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Chair: Mr. Sven Spengemann





# Standing Committee on Foreign Affairs and International Development

Thursday, March 11, 2021

• (1530)

[English]

**The Chair (Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.)):** I call the meeting to order.

Colleagues, welcome to meeting number 22 of the Standing Committee on Foreign Affairs and International Development.

[Translation]

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Thursday, October 22, 2020, the committee resumed its study of the vulnerabilities created and exacerbated by the COVID-19 pandemic.

[English]

As always, to ensure an orderly meeting, I ask all participants to mute themselves when they're not speaking and to address comments through the chair. When you have 30 seconds remaining in your questioning or speaking time, I will signal you with a piece of paper. Interpretation is available as usual through the globe icon at the bottom of your screen.

Before welcoming our witnesses, colleagues, I would like to seek unanimous consent from members to proceed with the meeting until there are 10 minutes of bells remaining on the vote, in order to maximize the committee time with our last panel for this segment of the study.

Does the committee give its consent to proceed in that fashion? The clerk will signal us when there are 10 minutes of bells remaining. Are there any objections, colleagues?

Seeing none, that's carried. Thank you very much.

[Translation]

I would now like to welcome the witnesses.

[English]

We have with us this afternoon Justin Mohammed, human rights law and policy campaigner, Amnesty International Canada; Paul Champ, lawyer, Champ & Associates; Alex Kamarotos—

**Mr. Peter Fonseca (Mississauga East—Cooksville, Lib.):** Mr. Chair, I sometimes cannot get interpretation.

**The Chair:** I'm sorry. Thank you, Mr. Fonseca.

Is interpretation an issue for anybody else?

Is it fixed now? Do we have interpretation services?

[Translation]

Mr. Bergeron, does the interpretation work?

[English]

Yes? Okay. I'm getting a thumbs-up.

Thank you, Mr. Fonseca.

To continue, we have Alex Kamarotos, executive director, Defence for Children International; and Geoff Loane, head of education, International Committee of the Red Cross.

To get us through maybe two or perhaps three of our witnesses' opening remarks,

[Translation]

I invite Mr. Mohammed to take the floor for five minutes.

Once again, I thank you for accommodating us.

[English]

**Mr. Justin Mohammed (Human Rights Law and Policy Campaigner, Amnesty International Canada):** Thank you, Mr. Chair and honourable members, for inviting me to this phase of your study on the COVID-19 pandemic.

I'm joining you this afternoon from unceded Algonquin Anishinabe territory in Ottawa.

I would like to focus my remarks on the situation facing 46 Canadian citizens, including some two dozen children who are being arbitrarily detained in northeast Syria. I will not spend my time recounting the dire humanitarian situation in al-Hol and Roj camps, which is well reported.

Instead, I would like to focus the majority of my time discussing how Canadian policy is meant to address instances when a citizen alleges torture or mistreatment in detention abroad. Much of what we know about this policy comes from a 2018 Auditor General's report, as well as this committee's very own study of the topic in November 2018.

Global Affairs Canada's policy mandates that consular officials should promptly advise the minister in writing of credible information indicating torture and advise the deputy minister in cases of mistreatment.

“Promptly” is undefined, but a period of three months was deemed by the Auditor General to be unacceptable. Responding to this committee's report on the topic, Global Affairs Canada indicated that it was developing timelines for the assessment of torture or mistreatment allegations and their reporting to the minister or deputy minister respectively.

GAC policy further indicates that when such concerns arise, a director-general-level consular ad hoc working group on torture and mistreatment is to assess whether the allegations are serious and credible and advise the director general of consular operations on the management of those cases.

Despite this policy framework, what is known about the application of this policy to Canadians detained in Syria is extremely limited. Amnesty International has been informed that the minister has been advised of allegations of torture and mistreatment in Syria, and that the ad hoc working group has been convened.

