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

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EVIDENCE

**Tuesday, March 22, 2011**

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**Chair**

**Mr. Scott Reid**



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

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• (1305)

[Translation]

**The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)):** I call to order the 51st hearing of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development, on this 22nd day of March 2011.

[English]

We are televised.

We have a witness today, Rachel Gouin from Inter Pares, but before I turn the floor over to Madame Gouin, I have a couple of things to draw to the attention of members.

The first item is that sometimes we let this run late. Today we will not let our meeting run late, because members have to get from this room way down the road to Centre Block in time for question period, and there is no way of doing that unless we wrap things up exactly at two o'clock. For that reason, I'll be seeing the clock as exactly what the clock is instead of as the imaginary clock in my head that we sometimes use.

We will have a little green bus waiting at the exit to take us. At 2:00 p.m. we're going to wrap it up and everybody will get upstairs. Like the marines, we leave no one behind, unless, unlike the marines, I see that someone is taking too long, in which case we do leave without you. Consider yourselves warned.

The other thing to mention to you is that Mr. Sweet has a motion, which is receivable. I understand there have been some consultations. I'll turn things over to Mr. Sweet.

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Thank you, Mr. Chair. I'll be as brief as I can.

The motion states:

That the Subcommittee on International Human Rights initiate a study of actions taken by the Government of Ukraine to suppress political dissent, free speech, freedom of the press, and academic freedom in Ukraine. The study will focus on allegations of wrongdoing by Government of Ukraine officials and implicated bodies in cases including, but not limited to:

- the murder of independent journalist Georgy Gongadze and the case of editor and investigative journalist, Vasyl Klymentyev, who is missing and feared dead;
- recent imprisonment and launching of criminal investigations and imprisonment against opposition party members including former Presidential candidate Yuliya Tymoshenko;
- actions taken to remove the autonomy of academic institutions, and harassment and intimidation of the academic community, focusing on historians who draw attention to Ukrainian national resistance to Soviet rule;

- the use of improper election tactics in local elections of October 31, 2010.

I've had conversations with all members, Mr. Chair, with regard to support for this motion.

**The Chair:** Let me ask, is there support for this motion? *Est-ce qu'il y a consentement?* Okay, it is adopted unanimously.

(Motion agreed to)

**The Chair:** Thank you to everybody.

Go ahead, Mr. Silva.

**Mr. Mario Silva (Davenport, Lib.):** Now that the motion has been adopted, maybe Mr. Sweet can tell the committee sometime in the future whom he would like to have as a witness and whether we will need one or two meetings to realize that motion.

**The Chair:** In the event we don't have an election, I was going to suggest we devote our first post-non-election meeting to figuring out what our agenda is. This could fall into that category, as would additional meetings on the subject before us today.

We now have Dr. Rachel Gouin,

[Translation]

the Inter Pares Africa program manager. I believe she will be discussing matters relating to Africa, and more particularly the situation in the Sudan.

Ms. Gouin, I invite you to make your presentation.

[English]

**Dr. Rachel Gouin (Africa Program Manager, Inter Pares):** Thank you, Mr. Chair and members of the committee. I'm grateful for the opportunity to speak before the subcommittee today.

Inter Pares is a social justice organization based here in Ottawa. My particular area of focus is on women's rights in Sudan, a country that is in the midst of an historical transition, having undergone a referendum that set the course for independence in the south. I work closely with women in north Sudan who live under a government that severely restrains their rights, including the right to equal participation, the right to equality under the law, the right to determine their own lives and futures, and the right to live lives that are free from violence and the threat of violence.

In the past weeks, Inter Pares' counterparts, our partners in northern Sudan, have been appealing to the international community to condemn the continued and recent use of sexual violence by security and public officials in efforts to contain pro-democracy and human rights demonstrators in Khartoum.

One especially courageous young woman, Safiya Eshaq, has spoken publicly about her rape, posting her testimony on YouTube and asking women to break the silence on the violence they are facing at the hands of government agents. She was picked up on the morning of February 13, 2011. Safiya was asked about her political affiliations and her participation in demonstrations before being brutally beaten and raped by three security officers. This was confirmed at a police station and by medical doctors.

