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Chair: The Honourable Hedy Fry



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• (1615)

[*Translation*]

The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)): I call the meeting to order.

I acknowledge that this meeting is being held on the unceded traditional territory of the Algonquin Anishinabe peoples.

I welcome you to the 17th meeting of House of Commons Standing Committee on Canadian Heritage.

[*English*]

Have all the people come into the room in the interim, Madam Clerk?

The Clerk of the Committee (Ms. Aimée Belmore): We are still missing three members, Madame Chair.

The Chair: Pursuant to the motion adopted by the committee on Monday, January 31, 2022, the committee is meeting for its study of emblems of hate. Today's meeting is taking place in a hybrid format. Some of you are appearing virtually and some are in place. For those people who are in the room, I would like to remind you of the Board of Internal Economy's request of March 10, 2022, that all those attending the meeting in person must wear a mask, except for members who are at their place during proceedings. Even then I think it's important to wear a mask.

I want to make a few comments for the benefit of the witnesses. Members, please wait until I recognize you by name before you speak. If we are having trouble with interpretation or any such thing, let us know right away so we can fix it and get on with the meeting. Of course, you're not allowed to take pictures of this meeting at all.

For those on Zoom, you have a choice at the bottom of your own device to move from English to French. There's an interpretation icon there. Just remember that all comments should be made through the chair.

For members in the room, you know the drill: If you wish to speak, raise your hand. For members on Zoom, please use the "raise hand" function on your screen. The clerk and I will try to manage your requests and give you priority in the order you put your hand up.

In accordance with our routine motion, I am informing the committee that all witnesses have completed the required connection tests in advance of the meeting.

I now would like to welcome our witnesses.

The witnesses are, from the Canadian Anti-Hate Network, Bernie Farber, chair; from the Centre for Israel and Jewish Affairs, Richard Marceau, vice-president; and from the Centre for the Prevention of Radicalization Leading to Violence, Roselyne Mavungu, executive director.

We also have, from the Friends of Simon Wiesenthal Center for Holocaust Studies, Michael Levitt, president and chief executive officer, who has a colleague with him.

From the Hindu Federation, we have Mr. Roopnauth Sharma, president; from the Sarah and Chaim Neuberger Holocaust Education Centre, Daniel Panneton, manager; and from Urban Rez Solutions Social Enterprise, Roderick Brereton and Farley Flex.

Each witness has five minutes to speak. I will give you a 30-second warning so that you can wrap up. If you don't get to finish everything you have to say, don't forget that there will be a question-and-answer session in which you can add the pieces that you didn't get to finish.

We're going to begin with Mr. Farber for five minutes, please.

Mr. Bernie M. Farber (Chair, Canadian Anti-Hate Network): Thank you very much, Madam Chair.

Thank you, all members of the committee, for inviting me to participate.

I will try not to take up too much of your time, other than just to preface my remarks by saying that I speak to you in two capacities—one as the chair of the Canadian Anti-Hate Network and the other in a much more personal capacity as a child of a Holocaust survivor. My father was the sole survivor of his Polish town, the sole Jewish survivor out of 750 Jews. That means that his wife, his two children, his seven brothers and sisters, and all the Jews of Bothki, Poland, were murdered as a result of Nazi genocide.

The swastika, the crooked iron cross, is what we came to view as one of the most evil symbols in modern history. We address today the need to understand the importance of these symbols. I do so as a child of the kingdom of death. I had no paternal family whatsoever, and that one particular symbol is a symbol that drove evil, drove murder and drove genocide.

Such symbols, whether they are the Nazi swastika or the KKK emblem, such as the blood drop or the Confederate flag, are unmistakable symbols of hate that show support for genocide and slavery or grossly minimize their violence.

Canada already has laws against the promotion of genocide—section 318 of the Criminal Code—certainly disallowing and making hateful comments illegal, as well as the wilful promotion of hatred under section 319.

In our opinion, hate symbols already contravene these laws because of what they represent and communicate, but law enforcement needs this spelled out for them, so let's spell it out for them.

Any legislation that we decide, or that you decide here, needs to be very explicit and tight around the following issues. Only symbols that target identifiable groups should be eligible to be banned, in order to prevent the legislation from being “webinized” against people and groups who advocate against an inclusive, equitable democracy and society. Identifiable groups have been spelled out in the Criminal Code. They're identifiable groups by race, creed, colour, nationality or sexual orientation.

