



House of Commons  
CANADA

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

---

SDIR • NUMBER 003 • 1st SESSION • 39th PARLIAMENT

---

EVIDENCE

**Tuesday, October 31, 2006**

—

**Chair**

**Mr. Jason Kenney**

Also available on the Parliament of Canada Web Site at the following address:

**<http://www.parl.gc.ca>**

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

Tuesday, October 31, 2006

•(1105)  
[English]

**The Chair (Mr. Jason Kenney (Calgary Southeast, CPC)):**  
Good morning.

Welcome to this meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

We are here this morning to begin a study into the question of the Canada-China bilateral human rights dialogue. This is actually the first hearing of this committee in this Parliament.

We're pleased to welcome our witnesses.

I'd ask that any video recording equipment should leave the room at this point. Media are permitted to stay, but there can't be any video recording of the committee because there hasn't been a motion to approve that.

We have before us today Mr. Razmik Panossian, the director of policy, programs, and planning at the International Centre for Human Rights and Democratic Development in Montreal; Mr. Alex Neve, the secretary general for the Canadian section of Amnesty International; and Professor Charles Burton from Brock University.

It isn't indicated on the agenda in this respect, but I would like to ask Dr. Burton to begin insofar as I think his report will in part be responded to by the other witnesses.

We have about ten minutes.

Please go ahead, Dr. Burton. Thank you for coming.

**Mr. Charles Burton (Associate Professor, Department of Political Science, Brock University, As an Individual):** Thank you very much, Mr. Kenney. I'm very happy to be here to discuss my evaluation report.

I believe the committee has received copies of this report in English and French. If I could say so, I'm very happy that it has become available in French, thanks to the Parliament of Canada. The report was issued by the Department of Foreign Affairs and International Trade, but it was only issued in an English language version.

This report arose out of a telephone call I received from Henri-Paul Normandin, the head of the human rights section of Foreign Affairs, asking me to write a report assessing the human rights dialogue process that has gone on between Canada and China since

1997. There have been nine of these dialogues; none took place in the year 2001.

I have some background relevant to this work, in that after I became a member of the political science department at Brock University, I was asked by Foreign Affairs to be borrowed to serve in the Canadian embassy in Beijing twice. My second posting started in 1998, which was just after we started this process of human rights dialogues, so I was present at the third, fourth, and fifth rounds of the dialogue. In my capacity as a representative of civil society, I was speaking on behalf of the Canadian Council of Churches. I was there for the ninth round, which I attended in the course of my evaluation report.

Before I say what the report roughly says, let me first say what it isn't. The report was written by me under a contract that came through at the end of July. I submitted the report to Foreign Affairs at the end of December, but they did not release the report immediately. They had some concerns about some of the content of the report, and they asked for changes before a public version would be released.

I produced another version on February 1, but this version was also not released right away. More discussion took place, and it was determined that the report would be divided into a classified version and a publicly available version, and I would presume that you have both versions of the report. Anyway, there was a classified supplement.

I produced another version at the beginning of April, and then further revisions were made. Finally, the version that I submitted on April 19 was released by the department in, I believe, May.

I would say that while this report was subject to review by the Government of Canada, I believe the main thrust of my assessment of the human rights dialogue is retained in the report. Of course, in the course of your questioning, I can clarify any uncertainties that might be in there because of removal of some text. The total amount of text that was removed amounts to about 1,200 words.

The other thing about this report is that it's simply an assessment of the human rights dialogue. Under the terms of my contract with the Government of Canada, I was not supposed to make recommendations about what Canada should do in future with regard to this kind of engagement. In fact, when the Canadian embassy in Beijing became aware that I was attempting to set up meetings with a view to looking at future possibilities, they suggested that I was exceeding the mandate of the contract and that I therefore perhaps shouldn't do it anymore. They did so quite rightly, because I had to follow the contract.

With regard to the report itself, my procedure was that I went to the Department of Foreign Affairs and attempted to read all of the classified and unclassified files relating to the human rights dialogue process. That was in August of last year. In September, I traveled to China and met with about forty-some Chinese people who had been involved in human rights dialogues. Some of them had been involved in as many as sixteen across several countries, because on the Chinese side, the number of people involved in the bilateral dialogues they have, not only with Canada but with many other countries, is rather limited.

• (1110)

Then I returned to Canada and met with people in government who had been involved, and members of NGOs who had been involved, and members of the NGO community who have not been directly involved in the dialogue but may have been consulted by the government in regard to this activity. I met with 74 people in all.

After I wrote the report, there was some degree of interest in this document. I think it's been extensively circulated throughout the world because the kinds of issues that are identified in the report are not present simply in the Canadian dialogue but are also present in the dialogues of other advanced western countries who have the same activity.

There's a consortium called the Berne process, which is hosted by Switzerland and holds an annual meeting to discuss various countries' dialogues on human rights with China. Canada has somewhat taken the lead in this area of assessing the dialogue and providing information that may be useful not only to our government's future programming in this area but also to that of other nations.

In terms of my discoveries, if I could just characterize them extremely briefly in the couple of minutes that are left, first of all, I found to my surprise that the Chinese representatives of different ministries and agencies who have been involved in the human rights dialogue were forthcoming with me about their dissatisfaction with some of the shortcomings of this activity. I had expected, when I went to China, because the Chinese Ministry of Foreign Affairs was fully aware of the assessment and facilitated some of the meetings with the Chinese agencies, that I would get a standard line about the importance of engagement over confrontation and a suggestion that the activity was worthwhile and should continue. In fact, what I found from the Chinese agencies was that they felt the dialogue was not serving their own institutional priorities in terms of modernization and democratization of their specific institutions. The courts or the police or the Procuratorate felt that the topics in the dialogue

were not providing any information that would benefit them in their ongoing work.

When I went to the Chinese foreign ministry and explained to them what I had heard from the other Chinese ministries, they said this was because the other ministries were looking at it from their own perspectives—too narrowly—and didn't understand that this activity is a foreign ministry-led activity, that it is a government-to-government political and diplomatic activity relating to how Canada engages China on human rights and is specifically connected to our activities with regard to human rights in the UN.

The origin of the dialogue was that Canada ceased to support the resolution condemning China's human rights record in 1997; it was felt that bilateral engagement of China and quiet diplomacy would be more effective in promoting the cause of Chinese government respect for human rights in that country. In general, I feel that while this process in the initial phases started with some optimism and enthusiasm, as the years went by it has become apparent that the dialogues have not led to any verifiably observable results.

It's very hard to connect any changes in China with the dialogue process per se. The Chinese foreign ministry has downgraded their representatives to the dialogue and reduced the staff in the section that deals with it, and the Canadians I met have universally expressed concerns that this activity is not fulfilling project purposes.

I think I could conclude there, and you could ask me to clarify.

**The Chair:** We'll come to questions later. Thank you very much, Professor Burton.

We'll now pass to Mr. Panossian—I hope I'm pronouncing your name correctly—from the International Centre for Human Rights and Democratic Development.

**Mr. Razmik Panossian (Director, Policy, Programs and Planning, Rights and Democracy (International Centre for Human Rights and Democratic Development)):** Thank you very much, Mr. Kenney, and thank you to the subcommittee for this invitation. Normally it would be the president of Rights and Democracy, or the International Centre for Human Rights and Democratic Development, Jean-Louis Roy, who would address this committee. However, he is travelling; hence I have taken his place on this occasion.

Rights and Democracy believes that the Canada-China bilateral human rights dialogue should continue but not in its current form. It is better to talk than not to talk; however, the conversation has to lead somewhere and not be used as a decoy in addressing fundamental human rights issues. It is in this context that Rights and Democracy is making the following suggestions to improve the effectiveness of the dialogue.

First, the purpose of the dialogue should be clearly defined. What are its objectives? What is it trying to achieve? After nine sessions, the answers to these key questions are still unclear. There is some confusion, not to mention discrepancy, between the views of the Chinese authorities and those of Canadian representatives. It is time, we believe, to move beyond a talk shop and into a more focused approach with clearly articulated goals.