To honour her courage in speaking publicly about her ordeal, hundreds of people in Sudan and around the world have joined with her to denounce the use of sexual violence by the National Congress Party agents, stating that we are all Safiya and the violence concerns us all.

We know the use of rape is not a new trend in Sudan. The use of sexual violence such as rape, harassment, and sexual assault in recent protests does not represent a new pattern of behaviour for the NCP. The International Criminal Court judged that there were reasonable grounds to believe Omar al-Bashir was criminally responsible for the use of rape against women in Darfur. Security and public officials, such as those who raped Safiya, are immune from judicial or criminal procedures unless the director of security forces consents to bring them to justice.

Efforts to secure civil and political rights for women, including the right to be safe from sexual harm, will be incomplete if laws and practices are not reformed. For instance, criminal law does not clearly distinguish between rape and adultery, resulting in women being re-victimized and even punished when they report rape or sexual harassment. Public order laws, which al-Bashir has repeatedly stated would be strongly enforced after the south declared independence, are used to punish conduct or dress that is deemed to be indecent by security forces or police. The punishment is 40 lashes, bail, or both.

Last month 44 human rights activists, including Zaynab ElSawi, who testified last fall before the Standing Committee on Foreign Affairs and International Development, were arrested for proposing reforms to criminal and public order laws. They were subsequently released.

Finally, the personal status act institutionalizes and reinforces discrimination and inequality for women and girls. For instance, it regulates the age of marriage, permitting the marriage of girls as young as 10 years old. It also regulates divorce and child support, setting conditions that put women and children at risk of being abandoned or forced to stay in violent situations. We cannot speak of the use of rape by the National Congress Party without also acknowledging the legal means by which women and girls are violated.

What can be done?

Civil society organizations and women's organizations are working to improve the public's understanding of how these laws attack

basic freedoms, particularly those of women and girls, all the while denouncing incidents of rape and sexual harassment, but they have to be very cautious, as there are continued and increased threats to defenders of human rights and journalists in north Sudan following the referendum.

• (1310)

On March 8th, 2011, for instance, when 60 women gathered to celebrate the 100th anniversary of International Women's Day, 250 police and security officers were waiting, and over 40 of the women participating were arrested.

Protesters had been calling for an end to rape and human rights abuses. The women who were arrested that day have been released, but many young activists who have stood up for democracy in recent weeks and months remain in the hands of security forces. The international community should remember that any stability for Sudan must also aim to end violence against women and girls, and laws must change and full rights for women and girls must be secured.

The best people to do this are Sudanese men and women themselves. They have the ability to mobilize and to organize civic education, thereby ensuring broad social support for legal reforms and social reforms by the Sudanese population. Their work is risky, and they ask the international community to be supportive of their struggle and also vigilant in its dealings with the National Congress Party.

What can Canada do?

Members of the Sudan task force informed me recently that Canada has been expressing its concerns about human rights abuses directly to NCP officials, and for this we're very grateful. We would encourage Canada to continue to denounce crimes of sexual violence carried out by the military, by police, by security forces, and by armed groups that are sanctioned by the National Congress Party, and to send a clear message that Canada's collaboration with the government in the north hinges on its respect for human rights. This should also include a call to investigate recent cases of rape and sexual harassment against women protesters and to bring those responsible to justice.

Second, we hope that Canada will continue to stand behind the International Criminal Court's indictment against Omar al-Bashir. Peace in Sudan must come through accountability and reparation for women victims and survivors of violence. The ICC and other international mechanisms, such as the International Center for Transitional Justice, play an important role in combatting impunity, and the use of sexual violence will not end if heads of state are allowed to rule with impunity.

Finally, Inter Pares is grateful for the funds it receives from CIDA to support the work of women's groups in north Sudan, and we agree with the recommendation made by the Standing Committee on Foreign Affairs and International Development that Canada should set up mechanisms to enable direct access to financing for local civil society, including women's organizations in north and south Sudan, to help facilitate their access to funds that Canada is offering to Sudan.

