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

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**EVIDENCE**

**Tuesday, June 3, 2014**

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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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● (1320)

[Translation]

**The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)):** Good afternoon, colleagues. I see a quorum.

We are the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. This is our 31st meeting.

[English]

We are continuing our look into human rights in Eritrea.

Let me extend on behalf of the entire committee our apologies to our witnesses for our very late start. I see that we are 20 minutes after our starting point. That is partly a result of being in a room far from Parliament Hill, but it's primarily the result of the fact that we had an unanticipated vote in the House, and all parties had to go to it, wait until it was completed, and then come here.

That is in no way a reflection of the importance of this issue or of how seriously we take it. It is simply a reflection of one of those unfortunate exigencies.

I can see from the number of people here that there is considerable interest in this subject, so without further ado I will introduce our witnesses.

Today, representing the Coalition of Eritrean Canadian Communities and Organizations are Lambros Kyriakakos and Senai Iman, who are respectively the chairman and legal director for that organization.

Gentlemen, what we'll do here is allow you to make your testimony and then turn to questions from the members of the subcommittee.

For the benefit of members of the subcommittee, given the restrictions on time, I'll ask the clerk to speak to you about who has to leave early for S.O. 31s or that kind of thing, in order to accommodate anyone who has to leave early. We will try to make adjustments to the questioning order to reflect that, while still allowing ourselves to go past the normal wrap-up time of 2 p.m.

Without further ado, may I ask our two witnesses to begin, please?

**Mr. Lambros Kyriakakos (Acting Chairperson, Coalition of Eritrean Canadian Communities and Organizations):** Good afternoon, everyone.

Thank you so much for the explanation. The apology is accepted as long as we have the allocated time and we can present our position. Thank you.

Chairman Reid and honourable members of the subcommittee, I am honoured to be present before this esteemed institution today. My name is Lambros Kyriakakos. I am the acting chairperson of the Coalition of Eritrean Canadian Communities and Organizations. As a proud Canadian of Eritrean descent, I have travelled from Manitoba to share my submission with you. I also wish to take this time to acknowledge the important work of this committee, which we always follow.

A little over two weeks ago, Canadian communities from coast to coast took the time to celebrate our Independence Day. Eritrea is a country whose freedom was born at a very high cost. For Canadians of Eritrean descent, watching and participating in the development of Eritrea is of paramount importance. The issue of human rights has been a priority to Eritreans long before Eritrea gained its independence, and we continue to equitably address the issue.

With your permission, I would like to submit the following written testimony for the record.

CECCO, our organization, represents seven major community groups in Canada, most of which have existed for the past 30 years, and serves approximately 30,000 Canadians of Eritrean origin. We are a national body that represents Eritrean Canadian communities and organizations. Our primary purpose is to represent our communities, have a collective voice, foster good relations between Eritrea and Canada and between the people of both countries, and promote cultural exchange and trade relations.

I will go straight into our first issue. It's the occupation of Eritrea's sovereign territory. I would like to begin by saying that any discussion about human rights in Eritrea is inseparable from the acknowledgement of the long-standing and continued occupation of Eritrea's territory by Ethiopia, in violation and in disregard of international law.

I start with this point for the main reason that, up until now, the discussion about human rights in Eritrea has focused on the effects of the national security crisis and not its causes. When we speak about the impact that national security has had on national military service, migration, and expression rights, it is a helpful exercise to look at the causal effect that geopolitics in the Horn of Africa have had on limiting Eritrea's development.

This is not a novel idea that we can lay much claim to, but this comes from well-respected Canadians who have had time to deliberate on peace in the Horn of Africa. I will quickly refer you to the testimony that was given to your committee by the Honourable Lloyd Axworthy:

...the lack of resolution of the conflict is such a large and powerful force that impedes any efforts, whether it's human rights improvement or poverty reduction or agricultural reform. It's like that big 800-pound gorilla that's sitting there, and you just can't get around it. Until the conflict itself is resolved, any efforts in these other areas I think would be severely impeded.

That was said on March 24, 2005.

This sets a very dangerous precedent and remains a constant threat to Eritrea's independence, freedom, and human rights. It's not only about the non-compliance with international law and its treaty obligations, but this by itself poses a continued threat to peace and security in the region.