One of the main findings of Mr. Burton's report is that after nearly ten years the dialogue could not even demonstrate one significant outcome. Throughout, each of the dialogue sessions have had a theme: equality, UN mechanisms, racism, conditions of detention, women's rights, and so forth, and yet there are no concrete outcomes; hence, the dialogue could greatly benefit from a mutually agreed upon long-term action plan—mutually agreed upon, obviously, between Canada and China. This would enable both parties to gauge outcomes, to evaluate progress based on benchmarks, and to link the general discussion that takes place during the dialogue to specific changes on the ground.

For example, specific steps can be taken on the issue of the prisoners lists and support for human rights defenders. We therefore recommend that Canada and China first define the purpose of the dialogue and develop a plan of action aimed at specific and measurable outcomes. As such, if and when there is progress on an issue, it can be demonstrated. If there is no progress or if there is regress on an issue, that too can be demonstrated and appropriate measures taken.

Second, the dialogue should take place with the appropriate interlocutors in China and within the framework of a whole-of-government approach in Canada. This entails three elements.

The first is that the dialogue should engage the higher-level representatives of the two countries, i.e., it should take place at the very least at the deputy ministerial level.

The second is that it should involve Chinese ministries that actually have a domestic mandate, and Mr. Burton addressed some of these problems. The Chinese foreign ministry does not have a mandate to improve the human rights situation within the country, but to defend the country's interests abroad. This is perfectly understandable. Other ministries within China can play a more relevant role, such as the ministry of justice, the ministry of public security, the ministry of education, or of communication, and so forth.

The third element is that we believe a whole-of-government approach will make the dialogue much more effective. Coordination between the various branches of the Canadian government will enhance Canada's message. For example, CIDA's human rights programming in China can be adapted or linked to the dialogue's subjects.

We therefore recommend that the dialogue be expanded to include various other Chinese ministries with relevant jurisdiction and that it use a whole-of-government approach in Canada.

Third, open and efficient communications are key to the success of any dialogue, from the publication of documents in the appropriate languages, to good interpretation, to sharing of information with interested parties outside of the formal dialogue process.

There are two elements in this: first, the dialogue process has been rather secretive so far, with not much information being shared with the wider community that could benefit from the content of the discussion; and second, formal civil society input or participation in the dialogue process has been inadequate—for example, the lack of

follow-up with civil society in Canada and, on the Chinese side, hand-picked, pro-government NGOs as their NGO representatives.

• (1115)

We believe that civil society organizations with expertise on human rights issues should play a valuable role in the dialogue process. Moreover, it will open the door to direct links and collaboration between Canadian civil society and Chinese civil society organizations.

We therefore recommend that the participants in the dialogue on both sides regularly share information with their respective societies, incorporate civil society participation in the dialogue process more thoroughly, and encourage direct civil society to civil society links.

The fourth point I would like to make is that the dialogue should be situated within the wider context of raising concerns regarding the human rights situation in China. It should not be Canada's only vehicle to help improve human rights in that country. Multilateral mechanisms such as the Human Rights Council remain effective instruments in this regard.

Moreover, there are other countries engaged with China on similar human rights issues—the U.S., U.K., Australia, Norway, Sweden, Germany, and Japan, to name some of them. Canada's coordination with these countries on the dialogue, known as the Berne process, as mentioned, is important for the sake of effectiveness and should be enhanced.

We therefore recommend that the Canadian government not see the bilateral dialogue as an either/or policy and explore other complementary ways of engaging with China on human rights. Improved coordination through the Berne process should continue.

Finally, as a fifth point—it's obvious, but worth making—if the bilateral dialogue process is to be effective with some real impact, then the Government of Canada must invest more resources into it.

In conclusion, Rights and Democracy believes that human rights should be at the heart of the Canada-China relations. We do not view human rights in contrast to business opportunities, and we do not believe that the relationship between human rights and national interests is a zero sum game. In fact, what we would argue is that human rights, the rule of law, due process, and other democratic practices are good for business, for investment, trade, and development in China and elsewhere.

As it stands, the Canada-China bilateral dialogue is not serving human rights in China. This is not to say that it should be scrapped altogether, perhaps temporarily suspended, but it should be revamped and enhanced with a clear focused vision and organization.

Finally, it is a cliché to say that China is emerging as a superpower. Canada must engage with it constructively through a clear strategic partnership, and the dialogue has the potential to be one of the vehicles for that, but not in its current ineffective form.

Thank you very much.

• (1120)

**The Chair:** Thank you, Mr. Panossian.

Mr. Neve.

**Mr. Alex Neve (Secretary General, English Speaking Section, Amnesty International Canada):** Thank you very much, Mr. Kenney. Good morning, committee members.

I'd like to begin by just reminding us as to what is at stake when we're talking about the human rights situation in China.

Husein Dzhelil is a Canadian citizen, a Uighurs, originally from China's Xinjiang district. He was arrested in Uzbekistan earlier this year while visiting his wife's family and was deported to China four months ago. He has been in incommunicado detention since that time, accused of terrorism, a common charge made against Uighur activists who stand up for the rights and autonomy of the beleaguered Uighur people. The risk that he has been tortured is very high.

On September 30, Kelsang Namtso, a 17-year-old Tibetan nun, was summarily killed by Chinese border control guards who opened fire on her and a group of about seventy other Tibetans, many of whom were young children, who were escaping over an isolated mountain pass from Tibet into Nepal.

Human rights lawyer Gao Zhisheng has been arrested on charges of inciting subversion. He has been held at an unknown location for two and a half months and has had no access to his lawyer or family. Gao Zhisheng had been providing legal defence to a number of courageous human rights activists in China. He is most certainly at risk of torture.

On June 19, Bu Dongwei was assigned to two and a half years of re-education through labour in connection with his activities as a member of the Falun Gong spiritual movement. It is not known where he is being held. He is but one of tens upon tens of thousands of Falun Gong practitioners who have been arbitrarily detained in China over the past seven years. Torture has been extensive. As many as 2,000 Falun Gong practitioners may have died as a result of torture.

Those are just four quick snapshots of the range and serious nature of human rights concerns in China. I've shared those four cases simply because they are all the subject of recent Amnesty International urgent actions.

There are many other issues of grave concern as well: the widespread use of the death penalty, repression of journalists and Internet users, crackdown against HIV/AIDS campaigners, repression of labour and other human rights activists, restrictions on religious freedom, forced evictions in the lead-up to the Beijing Olympics, violence against women, and many other concerns.

Clearly, the state of human rights in China should be a matter of significant concern for the international community. Clearly, it should be a matter of significant concern for Canada. Husein Dzhelil, Kelsang Namtso, Gao Zhisheng, Bu Dongwei, and the thousands upon thousands of other women, men, and young people in every corner of China who face arbitrary arrest, unjust imprisonment, harsh torture, and brutal executions because of their beliefs, because of their ethnicity, because of their commitment to

justice deserve nothing less. But frankly, particularly in recent years, it has become all too apparent that concern for human rights in China far too frequently takes a back seat to the enthusiasm of governments here in Canada and around the world to boost their levels of trade and investment with China. Insisting strenuously that human rights protection must improve in China is seen as an inconvenience when trade deals and contracts are waiting to be signed.

We are told that boosting China's economy is the best strategy for improving human rights protection, but that will only be so if there is concerted focus on human rights at the same time. Keeping our fingers crossed and assuming that what is good for business is good for human rights is simply not good enough.

I'm very pleased to be here. Amnesty International and other Canadian-based organizations who are concerned about the human rights situation in China have been pressing for a parliamentary review of Canada's China policy for over five years. We very much welcome this session today and hope it will mark the beginning of a thorough review of the Canada-China relationship.

At the end of my remarks, I will have some suggestions as to ongoing attention that we hope this committee will give to this very pressing human rights concern.

