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Chair

Mr. Michael Levitt

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

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• (1305)

[English]

The Chair (Mr. Michael Levitt (York Centre, Lib.)): I call the meeting to order.

We're going to revise the schedule slightly. Before we hear from these wonderful witnesses who have already been diverted from last week, we want to try to get approval of the joint statement, which would go out tomorrow morning, given that it's not going to get out this afternoon. I think it's being translated and finished off.

Okay, so the joint statement has been approved and will go out—

A Voice: I'm reading it.

The Chair: Oh, you're reading it. Sorry.

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): How did we determine the content of this brief? Is it just based on witness testimony? I'm pretty sure the witness testimony was a lot more extensive than this, so how did we select these specific paragraphs?

Ms. Karine Azoulay (Committee Researcher): Yes, it is based on witness testimony. We tried to give the broad strokes.

Let's say that yesterday we had Mr. Raeesi discuss family law. Instead of going into detail, we highlighted the rights of women and children. That is an example of how we would give the broad strokes of very specific information. Does that make sense?

Ms. Iqra Khalid: It does. Were the rights of women, girls, and sexual minorities brought up by multiple witnesses, or just the one?

Ms. Karine Azoulay: We had Mr. Raeesi; it was also developed by Mr. Akhavan, so there was more than one witness.

Ms. Iqra Khalid: Okay. And the incitement of anti-Semitism was brought up by multiple witnesses?

Ms. Karine Azoulay: Anti-Semitism came up in the context of minorities more generally, and specifically with the Holocaust cartoon contest. That was the big exclamation point upon which the anti-Semitism comment was made.

The Chair: I'd like to welcome our honoured guests here today, and again, thank you for rescheduling and coming back to be with us.

From Inter Pares, we have Rebecca Wolsak and Kevin Malseed, program managers; from Amnesty International Canada, we have Alex Neve, secretary general; and as an individual, we have Abid Bahar, a professor from Dawson College.

Given our timeline, if we can get right into the introductions, that would be fabulous, and then we'll move on to the questions.

Thank you for being here.

We can start with Inter Pares, then Mr. Neve, then Mr. Bahar.

Ms. Rebecca Wolsak (Program Manager, Inter Pares): Good afternoon, and thank you for this opportunity.

Inter Pares is an Ottawa-based international social justice organization, and we have been working with people from Burma for over 20 years, often with significant support from the Government of Canada.

Today I will build on some of the really great testimony that you have already heard and make four recommendations before my colleague Kevin shares information about the camps.

When studying the human rights situation for the Rohingya, it's important to look at the bigger picture. Decades of military rule and active combat, as well as extensive control over resources and information, have been devastating. Burma's dictators had a vision: to build one nation, with one race and one religion. Propaganda has nurtured prejudice against people of different ethnicities and religions.

Approximately 40% of the population are not Burman. They identify as ethnic nationalities. These people live in areas where conflict has raged in a desperate attempt by the military to control the people.

While Aung San Suu Kyi has led a democracy movement that most of us are familiar with, the parallel struggle for ethnic people to have control over their own lives, their struggle for a federal democracy, is less understood. The new NLD—National League for Democracy—government took office last month, but behind the scenes, the military still has a firm grip on much of the country. Progress towards peace, towards freedom of religion, and towards a decentralized state is slow and stumbling. There are legitimate fears about the political will of the NLD, and there are significant constraints put upon them by the military-drafted constitution. Within this context, the systematic oppression of the Rohingya has been extreme.

Historically, the government and military have played a role in stoking people's fears and provoking anger against Rohingya. In recent years, these efforts have broadened to target all Muslims in Burma. There is a particular case with the Rohingya, though, and in part it stems from a fear that using the name "Rohingya" will lead to recognizing them as an ethnicity. In turn, this will come with special rights and may lead to a demand for a state of their own. This fear is not founded on any loud movement of Rohingya calling for a state of their own. It is hypothetical, but in Burma today, land is an extremely contentious issue.

In Burma, Rohingya are predominantly seen as illegal immigrants from Bangladesh. In Bangladesh, though, Rohingya are seen as illegal immigrants from Burma.