I thank you for the opportunity to speak to you today.

• (1315)

**The Chair:** Thank you very much.

We have 40 minutes for four parties. We can have 10 minutes each. I'm going to have to enforce that pretty tightly, but it is pretty generous.

Before we go to any questions from anybody else, I wanted to ask about one thing. You said there was a punishment of 40 lashes, bail, or both. Did you mean bail as in a fine of some sort?

**Dr. Rachel Gouin:** Yes, it's a fine.

**The Chair:** All right. Thank you.

For the Liberals, it see that it will be Mr. Silva splitting the time with Mr. Cotler.

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

Thank you very much for your presentation.

The world right now is quite wrapped up with what's happening in north Africa and the Middle East, not to mention, of course, the terrible tragedy in Japan, and we have almost forgotten what has been taking place in Darfur. Sudan has also just gone through an important referendum to separate it from the south, which was overwhelmingly endorsed by the people of the south. We'll see how that transition goes. We still don't know what's going to happen in terms of how well that's going to go.

You work with organizations and NGOs on the ground. Do they see a continuous deterioration? Is there any improvement at all? Are there things you feel we should be more active on, as parliamentarians, to bring to light the appalling tragedies taking place not just in Darfur specifically, but throughout Sudan? What do you think are some of the steps that we as a committee could take?

**Dr. Rachel Gouin:** When I received a press release—I've brought copies—denouncing the use of rape against protesters in recent protests, they also highlighted the use of rape against women in Darfur, and that this is a continuation of the current practices of this regime.

We don't work with people in Darfur, but there's a concern in all of Sudan, in both northern Sudan and South Sudan. They have been talking and collaborating on how they will continue to work together post-referendum and how they can continue to support women's rights. There's concern about women's rights in all of Sudan, but there's especially fear of further repression in the north, given the separation of the south. The fear is that President al-Bashir and the National Congress Party will claim that only Arabic people live in the north, that it's a monolithic society, and that sharia law must rule. The concessions that were made following the signing of the peace

agreements are being pulled back. This has been seen in recent activities, with more arrests and more visits from security forces to NGOs, including the ones we support.

I think the recommendations that were made by the foreign affairs committee were in the right direction. This committee could also affirm the need to keep a watchful eye on women's rights in all of Sudan and in Darfur, especially if there are changes around the ICC and the indictment of Bashir, given that he's letting the south go. That's of concern to us.

I don't know if that answers your question.

• (1320)

**The Chair:** We still have seven minutes.

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

**The Chair:** Go ahead, Professor Cotler.

**Hon. Irwin Cotler (Mount Royal, Lib.):** To what extent do crimes of sexual violence go unreported? How do victims feel about reporting these crimes, and to whom do they report them?

**Dr. Rachel Gouin:** They are highly unreported, which is what makes Safiya's gesture so powerful. Not only did she report it to police right away and get a medical examination, she's publicly speaking about it, which breaks a lot of taboos. Rape is largely unreported.

**Hon. Irwin Cotler:** On the issue of impunity with regard to President al-Bashir, how do you feel about the approach that is sometimes taken on this issue, which is that if al-Bashir will reconcile himself to the independence of the south, it will be a kind of a quid pro quo for him not being pursued with regard to his criminal indictments?

**Dr. Rachel Gouin:** Thank you for explaining that more clearly than I was.

That is a very big concern, because not only is he allowed to go on and be rewarded, in a sense, but the other practices around immunity for his officials are also encouraged. There's no way to challenge that when the person at the top is not accountable for his actions.

It seems to be quite a strong statement to make, especially given the continued use of sexual violence against women. For that indictment to be changed or withdrawn would be quite alarming to me, and of concern to women in particular. The message it sends is that it's not so bad; the violence continues.

**Hon. Irwin Cotler:** Rape was customarily viewed as one of the consequences or incidences of war, as if somehow that made it any less evil. To what extent have rape and other forms of sexual violence been used as instruments for the waging of war, as weapons of war, rather than just as consequences of war?

