



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

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

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SDIR • NUMBER 025 • 1st SESSION • 41st PARLIAMENT

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**EVIDENCE**

**Thursday, March 1, 2012**

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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)):** Today is March 1, 2012, and this is the 25th meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

[English]

We have four individuals as witnesses today, three of whom will be talking, and one of whom will not, I guess, in terms of opening presentations dealing with the DRC and the condition of women and the use of sexual violence as a weapon of war—something that has been of considerable interest to this committee.

The names of our guests are Patricia Malikail and Marie Gervais-Vidricaire, who are both from DFAIT; and from CIDA, we have Julia Hill and Christopher MacLennan.

I assume you've talked amongst yourselves and you know who will begin.

Okay, Madam Gervais-Vidricaire, please fire away.

[Translation]

**Mrs. Marie Gervais-Vidricaire (Director General, Stabilization and Reconstruction Task Force, Department of Foreign Affairs and International Trade):** Thank you, Mr. Chair.

Before starting our short presentation, I would like to inform the committee members that the presentation that was distributed to you is a little different than the one I'm going to make because I had instead understood that the committee wanted an update on the overall execution of Canada's Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security. So I adjusted my presentation a little a few minutes ago to focus on the connection with the Democratic Republic of the Congo.

[English]

I'd like to thank the chair for the opportunity to provide the subcommittee with an update on the implementation of Canada's action plan for the implementation of Security Council Resolution 1325 on women, peace, and security in relation to the Democratic Republic of Congo.

Canada has been a strong supporter of the international women, peace, and security agenda, including the fight against sexual violence. This is why, in October 2010, the government launched its

national action plan for the full implementation of the UN Security Council resolution on women, peace, and security.

Canada's action plan is about being accountable and transparent in our work to implement the UN Security Council resolution, including those aspects that relate to serious human rights abuses such as the sexual violence that takes place in conflict and post-conflict situations. We make every effort to help strengthen the UN's capacity to address these types of crimes.

Canada's contribution towards the fight against sexual violence in conflict and post-conflict situations, including in the DRC, include our commitment to continue to support programming that addresses protection of women and girls in conflict, to continue our significant advocacy to further implementation of international norms and standards on this issue in multilateral fora, and to prepare our personnel to respond appropriately when they are faced with serious violations of human rights, including sexual violence.

The Canadian permanent mission to the UN chairs and coordinates the work of the Group of Friends of Women, Peace, and Security and the Group of Friends on Children and Armed Conflict. Through the global peace and security fund of my department, Canada is providing financial assistance to Canadian and international organizations to promote the implementation of the UN Security Council resolution on women, peace, and security, including the fight against sexual violence and armed conflict, and to build international capacity to prevent and respond to sexual violence, including in the DRC.

Through that fund—the GPSF—we have projects valued at over \$6 million. I would like to mention one that deals with child protection and prevention of sexual and gender-based violence in the Democratic Republic of Congo. Through the global peace and security program, we are funding a project through World Vision, in partnership with the Pearson Peacekeeping Centre and the Centre for Foreign Policy Studies. The project addresses the issue of women, peace, and security by improving multi-sectoral responses to sexual and gender-based violence and the protection of children, through the reform and increased capacity of security sector forces and judicial institutions, including the military, the police, and civilian branches. It also enhances national and provincial capacities to manage the causes, manifestations, and impacts of the SGBV and ensures the protection of children.

The second project has to do with equipping the national police, the Police nationale congolaise, with multimedia training tools. With Canadian support, Search for Common Ground, an international NGO, is implementing a project to equip the Police nationale congolaise with multimedia training tools that will enable them to promote respect for human rights and to combat sexual and gender-based violence. These programs are focused on the role of military justice, which includes the police in the fight against sexual violence, and in the protection and security of people.

Also, through the global peace and security funding envelope, Foreign Affairs is currently supporting three projects where sexual and gender-based violence is a crosscutting theme. I would mention

• (1310)

[Translation]

prosecution and military support cells, as well as the support for judicial and correctional institutions in the eastern provinces.