When the NLD talks about the importance of the rule of law and appoints a former major general as the minister of immigration, they are signalling to some that they intend to crack down on "illegal Bengalis". When people are talking about nationalist movements, such as the so-called "Buddhist" movements or the Arakan National Party, they are speaking of the desire to maintain current citizenship laws and to expel Rohingya.

I ask you, as members of Parliament, to imagine the predicament of Burma's MPs, chosen by an electorate that is, at best, ignorant of the plight of the Rohingya. There is value in loud external pressure when the pressure doesn't come from within your riding. The louder it is, the easier it would be for them to take a stand. Canada needs to play this role.

Our recommendations are that, one, Canada must use the name Rohingya publicly and often. The right to self-identify should not be controversial. This comes at a risk, but we cannot be complicit.

Two, Canada must help the new government by publicly pushing for changes to the citizenship law and the constitution.

Three, Canada must ensure engagement is balanced. Support this new government, be critical of the military, and support ethnic civil society.

Four, Canada should welcome Rohingya refugees who are being held in detention centres in Malaysia.

Kevin, go ahead.

• (1310)

Mr. Kevin Malseed (Program Manager, Inter Pares): Thank you.

I've been in contact with Rohingya people and issues since 1992, when the Burmese military mounted a major pogrom against them that drove 300,000 refugees into Bangladesh, but today I want to talk mainly about my visit to Sittwe, capital of Arakan State, just over two months ago.

To clarify, in the Sittwe area almost all Rohingyas were forced from their homes into displacement camps, unlike farther north, in Arakan State, where Rohingyas still live in their home communities, though under heavy restrictions.

When you fly into Sittwe airport, the first thing you encounter is large signs listing areas where foreigners are not allowed to go, including entire townships where Muslims live, and a reference to

"Bengali quarters" in and around Sittwe itself. In the town itself, you can't miss the huge new golden Buddhist temples being built. The mosques are harder to find, even the large ones on the main streets, because they're now barricaded with barbed wire and police boxes, overgrown, and slowly crumbling. The clear intent is to impress upon everyone that this is a staunchly, exclusively Buddhist place, even though it never was.

Since 2012, the Rohingyas have been driven out of the neighbourhoods where they lived, except one, Aung Mingalar quarter, where they are penned in by barbed wire and police. The neighbourhoods they were forced to abandon are also surrounded by barbed wire, but are now covered in the makeshift shacks of Arakanese squatters, mostly poor people who have moved into town from the countryside. Authorities ordered that no one should move into these areas, but have done nothing to prevent it.

Tens of thousands of Rohingyas forced out of Sittwe are now in camps eight or 10 kilometres outside of town. Going to this area, past army camps and military and police checkpoints, is difficult. The camps lie in an area of Rohingya villages that were established when the military corralled Rohingyas here in the early 1990s in a previous pogrom. These people eventually managed to set up village-like environments, and the new displacement camps are in rice fields near these villages.

Rohingyas can move around between the camps and villages, but cannot leave this area, not even to go to town. To do so, they need police permission, which is almost impossible to obtain.

In contrast, Arakanese Buddhists are free to enter and move around the Rohingya area without permission, and there are persistent fears that radical mobs could easily attack the unprotected camps.

There are many camps. I visited three. Two of these were "registered camps". Each houses several thousand people in very rudimentary bamboo longhouses with dirt floors. Keep in mind that these are proud people who, in many cases, had modern houses in town, and their own shops or fishing boats.

Here they can receive a basic monthly rice ration from the World Food Programme. Save the Children has built basic drainage, wells, and latrines, and runs small so-called "temporary learning spaces" that aren't even allowed to be called schools. They get nothing else. There is one small government health clinic, but it only has a doctor for an hour a week, and no medicines. I met two people who are slowly dying for lack of medical care: a man who looked more like a skeleton, and a woman whose entire jaw had been eaten away by infection and who could no longer eat.

Médecins Sans Frontières and other international NGOs are no longer allowed to provide medical assistance in the camps I visited. Those who become very seriously ill can ask permission to travel to Sittwe hospital in town, but there they are segregated in a ward with one nurse and no doctors and essentially left to die. The hospital even created a separate blood bank for this ward after Arakanese Buddhists protested in fear that they might be accidentally given Muslim blood.