Mr. Panossian's organization, Rights and Democracy, and my own, Amnesty International, both take part in an active and concerned coalition of thirteen Canadian organizations concerned about the human rights situation in China. Other organizations who are members of the coalition include ARC International, the Canada Tibet Committee, the Canadian HIV/AIDS Legal Network, the Canadian Labour Congress, Democracy China-Ottawa, the Falun Dafa Association of Canada, Human Rights Watch Canada, PEN Canada, Students for a Free Tibet, the Toronto Association for Democracy in China, and the Uyghur Canadian Association.

• (1125)

The coalition has been working together to promote human rights protection in China since 1993 and has a long history of engagement, in particular with the Canadian government, advancing a range of recommendations for what we consider to be a sorely needed strengthening of the approach taken to human rights in Canada's relationship with China.

The history of grave, massive human rights violations in China, of course, goes back for many decades, and for many long years human rights organizations pressed the international community to ensure that China's human rights record would be examined by the UN Commission on Human Rights. Year after year after year there was an attempt, therefore, at the commission to pass a resolution dealing with human rights violations in China. It was always defeated.

Canada supported those efforts until 1997, when there was a significant change in policy. No longer would Canada try to have China's human rights shortcomings dealt with at the UN or in any other multilateral setting. Instead, Canada decided to take things quietly behind closed doors and raise concerns privately, one to one, between the two governments.

This marked the beginning of the Canada-China bilateral human rights dialogue, an annual meeting of the two governments at which human rights matters would be discussed. The change in approach was absolute. Since 1997, Canada has never again supported efforts to bring China's human rights record before the Commission on Human Rights.

Amnesty International and other NGOs were not opposed to dialogue, even private dialogue. In fact, dialogue, if it is well structured and well pursued, can play a valuable role in improving human rights. We highlighted, however, that for dialogue to be effective it needed to be accompanied by appropriate public pressure in multilateral settings, such as the UN, and it needed to have clear objectives and a process for evaluating whether the dialogue was in fact making any progress towards meeting those objectives. Otherwise, the dialogue risked being an empty exercise that gave an unwarranted appearance of meaningful attention on the human rights front. In short, without substance, we argued that the dialogue process would be no more than a sham.

We pressed, therefore, repeatedly on many occasions for the dialogue process to be improved and for it to be accompanied by ongoing diplomacy at the UN Commission on Human Rights. That did not happen, not in Canada and not in any number of other nations that had retreated to similar private human rights dialogue processes.

The years since the institution of the bilateral dialogue process have not, sadly, led to things getting better with China's human rights record. In fact, in many respects the situation has deteriorated over those nine years, which have seen the launch of the massive campaign of arrests and torture directed against Falun Gong practitioners, intensified persecution of the Uyghur people in the Xinjiang district, and the crackdown on Internet users, just to name three recent human rights escalations.

Torture has continued to be rampant. Many thousands of people have been executed over that time, usually after grossly unfair trials. Hundreds of thousands of people remain held in re-education through labour facilities throughout the country.

Now, finally, we do have the thorough evaluation of the dialogue process in front of us, in the form of Professor Burton's report. He's already provided an overview. Obviously, in our view, this report demonstrates that the dialogue is not working. It is not even seen as being a serious, genuine exercise by those involved.

Among the numerous failings identified by Professor Burton, he highlights that the topics covered in the dialogue process are viewed as being irrelevant by key Chinese agencies and ministries, that there is a lack of continuity in topics from year to year, that the wrong people are involved, that presentations lack depth and do not reflect an awareness of the Chinese situation, that follow-up is lacking, and that the resources devoted to the process are inadequate.

So where does this leave us? Clearly, the dialogue process should not continue in its current form. It is a waste of resources and a waste of time, and allowing what is essentially nothing more than window dressing to go ahead is truly to do a grave disservice to the cause that is at stake here: improving the protection of fundamental human rights.

Consequently, our coalition of China-concerned Canadian organizations wrote to Prime Minister Harper on October 6—and I believe you have a copy of that letter—urging that the dialogue process be temporarily suspended. At a minimum, we have urged that the dialogue not resume until such time as the serious flaws identified by Professor Burton are remedied.

But truly, it is time for Canada to go further. It is time to put human rights at the very centre of all aspects of Canada's relationship with China. To continue to relegate human rights issues to a dialogue process, even an improved dialogue process, is frankly inadequate and incomplete. Canada's relationship with China is complex and plays out across a range of government departments and issues, including international trade, international development, justice, and immigration. The relationship plays out both bilaterally and in multilateral settings. Human rights should shape Canada's dealings with China in all of those areas.

• (1130)

As such, it is time for a comprehensive, whole-of-government approach to the Canada-China human rights relationship, an approach that does not leave human rights behind and instead takes maximum advantage of all interaction between the two countries and of all potential areas of influence and leverage, to consistently advance an agenda of effective human rights reform in China—and to do so constructively in concert with other nations.

The time is right. Professor Berton's report underscores that change in the dialogue is vital and necessary. The coming two years in the lead-up to the 2008 Olympics offer a time during which the Chinese government is likely to be more sensitive and concerned about its international image than it has been in the past.

Increased Chinese interest in Canadian natural resource companies may provide greater Canadian influence than in the past. Changes at the UN, with a new Human Rights Council replacing the UN Commission on Human Rights, will open up new opportunities for multilateral focus on China's human rights problems. And within China, a fledgling human rights community, including lawyers and human rights activists, is struggling to make advances, but is facing a harsh crackdown and very much needs international support.

Your work here offers a tremendous opportunity to launch a process that could lead to the development of a new, comprehensive China policy for Canada, one firmly grounded in human rights principles. It is our hope that you will take up that challenge. We have long looked to Parliament to engage fully and responsibly in helping shape and define Canada's relationship with China.

While we are pleased, of course, that you are hearing from the three of us this morning, we very much urge you to continue and in fact deepen this work. A thoughtful and comprehensive study carried out by this committee could go far in signalling new directions and new approaches, which will necessarily entail hearing from many others from various arms of the Canadian government—from Canadian business active in China, from academics and other experts who study and follow China closely, and of course from the various Canadian ethnocultural organizations representing some of the most persecuted sectors of Chinese society, including Tibetans, Uighurs, and Falun Gong practitioners.

Canadian organizations concerned about the state of human rights in China should provide full support to such a process. It is long overdue and could truly make a difference.

Thank you.

• (1135)

[*Translation*]

**The Chair:** Thank you very much, Mr. Neve.

We will now move to questions.

You have seven minutes, Mr. Silva.

[*English*]

**Mr. Mario Silva (Davenport, Lib.):** Thank you, Mr. Chair.

First of all, I'm going to begin by apologizing for being late, but I'm at the environment committee. Normally it ends at eleven o'clock, but there's another filibustering going on, so we don't know how long the meeting is going to last. I had to be replaced, because I wanted to be here in this committee to hear what you had to say.

Obviously there's some good news when you talk about the bilateral relations between Canada and China and their relation to human rights and how much attention they've been getting, in the sense that there was bipartisan agreement among the members of committee to have this as one of the key issues we wanted to address. All of us on the committee are greatly concerned about the issue of human rights in China, so there was in fact agreement by all parties to have this discussed today and have it as a forefront issue.

Like so many of the people who have spoken before, and certainly Mr. Neve from Amnesty International, we have grave concerns about where this bilateral human rights dialogue is going. Obviously it hasn't been working. It was hoped that it would work; that was the reason it was established. But when we take a look at the reports we keep hearing coming out of China, whether it's on the Falun Gong or even the whole issue about harvesting of organs, which is of great concern for all of us, or when we look at the situation with the killing of Tibetans, or when we look at the situation even of people practising their different faiths—even the Catholic Church, which wasn't mentioned, but they're certainly persecuted as well in China—this all raises serious alarm bells for all of us who care about human rights.

