



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

## **PART 2 OF A STUDY ON THE AFTERSHOCKS OF THE COVID-19 PANDEMIC**

# **CONFRONTING A CHILD RIGHTS CRISIS AND RESTORING HOPE**

**Report of the Standing Committee on Foreign Affairs and  
International Development**

**Sven Spengemann, Chair**

**JUNE 2021  
43<sup>rd</sup> PARLIAMENT, 2<sup>nd</sup> SESSION**

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## **NOTICE TO READER**

### **Reports from committee presented to the House of Commons**

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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# **THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT**

has the honour to present its

## **SEVENTH REPORT**

Pursuant to its mandate under Standing Order 108(2), the committee has studied the vulnerabilities created and exacerbated by the Covid-19 pandemic and has agreed to report the following:





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# LIST OF RECOMMENDATIONS

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*As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.*

## **Recommendation 1**

**That, through the international assistance it provides for education during and beyond the COVID-19 pandemic, which should be at least 10% of its budget for bilateral development assistance, the Government of Canada provide targeted support for children in situations of vulnerability to access education, whether following a disruption or for the first time, including girls, children with disabilities, orphaned children, children in remote areas, children affected by conflict, and children who have been displaced, with the goal of increasing and sustaining access to high-quality and inclusive education for all. .... 13**

## **Recommendation 2**

**That the Government of Canada fully fund the “Together for Learning” campaign and explore ways to support refugee-led responses to education challenges and disruptions, including by considering new funding mechanisms that could be delivered as part of an augmented campaign. .... 13**

## **Recommendation 3**

**That the Government of Canada ensure that its international assistance for education integrates mental health and psychosocial support services for children dealing with conflict, sexual and gender-based violence, displacement, and other forms of trauma. .... 13**

## **Recommendation 4**

**That, in designing, implementing and monitoring the international assistance it provides in support of education, the Government of Canada take into account the specific pressures and vulnerabilities facing girls who may be at risk of dropping out of – or being pulled from – school, forced into marriage and work, or endangered by sexual and physical domestic violence, particularly in the wake of the COVID-19 crisis. .... 13**

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**Recommendation 10**

**That, with due regard for the safety of Canadian government employees and national security considerations, the Government of Canada make every effort to provide consular services to all Canadians detained in northeast Syria; and, that it pursue with the international community a response to the detainees that is compliant with international human rights, humanitarian and criminal law, while pressing for accountability for any crimes that may have been committed, understanding that it is a *Criminal Code* offence to travel abroad to engage in terrorist activity..... 26**

**Recommendation 11**

**That, in using all the diplomatic tools at its disposal, the Government of Canada advocate for unhindered humanitarian access in all situations where children are affected by armed conflict and displacement, including in Syria. .... 26**

**Recommendation 12**

**That the Government of Canada work with its partners to develop, finance, and implement an ambitious, inclusive, and holistic agenda for children as part of the global response to and recovery from COVID-19. .... 28**





## PART 2 OF A STUDY ON THE AFTERSHOCKS OF THE COVID-19 PANDEMIC—CONFRONTING A CHILD RIGHTS CRISIS AND RESTORING HOPE

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### INTRODUCTION

The House of Commons Standing Committee on Foreign Affairs and International Development (the “Committee”) has been studying the aftershocks of COVID-19, with a particular focus on crisis- and conflict-affected areas. The first segment of the study addressed humanitarian needs and the global humanitarian response. The observations and recommendations contained in this second interim report, which is focused on children, were informed by the research, insights and perspectives brought to the Committee’s attention by a range of civil society actors, international organizations, and experts.

### OVERVIEW

This study segment was devoted to examining the ways in which the COVID-19 crisis is affecting the lives of children and putting their futures at risk. Though children have been largely spared the direct mortality impacts of the pandemic, they have instead borne a significant share of its indirect impacts.<sup>1</sup>

For more than a year, the pandemic has forced unprecedented school closures and disruptions to learning around the world. Support structures and services have been curtailed and suspended, including routine immunization campaigns that are necessary to combat preventable childhood diseases. Numerous reports warn of upticks in harmful practices and abuses against children. And those who were already vulnerable prior to the pandemic’s onset, including children living in poverty and those who have been displaced, are facing heightened risks of deprivation, marginalization, and violence. Populations that were “routinely missed with basic services” prior to the pandemic must now be reached “in a context of restricted movement and lockdowns.”<sup>2</sup> Whether it is

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1 House of Commons, Standing Committee on Foreign Affairs and International Development (FAAE), *Evidence*, 2 February 2021 (Taryn Russell, Head of Policy and Advocacy, Save the Children Canada); and Gavi, The Vaccine Alliance, *written brief*, published on 26 February 2021.

2 FAAE, *Evidence*, 18 February 2021 (Pernille Ironside, Deputy Director, Division of Data, Analytics, Planning and Monitoring, United Nations Children’s Fund).



rising rates of child marriage, confinement-related violence and coercion, or barriers to education, girls are – in many respects – being affected disproportionately. While contexts vary within and between countries and regions, when these challenges are taken together, it becomes clear that the present well-being and future potential of hundreds of millions of children are at stake.

This report will not repeat what was covered in the Committee’s first interim report.<sup>3</sup> Nevertheless, the Committee notes that many of the same issues are relevant when considering the needs of children in the COVID-19 era. Testimony has again drawn attention to the “unique disequalizing effect” of this crisis “on nations, states, communities, households and individuals.”<sup>4</sup> Witnesses again called for predictable, sustained, and increased funding for international development and humanitarian responses, and asked that small- and medium-sized civil society organizations be included in those efforts along with governments and large multilateral institutions. The need to shift further and more quickly toward “localization” is a recurrent theme and one that can ensure program relevance, efficiency, and resilience.<sup>5</sup>

Overall, the Committee continues to hear that there is an opportunity, and a need, for Canadian leadership to ensure that the world’s most vulnerable people are not left behind in the wake of this pandemic and to safeguard gains that have been made over decades toward the realization of human rights, dignity and development. There is, as the Committee has been told, no effort to be spared and no time to waste in responding to this crisis. The ripple effects of investments made – or not made – now were captured in the testimony of Annalisa Brusati, Senior Technical Advisor for Child Protection, International Rescue Committee, who said:

Each day without increased action means more young girls married, more boys leaving school for work and isolated children facing violence alone. Each week without mental health services increases the stress on children and parents. Each month out of school increases the likelihood of lost economic opportunities in the future.<sup>6</sup>

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3 FAAE, [\*Part 1 of a Study on the Aftershocks of the COVID-19 Pandemic – The Humanitarian Burden: Ensuring a Global Response and Reaching the Most Vulnerable\*](#), 43<sup>rd</sup> Parliament, 2<sup>nd</sup> Session, February 2021.

4 FAAE, [\*Evidence\*](#), 18 February 2021 (Pernille Ironside).

5 The localization agenda is about “ensuring that humanitarian preparedness and response capacity sits with those nearest to the crisis affected-populations as they are best placed to respond quickly and appropriately – and stay longest.” See K. Van Brabant and S. Patel, [\*Localisation in Practice: Emerging Indicators & Practical Recommendations\*](#), Disasters & Emergencies Preparedness Programme, Global Mentoring Initiative, June 2018, p. 3.

6 FAAE, [\*Evidence\*](#), 2 February 2021.



While it is important to establish that overarching rationale for action, given the range and scale of needs that exist, and the finite resources available to meet them, consideration must also be given to how Canada delivers international assistance and where and when it gets involved.

This interim report focuses in detail on two issues that have been raised repeatedly in the context of the aftershocks of COVID-19: education and child protection.<sup>7</sup> Several witnesses also highlighted the complex case of a group of children detained in camps in northeast Syria. After addressing those issues in turn, the report concludes with an examination of why a holistic strategy is necessary to respond to a global health crisis that has also become a crisis of child rights.

