.

Thank you.

Ms. Sara Hossain: Yes.

I was just going to talk about what further initiatives we need to take. I think it's clear we need standards and structures. It's not enough to have policies. We need to make those actually work. We need to monitor and track the policies that we need to put in place. It's really important to say that we need to highlight the importance

of civility and respect, to acknowledge the importance of respect for each other.

Finally, 25 years ago I had the opportunity to be at the World Conference on Human Rights in Vienna. We talked about women's rights and human rights. At this point, given the state of the world and our own national context, I think it's very important for us as women human rights defenders to talk about the universality of rights and to speak about rights for all, about freedom of expression, freedom of association and the right to life and liberty.

This means questioning laws and systems that actually restrict our rights. I can speak about this more perhaps in the question and answer session, but I think—

The Chair: Unfortunately—

Ms. Sara Hossain: Yes, let me just do that.

Restrictions, for example, on speech, digital security, NGOs operating, those are the kinds of restrictions that women human rights defenders, as do men, are also facing.

Thank you.

The Chair: Thank you very much.

Hopefully, you'll be able to elaborate on some of those during the questions and answers.

Also with us today is Asiya Nasir. It's very nice to have you here, especially as a fellow parliamentarian.

I'd like to invite you to speak for 10 minutes.

Mrs. Asiya Nasir (Former Parliamentarian and Human Rights Defender, National Assembly of Pakistan, As an Individual): Thank you very much, honourable Chair and honourable members, for providing me this opportunity to come and record my statement over here regarding my experiences as a parliamentarian for the last 16 years.

I'm Asiya Nasir. I'm married with three children, and I come from the province of Balochistan, which is the southwest part of Pakistan. My political affiliation has been with the religious Islamic party Jamiat Ulema-e Islam. Perhaps I was the first Christian ever to join this Islamic party, as Islamic religious parties are thought to be a no-go area for the minorities of the faith-based population in Pakistan.

I started my career as an educationist, but coming from a political background, I was urgently motivated to join politics and, in 2002, was elected to the National Assembly of Pakistan for the first time. I completed three consecutive terms as a parliamentarian there, voicing for the rights of my people.

I have a strong belief that God placed me there for some special reason, and the party I chose and often for which I have been criticized, not only by my people, but by other liberal and secular people.... Why would a Christian woman join a religious Islamic party? I'm still affiliated to that political party.

My objective was to mainstream the minorities living in Pakistan, because if you see the background of Pakistan, the minorities living in Pakistan have contributed largely to the creation and building up of Pakistan, educating the masses and in the health sector. Gradually that status has been declining. Our ancestors consented to be a part of Pakistan, believing we were going to have a life of respect and honour in Pakistan, but their dreams were not fulfilled.

My vision was to be a voice for the voiceless and help them voice their rights while living in an Islamic state. My objectives were to mainstream minorities in Pakistan by working for constitutional rights; for the socio-economic, educational and political uplift to eliminate all existing discrimination from society; to work for the suppressed communities with local organizations for the social, political and economic uplift; and to address all issues relating to mainstreaming for inclusive democracy. I strongly believe that no nation can progress until and unless it guarantees and ensures, politically, socially, economically and educationally, freedom of religion to all, and a life of equality and equity to all citizens. Keeping this in mind, these were my goals. I also set goals for the young population of the country.

Because I want to leave more time for questions, I want to come to what challenges I have been facing throughout my journey and struggle during these 16 or 17 years. It has not been an easy path for me to work with the religious party, because I started as an inexperienced politician with an Islamic religious party. The situation for me was also that of uncertainty.

Here I want to give appreciation and gratitude to my political party. Apart from being a mainstream right-wing religious party in the country, they always supported me. They encouraged me. They provided me the platform to voice for my people. I have been a very vocal and very vibrant speaker in Parliament. Each time I spoke out for the rights of my people, I had the fear that this time I would be removed from my party, but it never happened. On the contrary, my party always stood by my side and supported me. Whenever I spoke out, they said the statement I had given was their party policy. I think it was a great relief for the minorities living in Pakistan that a religious party supported them, which was thought to be a no-go area for minorities.

