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Chair

Mr. Michael Levitt

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● (1300)

[*English*]

The Chair (Mr. Michael Levitt (York Centre, Lib.)): Good afternoon, everyone.

I want to introduce our witness, Carina Tertsakian, senior researcher, Burundi and Rwanda, from Human Rights Watch.

Is it London where you are today?

Ms. Carina Tertsakian (Senior Researcher, Burundi and Rwanda, Human Rights Watch): Yes, I am.

The Chair: Wonderful. Thank you very much for taking the time to join us for this very important study, which, actually, you're the first witness for. We're looking forward to hearing from you.

If I could have you introduce yourself and begin your remarks, that would be fantastic.

Ms. Carina Tertsakian: Thank you very much, and thanks for this opportunity to talk about Burundi. I very much welcome this session, especially as Burundi has been slipping away from the international headlines, despite the fact that the crisis is becoming more and more entrenched.

By way of introduction, Human Rights Watch has been working on Burundi since the 1990s. We've had a presence in Burundi since that time until the end of last year, when the situation just became too insecure for us to remain there. But we've continued going in and out, and we remain in daily contact with people in the country.

I want to talk a bit about the origins of the current crisis first, and then I will describe some of the main patterns of human rights violations, and finally, suggest what could be done about it. If I speak for too long, would the chair please indicate that and cut me off?

The Chair: Absolutely. It's noted.

Ms. Carina Tertsakian: Okay, thank you.

As many of you probably know, what we call the current crisis in Burundi began in April 2015, and it was triggered by the decision of President Pierre Nkurunziza to stand for a third term in the elections, which was seen by many Burundians as being against the spirit of the Arusha accords, which were the agreements that ended the war that lasted for many years in Burundi. There were widespread public demonstrations in response to the president's announcement that he would stand for a third term, particularly in the capital, Bujumbura. The police came out in force. They dealt with the demonstrators very brutally, shooting live ammunition, killing and injuring a number of demonstrators.

The protests were initially peaceful, but the situation soon escalated. Some of the protestors became violent. There were clashes between the police and the demonstrators. Then, just a couple of weeks later, in May 2015, there was an attempted *coup d'état* by some military officers. It was a failed attempt. The government put it down within a day or so, and the situation escalated from there. The government intensified its repression leading up to the elections in the summer in which President Nkurunziza was re-elected in the absence of any real opposition. Since then the situation has gone from bad to worse. Hundreds of people have been killed, and around 300,000 have been forced out of the country and are currently living in exile.

What form has this oppression taken, and what have been the costs in terms of human rights in Burundi? For those of you who may not know Burundi, it used to be one of the rare countries in this region where there was a very dynamic—

● (1305)

The Chair: Hang on one second. We've lost your volume. Let's just get it corrected at our end, if it's at our end.

It should be okay now. Let's give it a try.

We can hear you now, thank you.

Ms. Carina Tertsakian: Burundi is one of the few countries in this part of Africa to have a vibrant independent media and a very dynamic independent civil society movement, despite many years of repression and war, even before the current crisis. Unfortunately, all of that is finished now, because one of the government's first targets last year was that independent civil society movement and media. Very soon after the crisis began, the government closed down the country's main and most popular independent radio stations, particularly after the coup attempt. There were also physical attacks on these radio stations. They destroyed the buildings, destroyed the equipment, and the journalists had to flee.

A little while later, even the Burundi correspondents of Radio France Internationale and Agence France-Presse were arrested by the intelligence services and beaten up.

Finally, there was one independent media that did remain, a newspaper called Iwacu. The director of this newspaper was summoned and was likely to face imprisonment. He fled the country. Skipping ahead, just two months ago, in July 2016, one of the journalists of that newspaper disappeared, and up to this day, there is no trace of him.

Then Burundian human rights activists also paid a heavy price. The country's leading human rights activist, Pierre Claver Mbonimpa, a man in his late sixties, was shot in the face a year ago as he was leaving work. Incredibly he survived, but with very serious injuries, and he is now in exile.

The government suspended the activities and bank accounts of several other Burundian human rights organizations.

Finally, with political parties, it was just as bad. Several of the members, including some leading figures, were killed last year, and many others were arrested.

The result of this is that almost all the country's leading political activists, human rights activists, and journalists have fled. The few who remain are working underground.