## EDUCATION

The 1989 *Convention on the Rights of the Child* (the Convention) was negotiated over a 10-year period and is “the most widely ratified human rights treaty in history.”<sup>8</sup> It enshrines a range of civil and political rights, as well as economic, social and cultural rights, including the right to education (article 28). In all actions concerning children, the best interests of the child must be a primary consideration (article 3).<sup>9</sup>

In 2015, United Nations member states also agreed upon a set of sustainable development goals (SDGs) that are intended to be achieved by 2030. SDG 4 aims to ensure “inclusive and equitable quality education and promote lifelong learning opportunities for all.” Among the goal’s targets are commitments toward effective learning outcomes and equal access to all levels of education. Furthermore, states are encouraged to “[b]uild and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.”<sup>10</sup>

While important progress had been made toward SDG 4 and its targets prior to the COVID-19 pandemic, the United Nations reported that “258 million children and youth

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7 Annabelle Bodmer-Roy, Director, International Policy and Programs, UNICEF Canada, told the Committee that, if “we are to listen to displaced and refugee young people and children, they will tell you that the needs that they prioritize over anything else are education and protection.” However, she added, those are the very “areas that, in emergencies, are chronically underfunded.” See FAAE, *Evidence*, 2 February 2021.

8 United Nations Children’s Fund, *Frequently asked questions on the Convention on the Rights of the Child*.

9 United Nations Human Rights, Office of the High Commissioner, *Convention on the Rights of the Child*.

10 United Nations, Department of Economic and Social Affairs, *Transforming our world: the 2030 Agenda for Sustainable Development*.



were still out of school in 2018, of which three quarters lived in sub-Saharan Africa and Southern Asia.”<sup>11</sup> Moreover, as evidence of continuing gender inequality, “around 5.5 million more girls than boys of primary school age were out of school in 2018.”<sup>12</sup> Testimony indicated that the attainment of high-quality learning outcomes for all now seems farther out of reach as a result of COVID-19.

The Committee was informed of World Bank estimates “that learning losses due to COVID could add up to \$10 trillion U.S.”<sup>13</sup> That figure equates to the “lifecycle earnings” that “could be lost for this cohort of learners —because of their lower levels of learning, their lost months in school closures, or their potential for dropping out from school.”<sup>14</sup> Moreover, according to the World Bank, the COVID-19 pandemic could add some 72 million primary school age children to the 382 million who were already estimated to be “learning poor.”<sup>15</sup>

Christian Champigny, Acting Manager for International Programs, Fondation Paul Gérin-Lajoie, described how COVID-19 is jeopardizing the international community’s education goals. The pandemic, he explained,

has caused the greatest disruption to education in history since its emergence. Ninety-four per cent of the world’s pupils and students were impacted by the pandemic through containment measures and school closures. That’s 1.6 billion children and young people.<sup>16</sup>

Even now, more than a year since COVID-19 was declared a pandemic, over 188 million learners are affected by school closures.<sup>17</sup> The United Nation’s Children’s Fund (UNICEF)

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11 United Nations, *The Sustainable Development Goals Report 2020*, p. 32.

12 Ibid.

13 FAAE, *Evidence*, 2 February 2021 (Annalisa Brusati, Senior Technical Advisor for Child Protection, International Rescue Committee).

14 João Pedro Azevedo, Amer Hasan, Diana Goldemberg, Syedah Aroob Iqbal and Koen Geven, *Simulating the Potential Impacts of COVID-19 School Closures on Schooling and Learning Outcomes: A Set of Global Estimates*, World Bank Group, June 2020.

15 “Learning poverty” is based on the concept “that every child should be in school and be able to read and understand an age-appropriate text by age 10.” See World Bank Group, *Learning Poverty in the Time of COVID-19: A Crisis Within a Crisis*, December 2020.

16 FAAE, *Evidence*, 25 February 2021.

17 United Nations Educational, Scientific and Cultural Organization (UNESCO), *Education: From disruption to recovery*, data accessed 29 March 2021. The statistics on the number of “learners impacted” reflects COVID-19-related school closures, and “does not account for learners where schools are closed due to scheduled academic breaks, nor for those where schools are partially closed (by region or grade level) or when class time has been reduced.” See UNESCO, *Global tracking of COVID-19 caused school closures and re-openings: Methodological Note*, 20 January 2021.

estimates that schools around the world were fully closed for an average of 95 instruction days between 11 March 2020 and 2 February 2021.<sup>18</sup> Annalisa Brusati reminded the Committee that, for children living in conflict and crisis situations, who “have always dealt with school closures and the burden, stress and trauma of living in uncertainty,” COVID-19 has only deepened the challenges.<sup>19</sup>

Dr. Tanjina Mirza, Chief Programs Officer, Plan International Canada, likened education to a “small window” that can narrow and close.<sup>20</sup> Moreover, the absence of safe and nurturing learning environments can have, as Susan McIsaac – President and Chief Executive Officer, Right To Play International – indicated, significant consequences, including a lost “sense of belonging” and – particularly for girls – lost opportunities “to acquire the knowledge and skills they need to reach their full potential.”<sup>21</sup> Canadian Women for Women In Afghanistan wrote to the Committee that, while it is complicated to assess “learning loss” from school closures, there can be a lingering impact, “affecting not just performance but student engagement over the long term.”<sup>22</sup>

Within this aggregate picture of disruption, significant inequalities emerge, including with respect to the “digital divide” that leaves remote learning out of reach for many children. According to Mr. Champigny, this challenge has been particularly pronounced for female learners from low- and middle-income countries, as well as displaced persons and refugees.<sup>23</sup> While alternative learning platforms have been adopted in some contexts, Geoff Loane – Head of Education, International Committee of the Red Cross (ICRC) – remarked that “the technical means are simply unavailable in most of the countries in which the ICRC is operational.”<sup>24</sup>

Adaptations that do not depend on Internet-based learning for students have been tried. Dr. Samantha Nutt, Founder and Executive Director, War Child Canada, described how her organization has been working in the eastern Democratic Republic of the Congo “to reach half a million out-of-school children through the development of radio-based

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18 Countries in Latin America and the Caribbean were the most affected, followed by countries in South Asia. See UNICEF, [COVID-19 and School Closures: One Year of Education Disruption](#), March 2021, p. 2.

19 FAAE, [Evidence](#), 2 February 2021.

20 [Ibid.](#)

21 [Ibid.](#)

22 Canadian Women for Women in Afghanistan, [written brief](#), published on 22 March 2021.

23 FAAE, [Evidence](#), 25 February 2021.

24 FAAE, [Evidence](#), 11 March 2021. According to UNICEF, some 463 million schoolchildren cannot be reached by broadcast and Internet-based remote learning policies. See UNICEF Canada, [written brief](#), published on 26 February 2021; and UNICEF, [Education and COVID-19](#), September 2020.



education programming.”<sup>25</sup> In emphasizing the foundational importance of literacy, Scott Walter, Executive Director, CODE, suggested that local publishing industries could be supported “to produce great learning materials through traditional print, or virtual classrooms with radio reading teachers.”<sup>26</sup>

There are other equity dimensions to consider. Mr. Walter pointed to the example of the 2014–2016 Ebola epidemic in West Africa, where “girls were less likely to return once schools reopened.”<sup>27</sup> Lorraine Swift, Executive Director, Change for Children Association, emphasized that, in the Americas, where her organization delivers programming, “the regions with the lowest levels of education for girls are indigenous.”<sup>28</sup> After conducting a survey of Afghanistan’s five provinces, Canadian Women For Women In Afghanistan found that “existing gender disparities in access to education were amplified by the pandemic, and that characteristics of the Afghan context put girls in Afghanistan at particularly high risk of not returning to school post-pandemic.”<sup>29</sup>

Dr. Nutt observed that girls “are especially vulnerable” right now “as families face income declines and can no longer afford the cost of tuition, for example, or because they are too frequently pulled from their studies to tend to child care and domestic work.”<sup>30</sup> Chris Eaton, Executive Director, World University Service of Canada (WUSC), indicated that his organization was “already seeing a significant decline in the return rates of girls to now-open schools in the Kakuma and Dadaab refugee camps in northern Kenya where we work.”<sup>31</sup>

Witnesses emphasized that schools are not only a place of learning, but a support system, entry point to other services, and bulwark against societal and familial pressures. Dr. Natalia Kanem, Executive Director and Under-Secretary-General of the United Nations, United Nations Population Fund, explained how the absence of school can mean diminished protection for young girls. Using the example of a rural area in Kenya, she said that, when a girl is home rather than being in school every day, “she’s accessible for coercion, for something like female genital mutilation, which normally

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25 FAAE, [Evidence](#), 4 February 2021.

26 FAAE, [Evidence](#), 25 February 2021.

27 [Ibid.](#)

28 [Ibid.](#)

29 Canadian Women for Women in Afghanistan, [written brief](#), published on 22 March 2021.

30 FAAE, [Evidence](#), 4 February 2021.

31 FAAE, [Evidence](#), 25 February 2021.

occurs at a particular time of the year.”<sup>32</sup> Similar issues are also affecting the incidence of child marriage in various countries, according to Dr. Kanem, given the role that schools can play in monitoring and reporting.