In 2012, one of the leading newspapers ranked me among the 100 most powerful women in Pakistan—women who shake Pakistan and who are shaping the fate of Pakistani women—after I gave a speech after the murder of minister Shahbaz Bhatti. I think the speech is being given to all the honourable members for your perusal. In this speech, I effectively addressed the struggles that minorities faced in a majority Islamic state.

• (1325)

My people know me very well for my bold speeches in Parliament, but it is not only the speeches or because I have been speaking out or standing up for my people; it is also because I have been participating very actively in the legislative business of Parliament.

Fourteen bills, particularly for the religious minorities, has been a record number for a minority member to move in Parliament. You can go through my CV and see references to some of these bills, including the women's protection bill, 2010; the domestic violence

bill, 2008; the anti-women practices bill; a bill for an increase of seats for the minorities at the provincial and national levels; amendments in the harassment against women at the workplace bill; and the hate crimes bill.

I want to focus on the hate crimes bill, a very important bill that I moved in Parliament. We have observed and have experienced that many times the majority people, or a handful of people with an extremist mindset, are very biased and have discriminated against the minorities. At any time, they can go and burn out the residences or the assets of the minority people. It is not criminalized in our constitution. I just want to bring up that bill because hate crimes should be criminalized. Nobody should be discriminated against and/or subjected to bias on the basis of religion.

Besides that, in regard to amendments to the cybercrime bill on terrorist acts, two of my amendments were incorporated by the government as a part of its cybercrime bill.

Then there was the child rights protection bill, the minorities' access to higher education bill, and the national policy for interfaith harmony bill in 2018. When I come back to the challenges, I would refer to this policy and that it is very important to have collaborations and networks.

One of the networking groups is the International Panel of Parliamentarians for Freedom of Religion or Belief. The Honourable David Anderson, who is chairing this group, is sitting here. I am one of the founding members of this International Panel of Parliamentarians for Freedom of Religion or Belief—or no belief—since 2014. This networking group has been very instrumental and very helpful in supporting and voicing the rights of the minorities living all over the world, no matter which faith they belong to.

That forum also motivated me to bring forth the national policy for interfaith harmony in Parliament, which was adopted by the cabinet. It was the first time ever that a national policy for interfaith harmony was drafted and adopted by the cabinet of Pakistan. It was a great achievement on the part of this networking group, and not only the networking group but I was also one of the panellists establishing the all-party group of parliamentarians for the freedom of religion in the Parliament of Pakistan. There were more than 60 members who were part of this caucus and who supported freedom of religion and interfaith harmony in Pakistan.

I want to come to the challenges. The situation of human rights in Pakistan is not very good, and it is even worse for women human rights defenders. They face challenges across the board and have to fight the status quo on all fronts: their families, the communities they work in and even fellow human rights defenders.

One of the challenges for me was non-acceptance. When I joined politics, it was an environment where it was very hard for men to accept women leaders. They always objected, asking why they should appease a woman political leader, or why they should follow a woman leader.

Another discrimination I felt was at the hands of my fellow human rights defenders and my fellow ministers, several women who were working for human rights. I was always objected to in terms of being part of the religious party. They discriminated against me and engaged in bias against me. I was often objected to for covering my head, with them thinking that this is Muslim dress and that Christian women should not dress like this, things such as that.

The part I chose was more challenging, more difficult, remaining myself in a religious party, working and trying to change the mindset of the people. Often we speak of needing to mainstream the minorities. This is how we can mainstream the parties. It was very important for the minorities within the party to join the religious parties, because the religious parties in Pakistan are very influential and they have great impact on a large population of Pakistan.

• (1330)

We definitely have security issues. In the last two decades, Pakistan has faced a lot of problems, including security. Discrimination is there. Economic marginalization is there. The governmental policies, many times they hit the people there.

In the end, I must say that I'm not the only woman who is striving hard and struggling for the rights of my people; there are other women along with me. I would like you all to watch a short video clip for one or two minutes that will demonstrate the struggle of the women, including myself, in Pakistan. I must say that in the end, I just want to end with one sentence. Today sitting before you is the true face of a Pakistani woman: strong, courageous, committed, untiring, aware of her rights, abiding by her cultural and religious values, paving a path through the challenges, determined to bring prosperity and a better future for the coming generations.