A similar call was also made recently by former Canadian Supreme Court judge Louise Arbour.... According to them, the international community erred seriously after the Eritrea-Ethiopia war of 1998 by not putting greater pressure on Ethiopia to implement the legally sanctioned international boundary commission's finding that granted that the disputed land belonged to Eritrea. It's a widely held belief among Eritreans that the continued occupation of sovereign Eritrean territory is a violation of the human rights of the entire population, but specifically the residents that are still today unable to return to their land.

These facts are important because Eritrea's human rights situation is largely affected by the resulting reality that our government, the American government, and the European partners are behind Ethiopia, no matter what it does, and they have not acted in good faith to guarantee the peace in the Horn of Africa that Mr. Axworthy alluded to.

• (1325)

Regarding the impact of the government's decisions on Canadians of Eritrean origin, this is a different section that we would like to bring to your attention.

We have also appeared before you to discuss what impacts us directly as Canadians of Eritrean origin. As Professor Richard Reid from the University of London put it, when referring to the United Nations sanction on Eritrea that was later adopted by the Government of Canada, "The punishment imposed on Eritrea is deeply unhelpful. It's unimaginative".

In our view, the Canadian government's adoption of the United Nations Security Council Resolution 1907 and its subsequent silence on our right to exercise our dual citizenship has effectively generated a great deal of negative media hype and a false perception of who we are as Eritrean Canadians. We are a hard-working and peaceful community who have contributed to making Canada a truly multicultural society.

At the same time, we are proud of our Eritrean heritage and many of us maintain strong cultural and economic links with our ancestral homeland. Because of it, we have witnessed what can best be described as inaccurate and imbalanced, and at worst, vexatious and frivolous representations by the media. Namely, the *National Post*

and the *Winnipeg Free Press* have come with headlines like "Eritrea raising money in Canada, financing terrorists to attack Canada" and "Protest links seminar to Eritrean terrorists". This is in reference to us—to us who are present in this room representing our communities.

The impacts on our rights have been important and almost immediate. For example, some municipalities have begun refusing our organization the privilege to fly the Eritrean flag, a non-political symbol belonging to all Eritrean Canadians, during our annual national Independence Day by citing the sanctions.

Consider also that a more serious issue like the vacuum that exists today in our ability to remit taxes to the State of Eritrea and to send remittances to our relatives. We have members who hold business licences in Eritrea, others who wish to claim inheritances or own property and cannot do so because the Government of Canada has not acknowledged our right to do so and the major banks have, as a result of the confusion, decided not to take any risks surrounding the transfer of funds.

The confusion and controversy has been, by and large, the work of a small but determined group of ex-patriot political activists now living in Canada who see no harm in using our communities as a springboard for importing their political fights with the Eritrean government into Canada. These are not individuals who participate in our events or help in delivering our social programs. They are content in trying to weaken our communities if it will help sway public opinion in Canada about regime change in Eritrea.

With regard to the diaspora tax, Canadians of Eritrean descent maintain strong links with Eritrea, but we are being prevented from effectively exercising our dual citizenship rights by paying the 2% rehabilitation tax that we voluntarily remit to Eritrea each year. This tax is what allows us to contribute to the development of the country and allows us to benefit from access to important services and property rights in Eritrea.

While the Canadian government has not directly prevented our members from paying the tax, our calls for the government to expressly pronounce itself on the legality of the tax have gone unanswered and the lack of clarity surrounding the issue has caused the banks to make it difficult for Eritreans to exercise their dual citizenship rights more effectively.

It is worth mentioning that recently a Swedish parliamentary committee, similar to this one, recognized the right of its citizens to remit the 2% rehabilitation tax to Eritrea. The decision itself supports much of the research we have conducted, but as a foreign decision it's of limited probative and evidentiary value. If there is a procedure whereby we could request a legal statement or a technical interpretation on the part of this committee that would elaborate on the legality of the tax similar to the one conducted by the Swedish parliament, we would gladly welcome it.

●(1330)

Human smuggling is something we would like to bring to your attention. Canada is signatory to the United Nations Convention against Transnational Organized Crime. Human trafficking in the area of the Horn of Africa has gone out of proportion and nothing has been done from Canada, from our side. Eritrea has called for a United Nations-led investigation on human trafficking in the Horn of Africa. We urge Canada to take the lead in calling for an independent United Nations investigation on human trafficking in the Horn of Africa.

In conclusion, we would like the Coalition of Eritrean Canadian Communities and Organizations to be included in the process of creating a more fertile ground for the improvement of Eritrean-Canadian relations and human rights issues in the Horn of Africa. Consultation with our organization will pave the way for a balanced perspective on Eritrea and related human rights issues.

