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Chair

The Honourable David Kilgour

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

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• (1530)

[Translation]

The Chair (Hon. David Kilgour (Edmonton—Mill Woods—Beaumont, Lib.)): How many committees are sitting today?

[English]

I think something like 15 committees are sitting this afternoon. [*Translation*]

We are very honoured to have Mr. Sein Win with us today, [English]

who was elected in 1990 in Burma, the Union of Burma, and has been unable to take his seat, as everybody in this room knows, and is now the elected prime minister of the government in exile.

I was interested to read, Dr. Win, that you're a first cousin of Aung San Suu Kyi, who's my family's hero. I've had her photograph for many years. I was delighted when you got a standing ovation in the House of Commons a few minutes ago and I would like you to know that all of the House leaders, including

[Translation]

the house leader for my colleague, Mr. Roger Clavet's party, supported this idea.

[English]

Unfortunately, we have a rule in our House that unless you're the head of a sitting government you can't be recognized in the House, or at least that's one of the rules, but in this case all of the House leaders wanted you recognized and that's why, sir, you got a standing ovation in the House of Commons of Canada.

[Translation]

Before we begin, was there something the member wanted to say?

Mr. Roger Clavet (Louis-Hébert, BQ): Thank you, Mr. Chairman.

This afternoon, it gives me great pleasure to replace my colleague on this subcommittee. I was very honoured when asked to take her place. I accepted with great enthusiasm because I am also my party's critic for Asia-Pacific affairs.

[English]

I'm the spokesperson for Asia-Pacific for the Bloc Québécois and I was more than pleased to be here.

[Translation]

Therefore, it is a great pleasure for me to be here and especially, along with my colleagues from the other parties, to welcome Burma's Prime Minister elect. It is a great privilege.

[English]

to have someone among us who was duly elected, and it's an honour and a privilege to be part of the same session.

This being said, as spokesperson, I want to tell you, Mr. Chair, that I'm more than glad that the Bloc Québécois at this very moment has someone tabling a resolution, a motion, about Burma, and you can be assured that all members of our political party and other parties as well will support that motion. By the end of the day we could have more details on this, but at this very moment,

[Translation]

I will be happy to table a motion when it is my turn.

[English]

The Chair: Perhaps you would wish to move your motion, because we've already discussed it a little bit over lunch. Perhaps you'd like to move it at the end of Dr. Win's remarks.

Mr. Roger Clavet: Yes.

[Translation]

The Chair: We will now give the floor to Mr. Win, and to Ms. Khin Omar, who is accompanying him.

[English]

She's the spokesperson for women's issues in the National Coalition Government.

You have the floor, sir.

Dr. Sein Win (Prime Minister, The National Coalition Government of the Union of Burma): Thank you.

Honourable chairman and members of the Subcommittee on Human Rights and International Development, it is a great honour to be here today to keep you and the subcommittee informed of the current situation and recent developments in Burma. I would also like to take this opportunity to shed light on the tragic situation of members of parliament elected in my country, and matters relevant to those MPs.

Please allow me to begin by saying thanks to all of you for this important hearing, and let me also express my deep appreciation to the Rights & Democracy Network, particularly Ms. Mika Lévesque, for helping us come to Canada and facilitating all the programs during this, our visit.

As you may well be aware, Burma's ruling State Peace and Development Council, SPDC, is keeping the effects of last month's purge secret, but the damage has been quite extensive and the generals are trying their to best to tackle the problem. The crisis may be the most serious that the defence services have faced since 1988's nationwide uprising. The SPDC is now preoccupied with purges within the military and convincing ethnic leaders and entrepreneurs that all is well and that the removal of Prime Minister Khin Nyunt will have no effect on them. Even with many facts left unsaid, it is evident that the threat posed by General Khin Nyunt to combat wing commanders was quite serious. In fact, it was so grave and imminent that he was deposed in an almost unplanned and hasty manner.

Now the question in everyone's mind is this: now that the combat wing officers have removed Khin Nyunt, will they behave simply like career officers who want to do good for the country or will they be the hardliners, as everybody is accusing them of being? So this is our question. And when it comes to what we call the road map, the military has said that they are going ahead with the road map without the participation of NLD and Aung San Suu Kyi. Without that, the two parties that won an overwhelming majority, legitimacy once again becomes an issue for the military.

So for legitimacy's sake, the generals will continue to desperately seek the support of the ethnic ceasefire groups. They have already pledged to honour all the conditions that the ethnic ceasefire groups have agreed to with the military intelligence. According to Lieutenant-General Thein Sein's speech, the ethnic groups have also said they had concluded the agreement because of faith in the government and not because they rely on the power of an individual. So the ethnic ceasefire groups will take part in the convention, but they will push for their own agenda.

So we still don't know how things will develop, but without the NLD they have no legitimacy to continue. This is our belief.

I would like to say something on behalf of what the elected members in Burma suffered. Being elected by the people to an office is an honour everywhere, but not in Burma today. In our country, all MPs-elect are being treated more like criminals than parliamentarians. They, at any time, are subjected to intimidation, harassment, and even their family members are being deprived of business opportunities. Their activities are always under watch by local authorities. Although two MPs-elect, Dr. Min Soe Lin and Dr. Min Kyi Win, from the Mon National Democratic Front, were released on June 4, 2004, another 16 MPs-elect are still in jail as of today. MPs-elect who are not under detention are under pressure by the military authorities to give up their MP status. They are subject to legal and illegal action, including the threat of arbitrary arrest under the various excuses.

• (1535)

U Than Htay, MP-elect of Lashio constituency-2, Shan state, was pressured by the local authorities to give up his MP status since the beginning of this year. As a result of his refusal, he was arrested

together with his son on August 11, 2004. Similarly, U Aung Kyin, MP-elect of Myaungmya constituency-1, Irrawaddy division, was also arrested by the local authorities on August 18, 2004. They accused him of allegedly possessing illegal VCDs at his electronics shop. Some MPs who are there in the jail already have had their terms extended.

For example, let me say that MPs-elect Dr. Than Nyein and Dr. May Win Myint, who is a lady, have not been released even though they have completed their sentences. Both of them are being detained in Insein prison. They were put in the prison in October 1997, and now they have completed their sentences.