As I mentioned, several hundred people have been killed since the start of the crisis, some—I should say many—by the government, by the security forces, others by the opposition, because armed opposition groups have also become increasingly violent.

A third category is people killed by unknown perpetrators. This is one of the most distressing aspects of the situation. Since last year, dead bodies just appear on the streets and are found in rivers. No one knows who they are and no one knows who killed them. They're sometimes found with their arms tied behind their backs, mutilated. It's a very gruesome situation, and there are never any investigations.

Last year, you may recall, the news finally became the object of a lot of international coverage, and then we noticed that the patterns changed. Since the end of last year, there have been fewer blatant killings. Instead, the repression went underground, and we saw more covert forms of repression, an increase in disappearances, for example, abductions, people taken away by the intelligence services, and no one knows what happens to them. One such case is a woman called Marie-Claudette Kwizera. She was the treasurer of a human rights organization. She disappeared last December. No one knows what happened to her.

Another aspect I would like to mention is torture. Human Rights Watch has documented torture for many years in Burundi. Sadly, it's not a new practice. In recent months, we've noticed it becoming increasingly brutal and vicious, particularly by the intelligence services, against anyone suspected of supporting the opposition. Mostly young men are the victims, but not only.

Intelligence agents have used unbelievably brutal methods. They've smashed people's bones with hammers. They've driven sharpened metal rods into people's limbs. They've tortured their genitals. They've used electric shocks. I'll spare you the details. It's extraordinary that anyone actually survives. Many victims in fact don't survive, because even when they're released, they're too scared to seek medical treatment.

● (1310)

The final form of violation is large-scale arbitrary arrests, again mostly of young men, who are rounded up by the police, sometimes scores at a time, sometimes even hundreds at a time. Some are released; others remain in detention.

As I said, it's mainly the police carrying out the arrests, but they're often assisted by members of the youth league of the ruling party, who are called Imbonerakure in the national language. These Imbonerakure are the ones who do a lot of the dirty work for the ruling party. They have killed people. They have beaten people. They have arrested people, despite having no legal powers of arrest. They collaborate closely with police and intelligence. Because they're local, you find them in every town, every village. They know everybody, so they identify and denounce people who should be arrested.

They've also been responsible for rapes and acts of sexual violence, particularly against women whose husbands are opposition members or supporters.

In this context, the government has become so brutal and people are so afraid now in Burundi, in this wonderful country where people used to express themselves so freely, nobody dares to speak anymore. The result is that it has become extremely difficult to get reliable first-hand information.

The last time I was there, for example, it was really, really hard to persuade victims and witnesses to speak. Even when we did, it was very difficult, even confidentially. There was one man who was very reluctant to speak to us. Eventually he agreed and it was all confidential, and after about 10 minutes, mid-sentence, he stood up and walked out because he was just so frightened. That gives you an idea of how bad it is.

I'll finish by talking about what has been done at the international level about the situation.

Actually, quite a lot has been done. At the UN level, at the level of the African Union, individual governments, donors, there have been countless statements, resolutions, and interventions. Most of Burundi's big donors have suspended direct aid to the government, particularly the European Union which was one of the biggest donors.

The U.S. and the European Union have imposed sanctions on some of the key top officials of both government and opposition, but still the situation has not improved.

The Government of Burundi, on the contrary, has become even more intransigent. It seems impervious to pressure, even though many of its own senior officials have defected, so we are really just talking about the president and a small clique of people around him. They've reacted in a very hostile way to international criticism. For example, last year when the African Union proposed a peacekeeping force, the Burundian government, even the president, said that if that force was sent to Burundi, they would consider it an invasion and they would fight it.

This is the kind of challenge that we're facing.

Earlier this year, in April, the International Criminal Court, the office of the prosecutor there, announced they were opening a preliminary examination of the situation in Burundi. This is not an investigation. It's a study to see whether the crimes committed in Burundi would fall under the jurisdiction of the International Criminal Court. But still it was an important step.

To conclude, I will highlight one issue and one recommendation. What is really striking in Burundi is that there is total impunity for these crimes, particularly those committed by state agents. So the priority, in our view, has to be to find a way to hold the perpetrators to account.

● (1315)

Human Rights Watch is suggesting the creation of an international commission of inquiry to do this. This is currently being discussed in Geneva at the UN Human Rights Council. We hope the Human Rights Council, today or tomorrow, will issue and adopt a resolution calling for a commission of inquiry that would establish individual responsibility for the crimes committed, with a view, eventually, to delivering justice.