These risks have intensified at the same time as sexual and reproductive health services have been disrupted. There is also an increased need for mental health and psychosocial support services.<sup>33</sup> However, the Committee was informed that existing support services in those fields, which were already strained, “have limited ability to cope with or adapt to the increased need for support that the pandemic is creating, particularly in fragile contexts.”<sup>34</sup>

As one worrying example, Taryn Russell, Head of Policy and Advocacy, Save the Children Canada, spoke about the situation in Nwoya District in northern Uganda where “figures show that cases of both teenage pregnancies and child marriage doubled, and rates of child labour tripled between April and June last year [2020] while children were out of school.” She further commented that, “With reporting difficulties, the numbers are likely much higher.”<sup>35</sup>

While the challenges are considerable, witnesses also offered solutions and reasons for hope. Mr. Champigny drew the Committee’s attention to a report on the right to education that has been endorsed by more than 100 organizations as part of the “Save Our Future” campaign. The report observes that, while education “is clearly a victim of the pandemic,” it “can also be a key driver of the recovery.”<sup>36</sup> Mr. Champigny highlighted two of the report’s recommendations for the Committee’s consideration. The first is to avoid concentrating solely on the children who have been “newly affected by the educational deficit and on an overuse of technology-assisted learning, thereby diverting attention from the fundamental pre-existing structural problems in learning.” He said that, instead of focusing narrowly on the short-term situation, attention needs to be paid to “proven interventions” and particularly to “strengthening the education workforce.” Second, funding must be protected.<sup>37</sup>

Grassroots initiatives have also emerged during the pandemic. Chris Eaton of WUSC described how refugees and their host communities have done door-to-door

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32 FAAE, [Evidence](#), 23 February 2021.

33 [Ibid.](#)

34 Save the Children, [written brief](#), published on 4 December 2020.

35 FAAE, [Evidence](#), 2 February 2021.

36 [Save our Future: Averting an Education Catastrophe for the World’s Children](#), p. 6.

37 FAAE, [Evidence](#), 25 February 2021.



campaigning to identify vulnerable students and organized peer-supported learning clubs and educational technology sharing groups. Nevertheless, Mr. Eaton told the Committee that these “efforts are unfortunately under-recognized, undervalued and under-supported by governments and the international development community.”<sup>38</sup> While welcoming the Government of Canada’s recently announced “Together for Learning” campaign, which aims to promote quality education and lifelong learning for displaced children and youth,<sup>39</sup> Mr. Eaton argued that realizing the campaign’s potential will require “sufficient and consistent funding, in part by investing in innovative approaches that support refugee-led responses to the education challenges that they face.”<sup>40</sup>

Mr. Eaton put forward two proposals in relation to the “Together for Learning” campaign. The first is to “direct a significant percentage” of Canada’s international assistance for education – which the government has committed will be no less than 10% of Canada’s bilateral envelope<sup>41</sup> – to the campaign.<sup>42</sup> The second proposal is to create a fund that would directly support “refugee voices, leadership, organizations and responses in the education sector.” Mr. Eaton suggested that this fund “could be modelled on the equality fund, which the government helped to create in 2019 to permanently change the model of support to women’s rights organizations.”<sup>43</sup>

The Committee recognizes that education is a human right and one that has “transformative power.”<sup>44</sup> Nevertheless, the Committee is equally aware that this potential to transform lives can be limited by barriers, inequities, and resource constraints, when not already undermined by armed conflict. The Committee notes that the COVID-19 pandemic has had a significant impact on girls. The Committee is also

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38 [Ibid.](#)

39 Government of Canada, *‘Together for Learning’ – Education for refugee, other forcibly-displaced and host community children and youth*; and Global Affairs Canada, *Canada launches global campaign to address education crisis for refugees and internally displaced children and youth*, News release, 8 February 2021.

40 FAAE, *Evidence*, 25 February 2021.

41 FAAE, *Evidence*, 17 November 2020 (the Honourable Karina Gould, Minister of International Development); and Office of the Prime Minister, *Minister of International Development Mandate Letter*, 13 December 2019.

42 FAAE, *Evidence*, 25 February 2021. Following Mr. Eaton’s testimony, on 3 March 2021, Global Affairs Canada launched a \$40 million – over five years – call for proposals from Canadian organizations entitled, “Education for Refugee and Displaced Children and Youth in Sub-Saharan Africa.” See Global Affairs Canada, *written response to questions*, received on 12 April 2021.

43 FAAE, *Evidence*, 25 February 2021.

44 [Ibid.](#) (Christian Champigny, Acting Manager for International Programs, Fondation Paul Gérin-Lajoie).

mindful of concerns that disruptions to learning and related support services, even when seemingly of a temporary nature, can have life-long consequences.

#### **Recommendation 1**

**That, through the international assistance it provides for education during and beyond the COVID-19 pandemic, which should be at least 10% of its budget for bilateral development assistance, the Government of Canada provide targeted support for children in situations of vulnerability to access education, whether following a disruption or for the first time, including girls, children with disabilities, orphaned children, children in remote areas, children affected by conflict, and children who have been displaced, with the goal of increasing and sustaining access to high-quality and inclusive education for all.**

#### **Recommendation 2**

**That the Government of Canada fully fund the “Together for Learning” campaign and explore ways to support refugee-led responses to education challenges and disruptions, including by considering new funding mechanisms that could be delivered as part of an augmented campaign.**

#### **Recommendation 3**

**That the Government of Canada ensure that its international assistance for education integrates mental health and psychosocial support services for children dealing with conflict, sexual and gender-based violence, displacement, and other forms of trauma.**

#### **Recommendation 4**

**That, in designing, implementing and monitoring the international assistance it provides in support of education, the Government of Canada take into account the specific pressures and vulnerabilities facing girls who may be at risk of dropping out of – or being pulled from – school, forced into marriage and work, or endangered by sexual and physical domestic violence, particularly in the wake of the COVID-19 crisis.**

## **CHILD PROTECTION**

The *Convention on the Rights of the Child* requires all states parties to take appropriate measures to protect children from all forms of violence, abuse, neglect, and



exploitation.<sup>45</sup> States parties are also required to protect children from “economic exploitation” and hazardous and harmful work,<sup>46</sup> and to protect children from “all forms of sexual exploitation and sexual abuse.”<sup>47</sup> Furthermore, the Convention obligates states parties “to prevent the abduction of, the sale of or traffic in children for any purpose or in any form,”<sup>48</sup> and, among other provisions, the Convention stipulates that “the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.”<sup>49</sup>

One of the Convention’s three optional protocols addresses the involvement of children in armed conflict.<sup>50</sup> It requires states parties to take all feasible measures to ensure that persons under the age of 18 do not take direct part in hostilities and it prohibits the compulsory recruitment – i.e., conscription – of persons under the age of 18 years into the armed forces of a state.<sup>51</sup> In addition, armed groups – i.e., non-state armed groups – are prohibited from recruiting or using persons under the age of 18 years in hostilities.<sup>52</sup>

In August 2020, the *Convention on the Worst Forms of Child Labour* became the first international labour standard to achieve universal ratification.<sup>53</sup> The convention prohibits – and calls for the elimination of – slavery, forced and hazardous labour, child prostitution and child trafficking.<sup>54</sup>

The SDGs also address child protection. Under SDG 5, which is focused on achieving gender equality and empowering all women and girls, there is a specific target on ending harmful practices such as child marriage. SDG 8, which deals with economic growth, includes a target on eradicating forced labour, ending modern slavery and human trafficking, and eliminating the worst forms of child labour, including the recruitment and use of child soldiers, and ending child labour in all its forms by 2025. Finally, SDG 16,

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45 United Nations Human Rights, Office of the High Commissioner, [Convention on the Rights of the Child](#), article 19.

46 Ibid., article 32.

47 Ibid., article 34.

48 Ibid., article 35.

49 Ibid., article 37.

50 The Optional Protocol entered into force in 2002 and has 170 states parties, including Canada.

51 United Nations Human Rights, Office of the High Commissioner, [Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict](#), articles 1 and 2.