MPs-elect in prisons also face the threat of being transferred to prisons where they are far away from their homes. Since all political prisoners rely on food and medicine provided by their families and friends, transferring them to distant prisons cuts them off from these supplies that are needed for their survival in prison.

For example, U Aung Soe Myint, MP-elect, Toungoo constituency, serving seven years imprisonment, was transferred from Toungoo prison on May 23, 2004, to Thayet prison without his consent

Dr. Than Nyein from Kyauktan constituency, who is 67 years old, is serving seven years imprisonment in Rangoon's Insein prison. He is currently suffering from serious health problems and is in the need of immediate medical treatment, but he was transferred to Tharawaddy prison in central Burma on September 20, 2004.

Some MPs-elect in prisons are faced with serious health situations as they are not receiving medical treatment. U Ohn Kyaing, U Sein Hla Oo, and U Khin Maung Swe are seriously ill and dying. Without hospitalization or receiving proper and effective medical treatment, their lives are at risk.

The military authorities officially announced that Sai Tun Aung, MP-elect, Lang-hko constituency, Shan state, voluntarily resigned on July 4, 2004, due to differences of opinions with his party. The fact is that the announcement was made against the will of Sai Tun Aung.

So we see that these MPs were very much under harassment, intimidation, and this is very much a shame to our country and also to everybody. So what we would like to see is that through the IPU and through the parliamentarians in various countries, democratic countries, there will be a motion and call for the release of MPs, in particular, and the release of all political prisoners in Burma today.

The military recently released about 4,000 prisoners, but only about 40 are political prisoners. So as we saw all these developments we came to a conclusion, a very recent conclusion, that the military is not a new leadership, that they will go according to their own program as it was earlier, and that's why it is very important that MPs here, and also the Canadian government, made a strong stand against this move.

● (1540)

In conclusion, we would like to appeal to the House of Commons and the Canadian government, because the Bloc Québécois has tabled a motion and we are 100% behind it. It is an excellent motion. We would like to see this passed and supported by all the parties so that our request to the Canadian government at this juncture will be successful. This is very important for us because, as I said, they are going ahead and they will start their constitution-writing process during this coming February.

Thank you very much.

[Translation]

The Chair: Thank you, Prime Minister.

[English]

Can I please borrow your statement and make some copies of it?

Dr. Sein Win: Yes.

The Chair: How many people who are sitting with us today would like copies of the statement?

The clerk will make copies and give them out.

[Translation]

We will now begin the first round of questions. I now give the floor to Mr. Day, the official opposition critic.

[English]

Mr. Stockwell Day (Okanagan—Coquihalla, CPC): Having met already with Dr. Win and the others accompanying him, and having had some extensive discussion on the situation being faced, I can indicate that as soon as we see the motion, we will.... I've been talking to my colleagues about this. As Canadians we are not used to hearing the stories, the factual accounts of how democracy and democratic movements are continuing today to be stifled, to be suffocated, and the accounts of situations where those who want to see democracy are paying a terrible price. Dr. Win and his family have certainly paid that price. Others with him have paid that price.

It is incumbent upon all of us as members of Parliament, but also upon our government, to speak out actively, aggressively, and strategically, not just at meetings like this but at the United Nations and in other similar locations, against those regimes that perpetuate the loss of human rights, the taking away of individual freedoms. The very things that can build a country and can make it great and can offer hope to its citizens these regimes are trying to strangle and suffocate.

Again, having had extensive discussions with Dr. Win and with the people who are with him, having looked at the matter at great length, I can tell you it is the view of the official opposition that we should be aggressively doing what we can to promote their cause, to promote the cause of democracy, human rights, and individual freedom in Burma, and we are committed to doing that.

• (1545)

The Chair: I don't think you're going to be questioned too vigorously by anybody around the table, Dr. Win.

Was there a question at the end of that or not, Stock? Do you want to comment?

Mr. Stockwell Day: No, I'm just making that comment, an observation.

The Chair: Did you wish to make a comment on what...

Mr. Stockwell Day: Dr. Win doesn't have to comment if he doesn't want to. We've had some good meetings and I want to make sure my colleagues have lots of time on this issue, also.

The Chair: Do you wish to say anything in reply to that, Dr. Win?

Dr. Sein Win: Well, we are very encouraged by our visit to Canada and that parliamentarians are very supportive of our cause—to speak out and do something. What we also wish for is the Canadian government... because the military is now looking at the governments. They have their program. They started the program and perhaps will finish before 2006, which is most important because they are going to take the chair of the ASEAN presidency in 2006. So before that, as I said, the Canadian government should issue a very clear-cut and sound statement that they will not accept any outcome from this illegitimate process.

So we are very much encouraged by the parliamentarians here in Canada

The Chair: Some other colleagues have joined us: a member of Parliament, Bev Desjarlais from the New Democratic Party, who I believe has been consulting with Mr. Broadbent, who was at the lunch; and the Honourable Don Boudria, on behalf of the Liberal Party, who I suspect is probably familiar with the motion too.

But Mr. Clavet was both at the lunch and arrived here first, so perhaps he can have the floor next.

[Translation]

You have the floor.

Mr. Roger Clavet: Thank you very much, Mr. Chairman.

I would like to begin by once again thanking Prime Minister Win. I was very touched by what he had to say. He said, in English:

[English]

"being elected is an honour everywhere, not in Burma", well, it's sad, but this is the truth. Here in Canada—in Quebec, I should say—it's not always an honour to be an MP, but most of the time I would say it is. It's truly sad when you have to fight, after being elected, and to be in exile.

I'm filling in for someone from the Bloc Québécois; today is my first here at the subcommittee. The idea we have at the Bloc Québécois, and other parties will agree, I suppose, is that we have to condemn the violation of human rights in Burma. We have to go a step further. I was given a copy of a report earlier. Perhaps some other members would like to take note of that report, the *Burma Forum Report*. It's fairly new, from November 2004.

There was a quote in it, if I'm allowed, Mr. Chair. It's referring to the then former Secretary of State, Asia-Pacific, David Kilgour. He declared in the House of Commons—

● (1550)

The Chair: I'll agree.