The question is, what is the government going to do? What are we prepared to do as parliamentarians? Things have been tried in the past that did not work. I want to know what your opinion is of certain tools we have at play.

One of them is CIDA and the role it plays in China. My honourable colleague in the chair has certainly criticized CIDA in the past, or the Canadian government at that time, for giving moneys to China. I'd like to know your opinion about whether CIDA, which is a very important tool that the government has for development, should be there or not. I'd certainly ask for some comments on that issue.

**The Chair:** Any one of you...?

**Mr. Alex Neve:** Maybe I'll start and pass the floor to my colleagues.

Amnesty International doesn't say yea or nay to whether Canada should be providing assistance through CIDA. What we do say, however, is that if that kind of assistance is going to be provided, it absolutely needs to be part of a comprehensive whole-of-government approach. It needs to be linked to all other aspects of how Canada is trying to advance human rights change. Certainly if we manage to have a revamped and improved dialogue process, there would need to be fundamental integration between what the dialogue is trying to achieve and what the development assistance is trying to achieve.

The past approach to human rights in China of what in our view have really been scattered and isolated measures taken in a variety of different agencies and departments simply can't go forward.

**Mr. Charles Burton:** With regard to the relationship between the CIDA programming and dialogue, from the beginning there has been CIDA funding for this activity. But in the early rounds of the dialogue CIDA was reluctant to make it known to the Chinese government that they were providing this funding, because in the context of that time CIDA was concerned that the Chinese government might start to perceive CIDA as a political agency.

Incidents occurred. For example, when I was working in the political section we requested that the head of the CIDA section might take a prisoners list on a trip to Tibet, and he felt that was inappropriate.

Now CIDA has changed its focus in China. As you know, China, because of its relative prosperity, is no longer one of the 25 primary countries, and the CIDA programming is in human rights, good governance, democratic development, and environment.

Seeing that CIDA now is explicitly referring to the words "human rights"—in the early nineties, because of the sensitivity of that word in China, CIDA used to refer to human rights programming as "public management programming", and now we can actually say human rights—it would be possible for CIDA to use its substantial resources to follow up on some of the possible technical cooperation Canada might want to have with China in human rights.

But at present, one aspect of this activity that I bring up in the report is that the resources dedicated to it are limited. The human rights division of Foreign Affairs doesn't have sufficient resources to really design major projects and to research issues that should be explored in terms of dialogue. CIDA does have these resources and might be able to play a useful role, but CIDA also engages in many other areas.

I think another aspect of this activity, as it's a government-to-government activity, is that Canada obviously does not want to engage in cooperation with the Chinese authorities, as this is seen as increasing the state capacity of a regime that behaves in a way not consistent with international norms. There's a fine line to be drawn between development cooperation and standing on the side of Chinese citizens who we feel are suffering from social injustice.

From that point of view, it's important that CIDA's programming should be examined. The intentions of the government with regard to what we want to do with human rights in China should be compared against that programming to see if the CIDA programming is in fact serving Canadian values and Canadian interests, and I dare say that will occur.

In general, all Canadians want to stand on the side of people in China who are suffering from social injustice. The question is really what the appropriate mechanism is and whether there are mechanisms by which Canada can engage China on human rights without having to pass through the Chinese regime, which is a regime that we feel falls short in terms of its compliance with the UN human rights covenant.

Would it be possible to arrange activities in a new context in China, wherein there are new possibilities that were not available when we started this activity fifteen years ago to engage in new kinds of projects that would genuinely better serve the interests of the constituency in China that we hope to serve?

• (1140)

**The Chair:** I'll recognize Mr. Panossian for a brief remark.

**Mr. Razmik Panossian:** It's very brief, just to say that I fully agree about CIDA, regarding the targeted aid. But in the Chinese context there's also a huge gap emerging between the actual law and what goes on underground. I think we could benefit quite a bit from targeting the system and could try to address that gap. Human rights is in the Chinese constitution; it's not underground.

I'll just stop there.

[Translation]

**The Chair:** Thank you.

Ms. St-Hilaire.

**Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ):** Thank you, Mr. Chairman.

Thank you, gentlemen.

The subcommittee agreed to examine the situation in China. I think this is the ideal forum in which to tell it like it is. Mr. Burton, you mentioned your first report, which seems to have been somewhat sanitized, to put it politely. From what I understand, a total of 1,200 words, basically recommendations, were apparently deleted from the report.

I understand that your employer owns your first report and I wouldn't want to put you in an embarrassing position. However, I was wondering if you could share with the subcommittee the gist of your recommendations, in different terms. That could help guide us in our work. You have a certain amount of expertise and it would be unfortunate if the committee were unable to benefit from it. I'll put my second question immediately, just to be certain that the Chair won't cut me off.

Mr. Neve, you also spoke at length about CIDA. Correct me if I'm wrong, but I understood that China is one of the main recipients of CIDA assistance, not necessarily financial aid, but program assistance. I don't know if you're aware of that.

Realistically, what kind of assistance do you believe CIDA can bring to China? All three of you have stated quite unequivocally that communication between the two parties is not conclusive. Canada still seems to believe in what it is doing, while you maintain that its efforts are not producing any results and that we should opt for a different approach. Having said that, what course of action are you advocating? What can CIDA do?

Lastly, I'd like to know what concrete action other countries are taking, aside from keeping the lines of communication open.

Thank you very much.

• (1145)

[English]

**Mr. Charles Burton:** I think there may be some misunderstanding. What was removed from my report was not actually recommendations for policy. That sort of stuff was never going to be allowed to be put in, because my report touched on areas that are classified. I read a great deal of material; a lot of it is classified. My personal view is that I do not understand why this material is not allowed to be openly known, but the tendency of government is to classify, so materials that seemed to be suggesting things that are secrets of Canada would not be put in the public report.

Also, a lot of my detailed discussion of the process regarding the prisoners lists that we submit to China was removed. There were requests to remove other aspects because the department felt it might endanger people in China if somehow it could be known who had told me what. Seeing that these meetings were with government people with the full knowledge of the Minister of Foreign Affairs, I didn't really see that. I think largely there was a concern about the way I expressed things or about whether information I put in this report could interfere with our bilateral relations on human rights. I think that's really the bottom line: there was concern about the response of the Chinese government to this.

I'm largely speculating as to the motivations. I was simply given copies of the report with red marks and so on. I would say they did some good editing too, and improved some of my language; there were some aspects of changing emphasis.

I wouldn't want to get too hung up on this point. I really feel that the report is what it is. I have never heard of anybody in China or Canada saying they disagreed with any of the information in the report, that any of the information is somehow biased or inaccurate, and I think from reading the text you basically get the main idea about what's going on.

I think the more interesting aspect is what Canada could be doing to be more effective in this area, and that question you would direct to Mr. Neve. I'd be happy to discourse on it at length, but I don't think you want to give me all day.

**Mr. Alex Neve:** With respect to the question about CIDA, yes, absolutely, for several years there has been considerable support from CIDA for human rights, rule of law, and good governance programming in China.

Number one, I think the support in this programming would almost certainly benefit from the same kind of evaluation and review the dialogue process had with Professor Burton's careful attention, whether or not he'd be the one to do it. But a review of that kind would be necessary and very helpful here.

To come back to that second piece, about how critical it is that we start to bring the CIDA piece into the wider question about what should Canada's overall strategy be, I don't think we can create, design, and deliver a human rights strategy over at CIDA without making sure it's completely connected to all other aspects of Canada's China policy, to give it a short title.

It would be very good to see this committee start to push for an overarching study that starts looking at how all of the pieces fit together, how the CIDA funding complements what the dialogue is trying to achieve, how this is brought into the development of Canada's trade policies, and how it informs and bolsters what we may be trying to do in front of the Human Rights Council that is going to have some new opportunities for multilateral action. I think the critical way forward now is that all of this comes together as a whole.