52 Ibid., article 4.

53 UN News, [Convention on worst forms of child labour receives universal ratification](#), 4 August 2020.

54 International Labour Organization, [C182 – Worst Forms of Child Labour Convention, 1999 \(No. 182\)](#).



which aims to promote peaceful and inclusive societies, calls for the end of abuse, exploitation, trafficking, and all forms of violence against – and torture of – children.<sup>55</sup>

Notwithstanding the existence of these legal and political frameworks, significant rights violations have continued to occur, and COVID-19 has heightened risks and vulnerabilities. UNICEF reports that some 1.8 billion children live in the 104 countries where violence prevention and response services have been disrupted during the pandemic. Among the most commonly disrupted services were case management and home visits for at-risk children and women.<sup>56</sup> Guillaume Landry, Director General, International Bureau for Children’s Rights, informed the Committee that, as the capacity to deploy front-line professionals (e.g., social workers) became constrained during the pandemic, the safety net – for many children – shrunk.<sup>57</sup> For displaced children, border and embassy closures and other movement restrictions and health protocols have affected tracing, family links services, family reunifications, and child safety and supervision, according to Geoff Loane of the ICRC.<sup>58</sup>

In the view of Alex Kamarotos, Executive Director, Defence for Children International, “we still only see the top of the iceberg regarding the impact of the COVID pandemic on violence against children [...]”<sup>59</sup> Nevertheless, Annalisa Brusati informed the Committee of a review that was done of the United Nations COVID-19 Global Humanitarian Response Plan, which found that “the most drastically under-represented areas” of the associated appeals “included children’s safety, security, responsive caregiving and early learning.”<sup>60</sup> Even before COVID-19 created new spending priorities, child protection was, according to Dr. Shelly Whitman, Executive Director, Dallaire Institute for Children, Peace and Security, “a gravely underfunded field, constituting just 0.6% of official development

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55 United Nations, Department of Economic and Social Affairs, [\*Transforming our world: the 2030 Agenda for Sustainable Development\*](#).

56 United Nations Children’s Fund, [\*Protecting Children from Violence in the Time of COVID-19: Disruptions in prevention and response services\*](#), August 2020.

57 FAAE, [\*Evidence\*](#), 4 February 2021.

58 FAAE, [\*Evidence\*](#), 11 March 2021.

59 [\*ibid.\*](#)

60 FAAE, [\*Evidence\*](#), 2 February 2021.



aid.”<sup>61</sup> Given the violence, exploitation and abuse that existed even prior to COVID-19, the Committee believes the focus on child protection must increase.

### **Recommendation 5**

**That the Government of Canada increase the emphasis in its international assistance on child protection services and systems.**

Witnesses highlighted specific challenges with respect to child recruitment, child sexual exploitation, child labour, and child detention. On the first, and notwithstanding the call for a global ceasefire in the face of the pandemic, children have continued to be exposed to armed conflict. Dr. Whitman commented that, “worryingly, the world’s attention has been diverted from many of the conflicts that have continued or emerged.”<sup>62</sup> In addition to the international instruments outlined above, the United Nations Security Council has developed specific measures to address children in situations of armed conflict,<sup>63</sup> including through the establishment of what are referred to as “the six grave violations”:

- The killing and maiming of children;
- The recruitment and/or use of children as soldiers;
- Sexual violence against children;
- Attacks against schools or hospitals;
- The abduction of children; and
- The denial of humanitarian access for children.<sup>64</sup>

According to Dr. Whitman, these grave violations “have been exacerbated by the COVID-19 pandemic.” For one example, she noted “instances in places such as Colombia where the armed groups are exploiting the global pandemic to recruit children into their

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61 FAAE, [Evidence](#), 18 February 2021. The Committee was informed that some \$47 million of Global Affairs Canada’s bilateral international assistance was dedicated to support for ending sexual and gender-based violence against children and youth, which represented 1% of the department’s international assistance in the 2019/20 fiscal year. See Global Affairs Canada, [written response to questions](#), received on 12 April 2021.

62 FAAE, [Evidence](#), 18 February 2021.

63 For further information, see Security Council Report, [UN Documents for Children and Armed Conflict](#).

64 Office of the Special Representative of the Secretary-General for Children and Armed Conflict, [The Six Grave Violations](#).

ranks.” Dr. Whitman indicated that, “Almost as many children are estimated to have joined armed groups in Colombia in the first half of 2020 as in the whole of 2019.”<sup>65</sup>

Dr. Whitman also referenced the 2017 *Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers* (the Vancouver principles).<sup>66</sup> In her view, while Global Affairs Canada has focused on securing broad endorsement of the Vancouver principles, “there have to be some resources and horsepower put behind implementation.” Dr. Whitman argued that, “just as Canada has put money and effort into the Elsie initiative [for women, peace and security], so Canada should be doing that for implementation of the Vancouver principles.”<sup>67</sup> The Committee agrees.

### **Recommendation 6**

**That the Government of Canada devote more resources and engage with partner countries and organizations toward the implementation of the *Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers*.**

Child sexual exploitation is another protection challenge that appears to be worsening in the context of the COVID-19 pandemic. Anu George Canjanathoppil, Executive Director, International Justice Mission Canada, informed the Committee that in the Philippines, “Online [reports of] child sexual exploitation tripled from 400,000 to 1.2 million in 2020.”<sup>68</sup> Various factors may be contributing to such trends globally, including those outlined by David Matas, Member of the Board of Directors, Beyond Borders ECPAT Canada, who explained:

Protective parents have died from COVID, rendering children vulnerable. Funds directed to protecting vulnerable children from sexual exploitation have been diverted to combatting COVID. Programs combatting child sexual exploitation have been impacted by the overall shutdown in reaction to COVID. School closures to protect against COVID have meant that child sexual abuse at home is not reported at schools. Children in sexually abusive home situations have, because of the COVID-related shutdowns, been trapped in these situations.<sup>69</sup>

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65 FAAE, *Evidence*, 18 February 2021.

66 Government of Canada, *The Vancouver Principles*.

67 FAAE, *Evidence*, 18 February 2021.

68 FAAE, *Evidence*, 4 February 2021.

69 FAAE, *Evidence*, 18 February 2021.



The pervasiveness of Internet-based technology is another factor. Guillaume Landry pointed to “a significant increase in child trafficking and sexual exploitation through technology,” in a context of decreased parental, school, and other supervision.<sup>70</sup>

Testimony indicated that child protection can be strengthened through additional funding, but also by way of enhanced partnerships and the use of existing tools. On the first and second points, for example, Anu George Canjanathoppil noted a “limited partnership between the governments of Canada and the Philippines.” If an investment were made, she suggested, it would be “possible to make sure that we can increase the investigations capacity in the Philippines specifically, because that is where the largest online sexual exploitation is happening [...]”<sup>71</sup> On the third point, Guillaume Landry drew the Committee’s attention to an existing Canadian legislative provision with extraterritorial reach that prohibits sex tourism, which has been in place since 1997.<sup>72</sup> Yet, according to Mr. Landry, budget cuts have resulted in a situation where one Royal Canadian Mounted Police officer deployed abroad “must cover many countries, which automatically reduces the ability to monitor cases of child sexual exploitation in the tourism and travel industry.” In comparison to what has taken place in Australia, he said, “a very small percentage of Canadians are prosecuted, convicted or found guilty of exploitative acts committed abroad.”<sup>73</sup>

### **Recommendation 7**

**That the Government of Canada expand funding and implement partnership mechanisms, investigatory capacity, and legislative tools more proactively to combat child sexual exploitation.**

New tools may also be needed to address exploitative work. Based on the information her organization has collected through assessments and child protection focal points, Annalisa Brusati said that “child neglect and child labour are two of the top child

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70 FAAE, [Evidence](#), 4 February 2021.

71 [Ibid.](#) For further information, see Royal Canadian Mounted Police (RCMP), [RCMP and the Philippines working together to fight sexual offences against children](#), News release, 25 July 2019. According to [written responses to questions](#) provided by International Justice Mission Canada, there is currently no RCMP liaison officer in the Philippines, which the organization argues “significantly hampers the flow of information needed to track down leads coming out of Canada.”

72 For further information, see Government of Canada, [Child Sex Tourism: It’s a Crime](#). Under the *Criminal Code*, Canadian citizens or permanent residents can be charged in Canada for a sexual offence committed against a child in a foreign country.