Mr. Roger Clavet: — about the so-called Depayin massacre, that "In light of these actions we will now redouble our efforts to restore democracy to Burma".

I think we have to translate that. The time has come to put words into action. The motion we have in front of us—and the motion also is being debated at this very moment in another committee—speaks for itself. We have to do more than words.

Basically that's what I have to say at this meeting. Merci.

The Chair: This motion will be debated by us as well, for both.

Did you wish to say something, sir? Please do.

Dr. Sein Win: Well, of course, we all support this motion 100%. What we want to ask from the Canadian government is all in that.

I would just like to add that in Burma I'm talking about the elected members, because they represent the people and they are elected to do the work and they cannot work. They even had to run away; they fled and so on.

In Burma today I would say everybody is repressed, especially the politicians and activists. They will see them as troublemakers.

When it comes to the MP-elect, we can say definitely, because we have something in our position about who is elected, from which division, and where is he. And also from the political party we have the information. When it comes to young students and other activists, it's sometimes very difficult, even for Buddhist monks, because the information is difficult.... They never really announce when they arrest or when they release, so there are lots of people now suffering in Burmese jails.

I picked the plight of the elected members because it is in Parliament and in the subcommittee.

Thank you.

The Chair: We're not doing this necessarily in the order in which members came in, but may we go to Mr. Boudria, please?

Mr. Stockwell Day: Mr. Chair, on a point of order, could you clarify the process for us of these motions coming forward, both here and in the other committee?

The Chair: Yes. We did this actually last week. We have to have unanimous consent, which I hope won't be a problem, to present the same motion as is being discussed in the full committee. If there's unanimous consent, as with your motion last week, then we can adopt it. But our motion has to go to the full committee.

[Translation]

We will therefore have to introduce our motion in the full committee. However, we have the pleasure and the honour of having the Prime Minister with us and that could be of some assistance. If we agree on a motion, we could adopt it.

[English]

Mr. Stockwell Day: Does it have to pass here first and then go on to the committee, or are they talking about it while we're sitting here?

Mr. Roger Clavet: Yes, that's what they're doing.

[Translation]

The Chair: Both committees could adopt the same motions at the same time.

[English]

Mr. Roger Clavet: One will not handicap the other one.

Mr. Stockwell Day: Again, I don't want to take up Honourable Mr. Boudria's time, but on a point of process, we want to suggest an amendment. We have an amendment to the motion. So that will come at the appropriate time, following discussion?

The Chair: It's a friendly amendment, I trust, is it? **Mr. Stockwell Day:** I hope it will be seen as such. Yes.

The Chair: Don Boudria.

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Thank you, Mr. Chairman.

Prime Minister, thank you for being with us today at this committee meeting.

Like our chairman, I am also a former minister—the Minister for International Cooperation for a period of time—and for a long period of time I was a minister responsible for our democratic institutions. We call that Leader of the Government in Canada. It's a minister responsible for election laws and parliamentary procedure and so on. So I have a very deep feeling for some of the things you're addressing.

Just before I came here, I was speaking in Parliament about a procedural issue involving members of Parliament who were temporarily delayed yesterday because of security, and in our country to be temporarily delayed for a few minutes is an outrage. So I have a feeling that for someone who is temporarily delayed for 15 years the outrage is much greater. All this to say that I think everyone has very deep feelings for Your Excellency's presentation and everything you told us.

My concern is that I want to make sure that a motion we could pass and we could bring to the House would then be concurred in by the House. The actual text of anything we pass I think should ensure that it has the support of everyone, including hopefully the cabinet. Of course I have not discussed any of this with the cabinet. I don't know whether our chair was able to do so, or whether anyone else was

In the draft before us there is one concern that I want to bring to your attention. Maybe it's okay, but I just want to verify it. That's the provision that talks about an economic embargo. Economic embargoes in some situations have been successful and in others have not. It's kind of a mixed bag. Both of us know that, Mr. Chairman, from our previous occupations. Also, an economic embargo usually works when it's put in place at roughly the same time by a large number of nations. Anyway, there are all these criteria about economic embargoes.

Finally, I don't know if it's the Canadian government's position in that regard. I'm not sure that it is. If it is, well, all the better, I'm even happier. But if it is not, is it absolutely important that this particular clause be there? That's the question I wanted to know, because hopefully I would want something that all members would unanimously support.

I think the officials of your country, Your Excellency, on hearing that we passed a motion would think it good. But if they heard that we passed a motion unanimously, I would suggest they'd probably think it better.

Perhaps you could comment on whether in your opinion it is necessary to have this sentence that refers to the embargo.

• (1555)

Dr. Sein Win: Yes, we also have the opinion that if passed unanimously, altogether, it is stronger, and then followed by some concrete action, as we call it. I can understand that an economic embargo is very hard for the Canadian government, but of course when everything passes, it is the best for us.

But if it is not passed, then we would like to see most of the points passed. I don't see that much difficulty when it comes to political positioning such as the Canadian government saying it will not accept the national convention and the outcome. This is political will. But it is very important for us, because the military will use this as justification for everything and they will use this to tell the ASEAN also. Then ASEAN will use this. Everybody will use it.

So we would like to see a democratic country like Canada, a very big country, come out now with a clear political statement. Also, when the Canadian government says it will double its efforts and it will double its assistance, we would like to see the real doubling.

So what we are saying is that we would like also to see the Canadian government not only put pressure on the military, but also help us politically and do other concrete measures to help those who are trying to restore democracy to Burma. So we would like to see it all passed, but if not all, then most of it passed, on a motion.

• (1600)

Hon. Don Boudria: Would you permit a very short supplementary?

So am I to conclude that it's more important—I don't want to put words in your mouth, I'm just trying to get clarification—to have a unanimous vote if it means maybe amending it a little bit? Is the unanimous part very important?

Dr. Sein Win: Yes, unanimous, as much as possible.

Hon. Don Boudria: As much as possible. Fine.

Thank you.

The Chair: Thank you, Mr. Boudria.