**Dr. Rachel Gouin:** My understanding is that with the indictment, the ICC is making a statement about its use as a weapon of war, so that remains to be judged and evaluated.

Current participation in public gatherings around women's rights, around denouncing the use of rape, have been punished. While it's not an outright war, it is used as a form of punishment for those who speak out against the regime, and when we talk about rape and sexual violence being used as a weapon of war or as a weapon of repression, that's what we're talking about. It's a way to humiliate those who speak out, to humiliate both the women who are raped and have to live with the consequences of that socially, physically, and mentally and to humiliate the men who were not able to protect the women of their families.

Using rape and sexual violence as a weapon of war encompasses many different aspects. It has to do with women being seen as the property of men and as the spoils of war. What you do to women is what you do to.... You burn down houses; you rape women. Women being property is an element that supports the use of rape.

There are also other things, such as forced pregnancies, which provoke abortions. It's *une représaille*, a punishment, for having participated, for having been in the wrong area, for having been a woman.

• (1325)

**The Chair:** You still have two more minutes if you wish, Mr. Cotler.

**Hon. Irwin Cotler:** I know that Darfur was not necessarily a focus of your inquiry, but what is your understanding of the situation now in the internally displaced persons camps in terms of the levels of sexual violence?

**Dr. Rachel Gouin:** I can't speak to that. I could find information for you, but I've never been to Darfur. I don't have current information about that. I'm sorry about that.

**Hon. Irwin Cotler:** Thank you, Mr. Chairman.

**The Chair:** Thank you.

[Translation]

I now give the floor to Ms. Deschamps.

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Thank you, Mr. Chair. I have a lot of questions but I am going to try and choose the most important ones.

I did not understand you clearly when you talked about abortion. Could you go back to that topic?

**Mrs. Rachel Gouin:** I talked about various forms of sexual violence that are used against women in wartime or in conflict or post-conflict situations. Forced pregnancies and forced abortions are forms of sexual violence against women.

**Ms. Johanne Deschamps:** You talked about your organization, Inter Pares, which is present over there. Can you tell us about its role and the activities it is involved in the field?

**Mrs. Rachel Gouin:** As I pointed out in my presentation, one of the important roles of women's organizations is to bring about legislative change and legal reforms in order to ensure the rights of women. For instance, if they are raped, we would like women to have a legal recourse, to be perceived as credible witnesses, and not be accused of being unfaithful to their husbands and so on.

Thanks to CIDA funds, Inter Pares supports the Sudanese Organization for Research and Development, SORD. This organization has worked to bring about legislative reform. It has worked among other things on reforming criminal law, particularly provisions related to rape, and has worked on bringing about changes to laws that affect individuals, such as the age of consent for marriage and divorce. Within the context of Shari'ah, SORD is proposing changes that could lead to long-term reform so that we can see deeper change. For the moment, we are examining how we might bring about fairer legislation for women. Inter Pares supports the work of the SORD on these matters.

That said, not only does this work include legislative reform, but also public consultations and court attendance to see how judgments are rendered and how cases are treated. This also involves speaking with judges and lawyers, meeting religious leaders, discussing the proposed reforms, having discussions on Shari'ah to see how it is interpreted, and whether it is subject to interpretation. These discussions will also ensure that there is a significant support base in the population when these reforms are proposed.

In short, Inter Pares contributes to that work.

**Ms. Johanne Deschamps:** You are saying that currently this work is being done with the participation of citizens, men and women. How do these representations involve the government?

• (1330)

**Mrs. Rachel Gouin:** In the month of December, in Khartoum, there was the very public case of a woman being flogged because of her clothing. A policeman felt that she was dressed indecently. Normally this is done in a court, and is somewhat hidden. This was very shocking. There was in fact a video of it on YouTube. Human rights militants in the Sudan, including Amnesty International, denounced that flogging.

Some women, among them members of the organizations we support, went before the Department of Justice with their proposals, their requests for legal reform and their demands. They asked to meet with government representatives to discuss that and asked that the people who did this be the object of legal action or be reprimanded in some way. All of these women were arrested. Finally they were released without having to pay a fine, but the message was clear.