Thank you.

The Chair: Thank you very much for that in-depth analysis.

I'll open up the questioning now, beginning with MP Sweet.

Mr. David Sweet (Flamborough—Glanbrook, CPC): Thank you very much for your work. I find it fascinating that the United Nations independent investigation of Burundi got it so correct. Your organization was there since 1990. They obviously didn't have that much time to do an investigation, and everything I've read in this unedited report seems reminiscent of everything you've testified to. They mention a number of murders that they feel were committed. I believe they said they found enough evidence to conclude that 564 murders happened, but it was a very conservative number. They feel that many more happened. They just weren't able to gather the evidence.

I have your article here from August 2, where you mentioned that the Burundian government walked out on the committee or UN investigation team. It doesn't sound like it from your testimony, but I'd like to check: has anything changed from August 2 until today with regard to the Burundian response to the United Nations' independent investigation?

Ms. Carina Tertsakian: The short answer is no, sadly. On the contrary, the response of the Burundian government to the UN investigation team's report has been, once again, a categorical denial of the gravity of the human rights crisis in the country.

You may have followed the intervention of the Burundian minister for human rights in Geneva, who bluntly rejected the UN report, while the foreign minister in New York, at the UN, on the one hand affirmed the government's commitment to human rights and then proceeded to dismiss and try to discredit international reports by the UN and others. That has, regrettably, become the typical response.

You mentioned the incident of the Burundian delegation not turning up for the second part of the review by the committee against torture. I happened to be there when that was happening in Geneva in August. It was really shocking. It's apparently the first time in the committee's history that it has happened. It's happened that other countries have entirely boycotted the process, but in this case the government delegation, led by the minister of justice, came for the first part, delivered the opening statement, and then simply didn't turn up to answer the questions.

That gives you an idea of the challenge in engaging the government in a meaningful discussion about human rights.

● (1320)

Mr. David Sweet: I'm profoundly concerned that with the allegations they've made, there may be some spillover into Rwanda, which of course has dealt with enough suffering. Do you have any concerns in that regard?

Ms. Carina Tertsakian: Yes, we do. I work on Rwanda as well as Burundi, so I'm sensitive to that, as we all are.

It's a complicated situation. Many of the Burundians who fled last year ended up in Rwanda. It's one of the closest and easiest places to go, not so much now, because they're actually trying to stop people from fleeing, but in the beginning, it was where many went, especially the opposition figures. Many of the activists and journalists ended up in Rwanda.

There is, as you probably know, a very tense relationship between the governments of Rwanda and Burundi. Even at the presidential level, they frequently publicly trade insults and hostile language. There was information last year that we and others documented of recruitment among the Burundian refugee camps in Rwanda, recruitment of Burundians to join armed opposition groups in exile.

We don't know what the Rwandan government's role was in that, if any, but Rwanda is a country where the government exercises quite a tight control over everything that happens, so at the very least we could say that it wouldn't have happened without their knowledge. We haven't had more recent incidents of that kind of thing, but that doesn't mean it's not happening.

I share your concerns about the conflict spilling over into the region, not only into Rwanda but also into the Democratic Republic of the Congo to the west, with quite a number of Burundian armed opposition also operating from Congo. That has been the case for a while. Congo, as I'm sure you know, has its own share of problems and is in a very fragile state at the moment. The regional aspect is indeed very worrying.

Mr. David Sweet: The independent investigation hinted that there's enough evidence that these could be crimes against humanity, with the requisite evidence, including everything I can see in this report, with what sounds like a systematic and well-planned strategy from the government for human rights defenders and media, and it's even to the point where you were talking about impunity in regard to murder, but the same thing goes for rape and torture.

Also, one of the things that I haven't seen in some other very serious cases is this killing of youth, this blatant destruction of young life. The one case they cite in their report is actually that of a police commissioner who, when the young person is begging for their life, shoots them right in the street, with no reprisals and no investigation. This raises a concern that this is reaching the magnitude of being—I hate to even say the word—genocidal.

Ms. Carina Tertsakian: I certainly share your concerns.

As I mentioned earlier, the International Criminal Court, whenever it's finished its preliminary examination, will make, we hope, some sort of conclusion on or assessment of whether these crimes constitute crimes against humanity. We certainly believe there is a good case for looking into that.