There must be exceptions for good faith educational use, as well as for opposition to the banned symbols. For example, you don't want to ban books like *Maus*, which is an excellent source for understanding the Holocaust, or crossed-out swastikas, where we're saying “no swastikas”. We have to be careful about that as well.

This will be a very carefully thought out law.

In the end I want us to consider the victims, consider those who have survived great genocides, great mass murders and slavery. Consider how they feel when they see the symbols that in fact targeted them in the first place.

This is our time. Hatred has really engulfed much of the world. We've seen it here in Canada. We've gone from hateful words to hateful symbols to actual assaults and murder. It's time for us to take a stand. It's time for legislators to take a stand and it's time for us to tell police authorities that these symbols are symbols of hate and they have to act upon them.

Thank you very much, Madam Chair, and I will be happy to answer any questions at the end of this session.

• (1620)

The Chair: Thank you, Mr. Farber. You were one minute under the time, which is excellent. Thank you.

Now I am going to go to our next witness, Richard Marceau, who is from the Centre for Israel and Jewish Affairs.

[*Translation*]

Mr. Richard Marceau (Vice-President, External Affairs and General Counsel, Centre for Israel and Jewish Affairs): Thank you, Madam Chair.

Could you add Mr. Farber's remaining minute to my time?

[*English*]

The Chair: Well, no, you only have so many minutes. Sorry about that.

[*Translation*]

Mr. Richard Marceau: Nothing ventured, nothing gained.

[*English*]

The Chair: You know the rules. You used to be on these committees.

[*Translation*]

Mr. Richard Marceau: Thank you, Madam Chair.

Thank you for inviting me.

I'm sure you already know that hate crimes, radicalization and extremism are on the rise in Canada. As Jews, we are particularly concerned about this phenomenon.

[*English*]

We Jews are particularly vulnerable to this rise in hate.

Statistics Canada's numbers from 2020 show that while Jews represent 1% of the Canadian population, we are the target of 62% of police-reported hate crimes targeting religious minorities—62%.

[*Translation*]

As Canada's special envoy on preserving Holocaust remembrance and combatting antisemitism, Irwin Cotler, has said, we haven't seen this much Jew hatred since the end of the Second World War.

[*English*]

We are acutely aware of the threats to our safety. With hate against us rising, the sight of someone openly waving the Nazi flag, the Nazi symbol, on the steps of the Château Laurier during the truckers' convoy brought deep feelings of horror and fear to our community.

[*Translation*]

I will put it bluntly: When I see someone waving the swastika, what I understand is that this individual wants me, my children, my family and my community dead.

[*English*]

There is nothing subtle about that.

Sadly, that was not the only instance of a hate symbol displayed openly during the truckers' demonstration, and the truckers' convoy was not the only instance of hate symbols being displayed openly on Parliament Hill.

Now is the time to act. Now is the time to act swiftly, and it is time to act smartly. By “smartly”, I mean to say, for example, that the swastika we're talking about, the symbol that came to symbolize, as Bernie Farber said, hatred toward Jews was also, and is also, a sacred and holy symbol for Hindus, Buddhists and Jains.

[Translation]

Any decision to ban this symbol must also protect legitimate use of it, because a growing number of Canadians now see it a sacred symbol. I co-wrote an article about it with a witness who will be testifying a little later. It was published in a Canadian English-language newspaper.

[English]

Some argue that waving Nazi symbols is already banned under hate speech legislation, and I agree with Bernie Farber on this. There is an argument for this position. However, clarifying this would be a good thing.

• (1625)

[Translation]

We need to act swiftly and understand what leads people to brandish hate symbols, because simply banning them would be like putting a bandaid on an open wound.

Federal, provincial and municipal governments must work together effectively to fight hatred and radicalization. We need to understand what's behind them.

[English]

Somebody does not wake up one morning thinking, "Wow, I'm going to drive through downtown Ottawa waving a Confederate flag and a noose or a Nazi flag" and say that's a good thing. There's indoctrination behind this. We need to understand and work on that part as well.

[Translation]

I'd like to raise another important point. Hate is hate is hate, no matter what the source is.

[English]

Here, I take a bit of exception with the wording of the terms of reference for this study.

Much of the focus has been on hate symbols of white supremacist groups, and rightly so, but there are other groups that are very hateful. For example, Hamas and Hezbollah, groups that are banned in Canada, have been implicated in attacks on Jews, not just in Israel but around the world. Both are listed as terror organizations. Why do I bring them up? Their flags have been seen in the streets of Montreal, in front of Queen's Park and in front of this very Parliament.