GAC also reports that it requests updates from Kurdish authorities about the whereabouts and well-being of Canadian citizens in Syria.

On the other hand, GAC officials have not indicated whether concrete reporting timelines exist. They will not say how often they receive reports on the health and well-being of these Canadians, and in fact, when Canadian officials met with Kurdish authorities in Sulaymaniyah earlier this year, they specifically did not raise the issue of the detained Canadians.

We do not know what advice the ad hoc working group has provided, and Amnesty International's simple request to know when the minister was advised of torture and mistreatment allegations, and the outcomes of those assessments, was met with a refusal invoking the Privacy Act.

An access to Information request about the provision of consular services to the detained Canadians, which specifically exempts the personal consular files, remains unanswered over one year after it was submitted.

Honourable members, Canada's consular policy framework for torture exists for a reason. It exists because Canadians expect that when they are subject to mistreatment abroad, it will be brought to the highest levels of the Canadian government, investigated and acted upon. Instead, Canadians who are undoubtedly suffering mistreatment in Syria, including children, have been abandoned by their government.

This is the reflection of one detainee, shared with me by a Canadian relative: “They just finished, three guards, beating a woman with the back of their huge guns until she was unconscious and then taken.... Maybe she died. Maybe she's in a hospital somewhere. Does anyone care? Nope. We are a group of people forgotten about and left for thugs to do as they please with us.”

Regrettably, the opacity around the handling of these cases represents a stunning deficit in both transparency and political leadership toward this group of vulnerable Canadians. We have seen admirable initiatives to provide consular services to Canadians across the world during this pandemic. These were provided during the Beirut harbour explosion, for Michael Kovrig and Michael Spavor,

and with respect to Canada's recent initiative on state-to-state arbitrary detention.

These Canadians in Syria, by contrast, receive next to nothing. What could be more core to the mandate of GAC's consular bureau than the allegations of torture raised by a group of 46 Canadian citizens, especially when the allegations involve Canadian children?

What should detainees make from the fact that just last week, this government very commendably announced that it would pursue the Assad regime for crimes of torture committed since 2011, while at the same time it ignores the plight of its citizens stuck in that country, who are suffering daily human rights violations that Canada is squarely in a position to end?

Honourable members, I have four recommendations for the committee.

First, the committee should demand to know when the minister was made aware of the torture and mistreatment allegations in northeast Syria, and whether those allegations have been deemed substantiated.

Second, the committee should insist that the government take every lawful action to end these human rights abuses, ensuring 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.

● (1535)

Third, Canada should work together with the international community to ensure a human rights-compliant response for all of those who are arbitrarily detained in northeast Syria, regardless of nationality.

Finally, Canada should press for accountability for international crimes that may have been committed by these detainees, including by Canadians, in a manner consistent with international human rights law, international criminal law and international humanitarian law.

Thank you for your time. I look forward to your questions.

**The Chair:** Mr. Mohammed, thank you very much for your opening remarks.

I will now turn the floor over to Mr. Champ. Please go ahead for five minutes.

**Mr. Paul Champ (Lawyer, Champ and Associates):** Thank you very much, Mr. Chair, vice-chair and members of the committee. Thank you for this invitation.

I'm a human rights lawyer in Ottawa. I specialize in constitutional and international law. I've represented many Canadians detained abroad in a variety of different contexts. That's why I believe I've been invited to speak to you today.

I'm also going to discuss the issue that Mr. Mohammed just raised about the thousands of people who are held in Syria, in particular the 25 Canadian children who are being held in the two prison camps at al-Hol and Roj. We know there are 64,000 people in those camps, two-thirds of whom are children under 12, including those 25 Canadian children. UN investigators have described the conditions in these camps as appalling and inhumane.

Some humanitarian services have now been scaled back because of COVID. Workers from UNICEF and from MSF, Médecins Sans Frontières, have pulled back some of their services because some of their workers have contracted COVID in the 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.