• (1150)

**The Chair:** If you like, Mr.—

**Mr. Razmik Panossian:** If there's time, I'll add something to that.

**The Chair:** Let me see if Madam St-Hilaire has another question.

Okay, go ahead then.

**Mr. Razmik Panossian:** I'll make three quick points. The dialogue is not working; we know that. But what we are saying is that it could be made better. It could work. Potentially it could work, and therefore we're making recommendations to actually try to get some results out of it and suspend it until then.

The second thing is that the dialogue should not be the only mechanism of engaging with China. Certainly we should not see the dialogue as an alternative to taking human rights issues to the Human Rights Council.

The third point regarding CIDA, which you are mentioning and is being discussed, is that we would strongly encourage engagement directly with China's civil society organizations to try to get Chinese civil society and the public sector to incorporate democratic principles and start working in that manner as well.

Those are three quick points.

Thank you.

**The Chair:** Thank you all.

We've expired that time.

We come over to Mr. Sorenson for seven minutes.

**Mr. Kevin Sorenson (Crowfoot, CPC):** Thank you for being here.

I can say that on behalf of the foreign affairs committee, which I chair, when we put this committee in place, we recognized that since the number of people applying to attend were so many, this committee was going to be very important.

Again I underscore what Mr. Silva stated: we work together in a very non-partisan way, by consensus, and I think all parties recognize the importance of the study on China.

Much of your Rights and Democracy report deals with quantification, or quantifying exactly what's going on. I recognize

that right in your report it says: "Despite the usefulness of indicators and benchmarks", both human rights, "there are considerable drawbacks to using this approach for a process such as a bilateral dialogue on human rights. Specifically, many human rights outcomes are not quantifiable."

All the questions so far have kind of dealt with how we quantify those things and how we recognize them. But my question is, are there other countries, are there other international models, which come from a principled position, that are doing it better than we are? Are there certain countries dealing with China and perhaps with policy points that have a different approach, as compared to what Canada has in policy and how we deal with this?

I'm just kind of learning some of what came out of the last answer with regard to CIDA. CIDA puts money into areas where human rights issues can be addressed, but they also put money into other parts of China where there are real needs. There's real poverty and things like that. Do you cut programming in those areas because of human rights violations? Do you turn a blind eye to people who are using those programs a lot?

**Mr. Razmik Panossian:** Perhaps I can take the first part regarding the quantifiable things and other international models. I can then turn to Charles.

The question regarding benchmarks and what is quantifiable bedevils any kind of programming that deals with democratization and human rights. How do you measure these things?

However, there is a way of trying to focus the discussion so that you are asking specific questions on specific issues and asking for improvement in those sectors. Let's take the example of children's rights, for instance. If the dialogue topic is children's rights or racism or something like that, then you can ask what specific programs China is willing to put into practice for the next three years that are going to alleviate or improve the situation. In those programs, what are some of the things we can work on together to improve the situation?

It's one thing to sit in a room as the dialogue seems to be taking place and discuss in general children's rights, forced sterilization, women's rights, racism, or whatever. It's another thing to say that they'll develop an action plan—it's not up to us; you develop an action plan, and we'll have benchmarks. We'll think through where the situation in 2008, 2009, or 2010 should be, compared to now. I think there are ways of measuring the progress any country makes in increments like that.

Regarding the international aspect, I think Mr. Burton is better to answer that.

• (1155)

**Mr. Charles Burton:** With regard to your question about CIDA programming, the CIDA programming in China is largely, as I said, on human rights, democratic development, good governance—that's one concept—and the environment.

We do have some small programs like the Canada Fund, which is a small program designed to engage in specific projects in largely border regions of China. This is a very small proportion of our overall development programming in China. Of course, you can get this more clearly from the representatives of CIDA than from me. I just know what I know.

In terms of whether other countries are doing things better in China, as a Canadian who went to talk to people, I am very discouraged that it seems that the Canadian programming in China has fallen behind the times. We have not been as innovative and as vigorous in pursuing our interests in China as other nations have been, specifically Australia, the United States, and Scandinavian nations.

I see this as not just a function of the human rights programming. I believe it reflects in all aspects of our programming—immigration, trade, political relations, development. We just don't seem to be responding to the dramatic changes that have been taking place in China in recent years.

I'd be happy to talk about this, but I think it's the wrong committee. I do have strong views on every aspect of our programming, and I don't think Canada needs to innovate; I think we have to look at what other countries are doing, learn from their experiences, and perhaps do something suited to Canadian interests in China—make more efficient use of our national resources to better get us in there and do a better job in terms of how we engage China.

With regard to the human rights dialogue, all the nations have the same issues, but some nations have innovated a bit.

Denmark, I believe, focuses largely on Tibet questions, so they've focused their dialogue to an issue that they sustain year by year.

Australia puts much more resources into it. It's at a higher level, an assistant minister level. They connect it much more closely to technical assistance and follow-on. As my report points out, I find that the dialogue takes place over a day and then disappears for the other days of the year; other countries have more sustaining activities connected to it, and other countries have been more innovative in terms of their development programming in terms of engaging civil society in China and standing on the side of agents of change to promote citizenship and democratic values in that country.

Canada does have a civil society program, a program of CIDA that is specifically oriented toward the China NGO sector, but I believe that if we did a comparative study of Canadian programming in China and that of comparable nations, we'd find many areas in which Canada could in fact consider renewing and innovating and getting more in tune with new possibilities in China to better realize our interests in that country.

I'm sorry. That was a long answer to a short question.

**The Chair:** I think Kevin expired the clock there. Sorry.

I'd like to pass the word over to Mr. Marston.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Thank you, Mr. Chair.

I should stress that I'm new to the committee and new to Parliament as well, but one thing that strikes me is that Canada's

engagement on human rights in China has taken a back seat to trade imperatives. I'm concerned about that.

I listened to your comments earlier about civil society groups and bypassing the regime. More recently, you spoke about how other countries tend to be encouraging that. Are we in a position to put some people at risk if we do that?

Second, I've stated among my caucus for a while that the Olympics offer an opportunity to influence that we're not going to see in several generations. Perhaps you might have some recommendations as to how we could move forward on that. One of the things I would believe is that if we brought the sponsors and the IOC before this committee, it might be a place to plant some seeds and it might be helpful.

• (1200)

**Mr. Charles Burton:** My view is that there is absolutely no relationship between trade and human rights programming.

The Chinese will always want to buy the best product at the best price, regardless of the source, so I really don't think it's going to make any difference. We do hear from the Chinese when we do things that they would prefer we not do; for example, when our senior leaders met the Dalai Lama, the Chinese embassy made statements promising grave consequences, but since the Dalai Lama's departure to another country, we have so far not seen those consequences.

I don't believe there's a connection. The Chinese are pragmatic, and I don't think they would want to damage their economic interests by not fully engaging Canada in terms of trade and investment.

With regard to putting people at risk, I would be inclined to think quite the opposite. For example, with the Dzhelil case, if I were running things—and it's probably just as well I'm not—I would have Canadian diplomats going round and visiting Mr. Dzhelil's family, making a strong signal to the Chinese government that we are concerned, that we are noticing these people, and that we are standing with them. I don't see any reason a Canadian diplomat can't knock on any door of anyone in China and have a cup of tea, with the Chinese agents standing outside wondering what's going on. My feeling is that the more we engage with these people, the less risk they would be put at, so I would be inclined to do the right thing.

**Mr. Alex Neve:** With respect to the trade and human rights question, I think the assumption that trade is going to dry up or suffer if we talk about human rights has always been overstated. It's overstated in many relationships, and I think it's overstated in the Canada-China relationship as well. The contrary assumption—that if you just focus on getting the wheels of commerce humming along nicely, somehow all the human rights problems are going to take care of themselves—is also without foundation. Human rights need concerted attention; they need concerted attention in every venue and forum possible, and that includes areas dealing with trade and investment.