[Translation]

When I see those symbols, those flags, I react the same way I would if I saw a Nazi flag: An individual waving those flags wants me, my children, my family and my community dead.

We must therefore say yes to banning hate symbols. It's one tool to add to a toolbox that needs a wider range of tools.

I hope to have the opportunity to continue this discussion during the question period.

Thank you.

[English]

The Chair: Thank you very much, Monsieur Marceau.

I want to move now to our next witness, Roselyne Mavungu, executive director of the Centre for the Prevention of Radicalization Leading to Violence.

Please begin. You have five minutes.

[Translation]

Ms. Roselyne Mavungu (Executive Director, Centre for the Prevention of Radicalization Leading to Violence): Good afternoon, members.

I would like to begin by recognizing the spirit of fraternity that presided over the signing in 1701 of the Great Peace of Montreal, a peace treaty that established lasting peaceful relations between France, its indigenous allies and the Haudenosaunee confederacy. The spirit of fraternity behind this treaty is a model for the Centre for the Prevention of Radicalization Leading to Violence.

As previous witnesses have said, hate crime is on the rise. In Statistics Canada figures and reports, we can see that crime on the whole has decreased 10%. Hate crime, on the other hand, has gone up 37%. In addition, the number of hate crimes reported by police against certain racialized communities is also up considerably when we look at the Black, East and Southeast Asian, South Asian and indigenous communities. The official figures are likely conservative, as we know that some communities have little trust in law enforcement and are therefore reluctant to report hateful acts.

The Centre for the Prevention of Radicalization conducted a study last December that highlighted the importance of online hateful acts, which are the most common type.

We're seeing it in symbols, too. Recently in Ottawa, the Confederate and Nazi flags were seen at the trucker protests. Just 24 hours after International Holocaust Remembrance Day and on the National Day of Remembrance of the Quebec City Mosque Attack and Action Against Islamophobia, Nazi flags were flying in public on Parliament Hill.

Not long ago in Mount Royal, Quebec, huge swastikas were drawn in the snow and on a hockey rink. We've seen many other hate signs, expressions and symbols in certain public places.

As part of a process with partners, the Centre for the Prevention of Radicalization came up with one solution to tackle the hate problem and created the *Small Illustrated Guide to Hatred in Quebec*. This interactive educational tool identifies the different hate signs, symbols and expressions in a Quebec context. It's universally accessible, and it helps raise awareness while fostering prevention and educating people on the issue.

A tool of this kind fosters prevention in three ways.

First, in a more targeted way, it supports communities and environments in their fight against hateful acts.

Second, it provides tools for front-line workers, including educators, street workers, police officers and community workers. These tools enable them to identify the symbols and understand their meaning and potential danger, so that they can recognize them and act as prevention stewards in their respective communities.

Finally, on an individual level, anyone reading the guide can engage and take action against hatred using our suggestions form. If someone can't find what they know to be a hate sign, symbol or expression in the guide, they can contact us and suggest that we add it.

In conclusion, as far as solutions—

• (1630)

[*English*]

The Chair: You have one minute, Ms. Mavungu.

[*Translation*]

Ms. Roselyne Mavungu: Hate symbols have multiple and shifting meanings. Take the Norse runes, for example. They were innocuous symbols that became hate symbols when recovered by the Nazi movements. So depending on the context, we need to understand that signs and symbols can have different meanings, and they might be hateful but they also might not be.

The most important thing is to educate the various stakeholders, that is, police officers, teachers, politicians and businesses, about the impact of using such symbols. Problems can arise if they use symbols perceived as hateful by other communities. Therefore, given the multiple and shifting meanings of hate symbols, it's hardly appropriate to ban them across the board.

Thank you.

[*English*]

The Chair: Thank you very much, Ms. Mavungu.

Now we go to the next witness, who is from the Friends of Simon Wiesenthal Center for Holocaust Studies.

Mr. Levitt or Ms. Kirzner-Roberts, you have to share the five minutes. I just wanted you to know.

Thank you.

Ms. Jaime Kirzner-Roberts (Director of Policy, Friends of Simon Wiesenthal Center for Holocaust Studies): Thank you.

I'm the policy director at Simon Wiesenthal. It's a real pleasure for me to be speaking with you all today. Thank you so much for inviting us to participate.