[English]

We are also supporting MONUSCO to enhance the ability of civilian branches of the Congolese government and civil society actors to implement and monitor national legislation related to civilian protection. In eastern DRC conflicts, human rights abuses are fueled by the illegal exploitation of and trade in natural resources. Benefiting from the surrounding instability, armed groups illegally control mining areas, tax miners, and traffic in minerals. These revenues are used as a source of funding to gain further control of territory.

Since 2009 the stabilization and reconstruction task force of Foreign Affairs, or START, has contributed \$3.7 million to prevent the illegal exploitation of natural resources in the DRC and the Great Lakes region. START supports the International Conference on the Great Lakes Region in implementing the regional certification mechanisms.

We support draft guidance to help companies avoid financing conflict and human rights abuses. We have contributed to the construction of pilot negotiation centres—in French, *centre de négoces*—in the DRC to legitimize the mineral trade and also to allow governments to collect taxes more easily. Finally, we have taken steps to formalize the artisanal diamond sector throughout the DRC.

In concluding, Mr. Chairman, I would like to say that we are looking forward to the first annual report on the implementation of the national action plan. We think it should be ready in September.

I thank you, Mr. Chairman.

**The Chair:** Thank you.

Who is doing the second presentation?

Patricia Malikail, please begin.

**Ms. Patricia Malikail (Director General, Africa Bureau, Department of Foreign Affairs and International Trade):** Thank you very much.

Mr. Chair, honourable members,

[Translation]

thank you for your invitation to appear this afternoon.

I will speak today about the political situation in the Democratic Republic of the Congo following the November 2011 elections. I will also comment on the ongoing violence in the east of the country and on sexual violence.

Despite improvements in peace and stability, the DRC continues to experience conflict, weak governance and inadequate infrastructure.

In addition, the Congolese population continues to suffer from chronic poverty, human rights abuses and regular attacks by armed groups and elements of the military.

Though there were significant challenges, the second elections since the end of the conflict in the DRC took place in November 2011. These were the first elections in which the DRC has taken on the main organizational and financial role. Unfortunately the elections were marked by logistical difficulties, violence, human rights violations and irregularities.

• (1315)

[English]

I'll say a little bit about the elections. First, President Joseph Kabila won the presidential election with 49% of the vote, and the leading opposition candidate, Etienne Tshisekedi, rejected the results.

After a number of delays, results of the legislative elections were announced on January 26, 2012. The coalition of parties that support President Kabila has a majority of seats, with less than the majority they had in the 2006 elections, by the way. But reportedly over 500 complaints about the process were filed. The opposition leader, Tshisekedi, has called on the elected members representing his party to boycott Parliament in protest of the electoral process.

There were serious flaws in the electoral process. The EU observer mission deplored the lack of transparency and the irregularities in the process, and the Carter Center observer mission has said that the results process was not credible.

The Department of Foreign Affairs and International Trade released statements in December 2011 and in February 2012 expressing concern about the irregularities, and urging political leaders in the DRC to provide more transparency and to avoid inciting violence. Canada has also called for dialogue among the parties and for the strengthening of democratic institutions.

It's worrying that the DRC government has placed restrictions on democratic space by, for example, banning peaceful protest, responding with excessive force to prevent protests, and obstructing freedom of the press, but the opposition has also at times made inflammatory statements and hasn't provided viable solutions. Armed groups and elements of the armed forces actively promoted the election of certain presidential candidates and members of Parliament through fear and intimidation. In some regions, resentment remains high, as communities supportive of opposition parties were unable to have one of their candidates elected.

[Translation]

The National Assembly met for the first time on February 16, and they will resume their regular session in March. The president has not yet chosen a prime minister; and the cabinet has yet to be appointed. Key portfolios may change hands. At this time, it is difficult to know what direction the government will take or what the policy agenda will be.

The outcome of the elections and the increase in political tension and instability in the recent months have had a negative impact on the security situation in the DRC. Since the appearance of DFAIT and CIDA colleagues before this committee on October 25, 2011, the situation in the east has worsened. Confrontations between the military and armed groups, between the armed groups themselves and attacks on civilians have multiplied.

[English]

Key motivators for violence originate from the competition for resources, political grievances based on ethnicity and land ownership, as well as from fear between ethnic groups—for example, fear of the increasing influence of the Rwandophone community.

