



The Right Honourable Justin Trudeau, PC, MP
Prime Minister of Canada
House of Commons
Ottawa, Ontario
K1A 0A6

The Honourable Chrystia Freeland, PC, MP
Minister of Foreign Affairs
House of Commons
Ottawa, Ontario
K1A 0A6

The Honourable Maryam Monsef, PC, MP
Minister for Women and Gender Equality
House of Commons
Ottawa, Ontario
K1A 0A6

November 8, 2019

Dear Prime Minister Trudeau, Minister Freeland, and Minister Monsef:

As the parliamentary summer recess began, some senators initiated an open letter to Minister Freeland, co-signed by many civil society organizations, calling on Canada to invoke the UN Genocide Convention against Myanmar (letter attached) before the International Court of Justice. This letter built upon the recommendations outlined in “*An Ocean of Misery*”: *The Rohingya Refugee Crisis*, the interim report released by the Standing Senate Committee on Human Rights in February 2019. We continue to call for meaningful action, as we urge the Government of Canada to hold Myanmar accountable for crimes under international law.

While we are proud that the Canadian Parliament led the world in September 2018 by unanimously recognizing the Rohingya crisis as genocide, it is Bangladesh that shouldered this crisis and is now showing dangerous signs of compassion fatigue. Bangladesh recently

announced that in the coming weeks Rohingya will be forced to move onto Bhashan Char, a small island in the Bay of Bengal, which Human Rights Watch, and others report as dangerous and uninhabitable during the annual monsoon season. For the Rohingya, it is clear that the situation is only worsening.

As members of the international community, our words are not enough. Without action, we will be ignoring recommendations made by the Honourable Bob Rae as your Special Envoy, and we will all be responsible for failing the Rohingya people and mocking the promise of "Never again".

At the 74th session of the UN General Assembly on September 26th, the Honourable Isatou Touray, Vice-President of The Gambia, announced that The Gambia will be invoking the *Convention on the Prevention and Punishment of the Crime of Genocide* against Myanmar at the International Court of Justice (ICJ) - with support from the 57-member Organization of Islamic Cooperation (OIC). More recently in The Hague, the Gambian Minister of Justice announced that they have commenced the process of filing their application at the ICJ, whereupon the case will proceed quickly. As a State Party to the Genocide Convention, Canada has an interest in the matter and enjoys the right to participate or intervene in the proceedings. We urge Canada to take meaningful action on this, as it is both our legal obligation and a moral imperative to condemn genocide and to hold accountable the State and individuals responsible. This is not only a question of upholding a cornerstone of contemporary international law and basic principles of human rights, but it is a question of our own humanity, the future of the world our children will inherit, and the place of Canada in the world.

We thank you for your attention to this urgent and critical matter, and look forward to your rapid response.

Sincerely,

The Hon. Jane Cordy, Senator Nova Scotia

The Hon. Mobina Jaffer, Senator for British Columbia

The Hon. Jim Munson, Senator for Ontario (Ottawa/Rideau Canal)

The Hon. Salma Ataullahjan, Senator for Ontario (Toronto)

The Hon. Ratna Omidvar, Senator for Ontario

The Hon. Wanda Thomas Bernard, Senator for Nova Scotia (East Preston)

The Hon. Kim Pate, Senator for Ontario

The Hon. Marilou McPhedran, Senator for Manitoba

The Hon. Mary Coyle, Senator for Nova Scotia (Antigonish)

The Hon. Mohamed-Iqbal Ravalia, Senator for Newfoundland and Labrador

The Hon. Chrystia Freeland, PC, MP
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, Ontario, Canada
K1A 0G2

June 25, 2019

Dear Minister Freeland,

We, the undersigned senators and civil society leaders, write this letter to urge Canada to take immediate action on the ongoing genocide against the Rohingya people in Myanmar by initiating proceedings before the International Court of Justice. There are now almost 1 million Rohingya refugees who have fled to Bangladesh. As of March 2019, Bangladesh advised the UN Security Council that it will no longer be accepting Rohingya refugees fleeing from Myanmar. For the Rohingya, it is clear that the situation is only worsening.