I'm going to be focusing my remarks largely on the symbol of the swastika today. Yes, it is only one of many dangerous hate symbols that our society contends with, but it is also one that reflects some of the worst, most evil and most dangerous ideas that human beings are capable of conjuring up.

Today, here in Canada, we are too often confronting this symbol of hate. Almost every single day we receive reports from schools that swastikas have been painted on walls and on books in the library. We see it painted on synagogues and other Jewish spaces. We

see it on signs and flags at protests and rallies. Perhaps most often, we see it on social media.

The swastika is used as a symbol to intimidate and to terrorize. The meaning rings out loud and clear. To those in our community who survived the Holocaust, the swastika is a sharp memory of what it means to be stripped of one's humanity and to become a slave and a number. It's a reminder of what it is like to never get a chance to say goodbye to one's loved ones. To those from Canada's great generation who fought so courageously to defeat Hitler, the swastika is a reminder of their years of sacrifice and horror, when they did not know whether they would ever come home again. To the families of the 45,000 Canadians who lost their lives in that fight, it is a symbol of unimaginable loss.

I agree with my colleagues from our community, Mr. Farber and Mr. Marceau that it is already illegal in Canada to promote hate and advocate for genocide as per sections 318 and 319 in the Criminal Code, yet we continue to see the swastika proudly displayed outside of neo-Nazi clubhouses. We see it used as a vile political statement to demonize political leaders, including members of Parliament. Last May, during the escalation of conflict between Israel and the terror group Hamas, we saw it used at anti-Israel rallies to degrade the Jewish nation and its people.

Could our hate laws be written more clearly so that law enforcement has a more explicit directive with respect to the inclusion of hate symbols in the conception of illegal hate speech? Yes, absolutely, but the solution must go deeper. Hate crimes are growing dramatically in our country from one year to the next. The Jewish community remains one of the most likely minority groups to be victimized by it.

At the same time, we are seeing hate crimes continuing to stand out from other kinds of crime as the least likely to be cleared, the least likely to see law enforcement identify a perpetrator and the least likely to result in charges and convictions. This is nothing less than justice denied, not just for the direct victims of hate crimes but for our entire society and our values as Canadians.

Clarifying our hate laws to explicitly include hate symbols could be part of the solution to growing hate crime. The solution also requires new resources for hate units throughout our law enforcement services. It requires new opportunities for cutting-edge training for our police so they can build stronger and more convictable cases against hate criminals.

This is, by the way, one area of programming that we at Friends of Simon Wiesenthal Center are building and offering to increasing numbers of police every year.

More than anything, solving the problem of rising hate crime comes down to the political will of our leaders, such as the legislators here today, to see hate criminals held to account.

• (1635)

The Chair: You have one minute.

Ms. Jaime Kirzner-Roberts: I'm so grateful to all of you who have shown the will.

I, and all of us at Friends of Simon Wiesenthal, look forward to continuing the discussion with you.

The Chair: Thank you very much, Ms. Kirzner-Roberts.

Now we will go to Mr. Sharma from the Hindu Federation for five minutes.

Mr. Roopnauth Sharma (President, Hindu Federation): Madam Chair and members of the committee, thank you for this opportunity.

I confess that I've never found throughout history that there was a solution that was presented by anyone and that was accepted totally as to how to eradicate hate. I certainly know that it cannot be removed by words, nor can it be removed by bullets and bombs. It will certainly be addressed by good education, good wisdom. In the world that we live in, we need political will with wisdom, laws to be followed, and I think, most importantly, we need education for our general society.

I'm here today because we Hindus support any laws that will make it clear that people who go against the law of mankind and promote hate of any form must be addressed by the law of the land. Every effort must be made to refine the law to address these issues however they may be concealed, or be attempted to be concealed, under different emblems.

I have a particular concern that the term "swastika" has been used very, very grossly across the meeting today. This country must be educated to understand that when we use that term "swastika", we are talking about Sanskrit terminology. It was not something that belonged to Germany. The *hakenkreuz* is the term that Hitler intended for Nazism, and we would like to see that terminology used when referring to that emblem at all times. When you refer to it as a Nazi symbol and use "swastika", you're offending the Hindu community and you're creating a form of Hinduphobia. We Hindus are affected by this tremendously.

We agree with new laws, but we want you to be very cautious. We want to caution lawmakers that when they come to set laws in place, that implementation is a key factor.