Neighbouring states also have an impact on this situation. Relations, both personal and official, between national-level governments are important guarantors of peace in the region. Many combatants treat vulnerable women, men, girls, and boys as the spoils of war, and sexual and gender-based violence is used as a deliberate tactic by warring parties.

In the context of the fragile security situation in the DRC, we can also make a link between sexual and gender-based violence and conflict minerals. As my colleague Marie Gervais said, armed groups are benefiting from natural resources revenues to expand their control and to abuse civilians.

● (1320)

[Translation]

Since 2009, the government of the DRC has put in place sound national plans and policies to fight sexual violence, including a zero tolerance policy towards the perpetrators of such acts.

In December 2011, the heads of state of the International Conference of the Great Lakes Region, a regional forum, also engaged their government to fight sexual and gender-based violence and to end impunity. Such initiatives are dependent on political will. To progress, governments, including the DRC, must turn these plans and policies into concrete actions.

[English]

We hope that the new government in the DRC will take the necessary measures to fight against sexual violence and to improve security in the region in order to also improve security and peace in the DRC.

Thank you.

**The Chair:** Ms. Julia Hill is next.

Please go ahead.

**Ms. Julia Hill (Acting Senior Vice President, Geographic Programs Branch, Canadian International Development Agency):** We have just one statement between us.

**The Chair:** All right, I'm not sure how that differs from what happened just now, but fire away.

**Ms. Julia Hill:** I meant only one of us will be speaking.

Thank you for the invitation to appear this afternoon. I am the acting senior vice-president for geographic programs. I am therefore responsible for implementation. My colleague, Christopher MacLennan, is here on behalf of the policy part of the agency.

I'll take a couple of minutes to explain how CIDA determines how and to whom aid will be channeled within a country. Respecting members' time, I will focus primarily on human rights, which are also a fundamental concern for CIDA.

We require a country-specific analysis of gender-equity, human rights, and governance for every single program we develop. We do that at implementation, at the conceptual phase, and all the way through. These analyses help us shape our development interventions. We monitor all our initiatives and we take action if and when the context or the situation changes within the country.

We expect, as do the public and the members, that CIDA programs will have a positive impact on the situation in any given country.

[Translation]

For example, as a result of the political crisis that began in 2001 in Zimbabwe, CIDA has adjusted development programming considerably. Canada remains engaged with the Zimbabwean people though no longer with the Government of Zimbabwe.

CIDA also assessed the country's poverty situation, the level of citizens' participation in setting national development priorities and the human rights situation. Our programming is a product of ongoing consultations with local and Canadian partners, with other donors, with UN agencies and, of course, with the government of the DRC.

We do not provide direct financial support to the government of the DRC. Our programming in the DRC is therefore channeled through trusted partners. It is focused directly on women and victims of human rights violations.

We do this in partnership with the international community, through partners such as the World Bank, the United Nations Population Fund and through a respected Canadian non-governmental organization, the CISC or the Centre for International Studies and Cooperation.

[English]

CIDA is committed to fighting sexual violence against women and children in the eastern DRC and in the Great Lakes region. Canadians have every reason to be proud of the difference that Canada is making in the lives of those who suffer human rights violations.

We also support broader democratic processes, as my colleagues have mentioned, because we believe these are integral to improving the situation in human rights. Electoral support has been a priority for Canada and CIDA since the 2006 elections.

We do engage directly in dialogue with the government of the DRC and other authorities on topics such as citizen security, human rights, gender equality, and access to justice. These are all areas in which we have very clearly communicated our desire and expectation for improvement.

In closing I would say we can only hope that one day democratic and human rights conditions will have improved sufficiently in the DRC that Canada and other donors in the international community will be able to engage with the government on advancing a development agenda. We certainly are not there now.

Thank you.

• (1325)

**The Chair:** Thank you.

All right, we have 35 minutes left and no other business. If we do five-minute rounds, we'll have time to do seven participants.

**Ms. Ève Pécelet (La Pointe-de-l'Île, NDP):** I do have a motion.

**The Chair:** Oh, I'm sorry. All right, if you're going to introduce a motion, let's cut it down to five minutes and then we'll try fitting yours in at the end.