With respect to the issue of putting people at risk, I agree completely with Professor Burton. I think there can actually be tremendous value. Obviously you do it responsibly and carefully and not in a scattered, willy-nilly manner, but there can be real value. We see this all around the world when foreign governments take an active interest in local beleaguered human rights groups, provide resources in support of their work, or provide moral and solidarity support by attending trials or trying to visit family. That doesn't mean it's always going to be easy to do in China, and some of that access may sometimes be denied, but to see that start to be more assertively and consistently pursued would be very valuable.

Lastly, with respect to the Olympics, I agree wholeheartedly. I'll share with you a paper in both English and French that Amnesty International put out a few weeks ago. It lays out some of our recommendations in the lead-up to the Olympics. The recommendations are directed at a number of key players, including the International Olympic Committee. We think they're dropping the ball. A lot was said by the Chinese government and others, especially at the time when the Olympics were awarded to China by the IOC, about how this was going to be good for human rights, but we're not seeing any evidence that it has been good for human rights yet.

It is quite the contrary; in a number of ways, since some of the human rights violations have been carried out in the context of forced evictions related directly to Olympic construction, for instance, there are actually emerging human rights concerns, and now's the time for the international community, via the IOC, to start dealing with that, not a week before everyone arrives in Beijing in 2008.

**The Chair:** You still have time, Mr. Marston.

**Mr. Wayne Marston:** That's fine. Thank you.

**The Chair:** Thank you.

Then we'll come back to Mr. Menzies.

**Mr. Ted Menzies (Macleod, CPC):** Thank you, Mr. Chair.

Thank you to our witnesses here this afternoon.

I think we're all in agreement that there are some tremendous atrocities going on. We also accept the fact that our foreign affairs minister recently made a statement to this effect, and I think that will help move this dialogue along.

I just want to clarify a few points about CIDA. I think there was a suggestion that China was one of the larger recipients of CIDA's aid, and that's not a fact. I believe Mr. Burton, or maybe Mr. Neve, commented that it's not one of the countries of focus or concentration by any means,

Mr. Sorenson probably started down this road, and the figures may not be accurate now, but there are a tremendous number of poor people living on less than a dollar a day. I believe two-thirds of the world's poor still live there. We can't abandon them; CIDA has to recognize that. My question is, how do we do it to make sure it doesn't get diverted to the wrong method, if you will, to the wrong purpose?

We've been there for a lot of years, and frankly, the minister is looking at it very seriously, because some of us here are on the record, as opposition members, criticizing that fact—

•(1205)

**The Chair:** Even as government members.

**Mr. Ted Menzies:** Even as government members. So we're looking at it from both sides now, having been in opposition and now being in government.

How do we do this, remembering that there are people there who are not being treated fairly? Do we tell CIDA to walk away and abandon them totally? How do we, as a government, balance that dilemma that we're put in?

As I say, the minister is looking at this very seriously, because CIDA is in place to help people. For us to say that we're going to cut off aid because the government isn't working with us...how do we balance the dilemma we're in?

**Mr. Charles Burton:** In terms of aid, I believe CIDA refers to it as development cooperation and doesn't see us as giving money to the Chinese regime.

**Mr. Ted Menzies:** I shouldn't use the term "aid", you're right.

**Mr. Charles Burton:** Of course, as you know, China is a country that has a wonderfully rising economy. They're investing extensively in Canada. They've launched a man into space. You see the coastal cities of China and these are wonderfully modern cities.

The problem of poverty in China persists because the Chinese government, not being a democratic government, does not allocate national resources in a just way. Extremes of rich and poor are clearly not acceptable in the Canadian way. We don't believe in that.

So in terms of Canadian aid, considering the scale of China, there's no possibility of us being able to allocate dollars there to assist the Chinese people out of poverty. We might be able to engage in some suggestions as to improving agricultural productivity or other technical assistance, but we're not going to be able to solve the problem.

I think the solution really is to encourage the Chinese government to adopt principles of justice and to reallocate Chinese wealth, so that people who are living in conditions of grave poverty should be dealt with.

I would say, in defence of the Chinese government, they have improved in this area substantially. The number of people living in absolute poverty has decreased enormously since I lived in China in the 1970s, when it was rationing and the poverty was grinding and terrible, even relatively close to cities.

**Mr. Ted Menzies:** We should clarify that this is the focus. Anything that CIDA is doing now is helping to promote a judicial system that will help and encourage civil society. That's a fundamental part of it, and I think you all recognize this, and good governance. So that's the challenge we face.

**Mr. Charles Burton:** If I could say one more thing in terms of your question, the most significant thing that could happen in China would be if China adopted freedom of information and a free press that would bring these issues to the attention of the society at large. Secondly, freedom of association would allow a free NGO sector, which is largely illegal in China because of Chinese government regulations with regard to registration of associations. If China allowed for free association and freedom of speech, the other rights would follow from those. That's my opinion.

• (1210)

**The Chair:** Thank you.

The time has expired for that round.

Mr. Lee, you're next on the list.

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Thank you.

Mr. Burton actually came close to the subject I wanted to raise and pose a question on. In western countries, the discussion of human rights often operates on a kind of myth that you can export human rights into another country like you would a franchise transaction. You just export it and it will work, but it actually doesn't work that way. It's a lot like exporting democracy from London, Paris, or Washington. It's actually very difficult to do, and societies have to generate their own workbook on this.

Two underpinning components of human rights accordance would be economic development—which Mr. Burton has spoken of, and China is doing reasonably well there—and the rule of law, the legal infrastructure, as has been adverted to here. Just to draw on the example mentioned by Mr. Neve, there's the shooting of the young woman on the border. What is the legal infrastructure in China? Is it sufficiently developed to sustain human rights accordance? Was that shooting a homicide? Was it a murder? Was it manslaughter? In Chinese law, what was that killing? That addresses the issue of the substantive law that applies to the human transaction.

Then, what other legal infrastructure or procedural infrastructure is there to allow the enforcement of the law in that human transaction? It sounds like a killing to me, but there are 1.3 billion or so people, so there are 1.3 billion human transactions going on in that country, exponentially multiplied.

So what infrastructure is there? Does our current relationship, in addition to this dialogue procedure, invest in assisting China to develop the legal infrastructure and substantive law procedures that would sustain human rights accordance more in keeping with world standards?

I suppose I should ask Mr. Burton that.

**Mr. Charles Burton:** Maybe I can speak briefly and then give it to the experts on human rights here.

First of all, with regard to your first part, when I started to get into this work, my feeling was that it's like the song, "To know know know her/Is to love love love her". If we had a dialogue and we explained to the Chinese our political institutions and our values, once they understood them, they would want them for themselves, because we've developed a wonderful country based on these values of universal human rights. It turns out that this is not actually the case. I've been waiting many years. I'm now fifty years old, and I'm

wondering how many more years it will be before I see the Chinese decide to convert to a liberal democracy.

With regard to the exit question, I should point out that we are concerned about illegal migration from China to Canada, and part of our government activity has been to encourage the Chinese border police to enforce their laws about illegal exit from the country. There seems to be a tension between our desire to tell the Chinese that they shouldn't be allowing those people from Fujian to leave the country and get on boats to come to Canada—which is part of our interaction with the Chinese authorities—and the human right to freely travel if they so wish.

In terms of the issue of the shooting of those people, as a Canadian, I was simply appalled by what I saw. I feel there is absolutely no justification for the border police to resort to guns and to shoot down people who are simply trying to leave the country to go to Nepal for the purpose of religious education that is not available to them in China.

**Mr. Alex Neve:** First, I couldn't agree more with your observation that human rights change is most effective when it comes from within a country. That applies anywhere in the world, and it certainly applies within China. That's one of the reasons for one of the issues I briefly drew attention to in my opening remarks.