Committee members, I know you've heard about some of these dire reports. However, as a lawyer, I want to provide you with a different perspective. I want to advise you that in my legal opinion, Canada has a duty to take whatever measures are reasonably available to repatriate these Canadian citizens, especially the children. There can be no dispute that these children are being subjected to serious human rights abuses, such as arbitrary detention and cruel and inhumane treatment. The rights to life and security of the person are being jeopardized. There is also discrimination on a prohibited ground—nationality.

On that last one, the irony is that while Canada has not yet done anything for these individuals, those children are being detained now because they are Canadian citizens. Thousands of Syrians have been released from these camps, but foreigners and the children of foreigners continue to be held. Here's the tragic point in this: The Syrian defence forces want to release these Canadian children. Their condition: They want Canada to take them back. Unless and until Canada does so, they're going to continue to detain them indefinitely in these appalling and dangerous prison camps.

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 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.

That's the crucial point in this particular humanitarian crisis. When 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. It is within Canada's power, and therefore Canada's responsibility, to repatriate these Canadian children from prison camps in the conflict-affected area. I'm sure they will never admit it publicly—and I see some members perhaps shaking their head—but I'm sure some Canadian government officials know that I'm right, or believe that I'm right, and that Canada's legal duties in the circumstances include repatriating people at risk of serious human rights abuses.

I know this because when faced with a lawsuit from a family with an orphan, Amira, in October, Canada returned her.

I'll leave you with this: 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.

• (1540)

Thank you.

**The Chair:** Thank you very much, Mr. Champ.

Next is Mr. Kamarotos, on behalf of Defence for Children International. You have five minutes, please.

**Mr. Alex Kamarotos (Executive Director, Defence for Children International):** Good afternoon.

Let me first of all thank you warmly for the invitation to Defence for Children International. I'll start with a few words about the organization. I think we are the only non-Canadians here.

Defence for Children International is a leading child rights-focused and membership-based grassroots movement and is currently composed of 35 national sections across five continents. It was created in 1979, the International Year of the Child, in Geneva, Switzerland.

The UN High Commissioner for Human Rights, Michelle Bachelet Jeria, reported the following at the current session of the UN Human Rights Council here in Geneva:

Much of the negative impact of the COVID-19 pandemic has been exacerbated by a failure to address previously existing structural causes of inequality, social exclusion and deprivation, and the inability of many countries, rich and poor alike, to meet the basic needs of a sizeable proportion of their populations.

This is equally applicable to children and the rights of the child, in particular during this pandemic. DCI has had the chance to count on some very relevant experience from such other health emergencies as the 2015 Ebola emergency in west Africa, where DCI-Sierra Leone and DCI-Liberia were particularly involved. In February 2020, the international secretariat and the entire movement mobilized in front of this pandemic. We very quickly gave alerts regarding the risk of violations exacerbated by the pandemic or even created by mitigation measures taken by states.

In my intervention, in complementarity with your earlier hearings, I want to touch upon two issues related to children. The first one concerns the impact of the pandemic on violence against children, including gender-based violence. The second is the impact on access to justice, in particular for children deprived of liberty. That touches upon the issue we just heard.

UNICEF reports that violence prevention and response services have been disrupted in 104 countries during the COVID pandemic. I believe we still only see the top of the iceberg regarding the impact of the COVID pandemic on violence against children, but it seems to be already well documented that COVID-19 and some of the mitigation measures taken by the governments have increased the exposure of children to different forms of violence, exacerbating such human rights violations as stigmatization, discrimination and xenophobia; child labour and unpaid work; child pregnancy; and harmful acts that include child marriage and female genital mutilation, as well as online abuse, bullying and exploitation. As the UN Special Representative of the Secretary-General on Violence Against Children emphasized in her report to the UN Human Rights Council earlier this week, “What began as a health crisis risks evolving into a broader child-rights crisis.”