I want to use a reference with respect to all and with no disrespect to anyone. When the same-sex law was made, Parliament agreed on it and on the implementation. Those who perform marriage ceremonies, as I do, came to the sad recognition that the marriage certificate no longer refers to bride and groom; it says applicant and applicant. We implemented a law to give someone a benefit and took away a value that others consider very valuable, one whereby bride and groom are considered.

My caution to this committee and to the lawmakers is that when you decide on this law, be conscious.

I have a statement I would like to read. Hopefully the time will permit it.

As Parliament considers Mr. Julian's bill, Bill C-229, an act to amend the Criminal Code banning symbols of hate, it must make sure that the context of the use of the Nazi swastika is carefully considered. We cannot allow a Hindu emblem of goodness to be erased as we take steps together to stamp out hate.

The bill, which we support, should be amended to ensure that a proper use of swastika for religious purposes by Hindus, Buddhists, Jains and Zoroastrians is protected, celebrated and remains completely legal in Canada. It should be amended to clarify that the evidence demonstrates that Nazi *hakenkreuz* is a weapon of hate, not a matter of free expression. Whatever the political events of the day, it is absolutely possible—indeed, essential—to combat Jew hatred while ensuring the rights of Hindu, Buddhist, Jain and Zoroastrian Canadians and respecting their benevolent and sacred symbols. Let us together take the steps to celebrate our religious freedom and unity in confronting Nazism, or any form of hate that is projected by any group in any form.

Today the statistics tell us that hate crimes are growing, while violent crimes or other crimes are diminishing. It tells us what our society is facing. With the demographic change, and as Canada opens its doors to more immigrants, we the lawmakers, we the politicians, we the people need to be conscious that the terms we use and the banners we stand under have an impact on the people who may be newcomers or residents of this country, and we need to protect all equally at all times.

Thank you.

• (1640)

The Chair: Thank you very much, Mr. Sharma.

I will go next to the Sarah and Chaim Neuberger Holocaust Education Centre, Daniel Panneton.

Mr. Panneton, you have five minutes.

Mr. Daniel Panneton (Manager, Online Hate Research and Education Project, Sarah and Chaim Neuberger Holocaust Education Centre): Thank you to the honourable chair, distinguished members of the committee and my fellow presenters.

Many were dismayed over the course of the "freedom convoy" protest in Ottawa when they saw unambiguous hate symbols such as the Nazi swastika and the Confederate flag carried on Canadian streets. However, these were not the only hateful symbols observed by anti-hate experts.

Contemporary hate is not always as easy to identify as a Nazi swastika or a Confederate flag, and groups in Ottawa that displayed obscure, ambiguous and contextual hate symbols were able to do so with few noticing. This is by design, as the propaganda that many contemporary hate groups and movements deploy relies on a number of strategies to dodge moderation and avoid public censure. These include irony, humour, misdirection, mischaracterization, aesthetic choices and pseudo-scholarship.

Memes, in many ways, are the political flyer of the 21st century. They're easy to produce and share, and memes and the associated culture around them have become very important communication tools.

On social media, hate peddlers constantly come up with new memes, symbols and slogans to shroud their beliefs. Part of this strategy involves the appropriation of anodyne symbols and assigning hateful meaning. Many of these symbols, like the OK hand gesture or Pepe the Frog, utilize plausible deniability to deflect charges of hate and set the accuser up for ridicule.

This process was captured by a controversy that surrounded a specific meme during the convoy. In February, member of Parliament Ya'ara Saks spoke on the House of Commons floor about the "Honk Honk" memes going around on pro-convoy social media pages, describing it as a stand-in for the phrase "*Heil Hitler*." The statement resulted in a deluge of mockery and harassment, attacking Saks for making what was characterized as a baseless accusation aimed at tarring all convoy supporters as Nazi sympathizers.

The vast majority of participants in the protest were not sympathetic to Nazism or fascism, but there were known hate group leaders and members present who were trying to capitalize on the moment. In certain contexts, "Honk Honk" does mean "*Heil Hitler*," but from the beginning the symbol was designed to be a trap.

In February 2019, users of the infamous website 4chan began posting a variation of Pepe the Frog wearing a rainbow wig, red nose and bow tie that became known as "Honkler". The meme was meant to characterize a sense of nihilism in the face of an absurd and dying society. That month, a user stated that "Honk Honk" was going to be the next OK hand gesture, and users were quick to connect the acronym to "*Heil Hitler*" and openly posted about their hope that the mainstream media and the Anti-Defamation League would take their bait and describe it as a hate symbol.