On the issue of genocide, I wouldn't necessarily jump to that conclusion. I'm not saying that you are jumping to that conclusion, but it is a word that some Burundians indeed have been bandying around quite a lot, and they have been manipulating that term, sadly, for political ends. One thing—

Mr. David Sweet: By the way, just to be clear, that wouldn't be my case, but the evidence I see is very concerning.

● (1325)

Ms. Carina Tertsakian: Of course, and I'm not implying that it was your case, but it's maybe worth saying a word about that. In terms of the current crisis in Burundi, I see it primarily as a political crisis rather than an ethnic crisis, unlike the situation that prevailed in Burundi in the 1990s, as you will recall, when there were horrific massacres. Tens of thousands of people were killed, primarily along ethnic lines. It didn't get more attention only because it was quickly overshadowed by the Rwandan genocide.

What's happening now in Burundi is very different from that. It is a crisis that opposes, on the one hand, a president clinging to power and the group that support him, and on the other hand, a broad range of people of both ethnicities who oppose that. So—

The Chair: Thank you, Ms. Tertsakian. I'm going to move on to the next question. We're running a little over.

MP Miller.

[*Translation*]

Mr. Marc Miller (Ville-Marie—Le Sud-Ouest—Île-des-Soeurs, Lib.): Good afternoon. Thank you for your testimony, Ms. Tertsakian.

At the outset, you very clearly stated that Burundi has been slipping out of the media cycle despite the fact that the situation is getting worse and worse. Do you have some tangible recommendations for the Canadian government, which, of course, must act in a multilateral context, in a part of Africa where it is not very involved, according to my research.

You talked about the impunity that the world needs to know about, the current situation and especially the government's actions. In practical terms, what would you recommend to the Canadian government? What actions would you suggest to the government to show the world what is happening in Burundi?

Thank you.

[*English*]

Ms. Carina Tertsakian: In view of the gravity of the situation in Burundi, I would say that even governments like Canada's, which may not be major players in that region, still have a role to play in supporting and strengthening mechanisms, which could ultimately deliver justice, and in supporting initiatives at the United Nations level, for example.

I would like to come back to the idea of an international commission of inquiry. If that idea is taken up by the UN Human Rights Council, or indeed by some other body, then I would hope that Canada would support that politically and diplomatically, but also possibly in practical terms. If that commission is set up, then it will need certain means. It will require expertise. We would be talking about a commission that would need specialized professional skills, such as criminal investigation skills, forensic skills, military expertise, and so on. These are all things that Canada, among others, could help provide.

There is almost a feeling at the international level of perhaps not resignation, but simply not knowing what to do. The governments that have been most closely involved with Burundi are maybe becoming a bit disillusioned. I think we all have a responsibility—and I hope you would agree that Canada does also—to make sure that doesn't happen and to make sure we all keep Burundi high up on the international agenda. Let it not become yet another crisis that drags on and on. It is still possible to prevent it from getting worse.

The Chair: Thank you.

Mr. Tabbara, do you want to have some time here?

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): Yes, sure.

Thank you again for being here today. I know you have worked a lot for Amnesty International and a lot in the areas of Burundi and Rwanda. I was going to ask exactly what Marc Miller asked about in what can Canada do.

I want to turn to what's happening on the ground and what we're seeing. I know that Burundi is heavily dependent on agriculture. For the youth in Burundi, are they being targeted by the regime as a recruitment tool? Is there employment for them? With the lack of employment, is the regime appealing to them? Maybe you could elaborate on that.

● (1330)

Ms. Carina Tertsakian: Certainly, because of the very high rates of unemployment, it's easy for anyone who may want to do so to just pay young people to go out and do whatever they want them to do. That is definitely going on. This is in the context of a disastrous economic situation. I didn't mention that in my presentation, but it's a very important aspect.

When the crisis began, Burundi already was a poor country, but now because of what's happening, the economy is in crisis. The last few times I've been to Bujumbura, even in the capital the streets are empty, the hotels are closing, the restaurants are closing, the businesses are closing. Business people are desperate. You wonder how long that can carry on before the government is forced to do something.

Unfortunately, I think the top people in government are so cut off from the reality of ordinary Burundians that they're not feeling the economic crisis themselves, and that it is very serious and people are really struggling to earn a living. Prices have escalated, so it is a very worrying aspect of the situation.