I also want to share our experience and results in the area of justice for children, in particular children deprived of liberty. DCI has been part of the origin—we are currently the co-chair together with Human Rights Watch—of a wide civil society coalition on children deprived of liberty. The NGO Panel for the Global Study on Children Deprived of Liberty is composed of 170 civil society organizations worldwide. The UN High Commissioner for Human Rights, Michelle Bachelet Jeria, has urged authorities since the beginning of the pandemic to look at releasing detainees and in particular low-risk child offenders. UNICEF data indicate that at least 31 countries have released children from detention because of concerns about the spread of COVID-19. This is certainly insufficient, and even lower than the number of adult detainees released.

Honourable members, I cannot finish this very short and certainly incomplete presentation without speaking about the impact of COVID-19 measures on the mental health of children and the importance of ensuring the meaningful participation of children on mitigation measures that concern them. Last year DCI organized child- and youth-led online debates on the impacts of COVID-19. We had very, very concrete results.

We also participated, together with a great number of other civil society organizations, in #CovidUnder19, an initiative to meaningfully involve children in responses to the pandemic, with participation from more than 26,000 children from 137 countries.

I want to quote from two of the children who participated in the initiative. The first one comes from a Bolivian girl: “I think the government should understand that children are not dumb and easily manipulated. Children should feel that trust and not feel like they have to remain silent. This would increase their confidence and [motivate them] to report injustice.”

Last but not least, a 16-year-old Canadian girl said, “Even though there is a pandemic going on, there are people out there who experience abuse daily. The awareness, even in Canada, on how to access the resources is not explained in the best way. Finding that information should be basic knowledge for any human being.”

I thank you.

• (1550)

**The Chair:** Thank you very much, Mr. Kamarotos.

We'll now go to Mr. Loane, who is here on behalf of the International Committee of the Red Cross. The floor is yours for five minutes, sir.

**Mr. Geoff Loane (Head of Education, International Committee of the Red Cross):** Mr. Chairman, vice-chairs and committee members, on behalf of the International Committee of the Red Cross, I would like to express my gratitude for this opportunity to discuss this extremely important subject.

The role of the ICRC is mandated by the international community through the Geneva conventions, and our exclusively humanitarian role is to support the faithful application of international humanitarian law, and where appropriate, to support the protection and assistance of victims of armed conflict while respecting the core principles of humanity, neutrality and independence.

The impact of COVID-19 on the vulnerability of children in conflict-affected contexts is being felt and witnessed today throughout the world, and we will certainly see the outcome for years to come. It is a privilege to be able to share some of our own observations over the past 12 months. They must be taken as only preliminary observations, as the full impact of this pandemic has yet to be felt.

I would like to summarize my remarks into the following areas: education, detention, family links services, and recruitment by and association of children with armed forces and armed groups.

Education, by its nature, is the public service most vulnerable to shocks. That came tragically home to all of us in the space of a week in March 2020, when nearly two billion children in more than 185 countries stopped going to school and schools were closed. While many countries were able to adapt and respond with alternative learning platforms, the technical means are simply unavailable in most of the countries in which the ICRC is operational.

Because of school closures, children have been denied an opportunity to be learners and to make choices for themselves, and for many, a return to school is now precluded. Some have been forced into the workplace, some into early marriage and some into becoming homemakers. For the most vulnerable children in areas where the ICRC works, children who are displaced, refugees, in detention or simply relying on education as a protective mechanism in a conflict zone, perhaps to avoid recruitment by an armed group or perhaps to be able to eat one meal a day, the long-term impact of this school closure is likely to be catastrophic.

Last, we remain very concerned about the reported increase in levels of domestic violence, including the exposure of children to higher levels than previously recorded.

In places of detention, we have seen both positive and negative changes to the status quo. In some contexts, we have witnessed the positive impact of increased engagement by the authorities to review individual cases. In many different countries, there was an initial rapid release of detainees, often starting with children, as part of the efforts to free up space inside places of detention and to reduce the risks of infection for detainees. 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.