We value both our Canadian and Eritrean identities. We have never been threatened or harassed to pay the 2% rehabilitation tax to the Eritrean consulate. Those of us who do contribute to the tax do it of our own free will in recognition of the sacrifice required to rehabilitate a war-torn nation.

To date, no allegation of intimidation or harassment has resulted in any charges by the crown. The members of our community, who do not wish to maintain their citizenship rights, are under no obligation to pay taxes to the Eritrean state. They can travel. They can go and visit their family. They can do all the things they want to do. The 2% rehabilitation tax levied on Eritrean citizens living abroad emerged during the Eritrean referendum process and was inspired by the Eritrean community in diaspora. This was put into law in Eritrea after that by the Tax Form Proclamation No. 17/1991 and 67/1995.

Our objectives today are threefold. First is to urge you to add pressure on the Ethiopian government to comply with the decision of the Eritrea-Ethiopia Boundary Commission and withdraw its forces from sovereign Eritrean territory. The continued occupation of Eritrean territory is a violation of the human rights of the Eritrean population in itself.

Furthermore, we remind you that the act of Ethiopia's non-compliance with international law and its treaty obligations poses a continued threat to peace and security in the region and sets a very dangerous precedent. The 2005 parliamentary Standing Committee on Foreign Affairs and International Trade accepted that the resolution of this conflict and occupation was central to improving the human rights situation in the region. It is difficult and complicated to move ahead on these areas without first resolving the occupation issue.

Second, we would like to seek protection for our rights as Canadians of Eritrean origin because the ill-perceived interpretation of the United Nations sanction, Resolution 1907, and the Canadian government's adoption of the resolution encroaches on the rights of Canadians with dual citizenship—the protection of our rights that are guaranteed by the Canadian Charter of Rights and Freedoms.

Third, we come to call on Canada to take the lead in calling for an independent United Nations investigation on human trafficking and organ trafficking in the Horn of Africa, the Sahara, and the Sinai.

Finally, we request that CECCO is consulted in the process of creating a more fertile ground for the improvement in Eritrean-Canadian relations for the benefit of both countries and our respective communities.

In the first 23 years of existence as a sovereign state, as well as in its long and storied history, Eritrea has faced many challenges and has overcome them. Going forward, as it is a proud tradition of Eritrea, we are certain we will continue to overcome the current challenges and the diaspora will be beside both our adopted nations. But we're imploring Canada to participate in a supportive as opposed to an antagonistic manner in this journey.

Thank you for your attention.

●(1335)

**The Chair:** Thank you.

May I conclude, Mr. Iman, that you don't have a presentation or do you have one as well?

[Translation]

**Mr. Senai Iman (Legal Director, Coalition of Eritrean Canadian Communities and Organizations):** That is correct, Mr. Chair. I have nothing to add. I should have mentioned at the beginning that I wanted to share my time with Mr. Kyriakos. We can therefore proceed with the questions and answers.

**The Chair:** Great, thank you.

[English]

All right, colleagues, we have less time than usual. I would propose the following to you. I hope you will find it acceptable. It's four minutes each, question and answer inclusive, which as a practical matter means one question, one answer. You'll have to look to me to see if you have enough time for a second question.

Second, because Professor Cotler has to go to the House of Commons to deal with an S.O. 31, and it is a distance, and without saying too much, Professor Cotler is not the youngest member of the House of Commons—

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** I never noticed.

**The Chair:** —I'm going to ask him to go first, and then we'll go back to our usual rotation.

**Hon. Irwin Cotler (Mount Royal, Lib.):** Thank you, Mr. Chairman.

I want to put a question regarding the human rights situation in Eritrea, which has been the subject both of witness testimony before this committee, and in particular, of the UN Human Rights Council universal periodic review and the Special Rapporteur on the situation of human rights in Eritrea. In fact, the special rapporteur, in her report on May 2013, referred to human rights concerns, such as extrajudicial killings, enforced disappearances and incommunicado detention, arbitrary arrest and detention, torture, etc.—I could go on—and the lack of fundamental freedoms.

Canada, just two months ago, submitted recommendations to the UN Human Rights Council universal periodic review on Eritrea's human rights situation, in which it urged Eritrea to take the necessary steps to ensure respect for human rights, including rights of women, political rights, the rights of persons in detention, freedom of expression, etc., and the rights of religious minorities and religious communities deserving protection from persecution.