73 FAAE, [Evidence](#), 4 February 2021.

protection priorities that have come out so far, as being exacerbated by the COVID pandemic.”<sup>74</sup> Martin Fischer, Director of Policy, World Vision Canada, added:

COVID-19 is pushing millions of children into exploitive work as families’ livelihoods evaporate and poverty increases. Whether boys mining metals for our smartphones in [the Democratic Republic of the Congo], girls being sexually exploited on palm oil plantations in Indonesia, or migrant children being enslaved in the Thai seafood industry, this work is seriously compromising their health, safety and well-being.<sup>75</sup>

Susan McIsaac informed the Committee that in Mali, where Right to Play operates, “child labour is pervasive” and that “one out of every three children in Mali works instead of going to school.”<sup>76</sup> Her organization’s Jam Suka project, which has received funding from Global Affairs Canada to help children escape child labour and return to school, has achieved significant progress in primary education completion rates. However, despite adjustments made during the pandemic – supporting teachers to move to digital and radio platforms, for example – Ms. McIsaac warned that this year’s instability has threatened to undo much of the project’s good work.<sup>77</sup>

In addition to continued support for projects such as Jam Suka, several witnesses told the Committee that another immediate step the Government of Canada could take to address child labour would be to pass legislation that requires company reporting and action in relation to their global supply chains. Martin Fischer observed that other jurisdictions, including the United Kingdom, Australia, France, and the Netherlands have already done so. What is more, he highlighted the fact that the Committee had presented a report (*A Call to Action: Ending the Use of All Forms of Child Labour in Supply Chains*) to the House of Commons, in October 2018, which recommended that the government develop legislation to eliminate the use of child labour in supply chains.<sup>78</sup>

Noting that Bill S-216, An Act to enact the Modern Slavery Act and to amend the Customs Tariff, had been introduced in the Senate,<sup>79</sup> Mr. Fischer urged the Government to make it a priority. “If Canada is truly committed to championing a just recovery at

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74 FAAE, [Evidence](#), 2 February 2021.

75 [Ibid.](#)

76 [Ibid.](#)

77 [Ibid.](#)

78 FAAE, [A Call to Action: Ending the Use of all Forms of Child Labour in Supply Chains](#), 42<sup>nd</sup> Parliament, 1<sup>st</sup> Session, October 2018.

79 [S-216, An Act to enact the Modern Slavery Act and to amend the Customs Tariff](#), 43<sup>rd</sup> Parliament, 2<sup>nd</sup> Session.



home and abroad, common sense legislation like this needs to be part of that,” he said.<sup>80</sup> Mr. Fischer suggested that action was even more urgent in light of a World Vision report that revealed the extent to which Canada’s imports of food products were being produced by children.<sup>81</sup> The report, he explained, found that “nearly 10% of all foods coming into Canada,” worth some \$3.7 billion in 2019, were at risk of being produced by children – a 63% increase over the past decade.<sup>82</sup>

Anu George Canjanathoppil was similarly supportive of Bill S-216. “Canada is one of the G20 nations that has not yet taken action to stop sourcing goods and services at risk of being produced by forced labour slavery—in other words, to take action on slavery in supply chains,” her organization pointed out in a written response.<sup>83</sup> In her testimony to the Committee, she added:

The year 2020 changed many things, but not the way we consume goods. Consumption has, in fact, increased. The products we consume continue to be made by those enslaved and trafficked. It is our irresponsibility that has contributed to getting people into this vicious cycle. Therefore, it is our responsibility to respond.<sup>84</sup>

Ms. Canjanathoppil is also of the view that, “Canada’s proposed supply chain legislation, the modern slavery act, will require higher scrutiny for companies importing goods into Canada.”<sup>85</sup>

The Committee recognizes that, notwithstanding the existence of international agreements and conventions requiring the elimination of child labour, children continue to be used in global supply chains. The Committee also recognizes that consumers all over the world, including in Canada, continue to consume unwittingly the products of child and forced labour. Furthermore, it notes that other, like-minded jurisdictions have passed legislation obligating companies to report and take action to prevent child and forced labour, and that a previous report of this Committee already recommended action to eliminate the use of child labour in supply chains.

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80 [FAAE, Evidence](#), 2 February 2021.

81 World Vision, [Warning May Contain Child Labour – Risky Canadian Grocery Report](#), 3 February 2021.

82 FAAE, [Evidence](#), 2 February 2021.

83 International Justice Mission Canada, [written response to questions](#).

84 FAAE, [Evidence](#), 4 February 2021.

85 Ibid.

## Recommendation 8

**That the Government of Canada prioritize legislation that would strengthen supply chain integrity and combat modern slavery in global supply chains, and that it continue to strengthen enforcement of Canada’s obligations around supply chain integrity.**

The detention of children during the pandemic was another subject addressed by witnesses. On the positive side, Geoff Loane said there has been increased engagement by some authorities to review individual cases, often starting with children, in an effort to free up space in detention facilities and reduce the spread of COVID-19. He said:

In some settings, COVID-19 has accelerated a judicial review process, whereas before COVID there was no particular urgency to look into the detention of children who may have been awaiting trial, had been detained without charge or already had served their sentence without yet being released.<sup>86</sup>

On the other hand, Mr. Loane said that children who have remained in detention during the pandemic have suffered even more. He gave the example of how limitations on family visits have cut off “valuable lifelines for children who both need and want to maintain contact with their loved ones, and more pragmatically, to receive food, clothing and medicine.”<sup>87</sup>

Despite the UN High Commissioner for Human Rights, Michelle Bachelet, having urged countries since the beginning of the pandemic to look at releasing detainees – in particular low-risk child offenders – , Alex Kamarotos cited UNICEF data indicating that some 31 countries have released children from detention to help mitigate the spread of COVID-19 in the facilities where they were being held. “This is certainly insufficient, and even lower than the number of adult detainees released,” he said.<sup>88</sup> Guillaume Landry told the Committee that “7 million children in the world find themselves in preventive detention, in migration camps, in orphanages, without being able to go out.”<sup>89</sup>

For her part, Fionnuala Ní Aoláin, Special Rapporteur, Special Procedures Branch, United Nations, Human Rights Office of the High Commissioner, described a phenomenon of “unchilding” – where a group of children are “put outside the category of protection of law.” She argued that the world is witnessing “an assault on the

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86 FAAE, [Evidence](#), 11 March 2021.

87 [Ibid.](#)

88 [Ibid.](#)

89 FAAE, [Evidence](#), 4 February 2021.



Convention on the Rights of the Child,” and outlined why that was particularly so in the case of children being detained in camps in northeast Syria.<sup>90</sup>

## A CASE STUDY: CANADIAN CHILDREN IN NORTHEAST SYRIA

In March 2019, the U.S.-backed Syrian Democratic Forces (SDF)<sup>91</sup> – a Kurdish-led, multiethnic military alliance – announced that they had captured the Syrian town of Baghouz, Daesh/ISIS’ last swath of territory.<sup>92</sup> The territorial “defeat” of Daesh/ISIS resulted in the detention in northeast Syria of the terrorist group’s Syrian militants, but also foreign terrorist fighters, their spouses and children.<sup>93</sup>

As of 8 February 2021, there were an estimated 64,000 people, mostly women and children, being held in camps being guarded by the SDF, including the nationals of 57 states.<sup>94</sup> As a result, many governments are wrestling with the myriad policy, legal and national security questions related to the possible repatriation of their citizens. The Kurdish authorities in the de facto autonomous area under their control, some witnesses pointed out, have supported repatriation.<sup>95</sup> Among the foreign detainees, according to Human Rights Watch, are 45 Canadians – 8 men, 13 women, and 24 children, most under age 6 – all of whom are being held in the al-Hol and Roj camps.<sup>96</sup>

Several witnesses expressed concerns about the deteriorating conditions in both camps. Stéphane Handfield, a lawyer who has worked closely with documentary filmmakers who visited the camps, described a “deplorable situation.”<sup>97</sup> He said:

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90 FAAE, [Evidence](#), 18 February 2021.

91 Canada has also supported the SDF through its participation in the U.S.-led [Global Coalition Against Daesh](#) (ISIS).

92 Rodi Said, “[Islamic State ‘caliphate’ defeated, yet threat persists](#),” *Reuters*, 23 March 2019.

93 Human Rights Watch, [‘Bring Me Back to Canada’: Plight of Canadians Held in Northeast Syria for Alleged ISIS Links](#), 29 June 2020

94 United Nations Human Rights, Office of the High Commissioner, [Syria: UN experts urge 57 States to repatriate women and children from squalid camps](#), News release, 8 February 2021.