Thank you very much once again.

The Chair: Thank you.

I'm seeing consent to go over time to be able to see the two-minute video, so we'll do that right now.

That means we'll probably just have one round for questions, if that's okay.

If we're having difficulty with the video, might I suggest, then, that we'll start with the questions. Then we can see the video at the end of the questions if we can get it up by that time.

We'll start with questions. We'll just do one round of questions.

We'll begin with Mr. Anderson, for seven minutes.

• (1335)

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Thank you, Madam Chair.

I want to thank both of our witnesses for being with us today.

Madam Nasir, I just wanted to point out that the statement you made in March 2011, three years before we met, after the death of Shahbaz Bhatti, is worth the read if people would take the time to take a look at that. It's a statement of courage, I would say, particularly after both Governor Taseer and Shahbaz Bhatti paid with their lives for making some of those similar statements.

I want to ask you two questions, so I'll ask you to be short on your answer on the first one.

Are the courts in Pakistan of use to women human rights defenders or do they stand in the way? We seem to get mixed messages from the news coverage that we hear. I know there are a couple of groups, TWO and Women in Struggle for Empowerment, that have both gone back to court and been able to get their certifications back from the courts.

I'm just wondering, what role do the courts play in your struggle for justice for women and for Pakistanis?

Mrs. Asiya Nasir: Thank you very much, MP Anderson.

I think that the courts of Pakistan are working autonomously and independently. We have strong trust in our courts and our judicial system. Recently, with two or three decisions, especially the recent decision regarding Asia Bibi, they have proved that our judicial system is working in a very positive way and in the right manner. You're right that the courts are sorting out these cases, and they are looking into the cases regarding the human rights defenders, especially the women human rights defenders, and the courts are taking some more action.

Recently, the chief justice and our former chief justice were very active and very concerned regarding the issues pertaining to human rights in Pakistan.

Mr. David Anderson: Thank you.

I'll maybe ask this question of both of you. The particulars may be different, but you've raised the issue of protecting women and children, and sometimes they are the same people. Recently in Pakistan, there were 45 Hindu girls who were kidnapped. They were converted and then married off. I know there was another mother of three who had been married for 16 years who was kidnapped, went through forced conversion and then was married off.

I'm wondering if you could talk about the state of the forced marriages and forced conversions. What happens to these young women after, as well as during, this situation that they find themselves in?

Mrs. Asiya Nasir: The issue of forced marriages and forced conversion has already been considered. It's a burning issue in Pakistan not only today, but has been for many years, because we have seen and observed that the young Hindu or Christian girls are kidnapped and forcefully converted from their religion and forcefully married to some man of the majority religion. It has been a big issue for us.

There was a time when some legislators tried to bring forth some amendments to this law of converting to some other religion, especially to the religion of Islam. However, again there was a controversial statement and protest by the majority that they cannot bind the conversion of the religion to age. We were demanding that they should be some particular age and especially that it should be 18 years. If it's less than 18 years, how can a minor, who does not understand her religion, be converted to some other religion and understand the other religion?

Also, our reservation has always been that it is only the minority women. Why not the men? Why are the men not interested in getting converted to other religions? Why is it only girls and women who are abducted, forcefully converted and forcefully married to the Muslim men?

Mr. David Anderson: Then what happens? If you go to the court and the courts rule on it, what rulings do they make? Is it that they should be returned to their communities? What are the options available, once this has taken place?

Mrs. Asiya Nasir: On this particular issue, we don't understand what the courts are doing. There was one incident when a Christian minor of 14 years was converted to Islam and married to a Muslim boy. The court let her go with her husband, while the parents and the family were arguing that she was a minor. How could she be allowed to convert and go with her husband?

I think many times it happens that the court takes the position that, once she is converted and she goes before the magistrate and records her statement, she has converted by her consent, so she can go and live with her husband and leave her family.

We are protesting that this law is wrong. We don't accept this because a minor cannot be converted. They are not allowed to see their families, their parents.

● (1340)

Mr. David Anderson: Ms. Hossain, do you have any comments on this?