However, on the other side, unfortunately, for children and indeed all detainees who remain in detention, COVID-19 has also meant the limiting of family visits, and therefore often the cutting off of 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.

Across the world, COVID-19 has led to the closure of international borders, restriction of movements within countries or limited humanitarian access, including to refugee or IDP camps, to avoid spreading the virus even further. These things have had a direct impact on the family links services and the Red Cross movement's ability to carry out tracing at the same speed as before, or even simply to put families back in contact, as staff have not had anything like the same level of access to affected populations to distribute and collect Red Cross messages.

Cross-border family reunifications, which involve transferring a child from one country to be reunited with their family in another country, for which the ICRC is normally the humanitarian actor in charge of working with the authorities, have been complicated by different and interlinked factors. The border and embassy closures are an administrative hurdle. Accessing the child, which is never straightforward, has been made more challenging due to ongoing restrictions. The unaccompanied child's safety and supervision are problematic when one or several quarantines are necessary. Also, sometimes families can be afraid that the incoming child will be seen as bringing the virus into the community and will be stigmatized or worse.

• (1555)

As mentioned earlier, there is a fourth immediate challenge. It is too early to have detailed statistics from areas where ICRC works,

but it appears that the worsening socio-economic situation is driving an increase in early child marriage, particularly when so many girls are out of school. Several children in one of the countries in the Sahel who were ready to be reunified with their families and whose reunifications were put on standby when the border closed have now refused to return to their families, as they married in the interim, clearly as a survival mechanism.

In the coming months, it is going to be very important to work with the authorities, other actors and the Red Cross Restoring Family Links program volunteers to ensure that these services can continue and that unaccompanied, displaced and migrant children are not exposed to greater risks than they already are.

Let us also remember that violations of international humanitarian law concerning children were already in existence. These have continued and have been exacerbated. Unfortunately, the recruitment by and the association of children with armed forces and armed groups continues to expose children to extreme levels of violence, risk and trauma.

In times of socio-economic hardships and when school is no longer an option, the push factors for children to join armed groups increase. Also, because of COVID-19, the authorities may have less access to areas where child recruitment is taking place, and official programs that aim to support children to leave armed groups may be reduced in scope.

**The Chair:** Mr. Loane, I wonder if I could stop you there, just in the interests of time. We're minutes away from the vote, but I wanted to briefly get agreement from colleagues.

We're going to lose about 20 minutes for the vote itself, with 10 minutes of lead time and 10 minutes for the actual vote. Would colleagues agree to shorten their interventions to three minutes so that we will get to, hopefully, at least one full round? I know that the original allotment was six minutes, but we do have to go in camera for the subsequent discussion. We have a second panel.

Is it the agreement of the members that we would proceed in that fashion? Is anybody fiercely opposed? It would give every colleague a chance to intervene, but in a much shorter time frame.

If there is no objection, we will turn the floor over to Mr. Genuis for three minutes, please.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Thank you, Mr. Chair.

It is quite striking that we have a case of Canadian children detained abroad whose captors wish to release them, but the Government of Canada is not putting in place the conditions to facilitate that release. Mr. Champ made the observation that this is as if all that was required for the two Michaels to be released was for us to go and pick them up and we failed to do that.

Mr. Champ, I think that in some ways it's worse than that. It's as if, having received the offer, we had gone and picked up one of the Michaels and left the other behind, because Canada did launch an operation to bring one person out of northern Syria and then inexplicably said they couldn't do any more.

I would like to ask specifically for your reactions, Mr. Mohammed and Mr. Champ, to the testimony of the previous foreign affairs minister. I raised these issues with Minister Champagne on November 24 before this committee. I asked him why it was possible to repatriate one Canadian child but not the rest. He said that essentially "there was only one Canadian orphan who was in [the] camp". He said, "That's why we could mount a very extraordinary mission to repatriate her."