95 FAAE, [Evidence](#), 18 February 2021.

96 Subcommittee on International Human Rights (SDIR) of the Standing Committee on Foreign Affairs and International Development, [Evidence](#), 11 May 2021. Human Rights Watch told FAAE that the al-Hol and Roj camps “hold the family members of ISIS suspects who were displaced from territory previously held by the group.” See FAAE, [Evidence](#), 18 February 2021. For further information, see Human Rights Watch, [‘Bring Me Back to Canada’: Plight of Canadians Held in Northeast Syria for Alleged ISIS Links](#), 29 June 2020.

97 FAAE, [Evidence](#), 18 February 2021.



At the Al-Hol camp, the largest in the region, the team found that the authorities in charge had neither the financial nor human resources required to maintain minimal health standards. The camp is overpopulated and the refugees live in tents. They have no clean water, and just enough food to survive, with no access to basic medical care. Added to this are the conflicts that break out every day in this micro-society in distress. Living conditions in the camp are unhealthy and inhuman.<sup>98</sup>

These conditions, Mr. Handfield added, have also made it virtually impossible to follow the basic COVID-19 public health guidelines, such as hand washing and physical distancing, which has facilitated the spread of the virus.<sup>99</sup> Farida Deif, Canada Director, Human Rights Watch Canada, noted that, “In August 2020 alone, eight children died in al-Hol camp, primarily from malnutrition and severe dehydration.” They are, she said, “among hundreds [of people], many of them children, who have died of preventable diseases since March 2019.”<sup>100</sup>

Complicating this humanitarian crisis, Ms. Deif added, is the United Nations Security Council’s failure to maintain a humanitarian aid corridor to the area, which has prevented aid supplies from reaching those in need and could jeopardize the future delivery of vaccines.<sup>101</sup> Aid groups in Syria, she said, are now dependent on the government of Bashar al-Assad’s approval to deliver critical supplies. Ms. Deif explained that the regime continues to severely restrict aid from reaching Kurdish-held areas, while withholding vital food and medicine from political opponents and civilians. She called on the Canadian government to “engage with like-minded countries to press the UN Security Council to immediately re-authorize the cross-border mechanism to northeast Syria to enable aid to enter the region regularly.”<sup>102</sup> This call was echoed by

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98 [Ibid.](#)

99 [Ibid.](#)

100 [Ibid.](#)

101 [Ibid.](#)

102 [Ibid.](#) The Government of Canada has advocated for improved humanitarian access in Syria and has supported United Nations resolutions calling for full and unimpeded humanitarian access in Syria so that assistance may be delivered on the basis of need. See Global Affairs Canada, [Backgrounder – Canada announces new commitment for Syrians](#), Backgrounder; and FAAE, [Evidence](#), 29 April 2021 (the Honourable Karina Gould, Minister of International Development).



Fionnuala Ní Aoláin, who informed the Committee that the future of the one remaining humanitarian corridor into Syria is up for debate at the UN Security Council.<sup>103</sup>

Many witnesses also highlighted the fact that, in October 2020, the Canadian government repatriated from the al-Hol camp a five-year-old orphan girl. While acknowledging certain manageable obstacles, such as Canada's lack of diplomatic representation in Syria, witnesses urged the Canadian government to repatriate the remaining Canadian detainees in the al-Hol and Roj camps.<sup>104</sup>

Mathieu Paiement, a film producer, pointed to the recent actions of other countries. He said: "In this emergency context, Germany and Finland repatriated 23 children just before Christmas, and in early 2021, France went there to retrieve seven children on humanitarian and health grounds."<sup>105</sup>

Ms. Ní Aoláin also noted the more than 500 women and children who had been repatriated by Kazakhstan. In her view, these examples indicate that the capacity to engage with the de facto authorities in the area exists and demonstrate the willingness of the same authorities to cooperate. Ms. Ní Aoláin said that, while such extractions are "more challenging" to do under COVID-19, it "is not impossible." She argued: "It is political will that is missing here, not the means to extract these individuals."<sup>106</sup>

Ms. Ní Aoláin also informed the Committee that her office, along with 12 other UN mandate holders and two working groups of the United Nations Human Rights Council, had issued a communication to the 57 states, including Canada, urging them to repatriate women and children from "the squalid camps in northeast Syria."<sup>107</sup> She added:

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103 FAAE, *Evidence*, 18 February 2021. For additional context, see United Nations, *As Hunger, Malnutrition Rise in Syria, Security Council Must Ensure Border Crossing Remains Open, Aid Flows to Millions, Humanitarian Affairs Chief Stresses*, Press release, SC/14479, 29 March 2021. United Nations Security Council authorization for the humanitarian corridor into northeast Syria expired in January 2020. Security Council [authorization](#) for the remaining humanitarian corridor into northwest Syria is due to expire on 10 July 2021. See Aron Lund, "Syria aid at risk in Security Council vote," *The New Humanitarian*, 26 May 2021.

104 FAAE, *Evidence*, 18 February 2021.

105 [Ibid.](#)

106 [Ibid.](#)

107 [Ibid.](#)

Thousands of people, including children, are exposed to violence, exploitation, abuse and deprivation in conditions that, in our view, meet the standard of torture and inhuman and degrading treatment under international law.<sup>108</sup>

Ms. Ní Aoláin further emphasized that repatriation should include adults so that justice can be pursued through prosecution, where evidence exists to prosecute.<sup>109</sup> Otherwise, she said: “the need for victims of terrorism to have a clear accountability for the harms they have experienced will not be met as there is absolutely zero prospect of a meaningful, fair trial in that part of the world.”<sup>110</sup>

Finally, Justin Mohammed, Human Rights Law and Policy Campaigner, Amnesty International Canada, focused more narrowly on Global Affairs Canada’s consular services policy. Under the framework, according to Mr. Mohammed, Canadians subjected to torture or mistreatment in detention abroad – of which, he said, there are allegations at the al-Hol and Roj camps – should have confidence that those allegations are “brought to the highest levels of the Canadian government, investigated and acted upon.”<sup>111</sup>

Following the testimony provided to the Committee, the Canadian government confirmed media reports of the repatriation of a four-year-old girl, without her mother, from one of the camps in northeast Syria. The Canadian government stated that it had “provided consular assistance to facilitate the child’s travel from Iraq to Canada,” but that it was not involved in securing the child’s exit from Syria.<sup>112</sup>

## Recommendation 9

**That, while acting in accordance with the best interests of the child, ensuring their well-being and working in accordance with the *Vienna Convention on Consular Relations*, the Government of Canada pursue all options possible to repatriate the Canadian children detained in the al-Hol and Roj camps in northeast Syria.**

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108 [Ibid.](#)

109 [Ibid.](#)

110 [Ibid.](#)

111 FAAE, [Evidence](#), 11 March 2021.

112 Janice Dickson, [“Ottawa repatriates child from Syria but leaves mother behind,”](#) *The Globe and Mail*, 15 March 2021.



### **Recommendation 10**

**That, with due regard for the safety of Canadian government employees and national security considerations, the Government of Canada make every effort to provide consular services to all Canadians detained in northeast Syria; and, that it pursue with the international community a response to the detainees that is compliant with international human rights, humanitarian and criminal law, while pressing for accountability for any crimes that may have been committed, understanding that it is a *Criminal Code* offence to travel abroad to engage in terrorist activity.**

### **Recommendation 11**

**That, in using all the diplomatic tools at its disposal, the Government of Canada advocate for unhindered humanitarian access in all situations where children are affected by armed conflict and displacement, including in Syria.**

## **A HOLISTIC STRATEGY FOR CHILD RIGHTS AND WELL-BEING**

During this part of its study, the Committee heard how various socioeconomic, child rights and protection challenges can reinforce or contribute to others, particularly in the context of a pandemic, which necessitates an approach that goes beyond issue-based silos. This interconnectivity was highlighted by Joel Spicer, President and Chief Executive Officer, Nutrition International, in his discussion of maternal anemia and its effects on maternal outcomes and child development. He said:

Over one billion women and girls suffered from anemia before the pandemic, but those rates are now rising due to COVID-19. Anemia increases the chance of a woman dying during pregnancy and delivery. It stunts infant growth and damages the cognitive development of children as well as weakens their immune systems, making them more susceptible to infection and disease. If that weren't enough, it compromises their ability to learn in school and succeed there.<sup>113</sup>

Mr. Spicer also suggested that, addressing in tandem challenges facing women and children facilitates “a smart focus that can break intergenerational transfers of poverty.”<sup>114</sup>

Child protection, as detailed above, encompasses another set of linked issues. The recruitment of young people into armed forces and child sexual exploitation “all come

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113 FAAE, [Evidence](#), 23 February 2021.