What is your assessment of all of these reports, internationally and that of the Government of Canada, regarding the situation of human rights in Eritrea?

● (1340)

**Mr. Lambros Kyriakakos:** Specifically with regard to the human rights special rapporteur, 300 communities all over the world requested to report and meet with the special rapporteur. The special rapporteur denied access to 300 communities all over the world, Eritrean communities, and got her evidence from refugees inside Ethiopia, in Djibouti. The credibility of that report is, to say the least, highly politicized.

**Hon. Irwin Cotler:** What about the fact that the report of the special rapporteur has been corroborated, and indeed expanded upon, by the U.S. Department of State, the U.S. Commission on International Religious Freedom, Human Rights Watch, Amnesty International, and other NGOs that I could mention? In other words, it's not just the UN special rapporteur. It is really other governments, human rights groups, and in fact our own government, who have joined in those same criticisms.

**Mr. Lambros Kyriakakos:** I would like to defer and answer your question by acknowledging the fact that we are communities and we are providing information based on the facts that we know. What do we do as Eritrean Canadian communities? I represent the Eritrean Canadian community in Winnipeg. We have sponsored 2,500 refugees. This is the second generation of refugees. When we sponsor them, their political opinion is not the same as the political opinion of the people who are bringing them to Canada. We do it on the basis of humanitarian criteria. The relations between the two generations have a difference. The people who say that they are suffering are being helped by the people who have a totally different political opinion. We heal the wounds in our own way.

The reports that we have seen internationally do not reflect the reality in Eritrea. We need to improve human rights in Eritrea, definitely, but the reports do not reflect the reality. They have a cultural bias and a chronological bias. The chronological bias is directing the youth without recognizing the difference between north and south. We have thousands and millions of Africans crossing the Mediterranean. What portion of those are Eritreans? Are we addressing human rights based on the issues of torture and persecution or are we addressing them based on the brain-drain that's happening in Africa and on migration?

The second point is Eritrea's history. We are here today, and this is the first generation. We were persecuted because we said we were Eritreans. We survived and we are alive because, while we were identifying ourselves that way, nobody's bullet reached us. The people who stayed in Eritrea had to live under the rain of napalm of the Soviet Union. The whole world was silent.

We overcame the crisis and we became independent. We are still threatened. In 1961 our institutions were abolished. Eritrea was deinstitutionalized during the Ethiopian occupation and prior to that. We don't have the institutions to create and address issues of human rights the way they're being seen in the western world. So the criteria contain a chronological bias, because we are setting standards in Canada to judge people in Eritrea. All the reports that have been done have the chronological bias and the cultural bias.

● (1345)

**The Chair:** We'll have to hold that answer there, I'm afraid. We're substantially over the allotted time for this question.

**Mr. Lambros Kyriakakos:** I apologize.

**The Chair:** That's fine. I know you're trying to give a full answer.

If you find that there's a thought that you need to continue in another answer, you can always do so and work it into your response to another question.

**Mr. Lambros Kyriakakos:** I apologize for taking too long.

**The Chair:** Mr. Sweet, go ahead, please.

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

Mr. Kyriakakos, could you explain to my colleagues the relationship of the Coalition of Eritrean Canadian Communities and Organizations to the present government in Eritrea?

**Mr. Lambros Kyriakakos:** We are a coalition of many communities across Canada. We are not homogeneous in Eritrean politics or Canadian politics. We have people from all views in every aspect of political life. One thing is that there is a common baseline about national issues in Eritrea because all of them are people who came, mostly to Canada, during the 30 year war of occupation. That's the common baseline. We do not entertain politics inside. We do, though, promote development. We do not coerce and advocate for the 2% unless somebody comes and asks for information and asks how to renew their permanent resident card. Then we tell them the way.

**Mr. David Sweet:** You mentioned that everybody voluntarily remits this 2%. You're saying that you have no official connection with the Government of Eritrea.

**Mr. Lambros Kyriakakos:** Our connection would be a connection to the community of the motherland, not to the government of Eritrea per se.

**Mr. David Sweet:** I think it's important that you understand that we are here as a committee, a human rights subcommittee, to defend Eritrean people. The regime is what we have some grave concerns about. I have a binder that's substantial in size, as you can see, and all of this is filled with witness testimony regarding human rights abuses that are tantamount to the worst in the world. You mentioned that there's a chronological bias, but you use a statement from 2005, from Mr. Axworthy, to justify why there's this regime that conscripts every citizen in the country to service, and often prolongs that service for as long as they choose, and even restricts access in and out of the country.