The memes that emerged from the "freedom convoy" developed independently from the anti-Semitic clown memes on 4chan. However, memes, as a medium, build upon existing imagery, and the "freedom convoy" memes were quickly contaminated by the visual vocabulary and content of the previously created, explicitly anti-Semitic examples.

After the events of the convoy, many supporters and participants are even more alienated and perhaps radicalized. The concern is that participants and supporters may now be finding themselves in increasingly extreme spaces online and off, where they may be encountering hateful material like "Honk Honk" imagery that celebrates the Holocaust. Because of the similarity between convoy memes and the content on more extreme spaces, the individual in question may be more receptive to the hateful ideas than if they were presented with unfamiliar visuals.

This is only one example that appeared in the convoy, which triggered an explosion of meme production in both extreme and mainstream spaces. Further, the convoy is only one place where such symbols appeared and developed. Memes and symbols that rely on ambiguity and plausible deniability can be found in a number of political communities and groups.

I wish to make it very clear that I do not advocate the criminalization of symbols like the "Honk Honk" meme. This would involve a massive violation of free speech and would be incredibly difficult to enforce, given the ever-changing nature of online communication and plausible deniability.

There are a number of organizations doing excellent work to address contemporary hate through research and education, many of which are represented here today, but when compared to the networks and resources that are available in Europe and in the United States, Canada's infrastructure is lacking. The relative sparseness of existing educational, research and outreach infrastructure creates space for hate groups and movements to operate unnoticed.

• (1645)

The Chair: You have one minute.

Mr. Daniel Panneton: Thank you.

The investments that the Government of Canada has made in addressing hate today are vital for the continued development of the tools that will equip Canadians with the digital and hate literacy skills that are needed to decipher the fluid and often surreal nature of political discourse today.

Thank you to the honourable chair and the committee for your time.

The Chair: Thank you very much, Mr. Panneton.

I want to go to the final witnesses, who are from Urban Rez Solutions Social Enterprise. They are Roderick Brereton and Farley Flex, who is executive director. I just need you to know that you will share the five minutes if you both wish to speak.

Thank you very much.

Mr. Roderick Brereton (Executive Director, Urban Rez Solutions Social Enterprise): Good afternoon, Chair and members of the committee.

My name is Roderick Brereton. With me is my business partner, Farley Flex.

Traditionally when we think of hate, we think of the swastikas, the Confederate flags and the N-word scrawled on lockers. Although these are definite, vile symbols that represent hatred, there are also contemporary symbols, and even though they're not in your face as they were in past days, they're now on different platforms—for instance, on the Zoom platform.

Ironically enough, we're on this very high-security Zoom platform right now, but a lot of times when Black organizations are conducting Zooms, we've been bombed by white supremacists who are able to manipulate the technology and flood our Zoom chats with visuals to give grand gestures of extreme oppression and racism. We want to acknowledge that the hatred and the symbols have evolved, just like everything else in society.

I'll pass this on to Farley and then I'll come back on and speak again.

The Chair: Mr. Flex, please unmute yourself. Thank you.

Mr. Farley Flex (Executive Director, Urban Rez Solutions Social Enterprise): I thought I was. I'm sorry about that.

I want to thank the chair and the committee for giving us this opportunity.

Further to what Roderick shared, we want to include the reality of the nooses, for instance, that were found on construction sites in the GTA last year, and of blackface, which seems to resurface from time to time in the news. They're both synonymous with the egregious practice of lynching and of racism itself and they also represent horrid and indisputable reflections of the past.

It's a past that Canada still has not yet fully accounted for with respect to the reality that slavery as we knew it did exist on this side of the border and is still in denial in many people's minds, and it still, to a greater extent, does exist in the criminal justice system and the education sectors, so much so that as we identify symbols of hate, we have to give consideration to symbols that are supposed to represent positivity, such as police cars, which for many African Canadians represent a threat that's not too different from what their ancestors experienced when members of the KKK appeared in uniform.

Symbols of hate are also a matter of interpretation, based on the adverse experiences of the beholder of the symbols, whether direct, indirect or inherited.

We are currently in what I refer to as the "George Floyd window" in North America, which, as we know, has brought to light awarenesses that we hope will move us forward with respect to race relations. Canada has the opportunity to lead in this area globally, but it will take a cohesive effort to do so, one that includes measurable strategies, programs and outcomes.

The work we do is intentionally disruptive and takes into account all that I have mentioned.

