

A GLOBAL PERSPECTIVE ON HUMAN DIGNITY
The Dr. Imre Rosenberg Memorial Lecture
Hon. David Kilgour
Temple Israel, Prince of Wales Drive
Ottawa
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Thank you to the organizers of this 18th memorial lecture. It is a pleasure to participate in any event honouring Dr Rosenberg, who did so much to save lives, including those of 301 orphaned Jewish children who remained in Terezin concentration camp northwest of Prague in 1945.

On November 8, 1938, he was in Berlin, helping to rescue families by moving them over mountains to Czechoslovakia. That very night, Kristallnacht, Hitler's agents murdered 92 Jewish Germans, arrested 25,000 others for deportation to concentration camps, destroyed more than 200 synagogues, and looted tens of thousands of Jewish homes and businesses. It was the prelude to the Holocaust; it remains the solemn responsibility of everyone to do all we can to ensure that the world understands and never forgets the Holocaust.

Our honouree's lifelong concerns about human dignity were global, so permit me first to speak briefly about three important nations with major governance problems that undermine the basic rights of their citizens.

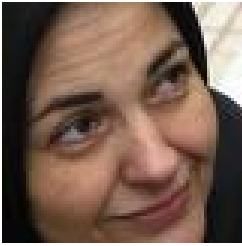
IRAN



Neda Agha Soltan is a symbol of Iran's long history, culture and principled people. Her murder by a regime sniper on June 20, 2009, when she stepped from her car during a traffic jam, still haunts the world.

Another is Zahra Kazemi, the Iranian-Canadian journalist who was arrested in Tehran in 2003 while photographing the beating of young protesters. She was found dead in a hospital a few days later, but the government buried her and would not allow her body to be examined. Dr. Shahram Azam, after obtaining asylum in Canada, related what he and a nurse observed on Zahra's admission to his hospital: a skull fracture, bruises everywhere, two broken fingers, missing fingernails, a smashed nose and evidence of both flogging and rape.





What more really need be said about a government that recently allowed its security to beat fatally women's rights advocate Haleh Sahabi while she was attending her father's funeral with 800 other mourners?

Zohreh Arshadi, a lawyer in Iran until her forced exile to Europe, analyzed the legal suppression of females in 2000, but little has since changed. Arshadi stresses that Iranian women "have managed to achieve equality in one field only: equal right to imprisonment, exile, torture, being killed, and...Iranian women have the unenviable distinction of having a greater share of punishment."

Since Ahmadinejad took office as president in 2005, he has continued the practices of the clerics, including torturing prisoners and in recent months even escalating the execution rate. In February 2010, Amnesty International released a paper, saying "(The regime)...discriminates against women from top to bottom. Women are absent in any of the senior, decision-making posts..."

Hon. Irwin Cotler, chair of the International Responsibility to Protect Coalition, warns that Iran "now leads the world in per capita executions, many of which are in secret, taking place after arrests, detentions, beatings, torture, kidnappings, disappearances, and brief trials in which no evidence is presented."



Cotler calls for several responses, including:

1. the creation of a special tribunal by the U.N. Security Council to deal with crimes against humanity by Tehran officials, and
2. the insistence that the issue of women's and girls' rights in Iran be raised in every international forum.

We Canadians should stand in robust solidarity with the struggle for women's and all human rights across Iran.

Democratic Republic of Congo (DRC)

Despite more than five million violent deaths since 1998 in the Congo, constituting one of the worst ongoing humanitarian crises on earth, too little about it appears in Western media. The ongoing pandemic of rape, used as a weapon by both Kabila government forces and the rebels, figured prominently (I understand) in the conference of Nobel laureate women and others held recently in Montebello, Quebec.

In 2010, the U.N. Special Rep. on Sexual Violence in Conflict, Margot Wallström, described the DRC as the "rape capital of the world" and urged the Security Council to make the prevention of sexual violence a top priority. "Our aim must be to uphold international law so that women — even in the war-torn corners of the world — can sleep under the cover of justice," Wallstrom added.

Recently, a report was published in the American Journal of Public Health (AJPH). Here are two of the findings:

- An average of 48 women and girls are raped every hour (more than 1,100 every day) in the DRC, and
- More than 407,000 females aged 15- 49 were raped over a 12-month period in 2006-2007.



World powers express “deep concern” about situations like the Congo, but individuals, like Dr. Imre Rosenberg, take action in the face of danger. Justine Bihamba works unceasingly to end gender-based violence in the DRC. Since 1990, she has supported women, peace and human rights, organizing community workshops and helping victims of sexual violence obtain psychological, social, medical and legal support.

Justine’s organization, a coalition of 35 women’s groups, has assisted more than 7,000 women and girls since 2003. The danger is ongoing and constant, to the victims, to Justine and to volunteers.