A few days later, President al-Bashir spoke out on this. He said that Shari'ah law was going to be strictly applied, and that those who questioned his decision would do better to question their faith to ensure that they were true believers.

So, the stakes are high, but efforts are being made to communicate with elected representatives, with the government, basically. We are trying to set up a dialogue, but it is probably an attempt that falls on deaf ears, or meets with replies that are expected and predictable, but nevertheless shocking.

**Ms. Johanne Deschamps:** It is long-term work. The greater the pressures exerted on the Sudanese population by civil society from other countries, and by organizations such as yours, and the more this situation is visible to the international community, the more pressure will be placed upon the government.

Is the situation in the north and the south different?

**Mrs. Rachel Gouin:** The situation is different. The situation of women in the south is also very grave. Women are working very hard to promote their rights and their participation in politics, etc. I am less familiar with the women who do this work in the south, but the northern women consider that their struggle is intimately linked to that of the southern women.

The modicum of freedom they have obtained since the signature of the peace agreement was obtained through these concessions. It was recognized that Sudan is a multicultural country and that people of all religions must be accepted. Concessions were made because of that and because of the belief that people are all together in this, that it is a diverse society. But with the departure of the south, what people are saying is changing and there is a risk that the rights granted to women in the north will be abolished.

**Ms. Johanne Deschamps:** I have a more continental question. It has to do with what is happening currently in Africa. I am thinking among other things of the situation in Libya, Tunisia and Egypt. Are any effects being felt from the popular movement in those states, where the populations are demanding a certain freedom, democracy, and want to cast off the yoke of authority?

**Mrs. Rachel Gouin:** There is no doubt that the influence of Egypt has been strong but al-Bashir nevertheless has some support in the population. We do not see the same momentum as we saw in Egypt. There have been demonstrations on a regular basis over the past few months, there was one yesterday in fact; once again there were arrests. So we see that the young people are very frustrated. Youth movements in the Sudan are starting to come out of the shadows a bit. That had begun during the elections. Groups of young people had begun to organize and to distribute flyers. They are trying to get involved in the political scene in Sudan and hoped to create a new country.

These groups are still active and are continuing to speak out in a very courageous way. During the elections or just before them, several young people spoke in public and a crowd gathered around them. All they were doing was talking about their desire for freedom, change, etc. When the police arrived, the crowd surrounded these young people and they managed to get out. Sometimes one would speak, then fade into the crowd, then someone else would take the podium. So young people are now being felt as a force. The current movement does not have the scope of the ones we have seen in other countries, but we see that they are expressing a desire for something better.

• (1335)

**Ms. Johanne Deschamps:** In your recommendations, you reiterate what was recommended to the Standing Committee on Foreign Affairs and International Development. In fact, the most important recommendation that you mentioned, and that I noted, involves funding.

**Mrs. Rachel Gouin:** Indeed, it concerned the funding of active groups. We should also keep an eye on women's organizations and their conditions because currently, it is dangerous for women to act. As you said, it is a long-term struggle.

**Ms. Johanne Deschamps:** Since I have a little time left, I would like to ask you another question.

Do you think the UNIFEM organization can make a contribution to this?

**Mrs. Rachel Gouin:** I don't know it well enough. I know it is involved in the elections and in the referenda. It organized a conference while I was there in November, but I don't know the work of the UNIFEM group in the Sudan sufficiently to be able to comment.

[English]

**The Chair:** Mr. Marston is next, please.

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

It's a very disturbing topic when we think of what can happen to a woman.

I was in Saudi Arabia in 1979. It had sharia law. At that time, there was a man beheaded for raping a little boy, and several times hands were removed from people accused of theft. This was all done in public. I noted that in your testimony you seemed to indicate that the caning was done privately. In fact, at the time that I was in Saudi Arabia, there was a couple of Canadians who were caned something like 90 times in a public market.

You indicated that al-Bashir said sharia law was going to apply. Is that not constitutional? Do they not have it as their base of what they do?