Mr. Marwan Tabbara: Before the recent third term election, what type of industry was really flourishing there? I read before that Burundi had, I wouldn't want to say a strong mining industry, but they did have some kind of mining industry.

I know that coltan is a mineral that is rampant in the country. Was there any type of infrastructure industry that was thriving there prior to the third term or was that not visible?

Ms. Carina Tertsakian: It was fairly limited. Even the mining sector is not hugely developed. The main mineral there is not so much coltan actually, but nickel, but even that has not been fully exploited yet. I believe there were some companies that were starting to look at that.

The other industry is coffee. There's coffee, and tea, but again, it's not.... Burundi is a really poor country. It's a predominantly agricultural country. There's a little bit of tourism, although even that was not very developed. It wasn't really a thriving economy even before this started unravelling.

The Chair: Thank you very much.

I'm going to turn the floor over to MP Hardcastle.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Thank you, Mr. Chair.

I would like some clarification. Maybe it's just a matter of the terms, the words, that different people are using in the report, but was this third term election of the president actually an election? I'm asking anybody in general here.

Ms. Carina Tertsakian: It was an election to some extent I suppose we could say, but by the time the elections took place, almost all the opposition leaders had fled, so there was practically no competition.

There are a number of parties that we could describe almost as satellite parties to the ruling party. Some of them nominally put up candidates, but the real opposition parties had already left for the most part. There was an election in the literal sense. There was a process whereby people went to the polling stations, but in the context I described, you would probably agree that that wasn't terribly meaningful.

● (1335)

Ms. Cheryl Hardcastle: Absolutely.

I just know there could be some who would say that there was an election, so it's good to know the actual realties of it.

You talked about something in a literal sense and I would like to go further on. One of my colleagues already mentioned the youth who are literally and figuratively being destroyed in this situation. I'd like to hear a little more.

You mentioned the large arbitrary arrests and the involvement of the youth league. Is that where some of those cordon-and-search operations are happening in different neighbourhoods? Could you explain a little more blow by blow what's happening with that kind of an action in using the youth?

Ms. Carina Tertsakian: The youth are victims and are manipulated by both sides.

On the government side, you have youth who are part of the official youth league of the ruling party. Those are the ones I talked about before. On the opposition side, there are many young men, as well as women, but particularly men, who joined the opposition. Initially, it was just part of that spontaneous public demonstration movement against a third term, and then some of those young people joined armed opposition groups as they began forming. There were already armed opposition groups, but new ones formed, and those people have also become increasingly radicalized, so you see it on both sides.

The cordon-and-search operations, and thank you for raising that, are one of the most worrying aspects, actually, but particularly toward the end of last year. The security forces mounted these operations in several neighbourhoods of the capital which were seen as opposition neighbourhoods, where there had been very intense protests against a third term.

The police would just seal off these neighbourhoods, go in, often accompanied by the youth from the ruling party. Often they would go house to house. They would say they were looking for weapons, but often what they would do, they would just go to these houses and say, “Show us the weapons.” They would arrest people with no arrest warrants or procedure of any kind.

There were numerous operations of this kind toward the end of last year, and one particularly deadly one on December 11. It followed an attack, presumably by the opposition, on four military installations. In response to that, the police and military came into two neighbourhoods of the capital and just went crazy. They arrested a huge number of people. They killed a large number of people. There were bodies buried in mass graves. It was one of the most gruesome episodes.

Ms. Cheryl Hardcastle: I'm still trying to get my head around some of your imagery.

The police are being used. They're being coerced. The young people are being used as protagonists as well as actually antagonizing. What is happening now? You mentioned the Democratic Republic of the Congo. Is this where the opposition are headquartering right now? What do you know about that? Could you provide some details with regard to that?

● (1340)

Ms. Carina Tertsakian: I wouldn't say they're headquartering in Congo. I wouldn't really say they're headquartering anywhere, but if they are, the most likely place is probably Rwanda. The opposition, I'm talking about armed opposition now, is fragmented, quite divided internally, and apparently disorganized as evidenced by the failed coup attempt last May.