He said: "We had one orphan, and we brought her back. We should all be happy with that." That's a direct quote: "We should all be happy with that." I wonder if you had an opportunity to hear the minister's testimony on the 24th and if you want to react to that part or any other part of the minister's testimony on that day.

Maybe we can hear Mr. Mohammed first and then Mr. Champ.

**Mr. Justin Mohammed:** I did have the opportunity to review the former minister's intervention on this point and can only hope that we will change course, noting that we have a new minister in place now.

Mr. Genuis, in response to your question, I think it is very much apparent that there's no clear articulation. Even the Prime Minister has indicated that the case of the one orphan who was repatriated was exceptional, and I would interrogate what exactly was exceptional about that case. Of course Amira was an orphan, but that doesn't change the fact that the other children remaining in this camp still have their rights intact and that the many rights under the Convention on the Rights of the Child, for example, are being violated as much for the other children remaining in that situation as they were for the orphaned child.

Those of course include, for example, article 3 in the Convention on the Rights of the Child, to act within their best interest; article 8, with respect to nationality and identity; and article 9, with respect to being separated from parents without will. Those are the considerations we think should be guiding any future efforts that the Government of Canada should be taking on this.

• (1600)

**Mr. Garnett Genuis:** Thank you.

Mr. Champ, do you want to weigh in on that as well, very briefly?

**Mr. Paul Champ:** I agree with everything Mr. Mohammed said.

As an international human rights lawyer, I'm ashamed of Canada's response to this situation. We know the argument that Canada put forward—that they simply couldn't do it and it wasn't possible—was just a flimsy argument, because they did it for one child. How they can do it for one child and not others? I don't know if there's ever any kind of rational response to that statement that could be satisfactory to anyone. It's certainly not satisfactory to me and the other human rights advocates.

**The Chair:** Thank you very much, Mr. Genuis.

The floor goes to Mr. Fonseca.

**Mr. Peter Fonseca:** Thank you, Mr. Chair.

Mr. Kamarotos, in November 2020 the DCI released comments on children's rights in the digital environment. Many recommendations were made by your organization on how Canada can effectively attempt to create due diligence procedures to protect children from business enterprise.

**Mr. Alex Kamarotos:** This issue is quite new. The general comment of the UNCRC has been adopted recently during the COVID period, and member states, including Canada, have to work very closely on this. As you mentioned, the complexity is that it doesn't depend only on public measures, but also on private companies. I think Parliament should adopt legislation putting limits on this—and there is good practice in other countries—and they could also implement the recommendations of general comment 25. That's for the moment, but I think we are going to work closely.

If you permit me, I wanted also to add something to the previous questions, although I was not requested. DCI has been in a group called the Child Justice Advocacy Group, working specifically on cases like the one we have been discussing. There is a position paper called "Children – not terrorists..." that I will put at the disposal of the clerk to distribute to the members who are interested.

**Mr. Peter Fonseca:** Thank you, Mr. Kamarotos.

Mr. Loane, back in September of 2020 the ICRC posted an article about protecting education from attack during the COVID-19 pandemic. A call was made to assist in re-establishment of education facilities during attacks. How was that call being answered during the pandemic?

**Mr. Geoff Loane:** I think the challenge during the pandemic has been the closure of schools globally, and only in erratic circumstances have these schools been opened in the places where we work. I think there has been a positive response in a limited context in war zones where governments and authorities, non-state authorities as well, have taken decisions to protect schools and to withdraw soldiers from the use of schools. We look forward to that being continued and an intensification of the separation of military roles from the role of education.

**Mr. Peter Fonseca:** Mr. Chair, how is my time?

**The Chair:** That's pretty much your time, Mr. Fonseca.

We're just minutes away from the 10-minute mark that we had agreed to. I would propose, instead of asking Mr. Bergeron to do only a portion of his intervention, that when we resume, we give him the floor for his three-minute round, followed by Ms. McPherson.