If people in the camps need clothing or medicines, they have no choice but to sell their rations to get money. I met a young couple with a one-year-old baby, who had to sell two months of the family's ration to buy medicines when the mother fell ill. All three are now starving, living only on what neighbours can spare from their own rations.

• (1315)

The so-called “unregistered” camps are even worse.

To explain, when the waves of anti-Muslim violence forced people into these camps in 2012, many Rohingyas were trapped in their villages or town neighbourhoods, surrounded by armed mobs and Burmese military. They only reached the camps three or four months later, by which time the government authorities said registration was already closed, so they could not be counted.

As a result, they had to build shelters on the most flood-prone land with no help. Their shelters are regularly flooded or destroyed by storms or cyclones. Worst of all, they're not allowed to receive any rations, which means they have to survive by begging among other Rohingyas, acting as bicycle rickshaw drivers between the camps, or however they can. Conditions in these camps are even more desperate, unsanitary, and prone to malnutrition. People I met there had lost family members to diarrhea or dysentery without treatment.

Can the Burmese government resolve this situation? That will take a lot of pressure, because it's largely the Burmese government that created it.

The most recent Thein Sein government revived anti-Muslim rhetoric and violence as a means of nation-building. The police and the military stood by or actively joined in violence against Muslims. His government facilitated the rise of the 969 and Ma Ba Tha radical anti-Muslim movements by allowing and supporting their rallies while cracking down on all other forms of public demonstration.

The new NLD government is clearly afraid to anger these movements, which is why the NLD party refused to run a single Muslim candidate in the 2015 election and has been reticent on human rights for Rohingyas ever since.

This is a situation where concerted international pressure is necessary to create change.

Thank you.

The Chair: Thank you very much.

Go ahead, Mr. Neve.

Mr. Alex Neve (Secretary General, Amnesty International Canada, Amnesty International): There's obviously been unparalleled change, leading to considerable hope in Myanmar in recent years.

The new NLD government led by Aung San Suu Kyi now faces enormous challenges in addressing considerable human rights challenges, not just because of their scale and how entrenched they are, but also in light of the considerable political and economic powers the Myanmar military still retain.

One of the most serious challenges is obviously the need to address the plight of the Rohingya Muslim minority, who have suffered state-sponsored discrimination and violence for decades.

In 2012, renewed violence erupted between Buddhists, Rohingyas, and other Muslim groups in Rakhine State. It led to scores of deaths and the destruction of property. Hundreds of thousands of people were displaced. Tensions between Buddhist and Muslim communities spread, and in 2013 and 2014, predominantly anti-Muslim attacks erupted in several towns across the country, while groups promoting advocacy of hatred and incitement to discrimination against Muslims grew in influence.

Today an estimated 118,000 individuals, mostly Rohingyas, remain displaced in Rakhine State. Most live in squalid conditions, as you've heard, in internally displaced person camps and unofficial temporary shelters, with no sustained access to adequate food, medical care, sanitation facilities, and other essential humanitarian assistance.

This is in part because of government-imposed restrictions that prohibit displaced people from leaving the camps and in part because of severe restrictions on national and international NGOs' ability to access certain populations and areas.

The authorities also impose severe restrictions on the Rohingyas who live outside IDP camps. That includes restrictions on freedom of movement, and official permission is required to travel between villages and townships in north Rakhine State. Most individuals are not permitted to travel elsewhere in the state unless there is very serious medical emergency.

The restrictions on movement have serious repercussions on the Rohingyas' rights, severely limiting their access to livelihoods, health care, food security, and education. The Rohingyas are also required to obtain permission to marry. When they do marry, they are required to sign a document agreeing to limit the number of children they may have to two.

A ban on more than four Muslims gathering in a public place effectively prevents them from practising their religion. Many mosques across Rakhine State have remained closed since the 2012 violence.

These restrictions are coupled with discrimination and violence at the hands of security forces. Amnesty International has documented widespread extortion by the security forces and continues to receive reports of violence, including beatings, torture, and other ill treatment in detention.

The security forces also arbitrarily arrest Rohingya, in particular Rohingya leaders. The Rohingya are deprived of a nationality under Myanmar's 1982 Citizenship Law, which rendered the vast majority of them ineligible to be full Myanmar citizens. The authorities have adopted other recent measures that further entrench their exclusion.