Since then, a couple of new armed opposition groups have emerged, including one called FOREBU, which is led by the military officers who participated in the coup attempt. There are others and it's not clear to what extent these groups work together, or are in some kind of rivalry with each other. Many of their leaders and members are believed to be in Rwanda, but not all of them. Some of them float around between different countries. It's quite amorphous and quite diffuse. It's difficult to be more precise about it because even the structures and their location are not that clear.

The Chair: Ms. Khalid.

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): Thank you very much for your very important work in this field. We really appreciate it. Thank you for your testimony today.

I want to follow up on something that you had mentioned with respect to the International Criminal Court beginning a preliminary examination of the possibility of human rights being violated in Burundi. I'm wondering if fact-finding is something of a challenge, or how that investigation is coming along.

Ms. Carina Tertsakian: I couldn't comment on the details because it's obviously confidential, and I genuinely don't know how much progress they've made. It's not an investigation as such, so they're not going in-depth, looking for witnesses, and so on, at this stage.

There's a lot of information, of course, that's already out there in the public domain, including information published by the UN, by groups like Human Rights Watch, and by many Burundian activists, but for sure, gathering information in Burundi right now is a big challenge. We've experienced that. I've talked about it a little, but it's not impossible, and there are of course many Burundians outside Burundi who have very valuable information, including many who have been victims of these crimes.

Ms. Iqra Khalid: You had made a recommendation that an international commission of inquiry could assist in resolving the issue in Burundi, and also finding further facts of the situation on the ground. I'm wondering, how would such a commission differ from the role that the International Criminal Court could play?

Ms. Carina Tertsakian: Well, it wouldn't be a prosecuting body or court as such, but certainly information it would gather could contribute to the work of the International Criminal Court. We see it very much as not something that would duplicate initiatives that have already been undertaken, whether it's the ICC or indeed the UN investigation that's already happened, but something that would build on that and be complementary to it.

For example, if the commission of inquiry uncovers new, serious information, maybe more in-depth, more detailed than what has been done so far, looking at the responsibility of specific individuals, we would hope that could assist the International Criminal Court.

Ms. Iqra Khalid: Thank you.

The Chair: I'm going to take this opportunity to ask a question of you as well, if you don't mind.

We know that women and children face disproportionate hardship in war and conflict zones, and, in particular, we see that Resolution 2303, released just last month by the UN Security Council, strongly condemns the sexual violence. Can you speak to the threats in Burundi and tell us about some of the civil society responses to these threats?

In particular, I have an interest in the displacement camps and the conditions that are existing there, because that is often a hotbed of violence and external threats coming in. How are women and children faring, and what more can be done by civil society, and maybe what can Canada be doing, too?

● (1345)

Ms. Carina Tertsakian: That may be one area where Canada can also make an important contribution.

You talk about displacement camps. I would talk more about the refugee camps, because there aren't really...or maybe that's what you meant.

Human Rights Watch did some research in the refugee camps in Tanzania, which is a country that is hosting the largest number of Burundians. We found not only that there were women and girls there who had been raped in Burundi and been victims of other forms of abuse in Burundi, but separately from that, had been victims of some of those same abuses in Tanzania, in exile.

That is not in a political context anymore, but as you rightly said, displaced people, refugees, are very vulnerable, especially in huge refugee camps. There's inadequate support. There's inadequate response from the Tanzanians, even from the people who are running the camps. The women don't always know where to go to get help. In some instances, they did report these cases to the Tanzanians. Some of them said there were investigations and people arrested, but of course this did not occur in all cases.

Some of the cases of rape, for example, that were reported in the camps were committed by other refugees. It's Burundians against Burundians. But others were done by the local population, by Tanzanians. This happens, for example, when women go out of the camp to try to sell things or go to the markets. For sure, women and children have suffered enormously, and are still suffering. I think for those who were lucky enough to be able to escape from Burundi, there's definitely more support that could be brought to them.

The Chair: Thank you very much.

Mrs. Block.

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Thank you, Mr. Chair.

I'll put some of my remarks into context. I'm subbing in on this committee and I'm very privileged to be able to do that. In the short period of time that I've turned my attention to the topic of study this committee has undertaken, I have sensed the frustration and disillusionment that individuals who have been working towards a solution on this issue might be feeling because of some of the barriers that have been put in place. I come to this having done a little reading on the subject.

My first question comes out of some of the information I've read. It's about the announcement that the Minister of Foreign Affairs made earlier this month in regard to providing the UN peacebuilding fund with $15 million over three years. That fund transferred funds to the African Union to support the deployment of 100 human rights experts and 100 military experts to Burundi.

