



## RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

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PETITION No.: **421-03302**

BY: **Ms. DAMOFF (OAKVILLE NORTH-BURLINGTON)**

DATE: **MARCH 18, 2019**

PRINT NAME OF SIGNATORY: **SIGNED BY THE HONOURABLE CHRYSIA FREELAND**

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Response by the Minister of Foreign Affairs

SIGNATURE

Minister or Parliamentary Secretary

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SUBJECT

**MYANMAR**

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**ORIGINAL TEXT**

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**REPLY**

Canada continues to be seized by the unacceptable persecution of Rohingya communities in Myanmar, and remains deeply concerned by the situation in Rakhine State that has led to the displacement of more than 740,000 Rohingya to Bangladesh since August 25, 2017.

In response to this international crisis, the Prime Minister appointed the Honourable Bob Rae as Special Envoy to Myanmar in October 2017. Mr. Rae released his final report on April 3, 2018, with recommendations on how Canada can best support efforts to respond to the needs of those affected and displaced by the violence.

Informed by the specific recommendations contained in Mr. Rae's report, Canada announced its Strategy to Respond to the Rohingya Crisis in Myanmar and Bangladesh on May 23, 2018. Through this Strategy, Canada has taken bold steps to address the crisis in areas where it can make a difference, with a focus on four core objectives: alleviating the humanitarian crisis; encouraging positive political developments in Myanmar; promoting accountability for the crimes committed; and enhancing international cooperation. With a commitment of \$300 million of international assistance funding over three years, Canada's Strategy covers a comprehensive range of humanitarian, development, peace and stabilization, and accountability needs.

Canada's position on the gross human rights violations, including sexual and gender based violence, perpetrated against the Rohingya is firm and clear. These atrocities constitute genocide. As part of Canada's efforts to advance accountability in response to these atrocities, on February 18, 2018, the Minister of Foreign Affairs announced targeted sanctions against Major General Maung Maung Soe, under the Justice for Victims of Corrupt Officials Act. The Minister of Foreign Affairs also announced targeted sanctions against seven Myanmar nationals on June 25, 2018, under the Special Economic Measures (Burma) Regulations, in coordination with the European Union. Such sanctions are a result of the significant role played by these key senior military officials in human rights violations against the Rohingya in Myanmar. Canadian officials continue to closely monitor the situation, and coordinate with international partners to explore all potential avenues to advance accountability and address issues of impunity in Myanmar.

Canada continues to be a strong and vocal advocate for accountability in international fora. In the United Nations Fact-Finding Mission's (FFM) final report on Myanmar, released on August 27, 2018, the FFM called for an independent accountability mechanism to be established in order to prepare for future investigations of senior military officials.

Following this recommendation, Canada co-sponsored a successful UN Human Rights Council (HRC) resolution on Myanmar in September 2018, which established an Independent Investigative Mechanism (IIM) for Myanmar with a mandate to collect evidence and prepare case files for future criminal proceedings. Canada also co-sponsored a resolution at the UN General Assembly's Third Committee, which further endorsed the HRC's decision to establish the IIM, and reiterated Canada's concerns of ongoing human rights violations in Myanmar. The Fifth Committee formally approved, on December 22, funding for all HRC mandates, allowing the process to begin on the establishment of the IIM, and, on April 3, 2019, UN Secretary General António Guterres appointed American Nicholas Koumjian as Head of the Mechanism. Canada has also consistently called for the UN Security Council to refer the situation in Myanmar to the International Criminal Court.

On September 6, Pre-Trial Chamber I of the International Criminal Court (ICC) decided by majority that the Court may exercise jurisdiction over the alleged deportation of the Rohingya people, despite Myanmar not being party to the Statute, and found that it may also exercise its jurisdiction with regard to crimes against humanity, persecution or other inhumane acts. The Prosecutor of the ICC has launched an investigation to assess these crimes. In early-March 2019, the ICC sent a preliminary examination team to Cox's Bazar, Bangladesh to undertake a familiarization mission to better understand the environment they will be working in, resources required, and challenges should the ICC Chamber authorize proceeding with the investigation.