There is a very promising fledgling but terribly beleaguered human rights community within China that in recent years has been really trying to do good work in the courts, in public venues, in demonstrations, and in all sorts of things. Lawyers are imprisoned, though, for trying to raise human rights issues in court, for instance. That's one of the reasons why that should be a particular focus of Canada's engagement with China around human rights issues. We should be doing everything we can to provide support to those within China who are trying to advance that sort of work, and make it very clear to the Chinese government that persecution of those individuals is absolutely unacceptable.

I also firmly agree with your observation that what we obviously want is to advance real reforms to the architecture in the institutions and the laws that stand behind human rights and ensure that human rights won't just be empty words but truly will be protected. We need to ensure that there are mechanisms to ensure that's the case, and that there are mechanisms to ensure that those who violate human rights actually are held accountable and that there are consequences.

Once again, with the tragedy of the killings at the Tibet-Nepal border, we're seeing this isn't the case. The Chinese government simply retreated to an assertion that it was self-defence, end of story, and nothing further seems to be happening right now.

Amnesty, Tibetan organizations, and many governments have been pressing the Chinese government to launch an independent investigation into what has happened. By pressing around a particular tragedy and by demanding that there be an appropriate response in keeping with international standards, perhaps this could be a good example of an area where that not only addresses the terrible things that have happened in that case, but one that could start to be one small stepping stone in terms of bringing a different approach, a different culture into the Chinese justice system. It's going to take a lot of concerted pressure from other governments to make sure China moves forward with something like that, but certainly we can't allow the response that we've had so far.

• (1215)

**The Chair:** Thank you.

Mr. Abbott is not sworn in for the purpose of voting, but he has asked to take the next government round. I think we can allow that.

**Mr. Jim Abbott (Kootenay—Columbia, CPC):** Thank you, Mr. Chairman.

About three weeks ago, I was in Beijing and attended a meeting convened with Mr. He Yafei, an official with the Chinese government. It was a meeting attended by members of the Canada-China Legislative Association who were also touring in China at the time.

At that meeting, He Yafei said something really quite startling. He was referring to what had most recently occurred with respect to our recognition of the Dalai Lama. He also brought up the issue of the number of MPs travelling from our Parliament and from the Senate to Taiwan. He came out with a very startling comment. He said they were wondering why their Canadian friends were doing this to them. Those were his exact words, and it rather took me and the rest of the Canadian delegation back a little bit.

Taking a look at the fact that I would suspect there is a tremendous amount of empathy for the positions you have enunciated in this hearing today, we're coming from very much the same point of view, as it were. I guess the question is, in practical terms, in your best judgment, with the experience that you've had with the Chinese, was Mr. He actually expressing where they were coming from?

I should underline that the people in the embassy also relayed to me that people who have been conversing with them have been saying China's relationship with Canada is at an all-time low. That's what the people in the Canadian embassy were telling me, and this was part of that, as a continuum. Do you think he was actually expressing where the Chinese are coming from?

Number two, and more importantly, Canadians as a society have very strong feelings about human rights. It's distinctive of being Canadian. How can we, in practical terms, communicate with him or with other people in that regime to effectively change it? It's one thing for us to have a position, but in practical terms, how can we actually be working to see changes?

• (1220)

**Mr. Charles Burton:** That's a very good question.

If I could say one thing off the top about the legislative exchange between the Parliament of Canada and the National People's

Congress, I do think it's good for us to be engaging parliamentarians in China. However, we have to be very careful that we're not being manipulated by the Chinese side to try to establish a moral equivalence between our democratic parliamentary institutions and the National People's Congress of China, which is not in any way qualitatively anything like the Canadian Parliament. It is not a democratic institution. It is not the supreme organ of political power in China that it purports to be. When we're dealing with them, we should not allow them to say we're all parliamentarians together, because they're not the same as the distinguished members of this House.

Secondly, I think it's better to be respected than loved. In international diplomacy one should not have friends, but one has interests. I believe that by being frank, transparent, and honest, we will do better in the long run with China than we would through a notion of being concerned about offending the leadership of the Chinese Communist Party. I don't suggest that we should be in any way offensive or personally condemnatory, but I think it's important to be frank and honest with them. We gain more respect and Canada's interests in the long run are better served.

Of course, on a personal basis, all the Chinese people that I met agree with what I said in the report. They understand these things.

I do think meeting with Mr. He and speaking with him is the way to go, frankly. I don't think it would be good not to meet with him. But when we do meet with him, we should speak our minds. I don't think we ought to be considering that if we say this, the Chinese government will be disturbed. And for their side, let them speak frankly to us about issues such as why their government thinks it's okay to shoot down Tibetans crossing the border, and we'll deal on an equal basis based on where we're really coming from. That's the healthiest way for us to relate to China.

**The Chair:** Thank you.

Madam St-Hilaire.

[*Translation*]

**Ms. Caroline St-Hilaire:** Thank you, Mr. Burton.

Your remarks were quite interesting and refreshing. Each time the subject of China comes up, we get the feeling that we are walking on eggshells, afraid of the kind of reaction we might provoke. I'm naive enough to hope that the government will look to your comments for inspiration.

Mr. Menzies planted a seed of doubt. I checked in the reports from our research analysts and discovered that even Stockwell Day had remarked on November 15 last that China had received nearly \$1 billion over the past ten years. I realize that it's not like Canada actually handed over \$1 billion to China. However, the fact remains that there is certainly a cost associated with implementing these programs.

In light of your comments, the committee will have no other alternative, in my opinion, but to invite CIDA officials to testify. I have no objection to our carrying out programs in China. Quite the contrary, in fact. As you've demonstrated once again, these initiatives are very important. However, it's quite another matter when programs are terminated in Ethiopia because the country's has failed to uphold human rights when in China, we're almost afraid of taking any action. We're told that economic considerations must prevail. Mr. Burton, I think you've shed some light on this subject this afternoon for the benefit of the subcommittee.

Mr. Neve, on October 6 last, you sent a letter to Mr. Harper. I'd like to know if you received an answer from the Prime Minister or from the Minister of Foreign Affairs.

On another note, there has been considerable talk about the upcoming Olympic Games. If the human rights situation does not improve, or in fact even deteriorates, do you think Canada should go so far as to threaten an athletes' boycott of the Games?

Thank you.

[English]

**Mr. Alex Neve:** With respect to the first question, no, we have not yet had a response either from the Prime Minister or the Minister of Foreign Affairs. It has been three or four weeks, which is not a long time to not have yet received a response to the letter.

• (1225)

[Translation]

**Ms. Caroline St-Hilaire:** The response was quicker when you were in opposition.

[English]

**Mr. Alex Neve:** Certainly we've made some very concrete, quite specific, and, for some of them, time-specific recommendations. For example, we don't think the next session of the bilateral dialogue process should go ahead at this time. At the same time, we're hearing that plans may be advancing to do just that, so we're certainly looking forward to a response quite quickly.

**The Chair:** Do you mean to not do it, or to do it, just to clarify your last statement there?

**Mr. Alex Neve:** Sorry, that it not go ahead at this time.

**The Chair:** Okay.

**Mr. Alex Neve:** With respect to the Olympics, Amnesty is not proposing a boycott by Canada or any other government, but we do think the Canadian government and the international community more largely are really missing an opportunity to make use of the Olympics to advance a human rights agenda. As I said earlier, now is the time to get serious about that. There are still two years left, two years within which there's ample space to be pressing particular concerns. It will be too late if we come to this only a few weeks before the Olympics begin.

I will leave with you Amnesty's paper on the Olympics. I think it lays out a number of recommendations. Obviously there's a huge range of human rights concerns in China. In the paper, we've highlighted particular issues that we think have a connection to or in some way resonate with the Olympics themselves, and we therefore think they should be a priority for attention.

**Mr. Razmik Panossian:** May I just add one very quick point regarding the Olympics? I wholeheartedly agree with Alex Neve, but we shouldn't just see the Olympics as an end point. What could happen in China after the Olympics could be a lot worse than what is happening before them, so they are using this as a way of demonstrating.