I have trouble with the whole notion that the security situation in Eritrea is why this lack of human rights is necessary. If anything, if you're talking about chronology, we have seen no evidence that there is a desire on the government's part to have some of these institutions rebuilt and begin to emerge again. How do you explain that?

**Mr. Lambros Kyriakakos:** I believe it's a matter of assessment on the ground. As Eritrean Canadians, we would like to promote better communication between Canada and Eritrea in order to have that assessment on the ground done in a better way. We believe that some of this information, if not really seen on the ground, won't reflect the reality. If we are able to upgrade the consulate here—at a certain point it was at an ambassadorial level, too—improving that communication actually will give Canada an opportunity to take a lead role, since there are at least four Canadian companies in mining areas. When they've been asked about the human rights situation or whenever there are references to the Eritrean reality, they don't talk the way we hear it here.

**Mr. David Sweet:** How am I doing?

**The Chair:** You're actually just running out, I'm afraid, Mr. Sweet.

Before we go on, though, I have a quick question. There are just four Canadian mining companies operating in Eritrea? I thought there were—

**Mr. Lambros Kyriakakos:** There are four Canadian companies right now.

**The Chair:** In mining...?

**Mr. Lambros Kyriakakos:** Yes, in mining....

**The Chair:** Okay. I did not know that. All right, thank you.

Mr. Marston, I'll go to you next.

• (1350)

**Mr. Wayne Marston:** Mr. Kyriakakos, oftentimes we ourselves and the government are in disagreement on points of view and perspectives, but the testimony on Eritrea that's come before this committee is completely offside with what you're telling us here today. I think it's important that we hear both sides of the story.

In your remarks—and I may have heard you wrong, so I want to give you a chance to clarify—you said the 2% tax originated in the diaspora. The testimony we have is that the tax is enforced by the government—I will state it was a media report—and that there are threats of violence and other illicit means used to gather that particular tax. As Mr. Sweet indicated, from the information we've received here, there's no end result, where you see rehabilitation happening, and it gives the impression it's just going into some official's pocket some place.

Our party takes great interest in the reports that come from rapporteurs from the United Nations. We partner with Amnesty International all the time. That is an organization of particular integrity, in our view. There's a contradiction that I'm hearing between your testimony and the evidence that has come from these sources that we have a certain level of faith in. So, I'm surprised at your testimony. I was expecting it to be somewhat more frank, because every indication is that there are horrendous human rights violations happening in that country every day. There's no justification that I can see for any form of defence of that at all.

You're free to respond as you wish on this, but I'm taken aback by your testimony today, sir.

**Mr. Lambros Kyriakakos:** Well, thank you for giving me the opportunity to explore that side.

The diaspora tax—the original name in the Tigrinya language was the healing and rehabilitation tax—was established as a request from the diaspora. The issue of social justice was a prominent issue after independence. We have a country that had been destroyed, and there were people who had been living outside of Eritrea, and there were people who had suffered inside. We had 20,000 orphans, 60,000 handicapped people, and all the social impacts of 30 years of war.

The diaspora came immediately and said, “what are the grounds for terrorism?” It's the reduction of poverty. It's addressing social justice. Social justice could not occur without the contribution of the diaspora, so it was up front. They said, “Let's implement and help with 2% of our...”, because prior to that, we had been helping with 10% or 15%. So the 2% was legalized in 1991 and rehabilitated 20,000 orphans, 60,000 handicapped people, and started building the basic institutions.

Today, Eritrea has met seven of the eight millennium goals in 20 years. This is a UN statistic.

As for the diaspora tax, the people who came to you here have eloquently avoided telling you that they have been educated in Eritrea, freely, with the diaspora money, with the 2% contribution that we have sent them. Life expectancy in Eritrea from 1991 to 2011—the last statistics—has improved from 39 to 65. We, the diaspora, assisted with their education, improved their health status and the environment, and sponsored them to Canada.