Ms. Sara Hossain: Yes. I think it's a rather different situation in Bangladesh. We don't really have the same kind of situation in relation to conversions or forced conversions en masse.

In relation to child early and forced marriage, I think that is a very serious problem in Bangladesh. However, we have recent legislation, the Child Marriage Restraint Act, which provides a number of preventive measures, including setting up district committees to combat the practice. It also provides protective measures. For example, it specifies that marriage registrars have to check birth registration or ID documents, before they actually register a marriage.

There is a problem with that legislation, which I think is very much due to an accommodation by the state, actually and unfortunately, with religious and fundamentalist groups. There's an exception in the law, which says that, in certain cases, a marriage won't be treated as a child marriage even when it involves underage parties, which is a girl under 18 or boy under 21, if the parents agree that it should be treated in that way and if the court orders that. The arguments for why that exception was brought in were, presumably and implicitly, that under religious or personal law, and under Muslim personal law, in particular, a girl can marry once she's reached puberty. It seems that it's to cover that situation.

Also, there's a similar situation to what the previous speaker was saying. There are situations where there are intercommunity marriages, where an adolescent girl, aged 16 or 17, chooses to marry somebody from a different community, exercising her own consent, and her parents then come in to try to stop that marriage and that relationship. Actually, in those situations, I think there is an issue of a conflict of rights. The girl is trying to exercise her right to

marry whomever she chooses and the parents are coming in and invoking the criminal law, often making false claims about forced conversion and also rape, trafficking or other allegations, to try to prevent that girl's exercise of consent taking place. I think that it's a more complicated scenario and it's also an issue of a conflict of rights.

The Chair: You have 15 seconds.

Mr. David Anderson: I have very little time left.

Ms. Hossain, you mentioned the need for civility and respect as we work towards the universality of rights. I'm just wondering if you have any suggestions for us about how we can create a situation like that, since we seem to have that same challenge around the globe.

Ms. Sara Hossain: Yes, it's definitely a global challenge, and that's why we are grateful that you are speaking to these issues as we are not able to do ourselves domestically.

I think we have to focus on tolerance, particularly as women human rights defenders. It's very problematic that in some ways we are faster to take offence than anybody else. I think we should really be trying—obviously, with massive exceptions in terms of hate speech—to move towards greater freedom of expression, not less. Exactly in this world we have today, which seems to be about restriction and constriction, repression and intolerance, it's incumbent upon us to fight for these bigger, wider spaces.

The Chair: Thank you very much for that.

We will now move to Mr. Simms for seven minutes.

Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.): Thank you, Chair.

My questions will be for one individual and then the other, but if you want to weigh in, please just raise your hand, if you want to answer the same question.

Ms. Hossain, I want to go to your testimony first.

You talked about how difficult it can be for women seeking help in urban areas. What are the main places within an urban area in which women feel comfortable enough to approach certain community groups to seek help?

Ms. Sara Hossain: I should explain that in the Bangladesh context we have had many development initiatives. We have a government-run multi-sexual program on addressing violence against women that has victim support centres from the police, one-stop crisis centres in our medical hospitals, and very close partnerships between the government and NGOs working together. We do have, then, an excellent program in place. It's not enough; it's not in all districts, but it's an excellent model.

Having said that—

● (1345)

Mr. Scott Simms: If I may very quickly, there are NGOs and there is the government. Is there one of those that people would go to before the other? I'm trying to pinpoint here where the places of help are.

Ms. Sara Hossain: Your point is spot-on. I think the rotten problem is there isn't enough of anything. In terms of the urban scenario, Bangladesh is rapidly urbanizing. Dhaka, our capital, is one of the fastest-growing cities in the world. The issue is that many people still live in informal settlements, particularly low-income groups. There is really no connectivity between where they live and where the services are.

One thing civil society organizations are trying to do is bridge that gap, to be the groups that can, either through outreach or now increasingly through technology, try to connect these groups into existing services, whether they be health clinics, legal services, or legal aid organizations or legal aid services of the government.

Mr. Scott Simms: Has technology improved the ability to communicate with those in need?

Ms. Sara Hossain: I think it has very significantly. We have very extensive mobile phone penetration in Bangladesh and we're using mobile technology now to provide advice and information, particularly, for example, to workers around their rights in the workplace. We're now developing new apps on how to do that for our poor clients, around rights in the family issues, around domestic violence, for example, and child marriage, and also sexual violence.