China

The third brief stop on this world tour is China. Peter Navarro, a professor at the University of California, argues convincingly that consumer markets across the world have been "conquered" by China largely through cheating. This includes currency manipulation, forced labour exports, widespread counterfeiting and piracy of products, and safety/environmental standards so weakly enforced that they have made China a hazardous place. For all countries trading with China, Navarro has comprehensive proposals which are intended to ensure that commerce becomes fair.

The continuing persecution of spiritual communities, including Tibetan Buddhists, Christians and Muslims, comes from the teeth of the Chinese party-state. Consider Falun Gong practitioners, who combine a set of exercises with principles of “truth, compassion and forbearance.” In China, where it first became public in 1992, the movement grew within seven years to 70-100 million persons by the government’s own estimate. The first vilification of Falun Gong in 1999 led to a large demonstration in Beijing, which enraged then President Jiang Zemin. His incitement to hatred against the movement in Party media continuously since has reaped many tragic consequences, most notably the large scale trafficking in their vital organs to “organ tourists” and wealthy Chinese.

After 1980, the government began withdrawing funds from the health system across China. Selling the organs of executed convicts became a major source of revenue; Falun Gong prisoners later became a large additional source of organs. After mid-1999, tens of thousands of Falun Gong were sent to forced-labour camps — modeled after ones established by Hitler in the 1930s and Stalin in the 1950s — on only a police signature without any form of hearing. Organ price lists were posted on Chinese websites.



“Grace” Li, a former district court judge in China, spoke at a forum on organ pillaging held last month at the University of San Diego. Despite her position, she was sent to a labour camp for three years and four months without any species of hearing for being a Falun Gong practitioner. She explained: “In China, corruption is common in the judicial system...Through practicing Falun Dafa... I was perhaps the only judge that refused bribes and was known as a fair and just judge... in April 2002, I went to Tiananmen Square and I pleaded with the government to stop persecuting Falun Gong practitioners...I was taken to the police station. They punched me, and my nose was bleeding...In order to force me to give up my beliefs, they deprived me of sleep for three days and three nights.”

Li was fired as a judge because she would not sign a statement denouncing Falun Gong. Authorities forced her husband to divorce her. She now lives in California as a refugee. “I hope the communist system will collapse like it did in Russia, and that all Chinese will enjoy freedom,” she adds.

Falun Gong today comprise about two-thirds of the torture victims and half of those in labour camps across China. According to research David Matas and I did, set out in our book *Bloody Harvest* (www.david-kilgour.com), during the period 2000-2005 for 41,500 of the transplants done across China the only explanation for sourcing was Falun Gong.

One estimate of the number of labour camps across China as of 2005 was 340, with a capacity of about 300,000 workers. Others are much higher. It is the ongoing combination of totalitarian governance and “anything is permitted” economics that allows them to continue to operate.

For organs trafficked in China, Matas and I would encourage each of you to help end organ-pillaging from prisoners by implementing the following recommendations.

- Actively discourage fellow Canadians from going to China for transplant surgery.
- Dissuade MDs outside China from traveling there to give training in transplant surgery.
- Ban the export of drugs to China used solely for transplant surgery,
- Enact extra-territorial legislation, penalizing participation in organ transplants without consent.
- Bar entry to Canada to any person known to be participating in organ trafficking.

Canada

Many nationals of China, Iran and the DRC have relocated to Canada for better lives for themselves and their families. We pride ourselves on living in one of the best performers on the UN Human Development Index year after year, although someone pointed out that if only our Aboriginal peoples were considered we would rank 48th instead of 5th or 6th. We believe in transparency and the rule of law and have cheered on the investigations of outgoing Auditor General Sheila Fraser. Yet if you scratch beneath the shiny surface, we have lots of work to do. Let’s start with opportunities for immigrants today.

New Canadians

Most of the following relates to newcomers to Canada from other than Europe, but I'm fully aware that similar obstacles face all immigrants, including Dr. Rosenberg himself, who had his European high-school diploma questioned when seeking accreditation as a lawyer in Ottawa in the late 1940s. His law degree was from The Hague.



Statistics Canada projects that by 2031 almost half of our population over the age of 15 will be foreign-born or have at least one foreign-born parent. The non-European-origin persons will double and make up the majority of the population in our larger cities. In this context, permit me to quote some points made by Haiyan Zhang, a Canadian citizen of origin in China, in a speech in May, 2009 (Her entire talk is available under Governance at www.david-kilgour.com). A certified management consultant and current president of the Ottawa Social Planning Council, Zhang said:

“For many (immigrants)... harsh realities soon hit home when we find that our educational backgrounds are discounted, our professional experience ignored and our loyalties questioned. Doubts start to rise when we realize that we live in a country with most highly educated taxi drivers and pizza delivery-men on the planet!”