Their relationship is not a relationship we have to want to build, as in Iraq, in Libya, and in Syria. We are the social fabric of Eritrea. It's different. We have nine nationalities. We have many religions that have been harmoniously coexisting for many years, and they do not allow things to happen like those in Somalia. It's the social fabric, but it's also the political conscience of the government that is there. We give the benefit of the doubt, even if the government has misgivings, and even if we see the shortcomings, because they're liberators. They prevented genocide. For 30 years, we were hammered with napalm by the Soviet Union, and we survived. We were not there. We were in the diaspora. These people stayed there and prevented that genocide. They didn't allow a Rwanda to happen there. So that appreciation gives enough benefit of the doubt, even to faults of the government.

They are ordinary people. They don't own houses. They don't own cars. They run in the city with sandals on. They go to ordinary weddings of ordinary people. They haven't changed. It's also difficult at the same time to change some of the mentality. We will give them the chance, because they deserve it.

• (1355)

**The Chair:** Thank you.

Ms. Grewal, you're next.

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Thanks, Chair.

Thanks to the witnesses for your time and your presentation.

Mr. Kyriakakos, could you please tell us how the presence of Nevsun Resources Ltd. negatively impacts those conscripted into the national service? Do you believe there is a connection between Nevsun and the funding of armed coalition groups within that region?

**Mr. Lambros Kyriakakos:** Thank you for the question.

The only statistics we have are the statistics available for the Eritrean government. I'm not a source of them, but because we follow these issues, they are issues at heart.

The government has immobilized 110,000 soldiers. For the ones who work at Nevsun, Nevsun knows the details about them. We have zero tolerance of human rights abuses, because these are the principles of the Eritrean liberation. There's no liberation and freedom without respecting human rights. The direction we know is there.

With Nevsun, they posted a few things after they were accused, and there was more detail. The Government of Eritrea at that time actually gave details on how many people worked there, how much was paid in salary, and the conditions. But there was a huge cultural bias. When I saw the initial report that said the workers sat together and eight people ate off one plate, this has been happening for centuries in Eritrea, okay? So when we see those kinds of biased reports, we really know that this report was not written on the ground. It was written somewhere far away in reference to what is not happening there.

**Mrs. Nina Grewal:** Does the Coalition of Eritrean Canadian Communities and Organizations support the UN sanctions against Eritrea, and what other steps do you believe Canada could undertake to appropriately address these human rights violations?

**Mr. Lambros Kyriakakos:** It's stated here there's no peace and no war. If Eritrea is not in compliance with the treaty obligations, it's not because a tiny bit of ground has not been returned to Eritrea. It's the threat that it poses to security and peace. If there are no confidence-building measures between the two countries, then there is no possibility of demilitarizing the area. What probably hasn't been said many times is that Eritrea has about 300,000 armed soldiers, and Ethiopia has the ability within six weeks or months to have a million soldiers. It has this in reserve soldiers.

If the situation is not demilitarized...because there is no actual threat and there is no improvement. Human rights will not improve and agricultural development will not happen.

Canada has a role in pushing for the implementation of the already existing treaty. That will be the biggest confidence-building measure that is necessary on the ground to help defuse the tension. I think that would be.... Other forms of help.... I mean, as a coalition of communities, we are not politicians to be able to really identify that, but we know what the biggest obstacle is there.

**Mrs. Nina Grewal:** Could you please tell us about the conditions in Eritrean prisons? Are the prisoners treated differently based on the crimes they have supposedly committed? For example, are journalists or government officials treated differently from those arrested for religious reasons?

**Mr. Lambros Kyriakakos:** Our recommendation to the government whenever we can talk, when the officials come here, is that though we may not be able to have the institutions of the west, we need to move forward to save the next generation from this huge migration. It's not only an Eritrean migration. It's an African migration. It's a very sad combination of migration, human trafficking, and human tragedy.

We will support, as Eritrean Canadians, to improve, to add our little bit to the improvement of relations between Eritrea and European countries, and Canada in particular, in order to enable Eritrea to come out of this crisis, because we believe this is a crisis. The United Nations itself has said it's a crisis.

I don't think I can add more, because as a community leader I do not have specifics on where the United Nations' sanctions are and what's going to happen in the future, but we will always advocate for lifting the sanctions.

• (1400)

**Mrs. Nina Grewal:** Mr. Chair, do I have time remaining?

**The Chair:** No. I'm afraid I've actually allowed this round to go over by about a minute.

Mr. Benskin, you're next.

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Thank you, Mr. Chair.

In your presentation and a number of times in your responses, you've raised the issue of cultural bias and so forth, and that things are not as they appear, or people don't see them on the ground. So I'm asking you directly, what in your opinion is the human rights situation in Eritrea?