Just to remind you, Madame Pécelet, although I know you want to be courteous and wait until other business is taken care of, you are always within your rights to move a motion, at any time.

With that being said, we'll go to Mr. Sweet for our first question.

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

Thank you to our witnesses for being here.

To carry on right where we left off on security, there is a good reason for people to be encouraged, for the government to be encouraged, and for any human rights watcher to be encouraged. In March 2011, when eleven high-ranking military officials were actually charged because of being guilty of mass rape, that was encouraging. But now we find the situation has deteriorated quite a bit, as far as the electoral process in the government is concerned.

We have initiatives on the ground there to keep people safe. So my question is—I'm going to try to keep it as simple as I can. I noticed one of the indicators we developed from the United Nations Security Council resolutions was indicator 3.1, police and military protection.

What are we doing presently, right now, to empower victims and keep them safe on the ground? And could you also tell us, because there are multiple departments involved in these programs, if Canada... You said we don't give any aid directly to the DRC, so do we have RCMP and military personnel on the ground right now, and tell me what the difference is between them being funded on the ground and us giving funds directly to the DRC?

**Ms. Marie Gervais-Vidricaire:** Thank you for that question.

I refer to our support for MONUSCO, and what I can add to this is that under the Canadian police arrangement, we have five Canadian police officers deployed with the UN mission in eastern DRC—MONUSCO—of whom two are women. The officers are employed in specialist positions such as training, mentoring, and rule of law prosecutions. So we think it's a concrete contribution to improving the security situation there.

We have also nine Canadian Forces officers deployed to the mission, in addition to the police officers.

**Mr. David Sweet:** So the only contribution we're making, then, is that of training. There's no funding for the DRC's police or military. It's all training. I understand you mentioned multimedia training for their security forces as well. Is that correct?

**Ms. Marie Gervais-Vidricaire:** Yes. Absolutely.

I referred to two specific projects. One had to do with child protection and prevention of sexual and gender-based violence in the DRC, and the second one, as you rightly pointed out, had to do with equipping the national police. We do that with an NGO called Search for Common Ground, and we are indeed equipping the police with multimedia training tools that will enable them to promote respect for human rights and to combat sexual and gender-based violence.

These programs have focused on the role of military justice, which includes the police, in the fight against sexual violence and in the protection and security of people.

**Mr. David Sweet:** Great. Thank you. In a country like the DRC, trying to provide protection and education for women, I know it's complex. I don't want you to take my questions in too penetrating a fashion, but in Canada's action plan it does say that we are making an effort to put mechanisms in place that promote departmental accountability for the implementation of the action plan. As I mentioned earlier, there are multiple departments involved.

In the couple of minutes we have, can you explain how those accountability mechanisms work? Are we reaching a level of effectiveness there in the DRC, as to the implementation of our strategy?

• (1330)

**Ms. Marie Gervais-Vidricaire:** Thank you. As you probably know, the national action plan is general in nature. It doesn't, of course, focus on one particular country or one region. The implementing departments—Foreign Affairs, CIDA, National Defence, and Public Safety—have developed their own action plans and they are accountable for them, and I guess they will publish them in due course.

What I can tell you, for example, is that I chair the START committee, the stabilization and reconstruction task force. We have an advisory committee that meets every three months with my counterparts from those departments, and through that mechanism we keep senior management aware of progress made and of countries where we have particular concerns, but it's up to each department to ensure that they deliver on their part of the action plan.

**Mr. David Sweet:** Mr. Chair, I thought I could squeeze in another one.

**The Chair:** That was it.

**Mr. David Sweet:** Thank you very much.

**The Chair:** Go ahead, Mr. Marston.

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

Following on Mr. Sweet's last question, do you see the DRC government at all as a willing partner?

**Ms. Marie Gervais-Vidricaire:** Thank you. I will let my colleague Pat Malikail speak to that as well. I think there's a willingness in the DRC to address this issue. It's a complicated one, and so far, the situation remains of grave concern.

Patricia might want to add something.

**Ms. Patricia Malikail:** I think, whenever you're working in this kind of situation, you have to avoid the temptation to consider our interlocutors as monolithic. I think what we are trying to do is work with people who are willing to work with us, and there always are such people, quite frankly. We try to build on those people who are willing to work with us and who have influence on the ground. That's where we're aiming. I didn't want to make a generalization because I think there are partners who will work with us.

