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WHY HELPING TO END THE REFUGEE CRISIS IN MYANMAR TRANSCENDS CANADIAN NATIONAL INTERESTS AND WHAT IS BEING DONE TO HELP

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JCSP 44

Exercise Solo Flight

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EXERCISE *SOLO FLIGHT* – EXERCICE *SOLO FLIGHT*

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Introduction

The situation of the Rohingya people is grave. The crisis is rooted in a long and complex history that is shaped by the region's political, cultural and religious characteristics. By stripping the Rohingya people of their citizenship, Myanmar now harbours the largest community of stateless people in the world and Canadian officials estimate that 655,000 refugees have fled the country since August 2017.¹ While the tragedy of the Rohingya is desperate, the reason for Canadian involvement is not immediately obvious. This paper explains why Prime Minister (PM) Trudeau made public statements underlining Canada's commitment to provide assistance and international pressure through an examination of the crisis.² The analysis is divided into three parts: the situation; why Canada is involved; and what Canada is doing. Through this investigation, it is argued that Canada's support to the Rohingya transcends diplomatic, military and economic concerns and is deeply rooted in humanitarian principles. Furthermore, the nature of the crisis, when combined with Canada's feminist foreign policy, has shaped Canadian promises but the results have fallen significantly short relative to the needs on the ground.

Situation

The history and recognition of the Rohingya people in Myanmar (formerly known as Burma) is highly politicized and disputed. What is less disputed is that historical evidence

¹ Advisory Commission on Rakhine State, *Overview Of Key Points And Recommendations: Final Report Of The Advisory Commission On Rakhine State*, 2017, 26.; Bob Rae, "Interim Report Of Special Envoy To Myanmar Bob Rae," (2017), 5-6.

² Kathleen Harris, "Canada's Response To Rohingya Humanitarian Crisis Tops \$50M", *CBC News*, 2017, <http://www.cbc.ca/news/politics/canada-aid-rohingya-myanmar-bangladesh-1.4446139>.

suggests the state of Rakhine has been home to a Muslim community since before British invasion and colonization, although its size significantly increased due to imported Bengali rice field laborers.³ When Myanmar gained its independence in 1948, the Rohingya began calling for equal rights and an autonomous area for Muslims in the north. The unrest of the Rohingya minority in the Myanmar escalated into an insurrection, which was quickly followed by a violent government retaliation.⁴ Following the military coup in 1962, General Ne Win's regime disbanded the Muslim social and political organizations within Rakhine.⁵ Then, in 1977, a national census was held that systematically excluded the Rohingya.⁶ This was followed a year later by Operation Nagamin, where Myanmar inter-agency inspectors seized the citizenship documentation of many Rohingyas. This led to the expulsion of 200,000 Rohingya to Bangladesh in 1978 by Myanmar military under the pretext of ousting illegal foreigners.⁷ As such, 200,000 Rohingya were made stateless.

The rights of the Rohingya worsened with the 1982 Citizenship Law, which removed the right of the Rohingya to apply for citizenship. This was despite the fact that most Rohingya could trace their lineage to the colonial period or earlier. Further, the lack of adequate documentation caused previously by Operation Nagamin meant that the vast majority were left with neither proof nor a process to regain citizenship in Myanmar.⁸ It also prompted the creation

³ Advisory Commission on Rakhine State, *Overview Of Key Points And Recommendations: Final Report Of The Advisory Commission On Rakhine State*, 2017, 18.

⁴ *Ibid.*, 19.

⁵ Ullah, A.K.M.A., "Rohingya Refugees to Bangladesh: Historical Exclusions and Contemporary Marginalization," *JOURNAL OF IMMIGRANT AND REFUGEE STUDIES* 9, no. 2 (2011), 6.

⁶ Ahsan Ullah, A.K.M., "Rohingya Crisis in Myanmar: Seeking Justice for the "Stateless"," *J.Contemp.Crim.Justice Journal of Contemporary Criminal Justice* 32, no. 3 (2016), 286-287.

⁷ Ahsan Ullah, A.K.M., "Rohingya Crisis in Myanmar: Seeking Justice for the "Stateless"," *J.Contemp.Crim.Justice Journal of Contemporary Criminal Justice* 32, no. 3 (2016), 286-287.; Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1842.

⁸ Ahsan Ullah, A.K.M., "Rohingya Crisis in Myanmar: Seeking Justice for the "Stateless"," *J.Contemp.Crim.Justice Journal of Contemporary Criminal Justice* 32, no. 3 (2016), 286-287.; Beyrer,

of the Rohingya Solidarity Organization (RSO) in the Rakhine state and a revival of the armed insurgency against the government, which remains to this day.⁹ Additionally, like many Western governments, Canada responded to the erosion of rights and violent government crackdowns on peaceful protests by withdrawing diplomats, forbidding military cooperation and enacting economic sanctions.¹⁰

Violence erupted again in June 2012 following the rape and murder of a Buddhist woman. Myanmar Buddhists then sought revenge by attacking a bus in Rakhine state and killing ten Muslim bus passengers. The subsequent intervention by the Myanmar military to stabilize Rakhine soon turned into looting, the killing of Rohingyas and the organized destruction of Rohingya homes in October 2012.¹¹ With few options left and fearing further violence, more than 140,000 Rohingya escaped to government-provided internally displaced person (IDP) camps.¹²

On August 25, 2017, twelve Myanmar security personnel were killed by armed Rohingya and the military responded by allegedly burning more than 300 villages. With no communities to sustain them, 655,000 refugees fled from Myanmar and those Rohingya who remained in IDP camps in Myanmar had heavy travel restrictions placed upon them.¹³

Chris, Kamarulzaman, Adeeba, "Ethnic Cleansing in Myanmar: The Rohingya Crisis and Human Rights," *LANCET the Lancet* 390, no. 10102 (2017), 1571.