My colleague, Mr. Sweet, has spoken. I'm new to the committee, so I don't have as in-depth experience on the subject as Mr. Sweet and my colleague, Mr. Marston, but I learned there has been in-depth testimony as to the human rights situation in Eritrea. If I understand you, you're basically saying that they are wrong, mistaken, or whatever. So what are we missing? What is it that we are not getting about the human rights situation in Eritrea?

**Mr. Lambros Kyriakakos:** Eritrea is a small country. Its diplomatic efforts and media access are limited. There is confusion, so I will bring you some simple examples here. We have a decision from an Israeli court in which they brought 20 alleged Eritrean refugees to deport them. The court decided, after finding evidence, that.... This is from August 26—



**Mr. Tyrone Benskin:** I'm sorry, the question I'm asking is what is happening. I'm not asking what other countries are finding. I'm asking you what is happening in Eritrea that we're not getting.

**Mr. Lambros Kyriakakos:** Yes, I will conclude here.

Nineteen of the 20 people who went to court in that particular court in Tel Aviv happened to be Ethiopian. The number of refugees reflected outside, in IOM or international statistics, may refer to Eritrean citizens. Many of them are not Eritrean citizens.

**Mr. Tyrone Benskin:** But what is happening—?

**Mr. Lambros Kyriakakos:** I will answer the question.

On the ground, human rights issues, particularly pertaining to military service, have to improve.

**Mr. Tyrone Benskin:** They have to improve how?

**Mr. Lambros Kyriakakos:** The border demarcation will defuse the tension. The youth will be able to be demilitarized. Development will be able to happen. Lifting the sanctions would allow remittances and the 2% tax to be directed for development.

**Mr. Tyrone Benskin:** I'm sorry. I'll be blunt; I'm a blunt person. My feeling right now is that you're skirting around an issue rather than giving me a direct answer.

The question I'm asking you is about what is happening in Eritrea now, in terms of human rights activities, that we may be misinterpreting. I'm not talking about whether or not we should be lifting sanctions. I'm asking about what is happening that you are saying is not happening and that other witnesses are saying is happening.

**Mr. Lambros Kyriakakos:** There's an exaggeration of the numbers. There is an exaggeration in the description. There is—

**Mr. Tyrone Benskin:** There is an exaggeration how?

**Mr. Lambros Kyriakakos:** —of the numbers that are witnessed here.

**Mr. Tyrone Benskin:** You said there was exaggeration in the description. How is there exaggeration?

**Mr. Lambros Kyriakakos:** We're talking about 60,000 or 40,000 living in Eritrea—the numbers fluctuate.

Since independence, more people have returned to Eritrea than have fled from Eritrea. Eritrea had a population of two million people and now has a population of four million people. The number of returnees actually is higher than the number of people fleeing over the 23 years, so this is inaccurate. Are people actually leaving? The youth are leaving.

So the inaccurate statistics are one factor. They are an exaggeration.

The intensity of the human rights abuses that happen, to Eritreans who live there and who visit Eritrea, are more because of the problem that we don't have institutions. Our justice system has not really reached the level that is desired to have proper processes and to act in such a way that it will guarantee a human rights process the way that would be perceived in the west.

• (1405)

**Mr. Tyrone Benskin:** Okay.

**Mr. Lambros Kyriakakos:** So we lack institutions, but we have to examine the causes of why we lack those institutions.

**Mr. Tyrone Benskin:** Do I still have time?

**The Chair:** I gave you an extra minute there. Thank you very much, Mr. Benskin.

We'll go to Mr. Woodworth. I'll just mention to our colleagues that we are running past time. I know some people may have to go to the House of Commons. I'll just ask that we have at least one New Democrat stay here. In order to keep testimony, we need at least one opposition member.

**Mr. Wayne Marston:** We'll both stay.

**The Chair:** Okay, that's excellent.

Mr. Woodworth, please.

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Thank you to the witnesses for appearing today on what I know is a very sensitive issue and an important one for all concerned.

Did I understand you to say, Mr. Kyriakakos, that there would be no consequences visited upon expatriate Eritreans who fail to pay the 2% tax?

**Mr. Lambros Kyriakakos:** Yes, that's correct.

**Mr. Stephen Woodworth:** I wasn't personally familiar with this, but apparently there is an audio recording made by Semere Ghebremariam O. Micael, who was the head of the Eritrean Consulate General in Ontario, of a presentation made on April 21, 2013, in which Mr. Micael apparently informed the gathering that Eritrean citizens would be precluded from investing in Eritrea unless they paid the 2% tax.