It's my understanding that the committee has heard testimony from officials in Global Affairs that Burundi has put up significant administrative barriers to the deployment of these experts. What recourse do we have as a country if we've set money aside to provide assistance in this area? What recourse does a country have when the country where the atrocities are taking place has put up barriers to experts coming in?

Ms. Carina Tertsakian: It's an ongoing problem, the deployment of these African Union observers. Some of them have been deployed since last year. I don't remember the exact number, but it's less than half the 100 you mentioned. There are some human rights observers and some military observers there, who are monitoring the situation. They haven't published any reports, but they apparently do private reports that they send back to the African Union in Addis. The remaining ones still have not been deployed.

The other very disturbing thing is that the memorandum of understanding that was supposed to be the framework for these observers has still not been signed, more than a year after the idea was agreed to and even after the first group of observers was deployed. The observers have been working, realizing that if they waited for that MOU, they would wait forever. It's obviously a very frustrating situation.

● (1350)

Mrs. Kelly Block: I heard you say that what you are calling upon the UN to do is to find a way to hold the perpetrators to account, and that one of the ways to do that is by forming a commission of inquiry. This is perhaps a follow-up to my colleague's question. You also stated that the inquiry would be established with a view to delivering justice. I'm wondering if you could just explain how that would unfold.

Ms. Carina Tertsakian: Of course it wouldn't deliver justice itself, because it would be simply a commission of inquiry. It wouldn't have prosecutorial powers, and it wouldn't be a court. I don't want to pretend that it's the magic formula that is going to solve all Burundian problems, absolutely not. But to me, impunity lies at the heart of this crisis, and you see it in the way the perpetrators behave. From the low level, the ones who actually do the killing and torturing, right up to the top, there is this feeling that they know they're going to get away with it, and at some point, that has to stop.

The commission of inquiry would do two things. In a way, it's perhaps a bridge between the monitoring and reporting, which there has already been quite lot of, and ultimately some form of justice. The way I see it is that the commission of inquiry, if it's set up, would go deeper and further than, for example, the investigation team that has just submitted its report, and it would be able to gather evidence that could form the basis of, or contribute to, prosecutions.

Then the question is prosecutions by whom? The International Criminal Court is one option. There could conceivably be courts in other countries under the principle of universal jurisdiction, maybe.

At the moment, the Burundian justice system unfortunately is totally lacking in independence and has proved itself unable to deliver credible justice, but maybe that can change in the future.

I don't know if I've answered your question properly, but that's how I see it and what I see as its usefulness.

Mrs. Kelly Block: Certainly. Thank you.

Mr. David Sweet: Ms. Tertsakian, I want to ask you one follow-up question.

There are two paragraphs that I wouldn't even refer to except it's in a public document already. It seems to me there's a treasure trove of evidence that has been discovered, first allegations, and then there is some initial satellite imagery. The United Nations investigation team has this in a document, and I'm wondering if you're aware, from any other cases in the past, whether they have the resources to continue to monitor this now that they have initial evidence by satellite imagery that these mass graves are there so that they can safeguard this forensic evidence of the perpetrators.

● (1355)

Ms. Carina Tertsakian: That's a question maybe better addressed to the UN. Unfortunately, that investigation team has now ended its mandate. It has finished its work. There is, though, a pre-existing presence in Burundi of the Office of the UN High Commissioner for Human Rights, so there is a UN human rights presence. It has been there for quite some time, as you know, and it is still doing monitoring observation.

I don't know exactly what kind of technical or other capacity they have, but certainly the destruction of evidence, the loss of evidence, would be a big concern. That is yet another reason, I believe, why a commission of inquiry would be needed and needed quickly, before that evidence disappears.

The Chair: Thank you very much.

Ms. Tertsakian, I want to thank you and all of your colleagues at Human Rights Watch. You're a frequent and valued resource for us on this committee, and really, the work that you're doing on the ground in Burundi and Rwanda, in your case, but really around the globe, is greatly, greatly appreciated and recognized here in this committee of the Canadian Parliament.

Thank you very much for taking the time to join us from London. We greatly appreciate your testimony.

Ms. Carina Tertsakian: Thank you so much for the opportunity and for your support.

The Chair: Thank you.

The meeting is adjourned.