⁹ Advisory Commission on Rakhine State, *Overview Of Key Points And Recommendations: Final Report Of The Advisory Commission On Rakhine State*, 2017, 19.

¹⁰ Canadian Friends of Burma, "Canada's Official Policy on Burma," http://www.cfob.org/cdn_policies.html, Last accessed on 29 April 2018.

¹¹ Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1842.

¹² Advisory Commission on Rakhine State, *Overview Of Key Points And Recommendations: Final Report Of The Advisory Commission On Rakhine State*, 2017, 19.; Beyrer, Chris, Kamarulzaman, Adeeba, "Ethnic Cleansing in Myanmar: The Rohingya Crisis and Human Rights," *LANCET the Lancet* 390, no. 10102 (2017), 1570.; Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1842.

¹³ Bob Rae, "Interim Report Of Special Envoy To Myanmar Bob Rae," (2017), 5-6.

There are approximately 120,000 Rohingya restricted to 36 IDP camps in Myanmar. Since the eruption of insurrection and violence in 2012, this number has remained relatively stable despite return and relocation efforts of the Myanmar government and non-governmental organizations (NGOs).¹⁴ Also, the IDP camps have increasingly segregated the Rohingyas from the rest of Rakhine society. In his article, Ullah argues that exclusion from society had enduring consequences on individuals and groups, which included murder, cruelty, and rape to pronounced psychosocial suffering of victims.¹⁵ According to the Anan Report, segregation of the Rohingyas has also worsened the prospects for mutual understanding in Rakhine and Myanmar in general of the Rohingya.¹⁶ According to the UN Office for the Coordination of Humanitarian Affairs argues, prolonged displacement can also undermine the very efforts of governments to re-integrated people.¹⁷

Beyond the IDP camps, the Rohingya's plight in Rakhine is desperate. Eleven separate communities of more than 282,000 people, are in need of humanitarian support.¹⁸ The rate of acute malnutrition in the Rakhine state is 24.5 to 26.5 percent, which is well beyond the World Health Organization (WHO) 15 percent threshold to indicate an entire population is at severe risk and in need of food aid.¹⁹ The Rakhine state has 38 percent of children stunted and 34 percent underweight, both of which are the worst child nutrition rates in Myanmar indicating further

¹⁴ Advisory Commission on Rakhine State, *Overview Of Key Points And Recommendations: Final Report Of The Advisory Commission On Rakhine State*, 2017, 35.

¹⁵ Ullah, A.K.M.A., "Rohingya Refugees to Bangladesh: Historical Exclusions and Contemporary Marginalization," *JOURNAL OF IMMIGRANT AND REFUGEE STUDIES* 9, no. 2 (2011), 6.

¹⁶ Advisory Commission on Rakhine State, *Overview Of Key Points And Recommendations: Final Report Of The Advisory Commission On Rakhine State*, 2017, 10.

¹⁷ UNITED NATIONS OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS., *BREAKING THE IMPASSE : Reducing Protracted Internal Displacement as a Collective Outcome*. ([S.I.]: UNITED NATIONS, 2017), 85.

¹⁸ Country Team Humanitarian and United Nations Office for the Coordination of, Humanitarian Affairs, "Humanitarian Response Plan. Myanmar," (2017), 8.

¹⁹ Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1846.

discrimination of the Rohingya.²⁰ In terms of health access and care in IDP camps and elsewhere in Rakhine, there are only five health workers per 10,000 residents, in comparison to the Myanmar average of 16 per 10,000 residents, and well below the WHO recommended 22 health care workers per 10,000 inhabitants.²¹

In Bangladesh, where the majority of refugees have sought safe-haven, the situation is similarly difficult. As of September 2017, it was estimated that approximately 400,000 Rohingya refugees were in Bangladesh.²² This is of the total estimated 500,000 to 655,000 refugees who are believed to have fled Myanmar to neighboring countries.²³ Many of these refugees are sheltered in two official refugee camps that have been allowed to exist, housing 31,000; Cox's Bazar has become the most well-known. The United Nations (UN) and a number of NGOs share responsibility for a number of these refugee camps with Bangladesh.²⁴ These camps are overcrowded, haphazardly built and pose a public health risk.²⁵ In his report, Bob Rae described the conditions in Cox's Bazar as "posing a threat to human health and life itself."²⁶ This has become especially true recently as an estimated 62,000 refugees from Myanmar have arrived in Bangladesh since 25 August 2017.²⁷ It has been cited that there is a lack of clean

²⁰ Advisory Commission on Rakhine State, *Overview Of Key Points And Recommendations: Final Report Of The Advisory Commission On Rakhine State*, 2017, 42.