In March 2014, the government effectively excluded the majority of the Rohingya from Myanmar's first national census since 1983 by backtracking on a promise to allow them to call themselves Rohingya in the census forms.

In February 2015, a presidential order revoked all temporary registration certificates, known locally as "white cards", leaving many Rohingya without any form of accepted identity document. This was a move that meant the Rohingya were barred from voting in the November 2015 general election. Almost all Rohingya candidates who had applied to contest the November elections were disqualified on discriminatory citizenship grounds.

The adoption of a package of laws aimed at "protecting race and religion" is also of concern. The four laws—the Religious Conversion Law, the Myanmar Buddhist Women's Special Marriage Law, the Healthcare for Population Control Law, and the Monogamy Law—have many provisions that discriminate on multiple grounds, including gender, religion, and marital status.

• (1320)

All of this takes place in a broader context of growing religious intolerance in the country, with advocacy of hatred and incitement to discrimination, hostility, and violence by Buddhist extremist groups largely unaddressed and unchallenged by the authorities. Worryingly, people who speak out against hardline religious and nationalistic views have also faced retaliation from state and non-state actors, including threats, harassment, and even arrest.

This grave human rights and humanitarian situation, as well as the pervasive discrimination and restrictions and the increasing advocacy of hatred, has pushed growing numbers of people to flee from Myanmar over the last couple of years. The UNHCR estimates that 33,600 people, most believed to be Rohingya, fled from the Bay of Bengal in 2015.

Following a crackdown on human smugglers and traffickers in Thailand in May of last year, thousands of migrants and asylum-seekers at risk of abuse landed in Indonesia and Malaysia in unseaworthy boats.

The Myanmar government continues to refuse to acknowledge this situation. That was well demonstrated just in March of this year at the United Nations Human Rights Council, when Myanmar was being reviewed as part of the universal periodic review and rejected all 27 recommendations made to the government by other countries relating to the Rohingya situation.

Amnesty International urges the Canadian government to press the following seven recommendations with Myanmar authorities.

The first is to ensure free and unimpeded access to Rakhine State for humanitarian actors, the UN, international human rights organizations, and journalists.

The second is to ensure that Rohingya have equal, non-discriminatory access to citizenship and are not rendered stateless.

The third is to revoke all local orders that place arbitrary and discriminatory restrictions on Rohingya in northern Rakhine State, removing, in particular, all restrictions on freedom of movement.

The fourth is to accede without reservation to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

The fifth is to conduct impartial and independent investigations into all incidents of anti-Muslim violence and ensure that those found responsible for such violence or advocacy of hatred are held to account in fair trials.

The sixth is to repeal or substantively revise all laws aimed at "protecting race and religion" to bring them into compliance with international human rights standards.

Finally, Canada should work with other governments to ensure that the rights of Rohingya refugees are fully respected.

Thank you.

• (1325)

The Chair: Thank you very much.

Mr. Bahar, go ahead.

Mr. Abid Bahar (Professor, Dawson College, As an Individual): First of all, I would like to thank you for giving me the opportunity to speak out about the current human rights situation of the Rohingya in Myanmar. So far the honourable speakers before me covered what is going on in today's Burma. As a researcher myself, I'd say I'm an ancient researcher. I have been researching on the Rohingya people from 1978 and my thesis, done from Canada, was on what was going on in those times.

I am testifying here in the capacity of a researcher, and this has been going on for 40 years. I've been involved with them for the past 40 years. I want to take you to what happened in those days, because the things that we see today are not things that happened only in the past few years. They have been going on for many years. It is important to know a little bit of background to this. I'll not go into details.

In 1978, when I was teaching at the University of Chittagong, we heard the news that about 200,000 Rohingya refugees had come to take shelter in southern Chittagong, which is adjacent to Burma. It was quite big news, both locally in Bangladesh and in the neighbouring countries. Also, it became international news, so I decided to visit the place with some of my students. We went to a camp called Ukiah Camp. I saw a sea of tents accommodating refugees, so I interviewed some of the refugees. There were a lot of people around us, and again that was in 1978.