114 [Ibid.](#)

down to a lack of protection, a lack of protection infrastructure, a lack of justice, a lack of education and a lack of opportunity,” emphasized Dr. Samantha Nutt. The key, in her view, is to target “structural challenges” and to mobilize Canada’s aid dollars “to go beyond short-term band-aid type solutions.”<sup>115</sup>

Canada must, according to Rowena Pinto, Chief Program Officer, UNICEF Canada, take “an integrated approach” as part of “a clear agenda for children.” She said,

Children in crisis cannot access quality education if they are not protected from gender-based violence, child labour or the mental health impacts of conflict or displacement. Girls cannot advocate for gender equality if they die of preventable diseases or malnutrition.<sup>116</sup>

Jaya Murthy, Global Chief of Internal Communication, United Nations Children’s Fund, echoed the need for an integrated – or “holistic” – approach in relation to every aspect of child well-being. He observed that,

if a protection system erodes, then children are increasingly likely to get married, or to be exploited or abused. If an education system erodes, as with what we’re seeing right now with so many children not having access to education, they’re increasingly vulnerable. If there is no access to adequate health services—and we’re seeing immunization campaigns in many countries in the world actually being stunted as a result of COVID—then that affects children’s ability to study in a healthy manner. The only way to address the full well-being of a child is to have a holistic approach in which there are responses in each of those social service areas.<sup>117</sup>

What is needed, according to Pernille Ironside – Deputy Director, Division of Data, Analytics, Planning and Monitoring, United Nations Children’s Fund – is “an inclusive response through recovery that prioritizes investments in the world’s children.”<sup>118</sup>

The Committee agrees that, for programs to be effective and resilient, the connections between the barriers, pressures and risks facing children must be understood, as must the structures and systems underlying them. In addition to devising a response that is holistic in nature, and designed to both protect and empower children in the face of new and long-standing challenges, there is also a need for a targeted strategy that reaches the most vulnerable populations – a key theme of the Committee’s first interim report.

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115 FAAE, [Evidence](#), 4 February 2021.

116 FAAE, [Evidence](#), 2 February 2021.

117 FAAE, [Evidence](#), 18 February 2021.

118 [Ibid.](#)



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CANADA

### **Recommendation 12**

**That the Government of Canada work with its partners to develop, finance, and implement an ambitious, inclusive, and holistic agenda for children as part of the global response to and recovery from COVID-19.**

## APPENDIX A LIST OF WITNESSES

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The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
<b>International Rescue Committee</b> Annalisa Brusati, Senior Technical Advisor for Child Protection	2021/02/02	15
<b>Plan International Canada Inc.</b> Tanjina Mirza, Chief Programs Officer	2021/02/02	15
<b>Right To Play International</b> Elias Ayoub, Global Director, Country Operations Susan Mclsaac, President and Chief Executive Officer	2021/02/02	15
<b>Save the Children Canada</b> Taryn Russell, Head of Policy and Advocacy Tineka Levy, Humanitarian Advisor	2021/02/02	15
<b>UNICEF Canada</b> Annabelle Bodmer-Roy, Director, International Policy and Programs Rowena Pinto, Chief Program Officer	2021/02/02	15
<b>World Vision Canada</b> Martin Fischer, Director of Policy Lindsay Gladding, Director for Fragile and Humanitarian Programs	2021/02/02	15
<b>International Bureau for Children's Rights</b> Guillaume Landry, Director General	2021/02/04	16
<b>International Justice Mission Canada</b> Anu George Canjanathoppil, Executive Director	2021/02/04	16
<b>War Child Canada</b> Samantha Nutt, Founder and Executive Director	2021/02/04	16

<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<b>As an individual</b> Stéphane Handfield, Lawyer Mathieu Paiement, Producer	2021/02/18	18
<b>Beyond Borders ECPAT Canada</b> David Matas, Member of the Board of Directors	2021/02/18	18
<b>Dallaire Institute for Children, Peace and Security</b> Shelly Whitman, Executive Director	2021/02/18	18
<b>Human Rights Watch Canada</b> Farida Deif, Canada Director	2021/02/18	18
<b>United Nations Children's Fund (UNICEF)</b> Pernille Ironside, Deputy Director Division of Data, Analytics, Planning and Monitoring Jaya Murthy, Global Chief of Internal Communication	2021/02/18	18
<b>United Nations, Human Rights Office of the High Commissioner</b> Fionnuala Ní Aoláin, Special Rapporteur Special Procedures Branch	2021/02/18	18
<b>Nutrition International</b> Joel Spicer, President and Chief Executive Officer	2021/02/23	19
<b>United Nations Population Fund</b> Natalia Kanem, Executive Director and Under-Secretary-General of the United Nations	2021/02/23	19
<b>Change for Children Association (CFCA)</b> Lorraine Swift, Executive Director	2021/02/25	20
<b>CODE</b> Scott Walter, Executive Director	2021/02/25	20
<b>Fondation Paul Gérin-Lajoie</b> Christian Champigny, Acting Manager for International Programs Florence Massicotte-Banville, International Project Officer	2021/02/25	20
<b>World University Service of Canada</b> Chris Eaton, Executive Director	2021/02/25	20



<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<b>Amnesty International Canada</b> Justin Mohammed, Human Rights Law and Policy Campaigner	2021/03/11	22
<b>Champ and Associates</b> Paul Champ, Lawyer	2021/03/11	22
<b>Defence for Children International</b> Alex Kamarotos, Executive Director	2021/03/11	22
<b>International Committee of the Red Cross</b> Geoff Loane, Head of Education	2021/03/11	22



## **APPENDIX B LIST OF BRIEFS**

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The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

**Canadian Women for Women in Afghanistan**

**Gavi, The Vaccine Alliance**

**Handfield, Stéphane**

**Nutrition International**

**Paiement, Mathieu**

**Save the Children**

**UNICEF Canada**

**World Health Organization**

**World Refugee And Migration Council**



# MINUTES OF PROCEEDINGS

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 15, 16, 18 to 20, 22, 28, 29, 33, 35, 36, 37](#)) is tabled.

Respectfully submitted,

Sven Spengemann  
Chair



The Conservative, Bloc and New Democrat Members of the Standing Committee on Foreign Affairs and International Development are pleased to submit the following evidence and recommendations to the Committee's report: Part II of a Study on the Aftershocks of the Covid-19 Pandemic—Confronting a Child Rights Crisis and Restoring Hope:

### **The Situation**

In 1209, during the Battle of Béziers between Catholics and Cathars, some 20,000 people were killed. Many people who did not necessarily embrace the Cathar faith were indiscriminately massacred, supposedly to avoid letting possible heretics live. According to legend, the Catholic commander, Arnaud Amaury, declared: "Kill them all, God will know his own." They made the decision to condemn a large part of the population of Béziers, even Catholics, to death.

The idea that it is better to slaughter the innocent than to admit the possibility that the guilty will be spared is profoundly contrary to the values of any justice system worthy of the name. It is a spirit that rightly strikes us with horror. And yet, the federal government's response to the detention of Canadian citizens in camps in Northern Syria seems to be similar to this logic - to allow innocent young children to be held in intolerable conditions simply because of the complexity of sorting out the guilty from the innocent.

As part of its study of the impacts of the COVID-19 pandemic on children, this committee heard extensive testimony from human rights groups and others about the situation of Canadian children detained in Northern Syria. The committee, in choosing to include the children's component in this study, rather than considering it in a separate study, made a conscious decision to receive and report on this information. This supplementary report addresses that issue exclusively.

Before sharing what we have heard or stating our views on this situation, it is important to note that three parties, whose members make up a majority of the committee, signed this supplementary report. This is obviously unusual, as the conclusions of the majority of MPs on the committee should be reflected in the body of the report rather than in a supplementary opinion. The rules for committees allow even a minority of MPs on a committee considerable latitude to delay the work of the committee and possibly prevent the committee from reporting on an issue. Recognizing the importance of allowing the committee to report more fully on this issue, even if imperfectly, the majority of the committee decided to comment on this issue in this supplementary document.