The reason we recognize the swastika as a hate symbol in the eyes of our Jewish brothers, sisters and others, is that we associate it with the experiences that are associated with the symbol itself. Blackface, nooses and many other symbols are rightly associated as hate symbols and images, but what of police symbols? If we were to ask survivors of the civil rights movement what police symbols mean to them, would they not recognize the similarity to and sentiments with those of our Jewish brothers and sisters?

Thank you.

• (1650)

Mr. Roderick Brereton: If I can just add this, day to day we'll be at a hockey game and either seeing bananas thrown onto the ice or pictures of monkeys on placards. In bathrooms that you go into, you may see drawings of hooded Ku Klux Klan members.

As Farley was mentioning, it's in the eye of the beholder, of those people who have been oppressed or subjected to hate. To many, it could be a holy cross, but to many of our indigenous and African brothers and sisters, that cross represents colonialism and years of being subjected to cruel and undue treatment in terms of the realities we face.

The Chair: You have 35 seconds.

Mr. Roderick Brereton: As Farley ended off with, education from a broad spectrum of teaching our young people how to recognize hate from an empathetic perspective and also from our own historical perspective as Canadians is essential for us to get over this and to be well informed.

Thank you.

The Chair: Thank you very much, witnesses. You were very efficient and effective in using your time.

Now we're going to go to the question-and-answer component. Members of Parliament from all parties in the House will ask you questions.

The first segment is going to be a six-minute segment and begins with, for the Conservatives, John Nater.

John, you have six minutes.

Mr. John Nater (Perth—Wellington, CPC): Thank you, Madam Chair.

Again, thank you to our witnesses for joining us today and for the insight and the commentary. I think it's been an exceptionally important message for each of us on this committee to hear, so I do appreciate that.

I want to start online first and then come into the room. I want to start with Mr. Flex and Mr. Brereton.

Both of you provided some exceptionally important commentary, but I want to know a little bit more about your organization itself and about what both of you do in terms of community and the work you undertake. Especially you had mentioned the interpretation and the understanding of symbols and of examples such as that. I was wondering if you could elaborate a little about what you do in the community to help.

Mr. Farley Flex: Please go ahead, Rod, and I'll chime in.

Mr. Roderick Brereton: Okay.

Urban Rez Solutions Social Enterprise prides itself, I would say, on imparting social education where the traditional school systems have not, whether it be on anti-Black racism or anti-Semitism or in terms of under-represented groups having a voice, and empowering community to have a voice when they often have not been seen or heard. We look through a lens or we work through a lens of empowerment, of giving people that voice to be able to be at the tables as opposed to being on the menus.

Often we find ourselves working in very challenged communities or situations just based on the oppression and the self-fulfilling prophecies that have often accompanied hatred and oppression and how people view themselves. We try to reverse-engineer some of that narrative but also give a sense of a new social conditioning or an opportunity to rewrite a narrative that has often been written by somebody else, somebody who hasn't had our best interests at heart.

Mr. Farley Flex: I would just say briefly that the other aspect of what we do is that when we recognize a gap, we try to close it. We work not only with the folks who are socially, economically and racially marginalized but also with the incumbent society—the dominant caste and the privileged—to ensure they understand the historical context and the ways in which folks are reaching out, and can then say, “What is allyship? What can I do for the community? How can I support it?”

We know the old adage, “There folks who are of your kind who are not of your colour, and there are folks of your colour who are not of your kind.” We keep an open-door policy in terms of those who want to be educated. We don't accept one-and-a-half-hour consultations on DEI. We encourage organizations to take a full dose of what we have to offer, which usually involves anywhere up to a year of training and follow-ups and subcommittee development and so forth, to ensure the practices are normalized in institutions and organizations.

• (1655)

Mr. John Nater: That's great. Thank you very much for that commentary.

I want to move into the room now for a couple of questions.

I may start with Mr. Marceau and then ask the same question to Ms. Kirzner-Roberts.

Both of you mentioned the prevalence of anti-Semitism in Canada, of hatred towards the Jewish people. Mr. Marceau, you especially talked a little bit about the society and the culture that allow that to happen. I want to touch a little bit on the BDS movement, which we see, unfortunately, often on university campuses, and whether we, as parliamentarians at the federal level, should be taking stronger action on the BDS movement and what we ought to be doing to counteract that, especially on university campuses but more generally as well. Do you have any thoughts on that?