²¹ *Ibid.*

²² *Ibid.*

²³ Ahsan Ullah, A.K.M., "Rohingya Crisis in Myanmar: Seeking Justice for the "Stateless", "*J. Contemp. Crim. Justice Journal of Contemporary Criminal Justice* 32, no. 3 (2016), 289.; Bob Rae, "Interim Report Of Special Envoy To Myanmar Bob Rae," (2017), 5-6.

²⁴ Country Team Humanitarian and United Nations Office for the Coordination of, Humanitarian Affairs, "Humanitarian Response Plan. Myanmar," (2017), 11.

²⁵ Danielle Villasana, "Picturing Health: Rohingya Refugees in Bangladesh," *LANCET the Lancet* 390, no. 10109 (2017), 2233.

²⁶ Bob Rae, "'Tell them We're Human': What Canada and the World can do about the Rohingya Crisis," (2018), 13.

²⁷ *Myanmar can Draw on UN Expertise in Tackling Rohingya Returns, Security Council Told*, (2017), 1.

water, toilets and privacy from other refugees.²⁸ The risks are of an outbreak of cholera, hepatitis E, *Shigella* infection, and other water-borne diseases.²⁹

Canadian Nexus

Amidst these disastrous circumstances, Canada has stated that a global leadership role is necessary to end the suffering of the Rohingya.³⁰ The connection between the two countries, however is not readily apparent. Myanmar and Canada are not only geographically distant, they are also diplomatically, militarily, and economically isolated from one another. Also, there are exceptionally few Canadians who are of Burmese (Myanmar) origin or descent; Statistics Canada states that the community consists of 7,080 immigrants from 1830 to 2016.³¹ The impact a Myanmar diaspora living in Canada is therefore pointedly limited. This lack of interconnectedness is an indication of the humanitarian origin of Canada's involvement in aiding the Rohingya. The details of this dynamic are explained through an analysis of state power and illustrates Canada's limited interests in Myanmar.

A state's power can be detailed in a variety of ways. In dissecting these elements into components, the interconnections of the elements, actors and issues illustrate the functioning of the state's power.³² A modified DIME (Diplomatic, Informational, Military and Economic) model was selected to assess Canada's influence on Myanmar due to the state-to-state power

²⁸ Kate White, "Rohingya in Bangladesh: An Unfolding Public Health Emergency," *LANCET the Lancet* 390, no. 10109 (2017), 1947.

²⁹ *Ibid.*

³⁰ Nathan VanderKlippe, "Freeland signals 'strong commitment' to Rohingya in visit to Bangladesh refugee camp, but no promises for new funding", *The Globe and Mail*, 2018, <https://www.theglobeandmail.com/world/article-freeland-signals-strong-commitment-to-rohingya-in-visit-to/>.

³¹ Statistics Canada, "Census 2016," last accessed 2 April 2018.

³² F. G. Hoffman, *Grand Strategy: The Fundamental Considerations*, Vol. 58, (2014), 25.

relationship between the two countries operating within international systems.³³ The dimension of information was excluded from study due to limited research in the field of Canadian media and information operations in Myanmar and vice versa. What little information available was determined to fall within the realm of diplomatic tools and is therefore discussed as such. This field remains an opportunity for future research.

Diplomatic

Since 1988, Canada's diplomatic ties to Myanmar are characterized by public sanctions, boycotts, no diplomatic presence in Rangoon and visa restrictions on Myanmar military leaders. This was in response to a violent attack on unarmed demonstrators by Myanmar military.³⁴ Also, there has been uncharacteristic unity amongst political parties in Canada on Myanmar. Global Affairs Canada therefore, has had limited contact with Myanmar and is focused on an agenda of human rights, democracy and the rule of law.³⁵ Canada has recently begun work with key stakeholders in the Myanmar government to progress the human rights agenda of the Rohingya peoples. Both PM Trudeau and Canada's Special Envoy to Myanmar, Bob Rae, have discussed the importance of Canada working with the Myanmar Government in order to resolve the crisis.³⁶ Nonetheless, the Canadian government has not shied away from their ongoing critical

³³ Two common assessment models are PMSEII and DIME (or DIMEFIL). Both of these models allow for quantifiable analysis. The preferred model of the North Atlantic Treaty Organization (NATO) and the U.S. is PMSEII: Political, Military, Economic, Social, Information and Infrastructure. Hoffman (2014) argues that PMSEII is superior to DIME in crisis management situations but is limited with understanding simple state-on-state relationship. By contrast, DIME is Diplomatic, Informational, Military and Economic instruments, Hoffman claims DIME is more efficient and better explain international relationships in state systems.

³⁴ Canadian Friends of Burma, "Canada's Official Policy on Burma," http://www.cfob.org/cdn_policies.html, Last accessed on 29 April 2018.

³⁵ Government of Canada, "Canada and Myanmar relations," last accessed 19 April 2018, <http://international.gc.ca/world-monde/myanmar/relations.aspx?lang=eng>.

³⁶ Bob Rae, "Interim Report Of Special Envoy To Myanmar Bob Rae," (2017), 1.; Kathleen Harris, "Canada's Response To Rohingya Humanitarian Crisis Tops \$50M", *CBC News*, 2017, <http://www.cbc.ca/news/politics/canada-aid-rohingya-myanmar-bangladesh-1.4446139>.

stand against Myanmar's human rights violations and inhumane treatment of ethnic minorities, through press releases and interviews over the decades.³⁷

Domestically, there has been atypical unity among the three main federal Canadian political parties on Myanmar issues. Since 1988, both the Conservative and Liberal Parties have controlled the House of Commons and the Senate at various time and yet diplomatic relations have remained consistently strained.