On September 20, 2018, the Parliamentary Secretary to the Minister of Foreign Affairs rose in the House of Commons to present a motion for unanimous consent recognizing the crimes against the Rohingya as constituting genocide. Parliament also unanimously passed a second motion on September 27, 2018, revoking Aung San Suu Kyi's honorary Canadian citizenship, a measure demonstrating the moral and legal imperative the Government of Myanmar has to protect its citizens from its security forces. These motions were presented concurrent to an investigation by the Standing Senate Committee on Human Rights, to which both Mr. Rae and officials from Global Affairs Canada testified.

Canada remains committed to ensuring impunity does not prevail in Myanmar, and that the perpetrators of atrocities and gross human rights violations and abuses be held to account. Canada will continue to work closely with domestic, regional, and international partners to advance accountability, including by supporting existing efforts.

Since the beginning of 2017, Canada has provided \$68.1 million for the provision of gender-sensitive and life-saving humanitarian assistance to help improve the living conditions for Rohingya refugees in camps and settlements in Cox's Bazar, Bangladesh, as well as address the needs of displaced and other vulnerable populations in Myanmar. Canada's humanitarian assistance for refugees includes support for improved access to health, food assistance, treatment for

acute malnutrition, water and sanitation programming, essential non-food items, learning and income-generating opportunities, as well as mitigation and response during the monsoon and cyclone seasons. In addition, Canada is supporting the UN response plan, including natural disaster preparedness to enable rapid response and support to existing Disaster Management Committees at District, Upazila (sub-district) and Union levels.

Canada is demonstrating leadership in working with the World Bank and the Government of Bangladesh through an innovative mechanism in which every \$1 from Canada unlocks \$5 in grants from the World Bank in support of health, nutrition and basic education services to Rohingya refugees in Cox's Bazar. Canada is providing approximately \$16.3 million, which then leverages close to \$81.5 million from the World Bank.

Canada is supporting several other development projects to help address the needs of Bangladesh host communities in Cox's Bazar, including in the areas of sexual and reproductive health and rights, education, food security, livelihoods, environmental rehabilitation and social cohesion.

Access to crisis-affected populations, including to the approximate 600,000 Rohingya who remain in Rakhine state, remains a concern. Canada has been consistent in its messaging on the important role played by humanitarian and development actors, and will continue to advocate for effective, unhindered, and timely access for them to carry out assessments and provide assistance as required. Canada has most recently advocated for improved and sustained access through the G7 Foreign Ministers' Communique, as well as a multilateral statement with the European Union and Norway.

Canada has also consistently emphasized that the repatriation of Rohingya refugees to Myanmar must be voluntary, safe, dignified and sustainable and that it must uphold their human rights. These conditions clearly do not exist in Myanmar. Ensuring safe freedom of movement, equal rights, access to health and education services and, most importantly, access to citizenship is essential for all Rohingya.

When conditions permit, Canada is ready and willing to resettle Rohingya refugees and is prepared to lead discussions with like-minded countries to encourage an international resettlement response in collaboration with the United Nations Refugee Agency (UNHCR). Resettlement efforts from within Bangladesh will notably depend on the willingness of the Government of Bangladesh to issue exit permits. Should resettlement become possible, Canada would work with the UNHCR to determine the appropriate timing and to identify the most vulnerable families and individuals. Canada would also work with other countries to develop a multilateral approach that results in larger resettlement numbers globally. Outside Bangladesh, Canada continues to resettle Rohingya refugees from the region as referred by the UNHCR or private sponsors and is expediting the processing of applications from private sponsors.

In Myanmar, Canada is also supporting efforts to achieve a political solution to the plight of the Rohingya and other ethnic minorities in Myanmar. Through sustained diplomatic engagement and targeted programming, Canada promotes human rights, inclusion, respect for diversity, inclusive democracy and security for all in Myanmar. Canada continues to call on the Government of Myanmar to implement, without delay, the recommendations made in August 2017 by the Advisory Commission on Rakhine State, chaired by former UN Secretary-General Kofi Annan, in order to foster lasting peace, security, and reconciliation in Rakhine State.

Canada stands ready to continue to support Myanmar's peace process, support democratic reform in Myanmar, promote human rights for all and contribute positively to reforms with a view to secure and maintain an inclusive, diverse, peaceful and stable society.