**Dr. Rachel Gouin:** Yes—

**Mr. Wayne Marston:** Okay. It left me with the feeling that he had one and was trying to impose it.

**Dr. Rachel Gouin:** There were two. Since the signing of the CPA, there were two functioning laws. If you were Muslim, sharia law applied, and if you weren't.... Women on the street could be questioned as to whether they were Christian or Muslim, and depending on how high your shirt went or how low on your hand it went, you could be fined—

**Mr. Wayne Marston:** Yes—

**Dr. Rachel Gouin:** —or not, depending on whether you were a Christian or a Muslim. There was some weirdness. I mean, some—

**Mr. Wayne Marston:** In Saudi Arabia, Canadian women who went out were escorted. These people were spouses of Bell Canada workers. They would be taken out with a driver and they couldn't go anywhere without that male driver with them. Also, if they weren't totally buttoned up to the neck, they were accosted by the people. It wasn't the religious police or anything, and thankfully they never got to that stage, but even the people frowned on it.

I was curious about whether it is imbedded in their law or not, and obviously it is.

My understanding of the use of rape—and it seems to match your testimony—is that it's really effective when the public's view of what happens to that victim is that it's partially, if not completely, the victim's fault, and thus adultery. It troubles me to even say this, but in Canada we had a judge recently accuse a rape victim of encouraging it by her dress. When you can have that happen in a country as free as ours, you can imagine how these victims are really terrorized in the restrictive nature of the country they're in.

Has the current Government of Sudan taken any action at all to hold the perpetrators accountable? Do the victims have any way at all of getting any form of redress?

**Dr. Rachel Gouin:** No. The immunity for the public officials and security officials is a huge barrier. Safiya has left northern Sudan. I think she's in southern Sudan right now.

**Mr. Wayne Marston:** Good.

**Dr. Rachel Gouin:** There has been no action on the government's part to bring to justice the people responsible for that or to say that it's wrong—nothing.

• (1340)

**Mr. Wayne Marston:** On the International Criminal Court ruling against al-Bashir, you almost sounded as though you thought that had been traded away. Is there any real indication of that?

**Dr. Rachel Gouin:** Well, I've been hearing rumours that there was a possibility that it would be. I'm not sure. My training is not legal training, so I'm not sure how it can be paused or halted, or not. My understanding was that some discussions were taking place and that there would be some negotiation around that ruling, given his behaviour on the south.

**Mr. Wayne Marston:** It's hard to imagine. We discuss impunity often in this committee, and how people can just do whatever they wish.

One area I'm very concerned about is the internally displaced persons you have in that country. I don't know whether you know how many there are. Our understanding from previous testimony is that they're very much at risk in the camps. The women are very much at risk there. This isn't an instrument of war as such, but it's still a culturally acceptable thing, and somehow the women take the blame. Is that the case?

**Dr. Rachel Gouin:** Generally when women are displaced and don't have a secure home or secure access to food, they're at greater risk of being raped. We work in many areas, and in every place where women are displaced, war or environmental disasters create an insecurity that puts them at increased risk. It destabilizes all the mechanisms that make people work together, collaborate, and respect each other in a community. When you tear the social fabric apart, it's very difficult to hold each other—

**Mr. Wayne Marston:** It further devalues the women.

**Dr. Rachel Gouin:** Yes, and the recourse isn't clear, if it ever was. When you don't know where the police station is, for example....

It just increases the stakes when you are attacked, and it also increases your vulnerability.

**Mr. Wayne Marston:** You just referred to this woman going to the south. That implies to me that the south is seen as a safer place. Is

there a significant difference between the north and south, particularly regarding the safety of women?

**Dr. Rachel Gouin:** There are different laws. The personal status law that regulates women's dress is not the same. There are different requirements. I think there's some level of freedom that—

**Mr. Wayne Marston:** Do they have sharia law in the south? Perhaps it's not enforced as it is in the north—

**Dr. Rachel Gouin:** I think they're going to have to rethink their constitution in the north as well. What our counterparts are saying is that the constitution in the north is being rewritten along very strict lines and without any public consultation, so there's fear of further entrenchment.