I believe that Mr. Broadbent was at the lunch, and I apologize profoundly that Mr. Boudria wasn't able to come to the lunch and that you weren't able to come to the lunch, Bev, in honour of our star witness.

Mrs. Bev Desjarlais (Churchill, NDP): Thank you, and I offer my apologies and regrets from my colleague from Ottawa-Centre, Mr. Broadbent. He dearly wanted to be here, but another one of our colleagues is in the Ukraine because of the situation going on with the elections in Ukraine, and we're some of us doing double and triple time covering all of the committees. So I'm here in his stead.

I have had consultation with him, though, in regard to the motion, and he actually was president of Rights and Democracy for some time so is very much aware of the ongoing struggle in Burma.

Certainly, we're in agreement that it would be best that we have a motion we can all agree on, and we actually had some suggested amendments that we hoped would reflect the spirit of what my colleague Mr. Boudria is suggesting as well, without necessarily removing the whole clause altogether because we do believe that paragraph (d) is extremely important, but with maybe some flexible wording that might make it more palatable to the cabinet.

The Chair: Perhaps before we go any further, we should ask Mr. Clavet if he'd like to put his motion on the floor. I don't think it's yet on the floor.

[Translation]

Mr. Roger Clavet: Mr. Chairman, the problem is that the notice of motion was drafted for another standing committee. Upon your suggestion, and at the invitation of others, we decided at noon today to table this notice of motion. However, I cannot accept amendments to a notice of motion that was introduced in another committee.

I would prefer that we simply discuss this. You'll understand that out of friendship, courtesy and solidarity, I thought it would be important to put it forward. However I cannot accept amendments, not even friendly amendments.

I don't know what we can do, but Mr. Boudria has considerable experience in this area. Perhaps we could discuss this and come back to it at the next meeting, when the permanent member of this committee will be here.

The Chair: That's reasonable. I don't think the fact that these motions differ slightly is a problem. Perhaps you would like another committee member—Ms. Desjarlais, Mr. Boudria or Mr. Day—to move the motion.

Mr. Roger Clavet: First I would like to check something and come back to this in a few minutes. Is that acceptable?

Mr. Stockwell Day: I agree with Mr. Boudria. I would like the motion to be passed unanimously but I fear that some members will vote against the motion because of point d). I think that all the committee members are in favour of the motion and it would be unfortunate if it were defeated. I'd like to make a suggestion, but I believe Mr. Boudria also has a suggestion.

The Chair: You may speak in English if you wish, Mr. Day.

Hon. Don Boudria: In fact, as our colleague suggested, it might be preferable to move the motion at the standing committee in order to avoid having two different wordings. We can still debate it. We have, of course, the privilege of having our witness, His Excellency, with us. We could therefore have the motion passed by the other committee. I hope that it will agree on a motion that is acceptable to all the parties represented in the House, so that the motion is carried unanimously. I believe our witness told us quite clearly that a unanimous motion carries more weight and he prefers that. I think we should work on obtaining unanimity.

● (1605)

Mr. Stockwell Day: Are you moving an amendment?

Hon. Don Boudria: No, but I am suggesting that we leave this up to the other committee.

The Chair: Can we wait for our colleague to arrive before we move on?

[English]

Can we wait until he comes back?

Mrs. Bev Desjarlais: Actually, my comment is just on the process. We know the other committee is meeting, and I think it would actually strengthen the position if it was found that we had a motion here and also supported it. I don't think it works against the other one, and you never know, maybe we will come up with wording that would get unanimous consent and the other committee won't. So why delay that process? Certainly wait until our colleague from the Bloc comes. I think we're all talking about the same clause and the issue with it. Maybe we have acceptable wording amongst us that would bring about that unanimous consent.

The Chair: Would Dr. Win wish to say anything at this point as to what's being said around the table? Sir, would you like to say anything about what's being said? Do you feel you have already stated your position on the embargo?

Dr. Sein Win: What we would like to see is concrete action coming from the government or the parliamentarians. But of course, every point here is very important, so when we look at paragraph (d), it is, can we say, one concrete action. For example, the European Union has lots of sanctions on Burma, and I think also the Canadian government has some sanctions, such as a visa ban and all those things. It is good symbolically, but we want to go more than that. If we want to go more than that, there are three points to concrete action.

First, let me say that the Canadian government is saying, we won't accept any outcome of this illegal process. That is politically very important now, for example. Or when the Canadian government says, we will help Burma political movements that are going for the restoration of democracy, this is very concrete. It is the same with the embargo. Embargo is concrete.

What we are asking the European Union is for selective sanctions that will hit the military. The European Union is now thinking about how to pass this kind of sanction. They will put conditions on the sanctions for an earlier time if the military is not changing anything up to this time. For example, 2005 and 2006 are very important. In 2006 they are going to assume the presidency of ASEAN, and the condition is, for example, that by that time if Aung San Suu Kyi is not immediately, unconditionally released, and if by that time, for example, the political prisoners and many others are not released... What we want is a change, so by that time, if there is no substantial change, then we will do this and this. This kind of thing is always connected with the European Union position.

They review their common position every six months, and every six months they ask for the change in Burma's situation. According to that situation, they put on the sanctions. This kind of thing can also be done in the sense that you connect some condition with some pressure point. In that case, if we have economic pressure for some changes, if by that time the military has not started a dialogue or has a substantial change towards democratization, then we will impose some selective sanction. This kind of thing, I think, is very important.

● (1610)

The Chair: Dr. Win, if I may, I think you've also proposed an addition to the motion that would read something like, "That the

Government of Canada not accept the illegal consultation process recently launched by the new military rulers in Burma".

Dr. Sein Win: Not new, but— **The Chair:** The military rulers. **Dr. Sein Win:** Military rulers.

The Chair: Is that acceptable to colleagues?

Mr. Stockwell Day: Where is that change?

The Chair: It's just being added, in light of what the Prime Minister just said. Could we add that then to the motion as paragraph (g)? Will somebody will move it? I don't think I can move it.

"Not accept the illegal consultation process recently launched by the military rulers of Burma". Does that capture what you want us to say?

Dr. Sein Win: That is said in paragraph (f).

The Chair: Do you think that's satisfactory? We don't need to add anything. Paragraph (f) is satisfactory.