**Mr. Wayne Marston:** The way I've always looked at it, even in the worst of countries there are always some good people, and it's a matter of tapping into them.

At this committee we hear regularly about countries with impunity and the impacts on the citizenry. Ntabo Ntaberi Sheka, the eastern military commander who was accused of ordering the rape of hundreds of women, ran openly as a candidate in their election. That in itself is a very serious statement about impunity. Human Rights Watch was one of the groups that raised concerns about this person doing this and being allowed to be a candidate.

What's your reaction to that?

**Ms. Patricia Malikail:** In a situation like that it's up to the country itself to decide who it's going to let run in their election. But at the same time, outside observers can and should make their comments known.

**Mr. Wayne Marston:** I think I just did.

You spoke about the fact that the militia seems to be funded directly or indirectly from conflict minerals. Is there a direct link from the militias to the government, or are they separate? What impact do the conflict minerals have on the government's revenues?

•(1335)

**Ms. Patricia Malikail:** I think in the DRC it's very difficult to separate all the threads. There were as many as 50 armed groups. Some of them were amalgamated into the national forces. What we say is that the amalgamation has been incomplete. Even if people are part of the armed forces, they may have different loyalties. They may have loyalties to people outside. There are proxy militias in the country. It's a very complicated situation. You can certainly see some threads, but it's difficult to pull the situation all together with proof.

**Mr. Wayne Marston:** We've had witnesses here giving us horrendous stories. When you look at the reputation of this country, it's very troubling in the sense that it's hard to find a sense of hope. The fact that we have people willing to travel here and be witnesses before us I think is that glimmer of hope we talked about—the good people who were there.

At the end of the whole report we're going to do, will the government in that country react at all? Will they have any interest in the comments of the Canadian government?

**Ms. Patricia Malikail:** I think every country is concerned about its international reputation. There are repercussions in terms of their stature in the international community, but also in terms of the willingness of other people to invest and work as partners. I think it's incumbent on us to bring these concerns to the attention of governments. It's up to them what they do with them, but most realize there are consequences.

**Mr. Wayne Marston:** From time to time, when we identify somebody held captive in one country or another under very terrible treatment, once that country notes that somebody's at least looking at it, there is a tendency for things to improve. So I guess we have to be optimistic.

Thank you, Mr. Chair.

**The Chair:** That was well timed at four minutes and 57 seconds.

Mr. Hiebert, I think you're next.

**Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC):** Thank you.

Thank you to all for being here.

I see that Canada, Belgium, and the U.S. are there. To what degree are we working together with our international partners, or are we just working in silos and all trying to achieve the same objectives?

**Ms. Marie Gervais-Vidricaire:** From our programming perspective, we work closely with the U.K. on the conflict minerals issue. We've worked with international organizations, in particular the International Organization for Migration. We have supported an OECD project that includes countries like Belgium and France.

We try to avoid silos. The situation is complex enough that we need to work with our partners, whether they are bilateral partners or international organizations, to achieve our objectives. So we definitely work with partners. We exchange information. There's some coordination that takes place, whether it's at the UN or in other places.

**Ms. Julia Hill:** Thank you.

We work very much in concert with other partners. As we know, it is a massive challenge in that country to begin with, so we know we can't do it ourselves.

But I would like to underline that one of the first projects, which brought international attention to this in the first place with respect to violence against women, was a joint Canada-Belgium initiative in 2006—*la lutte contre la violence sexuelle*. They took an area and we took another area, but we worked very closely together and shared information. It's very important that we be with others.

**Mr. Russ Hiebert:** Is there an overlap of resources as they're applied?

**Ms. Julia Hill:** No. It's complementary.

**Mr. Russ Hiebert:** Okay.

I know that one of you mentioned a connection between conflict minerals and the abuse that's occurring. I think it was tied to the fact that a significant number of the workers at these mineral sites are women, and that's where a lot of the abuse occurs.

I don't know if we were a founding member, but I know that Canada took a strong initiative in the Kimberley Process. Can you tell me how that's working out? Is that having an impact on the value of the conflict minerals? Is that making a difference?