According to their latest party platform referencing Myanmar, the Conservative Party policy states Canada should work towards a resolution that would promotes human rights, democratic principles international development and contribute to collective security and defense. It also reinforces the importance of an ethical dimension to Canadian foreign policy, including accountability, coherence, transparency and monitoring.³⁸

The New Democratic Party (NDP) party platform establishes human rights as a central value of their foreign policy. It states that political and diplomatic tools are central to protecting human rights internationally and specifically mentions refugees, women, minorities, and victims of acts of genocide as critical categories for Canadian attention.³⁹ The NDP platform also states that Canada should demonstrate global leadership by protecting the rights of women and children to live free of poverty, increasing development aid and fighting the sexual exploitation internationally.⁴⁰ A final aspect of Canadian-Myanmar diplomatic relations is the honorary Canadian citizenship of Daw Aung San Suu Kyi, who is the political leader Myanmar.

³⁷ Canadian Friends of Burma, "Press Releases and Statements Archive," last accessed 29 April 2018, http://www.cfob.org/news_archive.html.; Government of Canada, "Minister Bibeau launches Myanmar Crisis Relief Fund," last accessed 29 March 2018.; Global Affairs Canada, "Canadian Sanctions Related to Myanmar," last accessed 19 April 2018, <http://www.international.gc.ca/sanctions/countries-pays/myanmar.aspx?lang=eng>.

³⁸ Conservative Party of Canada, "Conservative Party of Canada Policy Declaration," 2 November 2013, 52.

³⁹ New Democratic Party, "NDP Policy," 2016, 14.

⁴⁰ *Ibid.*, 23.

In 2007, after PM Harper motioned in the House of Commons and received Liberal and New Democratic Parties supported, honorary citizenship was conferred on Aung San Suu Kyi.⁴¹ At the time, she was a world renowned activist for democracy and peace in Myanmar, recipient of the 1991 Nobel Peace Prize, and had been under house arrest in Rangoon since 1990. The Canadian government stated Aung San Suu Kyi was presented with honorary citizenship to provide her and the people of Burma with public support in their fight for democracy, human rights and the rule of law. It was also noted during the debate that over 35 members of Parliament and the Senate from all parties had formed an advocacy group called the Parliamentary Friends of Burma and that they had proposed the citizenship to the PM.⁴² However tenuous the connection, it was not mentioned in the debate in the House that Aung San Suu Kyi was also the widow of Michael Aris, whose mother was Canadian.⁴³

While it is clear that Aung San Suu Kyi, now the elected political leader of Myanmar, has some connection to Canada, it is weak. These connections do not demonstrate any substantial diplomatic relationship between Myanmar's State Councilor and Canada, any more than her Congressional Gold Medal illustrates a strong relationship with the United States. Regardless, the Canadian Government and media have linked and attempted to leverage her honorary citizenship to push for improvements for the Rohingya. PM Trudeau spoke personally with Daw Aung San Suu Kyi and mentioned both her honorary citizenship and that Myanmar needed to improve its treatment of the Rohingya.⁴⁴

⁴¹ House of Commons. *House of Commons Debates, 39th Parliament, 2nd Session*, vol. 142, no. 02, Wednesday, 17 October 2007.

⁴² *Ibid.*

⁴³ Warren Hoge, "Michael V. Aris, 53, Dies; Scholarly Husband of Laureate", *New York Times*, 1999, <https://www.nytimes.com/1999/03/30/world/michael-v-ariss-53-dies-scholarly-husband-of-laureate.html>.

⁴⁴ Kathleen Harris, "Canada's Response To Rohingya Humanitarian Crisis Tops \$50M", *CBC News*, 2017, <http://www.cbc.ca/news/politics/canada-aid-rohingya-myanmar-bangladesh-1.4446139>.

Military

Relations on the military dimension between Canada and Myanmar are paradoxically non-existent and pervasive. On the one hand, the latest rendition of military sanctions on Myanmar have been in place since 2007, but the embargo on arms sales and prohibition on military technical assistance dates back to 1988.⁴⁵ These were put in place to specifically address the human rights violations of the country and have been modified as the situation has changed in Myanmar. These military sanctions specifically target the Myanmar military as well as institutions associated with the military, which is of particular relevance given the omnipresent nature of the military in Myanmar government.⁴⁶

In Myanmar, the military or Tatmadaw has a direct legislative role defined in the 2008 Constitution. In brief, the constitution ensures a 25percent of the seats in the Myanmar Parliament are military appointees, which is in addition to the military control of the ministries of Defence, Border Affairs, and Home Affairs and the majority of the country's budget.⁴⁷ Thus, the Myanmar military controls a substantial portion of Myanmar's governmental institutions, all of which are critical to resolving the refugee crisis. Also, while Canadian sanctions are intended to prevent cooperation with institutions directed by the military, these sanctions are not effective because the Myanmar military controls substantial portions of the country. If Canada is to assist the Rohingya and help broker a long-term solution to the problem, they must work with the Myanmar military. PM Trudeau and Canada's Special Envoy to Myanmar, Bob Rae, have both

⁴⁵ Global Affairs Canada, "Canadian Sanctions Related to Myanmar," last accessed 27 March 2018, <http://www.international.gc.ca/sanctions/countries-pays/myanmar.aspx?lang=eng>.