**Mr. Wayne Marston:** The people in power are making sure they stay in power.

**Dr. Rachel Gouin:** Yes, people in power make sure that they stay in power and that women understand clearly what their place is in society. Increased rape or displacement are the vulnerabilities because of displacement and because of war, but then there are the girls who are married off at 10. That's in the law, so there are legal ways that facilitate violence against women that are just unacceptable. Women and men are working to try to change those. They need support and they need vigilance from the international community.

**Mr. Wayne Marston:** Thank you, Mr. Chair.

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

We turn now to Mr. Hiebert first, and then to Mr. Sweet.

**Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC):** I have one question to follow up on that of Mr. Marston.

The information we were provided talks about the possibility of independence happening in southern Sudan as early as July. Do you think that independence would bring about a greater degree of freedom or the kinds of changes that you're looking to see in the country?

**Dr. Rachel Gouin:** It won't for the north. The counterparts we work with are in the north, and they see their degree of freedom being pulled back.

They qualify it as a return to the early nineties, when a lot of women were fired from their jobs because of their dress. It was a lot more repressive. There was some measure of freedom, but since the referendum took place, that freedom seems to be eroded: there are more visits from security officials, and there is the blatant use of rape against protesters as a form of punishment for participating or speaking out. The sense we're getting from our counterparts is that in the north the situation will definitely be worse.

• (1345)

**Mr. Russ Hiebert:** And in the south?

**Dr. Rachel Gouin:** In the south there seems to be some hope. There are a lot of very strong women activists who are working, and there is some collaboration between women in the north and the south. For example, Ms. Zaynab ElSawi, who testified before the Standing Committee on Foreign Affairs in the fall, spoke of the collaboration between women in the north and south and their commitment to keeping a common struggle beyond their borders and seeing how they can support each other. The women I've spoken to in the south are very hopeful about a brighter future for women's rights, although there's still a lot of work to be done.

**Mr. Russ Hiebert:** Is the prospective leadership's support for women's rights the reason for their hope?

**Dr. Rachel Gouin:** Maybe that's a bit of a stretch. I think there's more of an opening, perhaps, yes. It's not a fundamentalist interpretation of religion that is at the head of the state; although there are many other barriers, it's not the same context.

**Mr. Russ Hiebert:** Is it a Muslim leadership or a Christian leadership?

**Dr. Rachel Gouin:** In the south it's more Christian, yes.

**Mr. David Sweet:** Thank you, Madam Gouin, for your testimony.

I was just reminded, when you spoke about al-Bashir's comments about sharia law and when Mr. Marston mentioned his experience in Saudi Arabia, that we had a serious public policy conversation in Ontario about seven or eight years ago regarding sharia. Although I'm certain some people may argue that the nomenclature might be different, I'm glad it's on the public record here today.

You mentioned leadership, political will, changing laws, and that kind of thing, but really, from what you're describing—and you did mention these groups that had the capability of going into the communities and then slipping off—there's a real job in changing the cultural or societal mindset around the value of women as well. Is that correct? Is that a big job in the north?

**Dr. Rachel Gouin:** Yes, but one of the groups we support, the Salmah Women's Resource Centre, has been writing a book on women's dress and documenting the history of women's dress in Sudan. Women in the sixties were walking around with sleeveless tops and big hair like pop singers; the airline stewardesses were in short skirts and little hats. There's a desire to erase all that history and to say this is the way it's always been. It's not true. Women we work with who are not of my generation—my mother's generation—remember quite well what it was like not to live under this regime.

For instance, Inter Pares helped facilitate a meeting with women who had worked on sharia law in Ontario to abolish religious arbitration. We facilitated a trip to Sudan to share and to discuss strategies with women in Sudan. Part of that was looking at the history of the women's movement in Sudan and having younger activists hear from the older women what the women's movement in Sudan had accomplished and where they were at now.

I don't know about its being cultural. I'm not convinced of that. I think there's a lot of work.... Men and women in the Sudan want a more equal society.