• (1340)

**Ms. Marie Gervais-Vidricaire:** If I may, I'll just say a few words, because this is not an area under my current responsibilities. But in a previous life, if I may say so, I was director general of global issues at Foreign Affairs at the time when the Kimberley Process was being developed. I think this is one of the great achievements of the international community. It has had a massive impact, I think, in terms of the industry and making sure that whatever is exported or imported has to be certified.

I understand that now you have artisanal ventures, where we are trying as well to have a positive impact, because this continues to be a source of concern. But the Kimberley Process as such has had I think a very important impact.

**Ms. Patricia Malikail:** I think it's also useful to say that these processes say not only what's illegal, but also what's legal. I think countries like the DRC also need the means to be able to draw on their mineral wealth, so these processes have been legal in allowing us to distinguish between the two. They're not perfect, but they have made a difference.

**Mr. Russ Hiebert:** The artisanal miners are working within that context as well....

**Ms. Patricia Malikail:** I think the difficulty for artisanal miners is incorporating them in a process that probably was made for much larger, outside kinds of companies. So how do you deal with the size of these operations within that process? That's what people are coming to....

**Mr. Russ Hiebert:** For the benefit of our analysts, are you aware of the Kimberley Process? I just want to make sure that everybody is on the same page. Do you understand what that process is?

**Ms. Ève Pécelet:** I didn't hear what you were saying, sir.

**Mr. Russ Hiebert:** Okay.

Maybe you can just summarize for the benefit of the other members—so that we're not talking inside baseball—what the Kimberley Process is all about.

**Ms. Marie Gervais-Vidricaire:** To put it simply, it's an international agreement through which all diamonds that are produced and are to be exported have a certificate to guarantee that they're not conflict minerals.

**The Chair:** We'll turn now to Professor Cotler.

**Hon. Irwin Cotler (Mount Royal, Lib.):** I did want to follow up on a question of Wayne Marston, my colleague, who I think was referring to Bosco Ntaganda. The concern I have is that he is an indicted war criminal before the International Criminal Court.

All state parties to the treaty for an International Criminal Court have obligations with respect to bringing these war criminals to justice. Have we made representations to the DRC with respect to their obligations to surrender him to the ICC?

**Ms. Patricia Malikail:** We have not made specific representations when it comes to this gentleman.

**Hon. Irwin Cotler:** Do you not think that, as I say, inasmuch we are a state party to that treaty and we have a person who is in effect a fugitive from justice with respect to a treaty that not only are we a state party to, but that we had a primary involvement in securing—undertaking as part of that treaty to work to bringing indicted war criminals to justice—we should not turn away from this responsibility? There is an indicted war criminal. We should be making representations in that regard.

**Ms. Patricia Malikail:** I'll take your suggestion on board, Mr. Cotler.

**Hon. Irwin Cotler:** Thank you.

On the national action plan on women, peace, and security, I just returned, as it happens, from Africa, and I know that in South Africa they're working on this as well, and we have a developed plan here. To what extent have we looked to or consulted with other countries for that purpose, be it the United States, which has its own recent initiative in this regard, or a country like South Africa, which has been very much engaged in these issues?

• (1345)

**Ms. Marie Gervais-Vidricaire:** Thank you for that question.

I don't have too many details. What I would say is that Canada chairs the UN's working group on women, peace, and security. I'm sure it's a good opportunity to exchange experiences, best practices, and so forth with our partners. Of course, we have also seen with interest the U.S. action plan that was recently announced. With regard to South Africa in particular, I wouldn't be able to tell you if we've had this specific conversation, but I think at the UN, generally speaking, when that group meets on a regular basis, yes, there are interactions to make sure that we go in the right direction collectively.

**Hon. Irwin Cotler:** When I was in South Africa, I met with a group of Congolese from the DRC who were particularly concerned about the issue of impunity that I mentioned, particularly concerned with regard to the continuation of sexual violence in the eastern region, and who also raised questions about the efficacy of the United Nations with respect to UN mechanisms to protect women in armed conflict from sexual violence.

Can you comment on that particular issue, including the efficacy of UN mechanisms?