⁴⁶ Bob Rae, "'Tell them We're Human' : What Canada and the World can do about the Rohingya Crisis," (2018), 27.

⁴⁷ Bob Rae, "Interim Report Of Special Envoy To Myanmar Bob Rae," (2017), 2.

discussed the importance of Canada working with the Myanmar Government in order to resolve the crisis.⁴⁸

Lastly, sanctions have also been levied against specific military personnel targeted by Canada as responsible for the current refugee crisis. Maj.-Gen. Maung Maung Soe has been named under the Canadian Justice for Victims of Corrupt Foreign Officials Act for his role in overseeing the security crackdown against the Rohingya in the Rakhine state. These sanctions are under the Immigration and Refugee Protection Act and make an individual inadmissible in the country and freeze any assets held in Canada.⁴⁹

Economic

An analysis of the economic dimension reveals the insignificance of Canada's economic ties to Myanmar. According to Statistics Canada, trade between Canada and Myanmar in 2017 was \$35M in exports and \$109M imports.⁵⁰ While this is an increase from the last recorded numbers in 2015, which saw \$23M and \$27M respectively, the overall trade numbers place Myanmar as 172nd for exports and 150th for imports for Canada.⁵¹ Development assistance has been the primary focus of Canada's investments in Myanmar, which is focused on women and their role in communities and the nation, rural poor and young people of their country. This was formalized in a Memorandum of Understanding between governments.

From the above DIME analysis, it is clear that Canada's interests in resolving the Rohingya crisis cannot easily be characterized as diplomatically historical, militarily

⁴⁸ Bob Rae, "Interim Report Of Special Envoy To Myanmar Bob Rae," (2017), 1.; Kathleen Harris, "Canada's Response To Rohingya Humanitarian Crisis Tops \$50M", *CBC News*, 2017, <http://www.cbc.ca/news/politics/canada-aid-rohingya-myanmar-bangladesh-1.4446139>.

⁴⁹ Levon Sevunts, "Canada imposes sanctions on Myanmar General over Rohingya abuses", *Radio Canada International*, 2018, <http://www.cbc.ca/news/politics/myanmar-general-sanctions-canada-1.4539003>.

⁵⁰ Statistics Canada, "Canadian International Merchandise Trade Database," last accessed 2 April 2018.

⁵¹ Library of Parliament Research Publications, "Canadian Trade and Investment Activity: Canada-Burma," 13 December 2013.

advantageous or economically driven. It also cannot be attributed to a particular political party in Canada as both the Conservative and Liberal Parties have been consistent in their diplomatic dealings with Myanmar, whether to condemn the military government or in honoring Aung San Suu Kyi. While there are some nuanced connections to Aung San Suu Kyi due to her honorary citizenship and late-husband, even those are limited and tenuous, hardly justifying an investment of approximately \$50 million of private and public donations. Therefore, Canada's primary interest in a resolution to this crisis must be humanitarian and altruistic.

The Importance of Gender Issues

The support Canada has promised to help end the crisis is both shaped by the inhumane nature of situation and by Canada's feminist foreign policy. The intersection of the humanitarian roots of Canada's interest in helping the Rohingya is further deepened when the Canadian government's Feminist International Assistance Policy is examined. It focuses international humanitarian responses to specifically address issues of gender and as such, prioritizes the specific needs of women and girls in its response to humanitarian crises.⁵²

Canada's Feminist International Assistance Policy (FIAP) directs and focuses the efforts of Global Affairs Canada in protecting and promoting the human rights. It prioritizes the support of gender equality and the empowerment of women and girls through advocacy efforts, targeted investments, innovation and partnerships that have been identified by the Department as having the greatest potential to close gender gaps and improve lives.⁵³ Additionally, FIAP has a core

⁵² Kathleen Harris, "Canada's Response To Rohingya Humanitarian Crisis Tops \$50M", *CBC News*, 2017.

⁵³ Canada., Global Affairs Canada. "Canada's Policy for Civil Society Partnerships for International Assistance : A Feminist Approach." Global Affairs Canada. 2017, 17.
http://publications.gc.ca/collections/collection_2017/amc-gac/FR5-127-2017-eng.pdf.

priority to support initiatives that reduce and prevent sexual and gender-based violence, support survivors and bring perpetrators to justice.⁵⁴

When applied, the feminist perspective reveals additional atrocities faced by the Rohingya. The UN has found while men and boys are more at risk of arrest, detention and forced labour, women and girls are at significant risk of gender-based violence, trafficking and transactional sex, including child marriage.⁵⁵ The Women's League of Burma has studied the issue of rape and other forms of sexual violence specific to the Rohingya people for decades. They have found that rape is used as an instrument of war and oppression by the Myanmar army.⁵⁶ Further, they refute the Myanmar government categorization of these sexual crimes as offences by individuals. They maintain that rape during conflict cannot be explained away as an individual's crime because of its systematic nature and use as a campaign to subjugate and terrorize the Rohingya.⁵⁷ Similarly, Ullah found that 31% of Rohingya refugees reported a minimum of one family member had been raped by Myanmar security forces.⁵⁸ In their 2017 report, Human Rights Watch also documented that Myanmar security personnel raped and sexually assaulted girls and women during major attacks on Rohingya villages and also during periods leading up to these offensives. While the report encountered challenges in determining

⁵⁴ Canada., Global Affairs Canada. "Canada's Policy for Civil Society Partnerships for International Assistance : A Feminist Approach." Global Affairs Canada. 2017, 17-18.
http://publications.gc.ca/collections/collection_2017/amc-gac/FR5-127-2017-eng.pdf.