Zhang continues:

“...In Ottawa, recent findings indicate that the median individual income for recent immigrants was under \$15,000 compared to over \$26,000 for Aboriginals and those with disability. The median income is nearly \$33,000 overall; that's more than double the income of recent immigrants!”

In Ottawa, the situation is further complicated by the fact that the government of Canada is the major employer and demands both security clearance and often good ability in both official languages for new employees. There is also the amount of time often required to jump through all the other hoops to get into even entry level public service positions.

In short, Canadians and our governments at every level must do a lot better for newcomers. We have major advantages for attracting skilled individuals wishing to immigrate, but we must remove the obstacles now.

Those of you who read the recent Fraser Institute report on immigrants may have been left with the impression that newcomers are net beneficiaries and therefore a burden on the Canadian society. While some of the findings on settlement cost might well be true, in my view the report failed to reflect two important realities:

- The cost of under employment/unemployment of immigrants due to lack of recognition of their professional and educational background. Most immigrants would

rather be working in jobs that allow them to pay taxes instead of being trapped in situations where they have to depend on social benefits, and

- Most immigrants are doing their best to help themselves and contribute to Canada.

Health, Poverty and Affordable Housing

At the Spectrum Conference at Carleton University in January 2011, speakers made important points relating to health, poverty/social issues and affordable housing:



Dr. Jeff Turnbull, President of the Canadian Medical Association; Chief of Staff, Ottawa Hospital; Medical Director of Inner City Project for the Homeless, Ottawa, said:

- Approximately 46% of the Ontario government yearly budget goes to health services, which on a national basis amounts to about \$192 billion or \$5200 per Canadian, yet an estimated three-quarters of health outcomes are influenced by non-health factors.

- MDs deal with “swamp issues”, but the real need is to “drain the swamps” by investments in effective social services.
- Turnbull noted from his own experience at the Inner City Project that the homeless are “fascinating wonderful people” although many say they are “invisible” to passers-by. For example, Harlan helped raise money on the streets for the Children’s Hospital; Normie, who died in the Ottawa Mission hospice, had two of his paintings in our National Gallery. Most men and women are homeless because they were dealt “a bad deck of cards” and often develop problems with abuse of substances and/or alcohol.
- The chronically homeless in Ottawa have bad health outcomes, with an estimated \$170,000-\$225,000 being spent yearly on ambulances, emergency services, etc for each. “Homing the homeless” is the most effective way to deliver health services to them, says Turnbull.
- Youth homelessness creates risks of HIV and other illnesses quickly and it is important to try to get adolescents off the street as fast as possible. One of the success stories is now a professor at a local university.

Rob Rainer, Executive Director, Canada without Poverty, noted:

- The cost of poverty to Canada is now above \$70 billion yearly. For example, there is a 21-year difference today in the life expectancies of residents of Hamilton’s wealthiest and poorest communities. Poverty is “like poison to the brains of a child raised in poverty.” The yearly cost of keeping a female offender in prison is about \$330,000; about four fifths of them are there because of crimes of desperation, says the Elizabeth Fry Society.



- Among the current barriers to progress on combating poverty:
 - ideological battles between individualism and community values,
 - racialization of poverty issues, with immigrants increasingly victimized by poverty and
 - some Canadians think taxes are too high, forgetting that they pay for schools, social services and many other features of advanced democracies.
- The gap between rich and poor Canadians is much greater now –and growing.
- Some initiatives underway:
 - The federal government is the lead player, providing about 80% of income security programs, but it should initiate a national anti-poverty vision,
 - Bill 545 of former MP Tony Martin is useful and should be enacted, and
 - A committee of the House of Commons made 60 recommendations.
- The Guaranteed Annual Income proposal of Senator Hugh Segal would top up a person's income if less than the minimum established. There is a pilot project underway now in Dauphin Manitoba.
- The child tax benefit should be updated to reflect current economic realities, with a similar model being applied to the incomes of retired persons.

Information Patriots

Virtually nothing is more powerful than truth in confronting abuses of office, yet so often silence prevails as was the case for the Holocaust itself for so long. The single most effective tool is information from employees; that's why effective whistleblower protection is a key component of good governance. With it, wrongdoing can be exposed and even averted. Witnesses otherwise are silenced by the threat of retaliation; inconvenient facts are swept under the carpet to avoid scandal. Consider what happened to conscientious public servants Joanna Gualtieri and Brian McAdam of Ottawa:



In doing her job as a real estate specialist at our foreign affairs ministry, lawyer Gualtieri exposed lavish extravagance in the procurement of accommodation for our diplomats abroad. Rather than correct the problem, her bosses bullied her, eventually forcing her out of her job. When she sued to hold them accountable, Justice Department lawyers used endless procedural manoeuvres to drag out the case for 12 years, forcing her to answer more than 10,500 pre-trial questions. The strategy was presumably to ruin her with massive legal bills and break her spirit. In the end, the government settled, virtually on the courthouse steps, avoiding a public trial which would have shone a light on wrongdoing and cover-up. Joanna now has her life back, although she has lost 17 years to an unequal battle and she is subject to a gag order that prevents her from speaking about the very wrongdoing that she put her career and wellbeing on the line to expose.