**Ms. Patricia Malikail:** I think that the presence of MONUSCO has made a huge difference in the DRC. Without MONUSCO, so much more could be happening. We know that MONUSCO has tried to deploy more forces in the eastern Congo. I can't comment directly on the efficacy, but I certainly think the right efforts are being made by MONUSCO to look at this issue.

**The Chair:** You've still got some time, Professor Cotler.

**Hon. Irwin Cotler:** No, it's okay, I'll—

**The Chair:** You're done. Okay.

**Hon. Irwin Cotler:** Yes.

**The Chair:** All right, it is Lois Brown's turn.

**Ms. Lois Brown (Newmarket—Aurora, CPC):** Thank you, Mr. Chair.

I'm not a member of this committee, I am merely here as an observer and an interested party, but I do have a question I would like to ask.

I was recently in South Sudan. One of the issues that we were made aware of is that in the northwest area of South Sudan oftentimes girls are taken at the ages of eight or nine for sex, and of course, by the time they're 12 or 13 years of age, they're pregnant. They have just a horrific record of loss of life with these young girls. So I'm asking a question about education, what is the education component or availability for these girls? We know that having girls in school in Afghanistan has put them in much safer, more secure situations, and the opportunity has been reduced.

My question, knowing that in South Sudan education, at best, is four years—they consider that to be primary education—is there any view in the DRC to increasing opportunities for education? Is the international community looking at this, which, in reality, would put a protection around the girls, and put them in a secure and safe environment?

**Ms. Julia Hill:** We are currently reviewing our programming in the DRC. Actually, a very helpful element has been the hard-to-read but important testimony from this committee as well. Our focus, as I mentioned, is on women, health, and protection against sexual violence. There are some components—I'm going to say education, though writ more large—in the work that we're doing through CECL, but we have not, to date, seen that as being the really pointy edge of dealing with the problem.

Having said that, we'll certainly take that comment on board and look at it.

**Ms. Lois Brown:** That's really all I have, Mr. Chairman.

**The Chair:** That's all you had?

In that case, we'll go to Madam Péclet.

[*Translation*]

**Ms. Ève Péclet:** Thank you very much to the witnesses for being here today.

Actually, I have a question for Ms. Gervais-Vidricaire.

You spoke about the national police. You are investing in security and you mentioned military justice. But we have heard from a lot of witnesses who say that the justice system in the Democratic

Republic of the Congo isn't working. There's a lack of resources, a blatant lack of legitimacy and impartiality. For example, police officers would be judged by people who are not necessarily as high up as they are. So there are big problems.

Is military justice really the right place to invest? Wouldn't it be better to invest in education and training? Could you please explain what you are doing with respect to the justice system?

● (1350)

**Mrs. Marie Gervais-Vidricaire:** I would first like to say something about working with fragile states, such as the Congo. There are several reasons for the fragile nature of those states, but we often see that where we choose to step is in areas such as security, police support and so on. The other area of choice is really the justice system. We cannot consider having a solid state that is well governed without government institutions that inspire confidence in the people.

Having said that, it is of course always a challenge to work in these areas in a country such as the Democratic Republic of the Congo. That's why we intervene and try to develop the capacities so that things can evolve. We often accomplish it through training because people generally aren't aware of the standards that should be applied, particularly when it comes to human rights, and so on. We need to start somewhere. We thought that these projects would give us a foot in the door so we could have a positive impact. Certainly there are plenty of challenges and there are risks. The results are often measurable over the longer term. It's often deceiving when we look after one year. We ask ourselves whether it has really changed. It does, but bit by bit. It's important to be patient when it comes to this.

**Ms. Ève Péclet:** My second question is for Ms. Malikail.

I met with a group of people in my riding from the Democratic Republic of the Congo. They mentioned the problems with the elections, and particularly about the violence. They also tabled a brief in the National Assembly of the Democratic Republic of the Congo.

It's interesting to know that the Democratic Republic of the Congo sent delegations almost everywhere around the globe to meet with the parliamentarians of a number of governments to gain inspiration for how to organize its elections. It's very interesting to know that these people decided to look to Canada. So they adopted the same system as we use. Relations between the Democratic Republic of the Congo and Canada seem to be fairly well developed. The Congo isn't necessarily a country that is easy to deal with, but I think people are very open there to having Canada be directly involved in its electoral system. I met with a number of people, and I really think that Canada has an opportunity. These people are inspired by our system, they want the same democratic system as we have. Canada really has an opportunity to go into a country and take over democracy, if we can say that.