I asked some refugees why the Burmese government had evicted them to Bangladesh. They said we are illegals, they think, but we have documents that show we are Burmese citizens. I asked them to show us the documents, which are called NRCs, and little children and adults went to their tents and brought us documents, a lot of them. They showed that they were Burmese citizens.

After that, I came to Canada and I did my master's thesis on the Rohingya, but in the meantime, in 1982, the Government of Burma passed a constitutional act and it confirmed that Rohingya people in general are illegals in Burma. In 1993, they sent out about 300,000 people. This time they made sure that they didn't carry any NRC cards. This continues. It has been happening.

I encountered a lot of Rohingya people—leaders, some local people, farmers, and all kinds of people—and I saw the frustration in them because it had been going on for such a long time. The Burmese military, starting from U Ne Win, were destroying their houses and killing people. One Rohingya told me that he was told by Burmese military personnel that “We are not going to kill all of you; we are killing only a few to scare you so that you will leave our country, because you don't belong to Burma.”

The reason the Rohingyas were targeted is that in Burma most people are Buddhist, and Rohingyas are Muslims. A small minority of people are Hindus, a very small minority. I met some of them in Quebec City.

•(1330)

It's big trouble for those with that mentality in Burma to tolerate the Rohingya, because they are different. Karens are Christians and some of them are not tolerated, but for the Rohingya, it's double trouble. This is the scenario.

I will cover some key issues to put the issues in context.

First, you have to understand it's a racial fault line. For the Rohingyas in Arakan on the border of southeast Asia, there's a racial divide. In Bangladesh, after the independence of these two countries from the British Empire, it became a racial fault line, which means that on this side it's mostly Hindu Samiti people who live in Bangladesh, and on the other side it's Mongoloid and Buddhists, so the whole thing should be understood not just as a religious problem, but both religious and racial. It's a racial problem.

Before I began my research, most people said it was a religious problem between Muslims and Buddhists, but it is a racial problem, a race relations problem.

The second point is that Arakan's interethnic relations are characterized by a triangle. The local Rohingya in Rakhine are in Arakan, and then you have the Burmans controlling from the mainland. That is another issue that complicates the entire situation.

We might think what is going on here is a new phenomenon. The Rakhines and Rohingyas lived together in peace for centuries, but an event took place a long time ago when the Mughal prince was given shelter in Arakan. At that time, Arakan was an independent kingdom. The Mughal prince, Shah Suja, and his entire family were brutally killed in Arakan. The Muslims and the Buddhists living there started to face problems. That was the beginning of the end of the fraternity between Muslims and Buddhists. Ever since,

Muslims have been pushed out of Arakan. A lot of trouble was going on, and we had no information about it.

In addition to what is happening today, as a researcher, I want to testify that the problem has deep roots, and they have to be understood. We cannot solve this without understanding what happened in the past.

Education is very important and has to be done in Burma so that human rights education can be integrated into Burmese society. They have to understand that in a multicultural, multi-ethnic country, minorities have to be respected. They have to be given their rights. Aung San Suu Kyi should also understand that it is a necessity. It is a precondition to a democratic society.

Thank you very much.

•(1335)

The Chair: Thank you very much, Mr. Bahar.

With that, MP Sweet, you may start.

Mr. David Sweet (Flamborough—Glanbrook, CPC): Thank you, Mr. Chair.

The testimony on the Rohingya doesn't get any easier to consume, even though this is an update in a study.

Mr. Malseed, you mentioned a visit, and you listed, in all of your remarks, a number of things. We have groups who are inciting hatred, unrestrained; police who participate in brutal violence against the Rohingya; no medical care; little to no food; isolation with barbed wire; and no education.

I mean, without restraining myself, these would seem to be the seeds of genocide.

Mr. Kevin Malseed: Yes, I think—

Mr. David Sweet: Don't get me wrong. I'm not trying to put you on the spot in that regard. What I'm saying is that next to the Syrian conflict, maybe, which is an open battle, this is one of the worst human rights situations in the world right now. Am I overstating it?

Mr. Kevin Malseed: No, I don't think you are. I fully agree with that.