Dr. Sein Win: No, no. **The Chair:** Okay.

Colleagues, the main committee apparently isn't going to consider the motion until the end of the meeting. If I take the sense of what's been said... and I welcome Mr. Bergeron and thank him for coming.

[Translation]

Thank you for coming.

[English]

The question really is whether we take out paragraph (d) and pass the rest of it, if that's the sense of the motions, or whether we want to change paragraph (d), as Bev Desjarlais, our member for Churchill, would like to move.

Mrs. Bev Desjarlais: I want to clarify first that we have the motion on the table.

The Chair: Yes, that's an excellent point. Would you like to move the motion?

Mrs. Bev Desjarlais: Were we waiting for our other colleague? Is Mr. Clavet coming back?

The Chair: It's a way around on the other side, and apparently he may have taken the long route. Do you want to wait until he comes back?

Mrs. Bev Desjarlais: Yes, just out of courtesy, because I think we indicated to him that we would.

The Chair: Okay, we'll wait until he comes back.

Perhaps, while we're waiting, Mr. Bergeron might have comments or questions for the witness, the Prime Minister.

[Translation]

Do you want to ask a question, Mr. Bergeron?

Mr. Stéphane Bergeron (Verchères—Les Patriotes): Mr. Chairman, you have caught me somewhat unprepared. I've only just arrived. However, I thought it was important to be with you today to participate in the debate on this motion. I am very pleased that my colleague from La Pointe-de-l'Île decided to put this motion back on the agenda.

A few months ago, I had the pleasure of being my party's critic not only for international trade but also for Asia-Pacific affairs. During a very constructive meeting that we had with Canadian Friends of Burma, we worked on wording that is almost exactly the wording that we have before us, including the wording that was added on the enlightened and wise advice of the prime minister of the National Coalition government of the Union of Burma. This motion was tabled in the House of Commons. Unfortunately, it died on the *Order Paper* as a result of the election.

I am very happy that today we have the opportunity to take this up again so that, I hope, once the motion has been carried by the sub-committee and the committee, the Canadian Government will work further towards ensuring that justice is done for the people of Burma.

Thank you for coming to Canada and thank you for your very insightful comments. I wish you all the best in the future.

The Chair: Thank you very much.

[English]

Do you want to reply to that, Dr. Win?

Dr. Sein Win: Yes.

Thank you very much for the encouraging words.

First, I think everybody has this paper where they say Aung San Suu Kyi has spent 3,323 days of her life in detention. She was put under detention time and again—the first time, for six years, and then later on, one year and two years. Now it is extending to one year.

This is very important for us, because when we talk about the elections, people are quite emotional. As we see in Ukraine today, everybody is emotional. So we had our election, we won very clearly, and then the leader of the party was put under house arrest for 3,000 days. That means a democratic country should, and must, do something, otherwise the military will go ahead with their own program.

So what should a democratic country do? First, they should set a strong and clear statement that they will not tolerate these kinds of things any longer. Second, if the situation has not improved in due time—one has to give a timetable, and this timetable, for example, right now is 2005 or 2006—this kind of sanction and action will follow. Third, we will help the people who are trying to change things, to restore democracy in Burma today. These three things have to be done, very clearly and very forcefully.

The military, of course, care about the sanctions, but when we talk about, for example, freezing their assets, they don't care. They have no assets in the western world. They have assets in Singapore or somewhere. If we talk about visa restrictions, that is very much a politically strong statement and they do care, but at the same time, they can go somewhere else. The ones that will really have an effect

are where either you make a very clear political statement now, and also make a kind of...I don't want to say threat, but the problem is that the threat will come.

As I said, the third thing is to help the people who are now doing the work to restore democracy in Burma. These are the three things we are asking for.

• (1615)

The Chair: Prime Minister, I notice in this article in this week's edition of *The Economist*, of which you have a copy, they allege that Soe Win, the new Prime Minister, is the one who appears to have masterminded the attack on Aung San Suu Kyi.

I was told, sir, by an Australian, who was actually helping Ivanhoe, which is a Canadian company, near the location where she and a number of people were...

How many people were killed in that attack?

Dr. Sein Win: It's difficult to say exactly, but it could be in the hundreds.

The Chair: This Australian was working at the Ivanhoe plant—which is, as I say, a Canadian company—the day that happened. He says you could hear the leg irons of the prisoners going out to beat up the civilians. What they were planning to do to her, I don't know, but it was a brutal situation done with, as you know better than I do, bamboo poles and all kinds of awful things. That was one of few Canadian companies doing business in Burma.

Would Aung San Suu Kyi like us to pass the clause that deals with the embargo? Can you give us your advice on that?

Dr. Sein Win: Yes, of course. NLD has from the very beginning asked for economic sanctions, investment boycotts, and so on. Aung San Suu Kyi has said very clearly that investment into that climate has not helped the people, it has helped the military. She keeps on calling for the sanctions. We are 100% clear about that.

• (1620)

The Chair: Well, colleagues, if Aung San Suu Kyi wants us to pass this embargo, how can any of us in a human rights committee refuse to do it?

Yes, please, Madam Desjarlais.

Mrs. Bev Desjarlais: Actually, what I'm going to ask is whether my colleague intends to put the motion on the table so that then we can talk about possible very, very friendly amendments.

[Translation]

The Chair: Mr. Clavet, you have the floor.

Mr. Roger Clavet: Mr. Chairman, we would like to table the notice of motion and to see, given the overall unanimity on these issues, whether there are any amendments. For now, we are tabling the notice of motion

The Chair: Are you moving the notice of motion?

Mr. Roger Clavet: I am moving the tabling of the notice of motion.

The Chair: What type of amendment are you moving?

Ms. Desjarlais, you have the floor.

[English]

Mrs. Bev Desjarlais: Actually, in the spirit of getting unanimous consent, on paragraph (d), which I believe is the only item on which some of the members appear to have some reservation, rather than say "impose a comprehensive economic embargo", could we use wording such as "consider imposing a comprehensive economic embargo" on Burma, and then continuing on, instead of saying "companies that violate the embargo", say "companies that invest in Burma"? Would you like me to read it in full?