You said that there were observers, but what did Canada do concretely during the elections, and what does it intend to do after the elections to help the Democratic Republic of the Congo become a democratic state like ours, as it wants to be?

• (1355)

**Ms. Patricia Malikail:** Thank you very much for your question.

As my colleague Marie Gervais-Vidricaire said, I think it's often a matter of standards.

[*English*]

I just had the good fortune of being at a debriefing by the Canada-Africa Parliamentary Association, which had just visited Kenya and South Sudan.

I think that parliamentary relations have an impact. It's important for parliamentarians to meet their colleagues, discuss the issues, and consider how to work together in the national interest. It has a direct impact, because colleagues are talking to colleagues, people who are in the same line of work. That's one opportunity for these sorts of exchanges to happen. It's concrete and direct.

**The Chair:** Thank you.

The last question goes to the Conservatives. I think Mr. Sweet will take this.

**Mr. David Sweet:** Thank you, Mr. Chair.

I just wanted to follow up on one issue, where I had left off with the word "finally".

You mentioned that the formulaic process that we have is different for each country, as far as the plan that we have for the defence of women based on the Security Council recommendations. I just wanted to know about the part of our plan in 16.1 and 16.2, which is related to military personnel, and you answered me earlier about how many police are there, etc.

I'm just wondering in relation to helping victims feel safer so they come forward, are we engaged in making sure that our police personnel there are reporting incidents, keeping records, and acting, in circumstances where they can, to protect these women on the ground? Are they recording the instances so that they can report those back to MONUSCO?

**Ms. Marie Gervais-Vidricaire:** I don't think that the specific role of the police officers that we have on the ground is to directly address these issues. What I can tell you is that people who are deployed in a country like Congo, the DRC, have been trained to understand what these issues are and to be sensitive when they see a situation. I'm pretty sure that if a Canadian police officer is a witness to something of that nature, he will report it to MONUSCO or to his superiors.

Just to come back a little to what you said earlier, maybe I was not totally clear when I said that we have a national action plan. You

seem to know it very well. It's general in nature. It doesn't address specific countries. It's meant to be implemented within Canada and internationally. Our partner departments—National Defence, CIDA, and Public Safety—all go in the same direction on the basis of the action plan. What I wanted to say is that each department is responsible for producing its own report on implementation.

**Mr. David Sweet:** Depending on the country, the nature of the violations towards women, the resources we have in the region, and the access the government gives us, the implementation of that program would be different from country to country. Is that fair to say?

**Ms. Marie Gervais-Vidricaire:** The implementation would be somewhat different in the sense that we don't have the resources or the same personnel in each country. That's obvious. The approach is uniform. The gender-based analysis is the same when we look at projects wherever they are in the world. We all work from the same script, which is the action plan and the UN resolutions.

**Mr. David Sweet:** It's good to have that on the record. The principles remain the same. It's the execution. The execution would be not only for the countries where we are, but also for the partners. With respect to our MONUSCO partners, it would depend on whether they're present in the country. You mentioned that they're complementary. If we don't have that complementarity, it makes it a little tougher for us to spread a resource over a broader ground.

• (1400)

**Ms. Marie Gervais-Vidricaire:** Again, we try to make sure that whoever is deployed has the right training. We've been very active, and you will see that when we do our first report. Quite a number of activities have been led by the various departments in terms of training officers—whether they're police officers or public servants—to know what the national action plan is about and to know what Resolution 1325 and the other resolutions are about.

**The Chair:** Thank you to our witnesses. That concludes today's proceedings on this subject. We thank you very much for coming here. We appreciate that you were able to make the time for us and to fit into our schedule.

We're going to have a very brief suspension to allow our witnesses to clear things away. When we resume we will go to Professor Cotler, who has a motion. We're not dealing with Madame Pécelet's motion because there's a notice issue. It wasn't submitted 48 hours ago.

We'll deal with Professor Cotler's motion when we reconvene in about a minute's time.

[*Proceedings continue in camera*]







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