In any kind of policy development or strategic partnership, we should be thinking about what is going to happen after the Olympics. I think that's going to be a much more fundamental question once the attention of the world is no longer on Beijing.

**The Chair:** At the committee's discretion, I'm going to take a round, and then we'll hear from Mr. Silva.

This is to any one of you, but, Professor Burton, I'd be keen to hear your view on this.

In 1997, the Government of Canada decided to stop sponsoring or supporting resolutions at the UNCHR on the human rights situation in China. Mr. Burton, you said the decision was made to replace it with the bilateral dialogue in order to be more effective. Is that the view of all the panellists, that the decision was taken in order to be more effective, or was it taken—as you've just suggested, Mr. Burton—to avoid upsetting our interlocutors in China by being public about criticism at Geneva?

**Mr. Charles Burton:** This is a difficult question because I address it in the classified part of the report, referring to a classified tell that I don't think I can characterize here. If you have an opportunity to look at the classified section, it's pretty clear about discussions that Mr. Axworthy had with Chinese leadership in this regard. When I said to make it more effective, I was actually quoting from the press release that Mr. Axworthy and Mr. Chan put out in 1997.

**The Chair:** Mr. Neve, do you have a guess on that?

**Mr. Alex Neve:** Our view is that the decision was made to get the uncomfortable topic of human rights out of the Canada-China relationship. While there may well have been well-intentioned and maybe even well-formed views that there could be something effective done with the dialogue process, the unfortunate thing has been that the dialogue process that was designed and delivered was simply not going to be the kind of dialogue that would end up being more effective than past processes.

**The Chair:** You've all suggested that we need ways in which we can improve the dialogue. Would any of the three of you please comment on whether you think Canada should be precluded in the future from sponsoring or supporting critical resolutions at the new UNHCR on the Chinese human rights record?

**Mr. Alex Neve:** Absolutely not. Our view always has been and continues to be that the best strategy is one that combines a whole variety of different approaches.

• (1230)

**The Chair:** Including the resolutions at—

**Mr. Alex Neve:** Including things in multilateral settings.

Whether or not a resolution is still the right way to go within the UN setting is debatable. The UN Human Rights Council offers a whole new set of tools and possibilities, most notably through what is known as the universal periodic review process, under which all countries are now going to have their human rights records reviewed by the council, probably on a three-year cycle. China will come before the council in ways that China's record never came before the commission.

I think Canada, working with other governments, and certainly with other members of the Human Rights Council, but even beyond the council, should really start thinking about the most constructive way to make use of that. We don't yet know when that's going to happen. It could be in ten months or it could be in two and a half years that China will have its first turn in front of the council. That's going to be a critical point, and governments should really start strategizing as to how to make the best use of that.

**Mr. Razmik Panossian:** I would like to echo that. We do not see the dialogue as an either/or; it should be complementary. If the situation reaches a point that a council resolution is necessary, by all means.

**The Chair:** With respect to a lot of questions here about CIDA funding, my understanding is that most of the so-called human rights or NGO support goes to organizations operating in China. To what extent can organizations operate independent of control by the regime in China? Is there really such a thing as an NGO in the PRC?

Secondly, given that other countries such as the United States support truly independent NGOs that promote human rights in China outside of the PRC in the Chinese diaspora, do you think Canada should consider doing the same to build up organizations, NGOs, outside of China that try to support groups within that may not be controlled by the regime?

**Mr. Razmik Panossian:** I can start on that one. I was in Beijing about two months ago. Rights and Democracy is developing a modest program in China. I can say this: a civil society is emerging in China. It is not a strong civil society. It is not a strong independent sector. It faces all sorts of legal registration problems, but nevertheless a very good group of people is emerging with whom we can work directly, not necessarily to stand on a pedestal and denounce the Chinese government and talk about human rights, but to work with them in terms of building their capacity to organize better by giving them the capacity to advocate better on certain issues.

As Alex said, we have to be very careful about whom we engage, how we engage, what we say, what we do publicly. We don't want to put any of our parties in danger. Nevertheless, China has reached a point that we do not have to go to government agencies all the time to do things there.

**Mr. Charles Burton:** With regard to the question of the diaspora organizations, in my view, one reason why it's difficult for Canada to be as effective in China as one would like is that we rely on our Canadian diplomats, most of whom do not have strong Chinese language skills and/or in-depth knowledge of the Chinese situation, because of the rotational nature of diplomatic service—three years in China, and then back to work in Pittsburgh and then.... In fact, I believe that Foreign Affairs could be making more use of the few Mandarin speakers they have. I know people who have fluent

Mandarin who have had one posting in China and then they didn't go back for fifteen years.

On the other hand, Chinese is the third most spoken language in our country, and we have people within Canada who have a lot of knowledge and expertise about China. So the question is, can we make the most of this national resource of Chinese people who have moved to our country and have knowledge to better realize Canadian interests in China? My feeling is that these people—and I mention it in my report—would like to be more involved and to be supporting government in what Canada does in China. I hope that may come to pass.

**The Chair:** Thank you.

Mr. Silva, you have the last round, and then we have to do some committee business.

**Mr. Mario Silva:** Thank you.

The old way of dealing with China in a bilateral way was that dealing with human rights was contained within China. Yet we've also heard other reports. Specifically, I have an Angolan community that's growing very quickly in my riding of Davenport. They've told me stories about how the Chinese have brought slave workers into Angola to build their highways and their airports. They're not employing the local population in their reconstruction, and they're doing this in exchange for oil.

As China's economy grows, it needs more and more resources. I think it's now the third largest or the second largest investor in Africa, so it's played a major role in Africa, from Sudan and resolutions in Darfur, to much other work that's been done. It's not developing the human rights and the economic viability of those countries; it's hurting those countries because it's taking oil and resources back to China. It's saying, "We'll give you an airport and a highway, and instead of five years, we'll do it in two years"—by having workers who are not being monitored under the same standards as we are in terms of their working conditions. It's hurting the local people as well. We can no longer look specifically within China in terms of human rights; it's also the impact the Chinese policy is having now in a lot of third world countries and in Africa.

•(1235)

**Mr. Alex Neve:** I couldn't agree more. Obviously we're spending a lot of time this morning and this afternoon talking about engaging with China, with respect to human rights concerns within the country. It is vitally important to engage with China with respect to its foreign policy and the human rights dimension of its foreign policy, which is problematic not just in Africa, but certainly Africa is an area of grave concern.

Amnesty has put out a report recently looking at the degree to which Chinese weapons have very much fuelled the conflict in Darfur, and it's shocking. Of course, then it becomes no surprise that China has not been—I guess the generous way to describe it would be—a strong supporter of robust UN action to deal with the crisis in Darfur. That's obviously unacceptable.

Part of engaging with China around human rights issues has to be taking on that foreign dimension as well.

**Mr. Mario Silva:** That's the question I had and the comment.

**The Chair:** Thank you very much to Messieurs Neve, Burton, and Panossian, for your very informative presentations to us today.

In conclusion, I'd like to draw particular attention to Mr. Neve's remark, encouraging the committee to deepen and broaden our study of the broader issues.

Quite frankly, we're going to be going into a closed business session in a moment, but we haven't quite determined the scope of this. This is just an initial informative meeting for us.

But certainly as chairman, I take your suggestion, Mr. Neve, that the committee seize the opportunity to look more broadly at the related issues here and bring in other witnesses to give a voice to other NGOs, the Department of Foreign Affairs, respondents from the Chinese embassy, and members of the diaspora community as well, so we can have a full study on these important issues.

I want to thank you all for starting us on a very important examination of a very important issue. Thank you all.

The committee will now move into closed session. We invite all of our guests to please leave.

*[Proceedings continue in camera]*

---





**Published under the authority of the Speaker of the House of Commons**

**Publié en conformité de l'autorité du Président de la Chambre des communes**

**Also available on the Parliament of Canada Web Site at the following address:  
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :  
<http://www.parl.gc.ca>**

---

**The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.**

**Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.**