Mr. Scott Simms: Ms. Hossain, let me ask the same question, except this time in the context of rural areas outside of the cities.

Ms. Sara Hossain: I think the issue of distance is much greater, in terms of getting in to places where there is actual service provision, but in rural areas we have had many development organizations working. One of the world's largest development organizations, BRAC, with whom we work also, is right across the country.

In many ways we have front-line workers available in rural areas. Even though people living in rural areas may not be able to come to the formal institutions of justice, such as the courts and police stations, there are many informal processes available. For example, mediation run by NGOs is also available for dispute resolution, not, of course, for serious crimes, as we are suggesting.

Mr. Scott Simms: How can a country such as Canada help the successful stories that come from either urban or rural areas about connecting and allowing people to come to you with a great deal of comfort?

Ms. Sara Hossain: I think there are already lessons from Canada concerning the ways women-friendly services have been run. There are also many lessons not only in terms of practice but particularly in terms of jurisprudence. The Supreme Court of Canada has set down a number of landmark decisions that have really been instrumental in terms of how we overhauled the way we see and understand rights.

Working with our judiciary, working with some of the formal institutions, but also working on the ways women have been empowered to seek and claim rights would be some of the ways you could work effectively with Bangladeshi counterparts.

Mr. Scott Simms: Thank you very much.

Ms. Nasir, my questions for you.... Well, there are many, and feel free to weigh in on what was just mentioned, if you wish, but I'm interested in your views also as a parliamentarian for, was it 14 years, 15 years?

Mrs. Asiya Nasir: It's 16 years.

Mr. Scott Simms: My apologies. I'm closing in on 16 years myself.

I want to ask you about the system. Has your system changed on a national level, or a regional level, for that matter, such that there are more minorities represented in your Parliament? Were there functional changes in your governance?

Mrs. Asiya Nasir: Yes, over the years we have seen quite a number of changes. Past governments have taken a lot of initiatives to mainstream the minorities. We have been provided with representation in the upper house, the Senate, because there was no representation at the Senate for the minorities.

Mr. Scott Simms: Is there a seat that's for you, then? How does that work?

Mrs. Asiya Nasir: There are four seats reserved for the minorities from each province, because at the Senate we have equal representation from all the provinces. There's one seat reserved for the faith-based minorities from each province. Besides that, we have 10 seats reserved for the minorities at the National Assembly of Pakistan, but in addition to those 10 reserved seats, a minority can contest any general seat from any constituency of Pakistan.

● (1350)

Mr. Scott Simms: Sure, but you still get the amount of representation within the house based on just the minority, not on geography.

Mrs. Asiya Nasir: No, it's based just on the minority, not geographically, because I think democracy still has not flourished and has not developed in Pakistan to the point that a majority would go to vote for minorities. Still, there are some precedents, because recently a Hindu member was elected to a general seat for the Pakistan Peoples Party from the province of Sindh.

Mr. Scott Simms: To you is that a promising sign of things changing?

Mrs. Asiya Nasir: I think it is, because if political parties review their manifestos and support the minorities at general elections, definitely minorities can gain seats in the general elections.

Mr. Scott Simms: Do you think that this type of change represents change to all society as well? If I'm a person who is in a terrible situation no matter where it is in Pakistan, would I feel free to approach the government if I had a particular problem, such as, let's say, a problem of forced marriage?

Mrs. Asiya Nasir: Yes, there are changes. The government is taking a lot of initiatives. Recently, regarding forced conversions that have taken place, the government is very much concerned, because a lot of pressure is exerted not from inside but from outside the country also.

The government is looking into it seriously. There's a ministry for human rights that is taking up this matter. Recently I heard they are deciding to bring forward some legislation to prevent forced marriages from happening in Pakistan.

The Chair: Thank you very much. That's your time.

We'll go to Ms. Hardcastle for the final round of questions.

You have seven minutes.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Thank you.

I'll ask my question of both of you. Perhaps we'll start with you, Ms. Nasir, because you're here, for probably about three minutes, and then the other three minutes will go to you, Ms. Hossain.