Were you aware of the existence of that audio recording?

**Mr. Lambros Kyriakakos:** I think I'm aware of it because CBC aired it at that time.

**Mr. Stephen Woodworth:** Is it that you disagree with Mr. Micael and that he is wrong to say that this consequence would be visited upon people who did not pay the tax?

**Mr. Lambros Kyriakakos:** I think there is a distinction. People can go and visit Eritrea. To invest in Eritrea, you have to be a taxpayer.

**Mr. Stephen Woodworth:** So when you said that there would be no consequences visited upon people, you didn't mean no consequences; you just meant that they might be physically safe if they visited Eritrea but they would not have other rights—for example, the right to invest.

**Mr. Lambros Kyriakakos:** Correct.

**Mr. Stephen Woodworth:** All right.

I wasn't here to hear this evidence personally, but the subcommittee was apparently told that there have been threats against Eritrea-located family members in order to compel Eritreans in Canada to pay the tax.

Is it possible that something like that might be happening?

**Mr. Lambros Kyriakakos:** The Eritrean Canadian communities have a history of 30 years here. It's been 22 years since the implementation of the 2% rehabilitation tax. We have heard about this issue in the last two years.

Why wasn't this reported to police? Why has no legal decision from any court in Canada or all over the world reported that there was an issue of extortion or forced payment? There are no legal documents, actually. There are only witnesses saying that.

**Mr. Stephen Woodworth:** Is it possible that these witnesses, who perhaps are poor and powerless, and who perhaps have no access to the legal system in Canada, may perhaps have been subject to threats by well-meaning but erring officials in Eritrea?

**Mr. Lambros Kyriakakos:** No. I can positively tell you that the social fabric of the Eritrean community would never allow such a mood to be developed. We would have zero tolerance for that.

• (1410)

**Mr. Stephen Woodworth:** So the committee then is faced with the choice of either accepting the evidence that there have been some threats made or accepting the comment that you just made.

**Mr. Lambros Kyriakakos:** I would suggest that there be further investigation with details, with reported details, of any people who have done that. We don't want anybody, in the name of the Eritrean community or representatives, to act upon other Canadians that way.

We would like to see the police investigations report. Then we'll be able to comment on that.

**Mr. Stephen Woodworth:** I won't ask anything more, but I do find that it becomes difficult to do that when there are people in a relatively helpless position who are complaining about a government, although in Canada we have a robust system of justice to allow that.

In any event, I appreciate your answers. You've made the choice for the committee very clear.

I will cede any time that I have remaining.

**The Chair:** As it turns out, you have no time remaining. In fact you're over a little bit. But in that you're in good company, because everybody else was over too—except for Mr. Sweet, who was under by three seconds.

I have a question, if I could, just before we let you go. You mentioned earlier that four Canadian companies engaged in mining operations, and I'm surprised by that. I'm aware of Nevsun; in fact we'll have a lawyer who did a human rights investigation with regard to Nevsun's practices appearing before this committee on Thursday. I'm aware of a second Canadian gold mining operation, but I wasn't aware of the other two.

Could you perhaps fill us in? You may not know the names, in all fairness, but if you just happen to have that information, we would be grateful to you for that. We obviously have a strong interest in Canadian mining operations and their behaviour in any country, including yours.

**Mr. Lambros Kyriakakos:** There are 20 companies in total in Eritrea doing mining. Four are Canadian companies. I can forward the names of the companies. I do not have them available.

**The Chair:** I'd appreciate that.

This must include companies that are doing mining exploration and aren't actually setting up mines, per se. They're not actually conducting extraction at this point, I'm guessing.

**Mr. Lambros Kyriakakos:** I can commit to sending you the details of the work they do.

**The Chair:** Okay. I'd really appreciate that very much. That would be very helpful to us.

Colleagues, you've been very good at letting this go much later than I think we've ever gone in the past. I am grateful to you.

I'm grateful as well to both of our witnesses for attending and as well as to the members of the audience. You've been very flexible. I know the room got changed on you. You've been most accommodating to us. We are grateful that you were able to adjust to all of the oddities that the Canadian parliamentary system imposes.

Thank you very much.

**Mr. Lambros Kyriakakos:** Thank you.

**The Chair:** The meeting is adjourned.

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