If that's agreeable to the committee, we will suspend now for the vote. With the lead time still being 10 minutes, we'll lose about 20 minutes, and then we'll resume, with two rounds of questions to follow, before going in camera for our second part of the meeting.

Go ahead, Ms. McPherson.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Mr. Chair, is it possible for us to vote using our new application, and then to come back once everyone in the committee has completed their vote?

• (1605)

**The Chair:** I believe that's possible, except unanimous consent is usually aimed at waiting for the completion of the vote.

Madam Clerk, can we agree to resume once everybody has voted? There may be technical issues that would force members to re-identify in the plenary if there are issues with their votes. I'm reluctant to do it that way, but Madam Clerk, what are your thoughts on that?

Thank you, colleagues. Let's suspend, then.

Go ahead, Mr. Oliphant.

**Mr. Robert Oliphant (Don Valley West, Lib.):** On that, our vote could be null and void if we leave the chamber, virtual or not, before the results are announced. I don't think that would be correct. You may want the table to check on that.

We have to stay in the room physically until the results are announced. I think we would have to stay available virtually.

**The Chair:** That makes good sense, and that's the safest way to proceed.

Ms. Fry, do you have a comment on this point of order?

**Hon. Hedy Fry (Vancouver Centre, Lib.):** I was going to say what Rob said. It is important that we stick to the procedural rules for voting. They don't change just because we're at committee. You have to be there for the reading of the vote and you have to be there until the count is finished.

**The Chair:** That sounds good. Thank you, Ms. Fry.

With that, we will suspend until the completion of the vote.

• (1605)

(Pause)

• (1630)

**The Chair:** We have resumed. Next on our list for a three-minute round is Monsieur Bergeron.

[*Translation*]

**Mr. Stéphane Bergeron (Montarville, BQ):** Mr. Chair, first of all, is it possible to have a more direct shot at me, rather than my Greek profile?

**The Chair:** Yes.

**Mr. Stéphane Bergeron:** Can you tell me whether we are planning to resume the debate on Mr. Harris's motion soon? If so, I have some proposed amendments to submit. Do I have to submit them to the clerk in advance, or can I submit them when we resume work on Mr. Harris's motion?

[*English*]

**The Chair:** We will get the advice of the clerk on that. I would encourage you not to do it now just in the interest of time. There's a possibility to do this in committee business later.

Madam Clerk, would that work?

**The Clerk of the Committee (Ms. Erica Pereira):** Mr. Chair, it would depend on whether the committee agrees to resume debate in today's meeting.

[*Translation*]

If you had a written version of the amendments when you presented them in committee, I would appreciate it.

**Mr. Stéphane Bergeron:** I have them with me, so I can submit them to you, Madam Clerk.

I don't want to delay the work of the committee any further.

May I now put my questions to the witnesses, Mr. Chair?

**The Chair:** Yes, absolutely.

**Mr. Stéphane Bergeron:** I understand that Mr. Kamarotos would have liked to add something else in response to a question from Mr. Fonseca. I, for one, felt there was something missing. So if Mr. Kamarotos would like to add to his answer, I offer him the opportunity to do so.

• (1635)

**Mr. Alex Kamarotos:** It'll be my pleasure.

In fact, on the issue of repatriation of children accused of terrorism, there is currently a position statement not only from DCI, but also from a large number of reputable child justice NGOs. In this document, we clearly recommend the repatriation of children.

I also want to mention that the UN Committee on the Rights of the Child in Geneva has been seized of this issue and has already received individual appeals under the third protocol. So this issue could take on international dimensions.

I have already forwarded to the clerk the position statement on this issue. It will be translated and forwarded to all members of the committee.

Thank you very much for giving me the opportunity to add this clarification.