I would like to ask you about the politicization of the judiciary—the court cases and the court decisions that are made—and then about other things that are happening politically, such as supporting or closing down organizations that advance women's human rights. Is there a connection there? What can Canada's role be in helping to advance it, if we're using the United Nations or the high commission? Should we be directly supporting bilateral relationships at a more regional or local level? Should we be concentrating politically, or is the judiciary also an issue that needs to be looked at?

Mrs. Asiya Nasir: I don't think the judiciary is politicized at this moment in Pakistan or has anything to do with human rights organizations at all. I think it's more regarding governmental policies, because recently governmental policies have not been very friendly towards the organizations working in the human rights sector.

We have seen a number of organizations be asked to leave Pakistan. This raises many questions and inquiries among the people and the civil society of Pakistan, because we think a lot of work needs to be done in the human rights sector. Still the situation of human rights in Pakistan is not that acceptable.

We need to see the Canadian government and the Canadian high commission in Pakistan working more on the political side, with political representations to review governmental policies regarding the INGOs working in the human rights sector. We have seen recently that all those organizations and people who are speaking in support of human rights have been silenced and have been asked to leave Pakistan. That is not a very good sign for a government or for a country.

Ms. Cheryl Hardcastle: Ms. Hossain.

Ms. Sara Hossain: Thank you very much for raising that point. I think that the issue of closing space in our context is really critical for all human rights defenders of all genders.

The issue of the judiciary is quite difficult for me to answer because we have rather stringent contempt laws. Bearing that in mind, I would say that we still get a measure of justice. Obviously, we work primarily on providing legal services, but I think that in certain so-called sensitive cases where powerful parties are involved and there are political interests involved, it's increasingly enormously challenging to ensure any kind of remedy.

If you look at the kinds of interpretations of recent legislation... For example, the Digital Security Act has recently come into place. In addition to providing some protections and also providing, for example, for data protection, it has incredibly problematic provisions that allow a front-line police officer to arrest someone without warrant simply for hurting religious sentiment or for defamation or for hurting the image of the nation. This is a particularly problematic

provision under which we recently saw a woman football coach, one of our new members on FIFA, being imprisoned for three days based on a third party complaint alleging that she had made a comment about a high official.

We also see laws such as those that restrict the receipt of foreign donations by non-governmental organizations. That particular law says that any derogatory comment about the constitution or any constitutional body, including Parliament, can lead to very severe reprisals against the organization.

You were asking what Canada could do and how it could best respond. Canada has been a great friend to Bangladesh in the last two years on the issue of the Rohingya crisis, but I think we would really welcome your engagement with us on the situation of Bangladeshis in Bangladesh itself and actually on the concerns we have around democratic and civil space.

I wish I could be making this comment to my Parliament, but we haven't, unfortunately, had this kind of hearing suggested. We've had hearings around the legislation I just mentioned, but sadly not many of the recommendations made by civil society were paid much attention. I think these are exactly the kinds of things that can be done.

We talked earlier about the importance of civility, tolerance and respect—much in need all over the world. Again in our context, I think that dialogue across our countries focusing on the kinds of practices that can be put in place, not demonizing people who speak up for rights, not automatically identifying someone who speaks up for rights as being anti-national or somehow against independence or against history is very important, but understanding that we all are very proud of our own country and want to make change and development happen. We want, though, to do it with freedom of expression intact, being able to disagree with each other about the way we move forward towards joint goals.

I think that Canada could be part of that dialogue, could help strengthen it and could do so through engaging in strengthening existing institutions. One of our greatest fears, I think, as women and male human rights defenders is that we don't have.... The right institutions really are under threat in every respect, whether it's Parliament, the judiciary or other constitutional or statutory bodies. That's really where we need to focus, because we need to create greater space both for speech and for action and association.

● (1355)

The Chair: Thank you very much.

I want to thank both of you for your very insightful testimony and the courage of the work that you do.

We only have three minutes left, which is just the right amount of time to now view the video that Ms. Nasir has provided for us.

[Video presentation]

Thank you very much.

On that hopeful note, we can adjourn this particular session of our committee.

Thank you, both of you, for being here.

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