In the course of doing his job of protecting the security of Canada's diplomatic missions abroad, Brian McAdam discovered that our immigration office in Hong Kong had been infiltrated by organized crime, allowing criminals to immigrate to Canada. Rather than correct the problem, senior officials turned on McAdam, harassing him and forcing him out of government service. For years, they stalled, blocked and undermined



subsequent inquiries into McAdam's allegations. Much evidence he provided to the RCMP was destroyed, and RCMP officials shredded 'Sidewinder', their own organization's report, that confirmed his concerns.

Canada has seen no shortage of scandals. The following come readily to mind:

- The Tainted Blood Scandal, in which about 60,000 Canadians were infected with hepatitis C, some of them fatally.
- The Gun Registry Scandal, in which a program with a budget of \$2 million spent \$1 billion without authorization or reporting of the cost overrun to Parliament.
- The Sponsorship Scandal, in which millions of dollars of public money were diverted illegally to government-favoured advertising agencies.

Other countries have adopted whistleblower protection as an anti-corruption strategy. The U.S. is the pioneer in the field, and began to take the first steps more than 30 years ago. The UK has had effective legislation in place for more than a decade, which covers its entire workforce. This includes a tribunal system that has processed more than 7,000 whistleblower cases.

Sadly, the history of such legislation in Canada is one of foot-dragging by politicians and officials alike. Successive governments have promised whistleblower protection for years. We still have no legislation that works properly and no agency that reliably protects public servants at any level of government, or in the private sector, or in any part of the country. In terms of protecting honest employees from reprisals, information patriots, Canada is largely a wasteland.

Things do seem to be changing for the better of late and I'd strongly recommend to you the cover story in the current (June) Literary Review of Canada:

<http://reviewcanada.ca/reviews/2011/06/01/shooting-the-messenger/>. A number of our national whistleblowers, including Dr. Nancy Olivieri, RCMP Cpl. Robert Reed, Allan Cutler, Sean Bruyey, Richard Colvin, Linda Keen and Paul Pritchard, as well as Gualtieri and McAdam, are discussed in glowing terms.

Integrity Commissioner

The Public Servants Disclosure Protection Act came into force in 2007 and created the Public Sector Integrity Commissioner, who reports directly to Parliament. Career official Christiane Ouimet was appointed to lead the new agency, but her first annual report revealed that she had found no cases of wrongdoing and no cases of reprisal.

As she was responsible for protecting more than 400,000 federal public servants, running a system that spends about \$500 million every day, this seemed implausible. She maintained a 'perfect score' of no results for three years. Despite this record and yearly reports to an all-party House of Commons oversight committee, no-one took action until the report by Sheila Fraser, instigated after whistleblowing by former staff of the Integrity Commissioner's own office.



David Hutton of the NGO FAIR (<http://fairwhistleblower.ca>) (full disclosure: I'm a volunteer member of FAIR's Advisory Board) said of Canada's first Public Sector Integrity Commissioner,

“For more than three years, she effectively shielded more than 150 alleged wrongdoers from any proper investigation, giving them plenty of time to cover their tracks and destroy the evidence. Worse, she betrayed these whistleblowers, more than 50 of whom submitted formal complaints of reprisal. Only four of these were ever investigated, and Ouimet found no evidence of reprisals... I consider many of these people heroes who, knowing the risks, put their careers on the line to protect us. The lack of effective anti-corruption measures in Canada leaves our institutions vulnerable, makes our country a magnet for criminals, and threatens the fabric of our democracy.”

CONCLUSION

Human dignity is ultimately indivisible around the world. Dr. Rosenberg probably knew this all his adult life. Whichever one of his many hats he was wearing at a particular moment—scholar, teacher, diplomat, lawyer, writer, artist or friend— he believed passionately in the Hebrew exhortation, “Tsedek, Tsedek, Teerdof” (“Justice, justice, seek it”). Treating all human beings justly and with equal dignity was his daily credo.

Dr Truda Rosenberg, Imre's widow the past 25 years, continues his work. Only a few weeks ago, she returned from a visit to Austria, attending five events in Salzburg alone. At the social sciences faculty, she discussed Hitler's early activities in the city. With faculty and community leaders, she suggested that guilt is foolish; much better to ensure that mistakes are not repeated. She met with students at a high school. At a church, she was met with a choir singing, “God is one” in Hebrew. In short, Truda fulfills daily Imre's view that “Anything needing help is a Jewish issue.”

Thank you.