**Mr. Stéphane Bergeron:** Thank you, Mr. Kamarotos.

I really liked Mr. Genuis's analogy that it was as if we had repatriated one of the two Michaels and left the other behind.

The question still troubles me today. Why do you think the Canadian government is refusing to do what other countries have been able to do despite the absence of representatives on the ground, namely to repatriate their nationals trapped in refugee camps in northern Syria?

[*English*]

**Mr. Paul Champ:** I wasn't sure who it was directed to. I could take a crack at it.

It's very difficult to answer, quite frankly. I was involved in this issue very early. I was representing an individual who was detained in one of those camps in early 2018. There was a great deal of engagement on the issue at that time by the foreign affairs department. It did appear that they were trying to repatriate, but I don't know what's changed since then. I don't know why Canada's policy has changed. It's deeply disappointing. As I said before, I think it's shameful for all of us.

[*Translation*]

**The Chair:** Thank you very much, Mr. Bergeron.

[*English*]

Ms. McPherson, you have the final round of questions for three minutes, please.

**Ms. Heather McPherson:** Thank you, Mr. Chair.

I want to thank all our witnesses and apologize again on behalf of the committee for the break we had to take. It was unavoidable, of course. I certainly would encourage all of the gentlemen who have joined us today to share any additional testimony with the committee in writing so that we can include it in our report.

Like all of you, I'm deeply concerned about what's happening with detained children in Syria, and of course around the world. I dare say we all feel grief for what is happening in these situations.

I would like each of you, very briefly, to touch upon what you feel the long-term impacts will be on the children who have been left in the Syrian camp now for so long in such deplorable conditions.

Perhaps I would start with Mr. Champ.

**Mr. Paul Champ:** I'm not an expert in such matters, but I think it's easy to understand that children who've been abandoned in those circumstances.... Aside from the psychological traumas that they are no doubt experiencing today, I question how they will feel when they grow up and find out or learn that they were abandoned. I think it's profoundly traumatic. There are all kinds of studies about children during those sensitive ages and the impact on them. When those children become adults, I don't know how we'll ever explain to them why Canada didn't take action.

**Ms. Heather McPherson:** Mr. Mohammed, would you comment?

**Mr. Justin Mohammed:** Like Mr. Champ, I'm unfortunately not an expert to be able to provide advice in that regard, aside from

what logic dictates. That is, of course, that one can only expect that the serious conditions they are being subjected to, not just physically but also emotionally, would have a serious negative and detrimental impact on their development; and that would be the cause for concern. That is very much from a human level, based on observations that I think every one of the committee members and the witnesses can make.

• (1640)

**Ms. Heather McPherson:** Mr. Kamarotos, could I ask you next, please?

**Mr. Alex Kamarotos:** Thank you.

Indeed this kind of treatment has an irreversible impact on children, and this is now proved by a lot of neuroscience studies that give this argument. Second, it is also against international law, and there have been countries condemned for that, so that's also a risk for Canada, I would say.

**Ms. Heather McPherson:** Very quickly, I would ask Mr. Loane as well, please.

**Mr. Geoff Loane:** Thank you.

We believe and we see that children caught up in these kinds of situations globally must be treated as victims first, not as perpetrators. By treating children as victims, we are able to extend due care, due diligence and responsibility towards them, towards their complex needs—their growing needs, their emotional needs. Our failure to treat children as victims, our taking another view of them, risks changes to the way they will view the world and how they will behave as adults. We need to be very mindful of that.

**Ms. Heather McPherson:** Thank you so much.

**The Chair:** Thank you, Ms. McPherson.

On our collective behalf, I would like to thank our witnesses for their expertise, their testimony, their work and their service this afternoon. Again, our apologies for the interruption through the vote, but we sailed through it quite well, I think, and we had a thorough discussion, even though it could have been much longer.

We will allow you to disconnect. Colleagues, we will also suspend to disconnect and come back in camera in a few minutes.

Thank you so much.

[*Proceedings continue in camera*]







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