⁵⁵ Country Team Humanitarian and United Nations Office for the Coordination of, Humanitarian Affairs, "Humanitarian Response Plan. Myanmar," (2017), 8.

⁵⁶ Women's League of Burma. "Same Impunity, Same Patterns: Sexual Abuses by the Burma Army will not stop until there is a genuine civilian government," *Women's League of Burma*, (2014), 14.1 is

⁵⁷ Women's League of Burma. "Same Impunity, Same Patterns: Sexual Abuses by the Burma Army will not stop until there is a genuine civilian government," *Women's League of Burma*, (2014), 15.exual abuses

⁵⁸ Ullah, A.K.M.A., "Rohingya Refugees to Bangladesh: Historical Exclusions and Contemporary Marginalization," *JOURNAL OF IMMIGRANT AND REFUGEE STUDIES* 9, no. 2 (2011), 9.

the number of rapes, it states humanitarian NGOs working in camps in Bangladesh have documented hundreds of cases.⁵⁹ Within IDP camps the situation is not much better.

The IDP camps in Myanmar have become defacto prisons while the refugee camps hosting Rohingya who have fled, mostly in Bangladesh, are overcrowded, violent and unsanitary. These concerns, intersecting with the serious citizenship problem faced by the Rohingya, have become global news. What is less known, however is that 79 percent of IDP camp residents are women and children who are the most at risk from sexual assault.⁶⁰ The UN found that the risk of gender-based violence in these camps is primarily due to overcrowding and inadequate lighting in camps.⁶¹ Additionally, the gender norms in Myanmar and the ingrained gender inequality also magnify the impact of the hardships faced by girls and women, placing them at greater risk of violence and hardship.⁶²

The link between these tragedies and the FIAP is clear. With regards to the Rohingya crisis, the introduction of the feminist-focused priorities in Global Affairs Canada in 2017 has significantly reinforced the humanitarian justification for Canada to support the Rohingya and seek a lasting end to the disaster.

Action – What is Canada Doing?

Turning a humanitarian justification and feminist focus into action has not been straightforward for Canada. There has been much discussion and posturing on the Rohingya crisis around two primary opportunities to help the Rohingya: diplomacy and money.

⁵⁹ Human Rights Watch, “All of My Body was in Pain” : Sexual Violence Against Rohingya Women and Girls in Burma, 2017, 2.

⁶⁰ Country Team Humanitarian and United Nations Office for the Coordination of, Humanitarian Affairs, "Humanitarian Response Plan. Myanmar," (2017), 7.

⁶¹ *Ibid.*

⁶² Country Team Humanitarian and United Nations Office for the Coordination of, Humanitarian Affairs, "Humanitarian Response Plan. Myanmar," (2017), 8.

Canada has stated that a resolution to the Rohingya crisis needs to be diplomatically coordinated with the UN.⁶³ The UN is a central stakeholder in the crisis. Through various entities, such as the UN High Commissioner for Refugees (UNHCR) and UNICEF, the UN is directly involved in providing aid to those suffering and fleeing from the violence in Myanmar but there also exist international obligations to provide fair access to protection and asylum to those in need and the UN is a central international organization for the creation of these international treaties and laws.⁶⁴ Out of the estimated 1.5 million Rohingya estimated to have fled Myanmar since 2012, only 82,000 have obtained UN-designated refugee status.⁶⁵ Ullah argues that an explanation for this is that Bangladesh ended the designation of refugee status on Rohingyas after a 1992 refoulement agreement with Myanmar and, as such, over 235,000 Rohingyas in Bangladesh were forcibly returned to Myanmar between 1992-2005.⁶⁶ Refoulement is a violation of customary international law principle, where by countries cannot send those seeking asylum back to the country of origin.⁶⁷ This action by Bangladesh has also left 90% of Rohingyas in Bangladesh in unofficial refugee camps out of reach of humanitarian assistance from the UN and other agencies.⁶⁸ The increased strain created by the Rohingya refugees upon Bangladesh has also been linked to arrests and harassment of refugees, which is only

⁶³ Michelle McQuigge, "Canada to speak up for Rohingya Muslims at United Nations: Freeland", *The Globe and Mail*, 2017, <https://www.theglobeandmail.com/news/politics/canada-to-speak-up-for-rohingya-muslims-at-united-nations-freeland/article36283520/>.

⁶⁴ Ahsan Ullah, A K M, "Rohingya Crisis in Myanmar: Seeking Justice for the "Stateless", "*J.Contemp.Crim.Justice Journal of Contemporary Criminal Justice* 32, no. 3 (2016), 291.

⁶⁵ Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1841.

⁶⁶ Ullah, A K M A, "Rohingya Refugees to Bangladesh: Historical Exclusions and Contemporary Marginalization," *JOURNAL OF IMMIGRANT AND REFUGEE STUDIES* 9, no. 2 (2011), 15.

⁶⁷ Ahsan Ullah, A K M, "Rohingya Crisis in Myanmar: Seeking Justice for the "Stateless", "*J.Contemp.Crim.Justice Journal of Contemporary Criminal Justice* 32, no. 3 (2016), 295.