In terms of the discussion of genocide, different people have posited that, yes, the seeds of genocide are there. Either way, if you consider it genocide or you don't consider it genocide, it is, as you say, definitely one of the absolute worst human rights situations in the world. I've worked in human rights for 25 years, and even just being there, seeing it, is very difficult; I can't even imagine what it's like to live there as a Rohingya.

As well, after the visit I met with a Canadian diplomat at the embassy in Yangon. She had recently visited Rohingya communities in Arakan State. We discussed our two experiences, and when she started describing her experience, at one point she couldn't speak anymore. She had to stop.

Mr. David Sweet: That is understandable.

There's another thing that I'm gravely concerned about.

Ms. Wolsak, you mentioned that you had some fears that there was not the political will in this new government, which is probably the most.... I mean, the consequences of what happened to the Rohingya are desperate, as we've already said, but that's the most troubling thing I've heard. Can you elaborate on what your main concerns are?

Ms. Rebecca Wolsak: Sure.

In the last few weeks, we have seen Aung San Suu Kyi request that the U.S. ambassador not use the word "Rohingya". We have seen the NLD continue some of the same problematic, oppressive patterns that we had in the past. For example, the national verification process that was part of the census Alex mentioned has begun again. It was halted in 2014, the same year it started, due to Rohingya protesting that there was no option for them to self-identify: they had to identify as Bengali. This program has started again.

As I said in my testimony, the choices that have been made, including the choice of immigration minister, do not bode well.

• (1340)

Mr. Alex Neve: To add one more to the list, I'll repeat what I referred to in my comments: that it was very troubling in March of this year to see Myanmar categorically reject all 27 recommendations made by other states—this was not by human rights organizations, but by other states—at the UN Human Rights Council in the course of its universal periodic review. It only comes around once every four and a half years, when a government is expected to show meaningful engagement with the world community to address serious human rights concerns. That would have been the moment for the Myanmar government to demonstrate some willingness to take some positive steps forward. They did nothing.

Mr. David Sweet: Thank you.

The Chair: Thank you very much.

MP Khalid is next.

Ms. Iqra Khalid: Thank you, Mr. Chair.

Thank you very much for all of your testimony today. It's very enlightening, and I really appreciate it.

Mr. Neve, I just wanted to clarify something you said in your recommendations, which was that human rights groups be given access to the Rakhine State. Can you describe what the situation is for human rights groups right now? Are they being restricted access into these camps, etc., and who is restricting their access?

Mr. Alex Neve: I'm assuming that Kevin might actually be able to give you more recent on-the-ground information.

Amnesty International has not been able to have access to those areas. That's always troubling for us in our human rights work. It doesn't mean we can't do the kind of monitoring and investigation that we need to do, but having on-the-ground access is obviously key. There have been a number of humanitarian groups, some of which had access in the past and have now been totally denied or significantly restricted. It's my understanding that journalists find it very difficult to get permission to travel in that area as well. Perhaps Kevin has more information that he would share.

Mr. Kevin Malseed: I'm not really sure what efforts human rights groups have made to go in there. You can, for example, go to some of these areas and camps only if you get governmental permission, which takes some time and some connections. Some journalists can get in. It's a hit-and-miss situation. I would suspect it's more difficult for human rights groups and even for the humanitarian organizations.

For example, MSF was delivering some medical assistance. I don't know all the details of this, but this is how it was told to me. They were ordered out of Rakhine State; then they negotiated with the government to go back into Rakhine State, but in the Rohingya areas, they were told they could only deliver assistance to non-Rohingya. Their decision was that if they were going to be restricted in that way, then they were not going in. That's why they are not able to deliver assistance within those camps.

Access is very difficult and controlled. There are checkpoints everywhere. This is only complicated by the fact that there is still armed conflict in Rakhine State between the Burmese military and the Arakan Army, for example.

Ms. Iqra Khalid: Sorry, Chair, but I think that at this point we need to move to adjourn.

The Chair: As discussed previously, we have to cut this a little short today.

I want to thank the witnesses for coming in. If there's any additional information you'd like to send to the committee, please feel free to send that to the clerk. We would appreciate it.

Once again, thank you for your patience, for rescheduling from last week, and for enlightening us with your testimony today.

Thank you very much.

The meeting is adjourned.

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