In his 2018 report “*Tell them we’re human*”: *what Canada and the world can do about the Rohingya crisis / report of the Prime Minister’s Special Envoy*, the Honourable Bob Rae notes, “it is a fundamental tenet of Canada’s foreign policy that those responsible for international crimes, including crimes against humanity and genocide, must be held responsible for those crimes.” As concerned parliamentarians and members of civil society, we strongly believe that those responsible for the genocide against the Rohingya must be held to account by the international community. We firmly believe that Canada is in a position to exercise strong and effective global leadership in response to the genocide by pursuing this matter before the International Court of Justice.

As you know, in September 2018 both the House of Commons and the Senate unanimously passed MP Andrew Leslie’s Motion recognizing the Rohingya situation as genocide. On April 3, 2019, Senator McPhedran gave notice in the Senate that she would move *Motion 476 to Urge the Government to Invoke the Genocide Convention to Hold Myanmar to its Obligations and to Seek Provisional Measures and Reparations for the Rohingya People*. This motion was developed in consultation with civil society and academic experts to reiterate Canada’s commitment to human rights through concrete action to be taken with regard to the genocidal campaign by Myanmar against the Rohingya. Senate Motion 476 reinforces the request made in a letter to you from the All-Party Parliamentary Group for the Prevention of Genocide and other Crimes Against Humanity dated May 29, 2019, which called for Canada to initiate legal proceedings before the International Court of Justice in regard to Myanmar’s breach of the UN Convention on the Prevention and Punishment of Genocide.

Senator McPhedran moved and spoke to Motion 476 in the Senate on April 11, 2019. In May 2019, Senators Omidvar, Ataullahjan, Ravalia and Cordy spoke in support and the Senate accepted an amendment by Senator Ravalia to delete the words “to release the jailed Reuters journalists, and” from Motion 476 because fortunately those journalists were released while the motion was being debated. However, since Senator Yonah Martin took the adjournment on May 16, 2019, there has been no further debate on Motion 476, despite numerous attempts.

With the summer recess of Parliament looming, Senator McPhedran, Professor Irwin Cotler, Montreal City Councillor Marvin Rotrand, and civil society leaders Mr. Fared Kahn of the Rohingya Human Rights Network and Ms. Catherine Morris of Lawyers' Rights Watch Canada held a press conference on June 13th explaining the urgent need for the Senate to pass Motion 476. It was hoped that publicly expressing concerns of parliamentarians, academics, municipalities, and civil society would serve as an important reminder that Canadians have not forgotten about the ongoing genocide against the Rohingya and that Canadians welcome decisive leadership by our Government to follow the words of the September 2018 joint House/Senate motion with action to challenge the impunity currently enjoyed by the perpetrator state of Myanmar.

Minister Freeland, as you well know, the joint parliamentary motion in September 2018 made Canada the first country in the world to officially name this genocide. With this open letter, we urge the Government of Canada to take the next step of invoking the Genocide Convention to hold Myanmar accountable, because it is both our moral and legal obligation to do so.

We thank you for your attention to this important matter.

Sincerely,

The Hon. Raynell Andreychuk, Senator for Saskatchewan
The Hon. Jane Cordy, Senator for Nova Scotia
The Hon. Mobina Jaffer, Senator for British Columbia
The Hon. Paul Massicotte, Senator for Quebec (De Lanaudière)
The Hon. Lillian Dyck, Senator for Saskatchewan
The Hon. Elaine McCoy, Senator for Alberta
The Hon. Larry Campbell, Senator for British Columbia
The Hon. Yonah Martin, Senator for British Columbia
The Hon. Salma Ataullahjan, Senator for Ontario (Toronto)
The Hon. Larry Smith, Senator for Quebec (Saurel)
The Hon. Jean-Guy Dagenais, Senator for Quebec (Victoria)
The Hon. Paul McIntyre, Senator for New Brunswick
The Hon. Frances Lankin, P.C., Senator for Ontario
The Hon. Ratna Omidvar, Senator for Ontario
The Hon. Raymonde Gagné, Senator for Manitoba
The Hon. Diane Griffin, Senator for Prince Edward Island
The Hon. Gwen Boniface, Senator for Ontario
The Hon. Wanda Thomas Bernard, Senator for Nova Scotia
The Hon. Lucie Moncion, Senator for Ontario
The Hon. Kim Pate, Senator for Ontario
The Hon. Marilou McPhedran, Senator for Manitoba
The Hon. Tony Dean, Senator for Ontario
The Hon. Éric Forest, Senator for Quebec (Gulf)
The Hon. Raymonde Saint-Germain, Senator for Quebec (De la Vallière)
The Hon. Marc Gold, Senator for Quebec (Stadacona)