⁶⁸ Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1844.

compounded by their lack of legal recognition as UN refugees.⁶⁹ Critically, therefore, Canada has been working through the UN General Assembly to raise resolutions condemning Myanmar's actions and awareness about the plight of the Rohingya. Such a resolution was seen in on December 29th 2014, in response to the growing exodus of Rohingya from Myanmar into Bangladesh. In this instance the UN General Assembly resolved that the Myanmar Government should provide citizenship to the Rohingya.⁷⁰ While there is no evidence this resolution was due to the work of Canada, it illustrates the type of diplomatic pressure that Canada is attempting to leverage to help end the crisis.

In terms of authority over Myanmar, the UN is in many ways bound by the treaties and conventions that Myanmar has ratified. Given Myanmar has not signed the Rome Statute of the International Criminal Court and has provisions of non-intervention on its 1948 Genocide Convention ratification, the UN has some constraints on its action.⁷¹ Nonetheless, the UN Security Council has the authority to forward the Rohingya case to the International Criminal Court for investigation into crimes against humanity or genocide under Article 13(b) of the Rome Statute.⁷² This is another reason Canada seeks to champion the Rohingya cause at the UN and Bob Rae has recommended Canada provide evidence collection funds to support a future International Criminal Court investigation.⁷³ However, as Mahood et al argue, a referral by the UN Security Council to the International Criminal Court is rather unlikely due to the position of

⁶⁹ Ullah, A K M A, "Rohingya Refugees to Bangladesh: Historical Exclusions and Contemporary Marginalization," *JOURNAL OF IMMIGRANT AND REFUGEE STUDIES* 9, no. 2 (2011), 17.

⁷⁰ Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1848.

⁷¹ *Ibid.*

⁷² Ahsan Ullah, A K M, "Rohingya Crisis in Myanmar: Seeking Justice for the "Stateless"," *J. Contemp. Crim. Justice Journal of Contemporary Criminal Justice* 32, no. 3 (2016), 297.

⁷³ Bob Rae, "'Tell them We're Human': What Canada and the World can do about the Rohingya Crisis," (2018), 27.

Russia and China that the Rohingya crisis is an internal matter for Myanmar to resolve.⁷⁴ In terms of their strategy, Canada has pursued support for the Rohingya through the UN several times, including in 2007, 2012 and as recent as 2017.⁷⁵ As such, diplomacy alone, is likely not to achieve an end to the crisis.

Canada is also pursuing diplomatic support and international pressure on Myanmar through the Commonwealth, Bangladesh and the Association of Southeast Asian Nations (ASEAN). These policies include Development Assistance, Federalism and the Peace Process, Human Rights and Active Citizenship, Humanitarian Assistance, Trade, Security Cooperation, support and negotiations.⁷⁶ Once again, it is unlikely that diplomacy can resolve the crisis as there has been no progress since the 2012 Myanmar government crackdown.⁷⁷

Money, and the lack of it, is a grave concern in halting the suffering of the Rohingya. As mentioned, Canada has announced millions of dollars in aid funding to the crisis but, as will be illustrated, this amount is relatively small and insufficient.

In 2017, prior to the August exodus, two million dollars was directed by Canada to Funding for Development and Assistance for ongoing projects in Myanmar led by non-governmental organizations (NGOs), including Doctors without Borders, International Development and Relief Foundation and Nordic International Support Foundation.⁷⁸ Since then,

⁷⁴ Mahmood, Syed S, Wroe, Emily, Fuller, Arlan, Leaning, Jennifer, "The Rohingya People of Myanmar: Health, Human Rights, and Identity," *The Lancet*. 389, no. 10081 (2017), 1848.

⁷⁵ House of Commons. *House of Commons Debates, 39th Parliament, 2nd Session*, vol. 142, no. 02, Wednesday, 17 October 2007.; Michelle McQuigge, "Canada to speak up for Rohingya Muslims at United Nations: Freeland", *The Globe and Mail*, 2017.

⁷⁶ Government of Canada, "Canada and Myanmar relations," last accessed 15 April 2018, <http://international.gc.ca/world-monde/myanmar/relations.aspx?lang=eng>; Government of United Kingdom, "UK and Canada call for greater international support to Rohingya refugees," last accessed 5 May 2018. <https://www.gov.uk/government/news/uk-and-canada-call-for-international-support-for-rohingya-crisis>.

⁷⁷ Government of United Kingdom, "UK and Canada call for greater international support to Rohingya refugees," last accessed 5 May 2018. <https://www.gov.uk/government/news/uk-and-canada-call-for-international-support-for-rohingya-crisis>.

⁷⁸ Government of Canada, "Project Browser," last accessed 27 December 2017, w05.international.gc.ca/projectbrowser-banqueprojets/filter-filtre#map_canvas.