The Chair: Slowly, please.

Mrs. Bev Desjarlais: It would read, "consider imposing a comprehensive economic embargo on Burma and, *inter alia*, place severe penalties on Canadian companies that invest in Burma".

[Translation]

The Chair: This would be a friendly amendment. What do you think, Mr. Bergeron?

Mr. Stéphane Bergeron: First, Mr. Chairman, I would like to thank you for giving me the floor.

Do you seriously think that the government never considered imposing an embargo on Burma? I am almost convinced that an embargo was considered, at least within the government inner circle, as one of the measures that the Canadian Government would take against the Burmese government. Therefore I do not see the point in simply asking the government to consider this. I don't think that for our part we should be at all concerned about this sub-committee being able to ask the government to impose an embargo. It will be up to the government to determine whether or not they respond favourably to the sub-committee's request. I don't think there's anything to fear, given the information that the prime minister had just given us, especially regarding Aung San Suu Ky's position on economic sanctions, in strongly urging the government to impose an economic embargo. The government will be free to follow our recommendation or not.

I would therefore ask my colleague to consider keeping the original wording, in other words, that the government must impose a full economic embargo rather than simply considering it.

[English]

The Chair: Monsieur Boudria.

[Translation]

Hon. Don Boudria: Before my colleague arrived, we had mentioned that it was important to our witness that this motion be carried unanimously by the House of Commons and not simply by a majority. I am not blaming my colleague for arriving late, because many of us sit on several committees. We need to find a strong wording, but wording that will be unanimously supported by the House of Commons. I am not their spokesperson but in my opinion that is what our colleague was attempting to do earlier.

● (1625)

The Chair: With your permission,

[English]

if Madam Desjarlais is prepared to take the original wording, then we could perhaps.... As Don Boudria knows better than anybody, we have to go to the House and negotiate then to maybe change the wording in a way such that the Minister of Foreign Affairs would accept it.

Again, I would appeal to my colleague. I don't know how we can say no to this incredible lady who has been in jail for 3,323 days.

Mrs. Bev Desjarlais: Certainly, I don't think we should be saying no either. I believe that what we want to do is find wording that gives the government the opportunity to do what we want it to do, but gives them some flexibility in how they approach going about it. I think it is important that we do have unanimous consent. I absolutely agree we should be proceeding, and this does give the opportunity for the government to proceed, just in a somewhat more palatable way.

[Translation]

The Chair: Mr. Clavet, you have the floor.

Mr. Roger Clavet: Thank you, Mr. Chairman.

I am pleased that there is a will to keep the basic principles, even though the forcefulness is somewhat diminished with these small changes. However, I have before me a copy of a report that was circulated, entitled *Looted Land*, *Proud People*. It was drafted by the Canadian Friends of Burma. I will read an excerpt:

[English]

"At the end of 1999, the permanent committee of the House of Commons on foreign affairs asked the Canadian government to consider the possibility to impose sanctions to"... so back in 1999.

I rest my case.

Mr. Roger Clavet: No, it was not.

[Translation]

Hon. Don Boudria: Was the motion carried?

M. Stéphane Bergeron: It was carried by the committee.

[English]

It had been adopted in the committee.

[Translation]

Mr. Roger Clavet: We are all in the same situation because we're thinking that tomorrow morning... Until that time, I feel we should keep a strong wording, which should get unanimous approval. We are willing to discuss this, however, I don't think this is too much.

[English]

The Chair: We have the Prime Minister here, we have a bunch of people who are really concerned about this, and for a couple of words, surely we can pass this thing the way it's been proposed. Unless anyone has a really strong objection, I propose that we pass it the way it is. *D'accord*?

Mrs. Bev Desjarlais: I certainly have no problem in doing that. I just hope that we're giving it an opportunity for unanimous consent.

The Chair: Yes, Mr. Day.

Mr. Stockwell Day: I hate to presume on my colleagues who aren't here, but I am convinced there will be people in all parties who will vote against this if it is not changed as our member... I want to see this pass. I don't want to see this used for political purposes where, if it's not passed, somebody might run out and say—as much as I like to pound on the Liberals—look, those rotten Liberals, they wouldn't pass this, or, the NDP didn't pass it.

This motion, even if (d) wasn't there, is a very strong motion, and I support it, but I can virtually guarantee that in its present form, for a number of reasons—I know how people vote—it's not going to pass. Never mind unanimously, it might not pass at all. It would be devastating if this didn't pass in the House of Commons. It would be devastating.

It needs to pass, and my colleague from the NDP has suggested the word "consider". I could support that. Or, I have another suggestion—and we need to follow order, we need to do that, but just to give you a heads-up—that would delete everything after the word "impose", and add—and we won't use the word "consider", leave "impose"—"impose sanctions specifically targeting individuals or groups who are responsible for human rights violations in Burma". So we're saying, let's do it, but let's hit the people responsible, and let's not limit it to economic.

Let's look at other ways.

The Chair: Is it not true, Dr. Win, that there is a group of people, several hundred, or several dozen, who are so rich from drugs that they don't care about anything? They have heroin coming out of their ears, and they're rich beyond Croesus from drug money. Can you enlighten us on that?

• (1630)

Dr. Sein Win: The military have their own, what you call holdings, and many lucrative businesses have to have a joint venture with the state. If there is a joint venture with the state it is quite clear the military is the partner and no other. That's also one of the reasons why we called for the sanctions, because in Burma today you cannot say we have a real market economy. The market is controlled by them and they are the ones. So when we look at this, we can say which business is a joint control, which business is totally owned by the army, and which business is very much near to this drug trafficking and money laundering. We have all that information with us.

Also, when it comes to some industries or businesses, it is capital intensive and you don't get a trickle to the people. We can say which businesses are really helping them. Of course, all the generals are rich because they have their hands everywhere. So we can make a distinction and we can propose the priority of how to make what we call selective sanctions. That is what the European Union is considering now.

The Chair: Sir, would Mr. Day's amendment be acceptable to you then? Did you hear him when he read it?

Can you read it, Mr. Day?

Mr. Stockwell Day: Delete all the words following the word "impose" and add the words "sanctions specifically targeting individuals or groups who are responsible for human rights violations in Burma".