**Mr. David Sweet:** Good. You just answered my question. The historical memory is across gender as well, so really the major portion of the problem is with the radical, fanatical regime. That's

really terrifying the people, so they allow this kind of behaviour to go on—or, as was said earlier, they rationalize this whole rape and adultery aspect.

**Dr. Rachel Gouin:** Well, it institutionalizes it. When I say women's groups, the women's groups that we support are mixed; they're men and women. Also, there's the relationship between men and women. They hold hands. There's a solidarity there.

● (1350)

**Mr. David Sweet:** Okay.

Are you familiar with UNAMID, the United Nations and African Union hybrid? What is their role as far as women's rights and defence of women is concerned?

**Dr. Rachel Gouin:** I'm familiar with it, but I can't speak to it. I could find out more, but I'm not well versed in that.

**Mr. David Sweet:** Okay. That's good. Thank you very much.

Thank you, Mr. Chairman.

**The Chair:** Thank you.

We have 10 minutes left.

Mr. Hiebert drew to my attention that he wanted to introduce something, but before he does that—because I want to allow our witness to wrap up and leave—I have one question. Then I'll ask if you have any closing observations.

We have the north and the south. It tends to get described as being a split based simply on religion: there's a Christian south, a Muslim north. I have a sense that it's a little more complicated than that.

Could you give a little bit more context to help people like me, who aren't that familiar with it?

**Dr. Rachel Gouin:** Sudan is a very big country. Its history is complicated and has a lot of exchanges and movement of people, so it is an oversimplified version of Sudanese reality to qualify it as Christian and Muslim and to separate along those lines and attribute the conflict only to that. There are many different angles. You could look at it in terms of resources, natural resources, land use, drought, or the movement of people. There are many ways to look at the conflict, and I want to make that clear. I'm not saying that the only split is along religious lines. It is a very complicated situation.

**The Chair:** One of the problems they have is that the border between the newly independent south and the north is not clearly defined. Will the result be that you're going to wind up with a residual...?

I realize I'm now going back to the oversimplification that I've just stressed we should avoid, but will there be a Christian minority left in the north and a Muslim minority in the new South Sudan, or is it effectively going to result in a cleavage along whatever the natural breaking point is?

**Dr. Rachel Guoin:** There are Christians in the north and Muslims in the south, and one of the key concerns around the referendum and independence is respect for citizenship rights and what that means. A lot of the southerners went back to South Sudan out of sheer fear, but there are still some left in the north who have grown up there, who were born there, and who are committed to staying. Before all the parties pulled out, some of them ran, or tried to run, in the previous elections.

The region of Abyei I don't quite understand fully. I know it's heavily armed. There are a lot of armed personnel there, and there's a big chance of it exploding, just by human error or ill will, and there have been increased conflicts. The issue of citizenship rights is a very important one.

**The Chair:** All right. Thank you very much. We appreciate the fact that you came here today. You have a very informative presentation about an area that is very confusing to some of us, but vitally important to the overall project of this committee which, of course, is looking into the widespread problem of the sexual abuse of women and children. Thank you very much for your testimony.

Go ahead, Mr. Hiebert.

**Mr. Russ Hiebert:** Thank you.

There was a request from Mr. Marston that we seek to have the motion that I put before this committee on February 8 dealing with North Korea brought forward to the House for concurrence. I am simply moving that motion at this time.

**The Chair:** I'm advised by the clerk that because we don't have a notice, we need unanimous consent, but we normally work with a consensus anyway. We're just starting it earlier.

Do we have agreement that Mr. Hiebert act in this fashion?

I'm seeing nobody saying otherwise, so, yes, you do.

We are now looking at the motion. You all have it in front of you. Is it acceptable that this motion be adopted?

**Mr. Russ Hiebert:** It was adopted unanimously at the time.

• (1355)

**The Chair:** The action that's being called upon is for the motion to be taken to the foreign affairs committee and then tabled in the House. That's the change. Do we have agreement?

(Motion agreed to [See *Minutes of Proceedings*])

**The Chair:** We do. In that case that's done.

With five minutes to go, we are adjourned.

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