Canadian private donors have contributed \$12.5 million to help the Rohingya escaping violence in Myanmar and, with the matching funds from the federal government and additional aid monies, Canada's total aid to address the humanitarian crisis is approximately \$50 million.⁷⁹ In relative dollars, \$50 million represents less than one-third of the funds requested by NGOs to deliver aid to Rohingya refugees and internally displaced persons (IDPs) in 2017 and more than double that of the largest contributor, the United States, according to UN Office for the Coordination of Humanitarian Affairs.⁸⁰ Canada has also recognized that support is required to neighboring countries receiving refugees and has made significant financial commitments through NGOs in Bangladesh totaling \$18 million in border assistance and food.⁸¹ In total, approximately \$50 million have been provided by Canada since 2017 to the suffering in Myanmar and Bangladesh through the Canadian feminist focused humanitarian assistance.^{82,83}

Unfortunately, in terms of donations, the situation is not nearly as positive or clear as it would first appear. There is a contradiction between Canada's donation claims and those tracked by the UN. While Canada claims it has transferred millions of dollars in donations, according to the UN Office for the Coordination of Humanitarian Affairs, Canada only contributed \$1.9 million dollars in 2017 to NGOs working with the UN in support of refugees and the displaced. According to their published figures, Canada did not double the largest contributing nation (the

⁷⁹ Kathleen Harris, "Canada's Response To Rohingya Humanitarian Crisis Tops \$50M", *CBC News*, 2017, <http://www.cbc.ca/news/politics/canada-aid-rohingya-myanmar-bangladesh-1.4446139>.

⁸⁰ United Nations Office for the Coordination of Humanitarian Affairs, *Financial Tracking Services, Myanmar 2017 (Humanitarian Response Plan)*, New York: UN, 2017, last accessed 30 March 2018, https://fts.unocha.org/appeals/545/donors?order=total_funding&sort=desc.

⁸¹ Government of Canada, "Project Browser," last accessed 27 December 2017, w05.international.gc.ca/projectbrowser-banqueprojets/filter-filtre#map_canvas.

⁸² Government of United Kingdom, "UK and Canada call for greater international support to Rohingya refugees," last accessed 5 May 2018. <https://www.gov.uk/government/news/uk-and-canada-call-for-international-support-for-rohingya-crisis>.

⁸³ Minister Freeland is quoted as stating Canada's contribution was \$45.9 million by the UK Government press release (2018) versus the \$50 million reported by the Global Affairs Canada website.

USA) but rather ranked twelfth, at one-third the donation of the tenth-ranked Australia.⁸⁴ While it could be argued that Canada donated to NGOs directly or contributed aid that was not included, for example food aid, it still raises questions about the effectiveness and transparency of the Canadian funding, in particular where the \$12.5 million dollars in privately raised funds has been spent.

There is also the issue of need. While \$50 million dollars may appear to be an impressive amount, the UN estimates that \$951 million USD is the requirement just for 2018 to maintain food, shelter and medical services for the refugees and displaced persons in Myanmar and Bangladesh and that only 16 percent had been received as of April 30.⁸⁵ In other words, the contribution from Canada relative to that of other countries and the over-all need on the ground is drastically insufficient. The consequences of this financial shortfall will be catastrophic. As VanderKlippe details, if the necessary funds are not raised, medical teams will stop working, water will not be distributed and the protection of women and children will stop.⁸⁶ Despite the fact that Bob Rae has recommended that Canada increase its funding contribution to \$150 million over four years, this would need to be a portion of a much larger increase by the international community in order to fulfil even the essentials required by the Rohingya.

⁸⁴ United Nations Office for the Coordination of Humanitarian Affairs, *Financial Tracking Services, Myanmar 2017 (Humanitarian Response Plan)*, New York: UN, 2017, last accessed 30 March 2018, https://fts.unocha.org/appeals/545/donors?order=total_funding&sort=desc.

⁸⁵ Government of United Kingdom, "UK and Canada call for greater international support to Rohingya refugees," last accessed 5 May 2018. <https://www.gov.uk/government/news/uk-and-canada-call-for-international-support-for-rohingya-crisis>.

⁸⁶ Nathan VanderKlippe, "Freeland signals 'strong commitment' to Rohingya in visit to Bangladesh refugee camp, but no promises for new funding", *The Globe and Mail*, 2018, <https://www.theglobeandmail.com/world/article-freeland-signals-strong-commitment-to-rohingya-in-visit-to/>.

Conclusion

As argued, Canada has few interests in Myanmar. There is no significant diaspora representing the Rohingya in Canada and no diplomatic, military or economic ties have been found. While it is true that the political leader of Myanmar is an honorary Canadian citizen and she has a relationship, through her late husband to Canada, these connections are weak and insignificant. The Canadian financial and moral support to the Rohingya is driven by an altruistic humanitarian commitment and an absence of national self-interest. The reason PM Trudeau and the government of Canada have committed to help end this crisis is because it is the right thing to do. The feminist policy has created further symmetry and reinforcement of Canada's humanitarian motives to help the Rohingya. Canada is trying to gain international support and diplomatic leverage through the UN and other international actors to resolve the crisis but the results are unclear and illustrate the potential limits of diplomacy alone. In addition, while evidence was presented that showed the aid funding provided by Canada, there are doubts as to its effectiveness and accounting. Questions also remain about the coordination of Canada's aid with UN NGOs and its relative insignificance when compared to the donations of other nations and the magnitude of the need on the ground. Additionally, if Canada aims to truly be a leader in this crisis, continuing to use old diplomatic tactics and limited funding envelopes will not halt the violence and save the lives of the Rohingya. It is clear that in order to be a global leader in resolving the Rohingya crisis, Canada will need to be part of a long-term international strategy and funding commitment that includes financial tracking and transaction transparency.

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