The Hon. Rosa Galvez, Senator for Quebec (Bedford)
The Hon. Mary Coyle, Senator for Nova Scotia (Antigonish)
The Hon. Marty Deacon, Senator for Ontario (Waterloo Region)
The Hon. Yvonne Boyer, Senator for Ontario
The Hon. Colin Deacon, Senator for Nova Scotia
The Hon. Julie Miville-Dechêne, Senator for Quebec (Inkerman)
The Hon. Bev Busson, Senator for British Columbia
The Hon. Paula Simons, Senator for Alberta
The Hon. Rosemary Moodie, Senator for Ontario

Civil society organizations:

Arakan Historical Society
Burmese Muslim Association
Calgary Karen Community Association
Canadian Council of Muslim Women
Canadians for Justice and Peace in the Middle East
Canadians in Support of Refugees in Dire Need
Canadian Rohingya Development Initiative
Canadians United Against Hate
Edmonton Karen Community Association
Human Rights Research and Education Centre, University of Ottawa
Innerspeak Media
Inter Pares
Karen Community of Canada
Karen Community of Hamilton
Karen Community of Leamington
Karen Community of Lethbridge
Karen Community of London
Karen Community of Ottawa
Karen Community of Regina
Karen Community of Saskatoon
Karen Community Society of British Columbia
Karen Community of Toronto
Karen Community of Winnipeg
Law Society of Ontario
Lawyers' Rights Watch Canada
Mae Sot Education Project
Magrath's International Legal Counsel
Menno Simons College, Canadian Mennonite University
Montreal Institute for Genocide and Human Rights Studies
National Union of Public and General Employees
Nobel Women's Initiative
Peacemakers Trust
Project Umbrella Burma
Quebec Movement for Peace

Raoul Wallenberg Centre for Human Rights
Rohingya Activists
Rohingya Association of Canada
Rohingya Human Rights Network
Rohingya ROSE FC
Samuels & Co.
Save Rohingya World Wide
Shaarei-Beth El Congregation
Thunder Bay Karen Community Association
YWCA Canada

As individuals:

Abu Bakkar Siddik
Aliya Khan
Areeba Munawar
Asie Uhlla
Aslam Bulbulia
Aung Kyaw Htet
Brandon Silver
Brian Rowe
Catherine Morris
Dean E. Peachey
Elizabeth Lee
Enam Ullah
Fareed Khan
Fareed Uddin
Fiona Jeyachandran
Frances Deverell
Gail Davidson
Gloriana Arnesto
Hanna Bokhari
The Hon. Irwin Cotler, Former Minister of Justice and Attorney General of Canada
Jenny Reid
Jodi Dueck-Read
Joey Doyle
Professor John Packer
Jon Sears
Joshua Lam
K'Nyaw Htoo
Karima Hefnawi
Professor Kathleen Mahoney
Kawli Mullah
Kirt Mausert
Kyle Matthews
Dr. Laura Madokoro

Laurel McBride
Mary Purkey
Michael Luce
Mohammed Ayub bin Mohamed
Muhd yunus Bin Nazir Ahamed
Neil Funk-Unrau
Nisha Toomey
Paul A. Turcot
Paul Copeland, C.M.
Professor Payam Akhavan
Peter Goodspeed
Rabbi Raysh Weiss
Renee Mulligan
Dr. Rhoda E. Howard-Hassmann
Rod Germaine
Dr. Ross Michael Pink
Sarrah Virji
Sharjil Hussain, MD
Professor Sharry Aiken
Reverend Steve Berube
Susan Breau
Susan Hartley
Yasmin Asgarali Glassford
Yuriko Cowper-Smith
Zartasha Zainab