You see, here's the other problem. We know generally that when we just have economic embargoes, it hurts the people but it doesn't hurt the perpetrators of the crimes of human rights violations. In Iraq there was a very strong embargo put on and they even tried to say they had a food for oil program, and many people corrupted it. Saddam Hussein became very rich. Politicians in other countries are under investigation now because of it. And who got hurt? The people wound up getting hurt.

Also, has anybody put together a comprehensive list of what Canadian companies we're talking about? Is there a company that is selling health products into Burma that help people? Is there a company that is providing the ingredients necessary to purify water? Is there a company that is drilling wells? I don't even have the list.

I appreciate my colleagues from the Bloc; they are very concerned, as we are, with the human rights issues, but they don't have to worry about Canadian companies. They only speak for Quebec, which is important, but they don't have the same level of breadth that they have to look after. We do. We have a broader spectrum here. We agree with them totally on the human rights aspect, but the solution is very important. I don't even know who we're shutting down. Is there a water well company that we're shutting down?

The Chair: Dr. Win can answer the question, then I'll go to other speakers, please.

Which Canadian companies are there in Burma?

Dr. Sein Win: The most famous is Ivanhoe. There are maybe, how many...

The Chair: Would somebody like to join the Prime Minister at the table who knows the answer to this?

Mr. Tin Maung Htoo (Coordinator, Burma Forum Canada): We have a list of Canadian companies in the report. These companies are—

• (1635

The Chair: What's your name, sir, just for the record?

Mr. Tin Maung Htoo: My name is Tin Maung Htoo.

Ivanhoe is one of the biggest investors in Burma, especially in the mining sector. We would say that in the mining sector Ivanhoe is the biggest investor in Burma.

In 1994 or 1995 the investment was about \$150 million U.S. Now the company is planning to inject more investment, which is about \$300 million U.S., with the expansion of another mine, a copper reserve, which has been called Letpadaung.

This is Ivanhoe, but we have a number of other companies, for example, Canadian Helicopter International, which is based in Vancouver. The company provides helicopter services to oil companies Total and Unocal. Total is French-based and Unocal is U.S.-based. This is something we are talking about because these two companies are also get involved in the complexity of human rights abuses in Thailand. So this is one company.

There are other small mining companies, for example, Leeward Capital Corp. Some car companies are also getting involved in Burma. Some retail companies, such as clothing companies, are also choosing Burmese products. Some companies...for example, Nortel Networks was also indirectly getting involved through its subsidiary in Israel.

Some companies are still getting involved, but some companies are stopping their involvement in Burma. For example, Wal-Mart Canada withdrew from choosing clothing from Burma just two years ago, after pressure from the public and other public figures.

You can look at this list.

The Chair: Okay, Mr. Boudria.

Hon. Don Boudria: Mr. Chairman, the document that was handed to us, the *Burma Forum Report*, has in it wording that might work perfectly well. On page 40, right in there, about the economic measures, read the first four lines. They say:

- 1. REVIEW EXISTING LIMITED ECONOMIC MEASURES
- Review the effectiveness of the Export and Import Permits Act
- Review the feasibility of fully invoking the Special Economic Measures Act
- Impose a legal ban on further investment in Burma.

That's middle of the road. It's stronger than what Madame Desjarlais was saying, perhaps just a trifle less strong than what Monsieur Clavet was proposing.

It's the Burmese community's recommendation, anyway. If we were to use wording that's similar to that, perhaps everyone would—

The Chair: Could we agree to substitute paragraph (d) as it is now with the wording of number 1 on the top of the page. I'm sorry that it's only in English. Can we agree to that and leave it up to our clerk to make the grammar or the punctuation fit the context of the motion?

[Translation]

Mr. Bergeron, you have the floor.

Mr. Stéphane Bergeron: Mr. Chairman, I think our colleague from Glengarry—Prescott—Russell had a very reasonable and honourable idea, as this is what the Canadian Burmese community is asking for. Therefore, we can't disagree.

That being said, I would like to make three comments on Mr. Day's proposal. First, I don't think it is in order because it changes the meaning of the previous paragraph. It says that sanctions would apply specifically to individuals or groups responsible for human rights' violation in Burma. I don't think this type of sentence would allow us to claim that any Canadian company doing business in Burma is responsible for human rights' violations.

Yet, when you do business in Burma, whether that involves digging wells or finding minerals, these companies are helping, in paying taxes, to maintain the regime, which is fundamentally wrong. I don't think that Mr. Day's proposal, contrary to Mr. Boudria's proposal, will solve the problem. We can adopt sanctions, but if we do not prevent foreign companies, especially Canadian companies, from supporting the regime, then the situation will be perpetuated for a very long time.

Of course economic sanctions can have a negative impact on the population but those sanctions can also help in bringing down a regime. One just has to recall the critical role that Canada played in bringing down the apartheid regime in South Africa by imposing economic sanctions.

In this case, the opposition in Burma is calling loudly and clearly for sanctions. Mr. Boudria's proposal is moving us forward. This is a much stronger measure than Mr. Day's well-intentioned proposal.

That said, we would like to make one last comment. Mr. Day said that he felt members of the Bloc Quebecois were only concerned about Quebec and that they had to have a much broader outlook. That is not a relevant comment. If there were only one Canadian company and eighteen Quebec companies doing business in Burma, I would be saying the same thing. That argument does not hold up. I do not want economic sanctions imposed on Burma simply because there are more Canadian companies than Quebec companies doing business there. If the opposite were true, I would be saying exactly the same thing. This is not a protectionist measure for our companies, but rather a measure intended to bring down a wicked, inhuman regime that violates human rights on a daily basis.

● (1640)

The Chair: We did understand, Mr. Bergeron.

Regardless, would you prefer that we adopt Mr. Day's amendment?

Mr. Stéphane Bergeron: No, I prefer Mr. Boudria's.

The Chair: Do you want it adopted as is?

Mr. Stéphane Bergeron: No, but we could ask our research staff to reword it in such a way that it can properly fit in the text.

The Chair: You would like us to replace point (d) by the three...