As the committee's main report points out in part, several countries, including Canada, are facing a tragic and complex situation in northern Syria. Following the defeat of ISIS/Daesh, many people have been arrested. These included terrorist fighters who were members or sympathizers of ISIS/Daesh (including terrorist fighters from abroad), as well as their spouses and children. Distinguishing between the innocent and the guilty in this situation is complex. Those who travelled from Canada with the intention of joining and fighting for a terrorist organization clearly bear responsibility for their actions and should be held accountable. Conversely, their children clearly should not bear responsibility for their parents' actions. Spouses of ISIS/Daesh fighters may have been influenced or coerced to join their spouses and may also be victims of

sexual or other forms of violence, but spouses of fighters may also have been willingly complicit in atrocities or other acts of violence.

The MPs preparing this supplementary report are not naive about the complexity of the different situations when innocent and guilty people are part of the same family. However, we maintain that the government has a responsibility to put in place mechanisms to protect the human rights of innocent children and other innocent Canadians who may be in these camps, while punishing the guilty. Canada cannot tolerate the indefinite detention of these children simply because of crimes committed by one or both parents. The government has a range of policy options to respond to this situation. It is crucial that any action taken has the effect of defending the rights and dignity of innocent children, rather than punishing them for the crimes of their parents. "Kill them all and God will know his own" is not an appropriate way to respond to the complexity of the situation.

### **What We Heard**

We would like to draw the attention of the House to some of the comments made to the committee about the current situation in relation to the rights of Canadian children, in addition to what appears in the main body of the report. Numerous witnesses highlighted the dire conditions in which these innocent children find themselves, as well as the strong desire of the Kurdish authorities to facilitate their repatriation.

Ms. Farida Deif, Canada Director of Human Rights Watch, addressed the situation facing these children in her testimony. She told the committee that Canada "has not even helped to verify the citizenship of the more than 20 children born in Syria to Canadian parents, leaving them without an officially recognized nationality. When asked what grade she would give Canada for respecting human rights in relation to its citizens in northeastern Syria, Deif said, "I would not give it a passing grade since the government has not urgently repatriated its nationals. No working group has been established to study this issue. I don't know if the Prime Minister or the Minister of Foreign Affairs are getting regular updates on the health and well-being of these Canadians. "

On this point, Mathieu Paiement, another witness, told the committee: "In this emergency context, Germany and Finland repatriated 23 children just before Christmas, and in early 2021, France picked up seven children, citing humanitarian and health reasons. At this rate, within weeks, all the Canadian children trapped in the camps in northeastern Syria could have been repatriated."

Ms. Fionnuala D. Ní Aoláin, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, also spoke to this issue, and called for urgency in taking the appropriate action. She said, "[t]here is a solution, and we are seeing many states engage that solution by returning their nationals." She expressed concerns with Canada's current efforts on this front, and she "urge[d] the government and this parliamentary committee to focus its immediate attention on the need to ensure that Canada is a leader in this area, not a state that sits on a list of shame in the failure to return its women and children home."



Paul Champ (attorney, Champ and Associates) argued that the Canadian government is obligated to repatriate Canadian detainees under domestic law. He told the committee: “Canadian government officials will disagree with my legal opinion [that] there's a duty on Canada to take action. They will say that the Charter [of Rights and Freedoms] does not extend abroad and does not obligate the government to intervene to assist Canadians abroad in their efforts to leave a foreign country. In most contexts, I would agree with that, but I've been involved in other cases in which I've successfully compelled the Canadian government to return Canadian citizens to Canada when they were at risk of serious human rights abuse. That is the difference. Where Canada knows that a citizen abroad is at risk of a serious human rights abuse, such as torture or death, Canada can take measures. If it is within its power to diminish or alleviate that risk, the Charter of Rights and Freedoms is triggered.” Mr. Champ went on to say that, because “the SDF says that they will only release these Canadian children if Canada agrees to return them, it is Canada that holds the keys to those prison camps.”

In her testimony, Ms. Farida Deif pointed out what seems to explain Canada's casualness in this matter, and suggested a possible path forward. “I think the real obstacle is that the government does not want to repatriate adults. Indeed, by repatriating an orphan, they do not need to repatriate the adults who accompany him...Clearly, Canada has a strong judicial system in which those who may have committed crimes can be prosecuted here in Canada. As stated by the Special Rapporteur, there is clearly no way to do that in northeastern Syria right now. So we are asking that all Canadians be repatriated, not just children. We are asking that children certainly not be separated from their parents or guardians unless it is in the best interests of the child, that all of these people be repatriated, reintegrated and resettled in Canada, and that anyone who may have committed crimes be prosecuted. That is essentially what we are asking for. If other countries have done it, but Canada has not, it is simply because there was a political will in those other countries.”

In their extensive report *Bring Me Back to Canada*, Human Rights Watch describes the situation in the prison camps: “In locked camps for women, girls, and younger boys, tents collapse in strong winds or flood with rain or sewage. Some women, including at least one Canadian, say they are on an ISIS ‘kill list’ for not supporting the group. Drinking water is often contaminated or in short supply. Latrines are overflowing, wild dogs scavenge mounds of garbage littering the grounds, and illnesses including viral infections are rampant. Medical care is grossly inadequate. The Kurdish Red Crescent reported that at least 517 people, 371 of them children, died in 2019, many from preventable diseases, in al-Hol—the larger of two camps for women and children, with about 65,000 detainees.”

There can be little doubt based on the testimony that the lives of the Canadian children detained in these conditions are at a constant risk. Mr. Champ noted about children in these camps: “The UN has also reported that many of these children are dying. They are dying from malnutrition, as well as dehydration, diarrhea and hypoglycemia. Their daily lives could not be more desperate were it not also for the violence in these camps. Exploitation and abuse is rife. People are killed by gunfire almost daily.”

Justin Mohammed, Human Rights Law and Policy Campaigner for Amnesty International Canada, underscored that action on this issue needs to be undertaken in an equitable way. He told the committee that the Canadian government must ensure “that such action does not discriminate on the basis of gender, political views, or religion, and that it must respect the rights of the child and the principle of family unity.”

Witnesses noted that the Government’s claim that it is not within their power to repatriate Canadians detained at the Al-Hol and Al-Roj camps is refuted both by the capacity of our allies to repatriate their citizens and by the repatriation of one five-year-old orphan, Amira, in the summer of 2020. On the subject of this repatriation, Mr. Mathieu Paiement stated: “We are really talking about 25 children. The government waited until they had proof that this child was an orphan. In fact, it repatriated the only orphan, as if she alone, because she had no parental support, deserved to be repatriated. However, the situation in the camps is so serious that all the other children should have been repatriated at the same time.” Kurdish authorities want to facilitate repatriation and have worked with Canada and other allies on repatriation in the past.

Conservative, Bloc and NDP members of the committee are grateful to these witnesses for their work and their testimony. The committee did not hear from any witnesses who contradicted the testimony given, or who presented any defense of the government’s failure to protect the rights of these children. We share the concerns of witnesses that the government has abandoned previous commitments to always protect the rights of Canadians. The Prime Minister has previously said that “a Canadian is a Canadian is a Canadian”. We note in particular in this respect these comments of Paul Champ:

“You can think of this another way. What if China said tomorrow that they would release the two Michaels, but only if Canada would agree to come and retrieve them? Do any of us here doubt that there would be wheels up on a CF plane to China within hours? However, these children have been waiting for years. Let’s not forget that the two Michaels travelled to China as adults, knowingly. These children are innocent. They did not make the choice to travel to a war zone, yet it is in a war zone that they are trapped. They are completely innocent. Canada has the power to return them.”

## **Recommendations**

In light of this testimony, we as the majority of the committee recommend that the government of Canada act immediately to facilitate the fast repatriation of Canadian children and any other innocent people facing arbitrary detention abroad, including in particular those in the Al-Hol and Roj camps in northeast Syria. Additionally, we recommend that the government of Canada immediately provide consular services to all Canadians detained in northeast Syria. Based on witness testimony and the experience of allies, the committee has no doubt that the government has the capacity to provide this support.

The current policy of leaving children in indefinite detention to punish them for the crimes of others, and to hide behind the complexity of sorting the innocent from the guilty in order to justify doing nothing for the innocent, is immoral and unCanadian. It is a profound betrayal of the commitment that every civilized nation makes to its citizens. The lives of these children are at

risk every day they are in these camps, and the life of every child should be a priority for the government. Every child matters. “Kill them all and God will know his own” is not a civilized sentiment. It is time to end the current approach and put in place a policy to protect the rights of these innocent children.