[English]

Mr. Marcus Pistor (Committee Researcher): Should I read it out the way it could be?

One way perhaps to word it would be to replace paragraph (d), and it would say something like "impose more comprehensive economic measures on Burma and, in particular, review the effectiveness of the Export and Import Permits Act, review the feasibility of fully invoking the Special Economic Measures Act, and impose a legal ban on further investment on Burma".

[Translation]

The Chair: Is that agreeable?

Mr. Day, you have the floor.

[English]

Mr. Stockwell Day: Mr. Bergeron is right in that this motion by Mr. Boudria is better than mine, but he went on an unnecessary tangent on the issue of Canadian companies.

I said very clearly I agree with the Bloc's broader human rights concern, but we have to also account for the effect on Canadian companies.

The Chair: Please let's agree to have a truce on that one.

Mr. Stéphane Bergeron: Let's not forget Burma.

An hon. member: A point well taken.

Mr. Stockwell Day: Exactly.

Okay, thank you. I need to ask a question, though. I agree with what Mr. Boudria is saying. This is very comprehensive.

The third item here is "impose a legal ban on further investment...." We have always advocated the use of non-government organizations to get help, aid, assistance to people in countries, not going through a corrupt regime. We want to steer money around a corrupt regime to get to the people.

I'm putting something hypothetical to you. If you have people in a village and they are desperately in need of clean water and there is a non-government organization, a non-profit company, but it's still a company that wants to do that investment and drill water for them or provide health care...I don't know what that legal ban means on investment in Burma.

Hon. Don Boudria: International cooperation is never considered as investment.

The Chair: No, it's not. No, that's an NGO, a non-profit. **Hon. Don Boudria:** Anyway, we're not writing a legal text.

The Chair: Are we all agreed, then?

[Translation]

Do we all more or less agree?

[English]

On the question, all in favour of the motion?

(Motion agreed to [See Minutes of Proceedings])

● (1645)

The Chair: Félicitations! Nous sommes unanimes.

Dr. Win, I have no doubt that if you hadn't been here, we would not have done that, so that's another reason why your visit is I hope a great success today.

Would you or any of your colleagues like to have the last word?

Dr. Sein Win: What I would like to say is that of course the sanction is quite controversial and people are talking. Of course, as far as Burma is concerned, the National League for Democracy and Aung San Suu Kyi asked for aid. We also ask for aid, and ILO recommends member states impose sanctions individually.

We believe it will help our cause. Whether it is effective or not, this is the question that we cannot decide now, because now only the United States has put sanctions and no other country has. The European Union is thinking about selective sanctions, but even then we see that the military hired a lobbying firm to stop this kind of measure and we've heard about it many times in the United States.

Why are they spending millions of dollars for that if the sanction doesn't have an effect on them, doesn't hurt them? This is a question we ask. So the sanctions hurt them, and we've asked for them before, for many reasons. These investments and so on are helping them and not helping any poor people.

We see that up until now, for more than 10 years, there have been no sanctions at all. The sanctions we see are just...the United States sanctions. But the economy is going down and down. For the common people, the sanctions don't make a difference. They are very poor now. It will hurt the military, who are also enriching themselves. When you go to Rangoon, you will see how they live.

So we are all for sanctions, and if we can make a start, it will be very good. The European Union is now making a start about that.

The Chair: Yes, sir.

Mr. Tin Maung Htoo: Technically speaking, when the Government of Canada comes to impose an economic sanction on Burma, they need to invoke the following: Export and Import Permits Act as well as SEMA, Special Economic Measures Act. The only problem we have is a little bit of a disagreement over the wording, but anyway, technically we have to go through these acts and measures that we have in the government's legislation.

The Chair: We'll have to be hurrying it along. Mr. Boudria spotted page 40.

Yes, please, Mr. Korah, would you like to say something? I know who you are, but please explain who you are.

Mr. Shareef Korah (Executive Director, Canadians Friends of Burma): I'm Shareef Korah from the Canadian Friends of Burma, which is an NGO in Ottawa.

With regard to the question of sanctions, I have a little bit of a follow-up to what Prime Minister Sein Win said already. A fact is that the majority of Burmese are in the agriculture sector—I believe something like 75%—so when you look at a company like Ivanhoe Mines Ltd., for example, they're employing an insignificant number of people. I think there are 400 people to 500 people. But if you compare this to the amount of funds that are going directly to the regime, it's evident that the regime is making a lot more money than the people of Burma. A few of them have extremely hazardous jobs that are destroying the environment and enriching the dictatorship.

I think what Dr. Sein Win is saying should certainly be a consideration to keep in mind, that sanctions are really necessary and that Canada is certainly in a good place.

On behalf of all of us, we'd find it really hard for people like Aung San Suu Kyi or Archbishop Desmond Tutu to advocate for a policy that's clearly detrimental to the people of Burma. I think that's something we should just keep in mind.

● (1650)

The Chair: Thank you very much.

You haven't said anything. Please.

Ms. Khin Omar (Women's Affairs Coordinator, National Coalition Government of the Union of Burma): I will add something also with regard to the sanctions, because foreign investment really implicates so many kinds of human rights violations, including forced labour and also rape and sexual violence against women. Just two weeks ago, another woman, who is among hundreds, was attempted to be raped while she was being used as forced labour in Arakan state. Rape and sexual violence against women is now so prevalent. It's across the country, a nationwide pattern of abuse. The soldiers commit these crimes against humanity with impunity. While they do that, of course, this foreign investment has directly benefited the military regime.

Along with our leader, Aung San Suu Kyi, the people themselves say that nothing can be worse than where we are now, so please help us any way you can. That is the message from our people. What we want to do is go back home. We want to go back home in peace and safety

Thank you very much.

The Chair: Thank you.

I think we're just about finished.

Please, you have the final word, Prime Minister.

Dr. Sein Win: We are very thankful for this motion that will be tabled. This is concrete action. We are asking for concrete action. Our visit here is a success, thanks to all of you. We are confident that the Canadian parliamentarians will look at the Burmese parliamentarians in exile as well as inside the country. We will keep up this fight until we have democracy.

Thank you very much.

The Chair: The meeting is adjourned.

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