Mr. Richard Marceau: Thank you, Mr. Nater.

The BDS movement has a very clear goal of delegitimizing and demonizing the only Jewish state on the planet. It is an attack not on Israeli policy but on the very right of the Jewish people to self-determination. That is why we believe it's anti-Semitic.

I'll go further. You would have seen in the last six to eight weeks a flurry of diplomatic action in the Middle East, where you saw the President of Israel going to Turkey. You would have seen a summit in Egypt, at which the Prime Minister of Israel, along with the President of Egypt and the Crown Prince of the United Arab Emirates, met in Egypt. You would have seen the Negev Summit, at which the foreign ministers of four Arab countries met with the foreign minister of Israel.

The impact of BDS is meaningless and minuscule on Israel. The actual impact is in Canada, where the BDS movement and the anti-Israel movement are—

The Chair: You have one minute.

Mr. Richard Marceau: —bullying and threatening Jewish people. On campus, as you mentioned, it's a very big deal.

The goal here in Canada is to create unsafe spaces where Jews are not allowed to do things as Jews. You would have seen—and I'll close on that, Madam Chair—for example, mundane events like a Hanukkah party being targeted by BDS activists, whereas it was just a party. That is the climate that this movement and the anti-Israel movement is condoning and in fact inflaming.

Thank you for the question.

The Chair: Thank you.

There are 15 seconds left, Mr. Nater, if you wish to use them.

Mr. John Nater: Mr. Levitt and Mr. Kirzner-Roberts, you have a couple of seconds.

Mr. Michael Levitt (President and Chief Executive Officer, Friends of Simon Wiesenthal Center for Holocaust Studies): Yes, I think Mr. Marceau has correctly positioned it as an anti-Semitic movement, but I think one of the tools we have in the tool kit, which has been adopted by Parliament of Canada as part of the anti-racism strategy and has been adopted by provinces, is the International Holocaust Remembrance Alliance's definition of anti-Semitism. It is one of those tools, whether on campus or in municipal governments, that allows anti-Semitism to be identified, and when we can identify it, we can seek strategies for dealing with it.

That's something that our special envoy on anti-Semitism, Irwin Cotler, is certainly working on across the country. We've seen it implemented on campuses in the U.S., Europe and the U.K., and its use is something that we continue to advocate. The IHRA definition of anti-Semitism being adopted is a key part in being able to combat anti-Semitism like BDS.

The Chair: Thank you, Mr. Levitt.

I will now go to the Liberal party. For six minutes, we have Mr. Anthony Housefather.

Mr. Anthony Housefather (Mount Royal, Lib.): Thank you very much, Madam Chair.

Thank you very much to all the witnesses who came today. Your testimony was incredibly compelling.

I think it's important to note something about the groups that are here today: The Jewish community has been in this country for over 260 years, and the Black community has been here for hundreds of years. There's a proud legacy of contributions that all of these different communities have made to Canada, and nobody deserves to face hate in their own country. No.

There are a lot of things that I can say, and one is that Canada has a very low rate of anti-Semitism overall. If you look at Pew studies, you see that compared to other countries, the rate of anti-Semitism overall in Canada is low. In fact, in the Angus Reid poll that was done last week, you saw that the Jewish community had the highest favourability of any religious community in Canada. At the same time, as a Jewish Canadian in the last federal election, I was shocked to see that every day of my campaign, new Nazi swastikas appeared on my posters. Never had I had that in my life in this country.

Last May, during the conflict between Israel and Hamas, for the very first time I had constituents who asked me if it was safe for their children to play in parks wearing a kippah. Holocaust survivors would come to me and ask, "Should I take the mezuzah off my door so that nobody can know I'm Jewish?" Every group in this country should be able to be visible and proud in Canada, and we should not be ashamed of our religions; they should be allowed.

Coming to that, I want to get to the questions that I had, because it's really important to understand what hate is and to make sure that we're not going overboard in terms of free speech.

Daniel, it was really interesting to hear what you said about hundreds of symbols and how they change all the time. There are a few core ones, whether it's the Confederate flag or the Nazi swastika—and I'll be careful saying the "Nazi" swastika—or some others.

I'd like to hear from the witnesses. Do you believe, based on sections 318 and 319 of the Criminal Code, that it would already be covered, or would the explicit mention of, for example, the use of the Confederate flag or the Nazi swastika be subject to the religious exceptions and other exceptions that have to be made? Would it be a useful addition to the Criminal Code as it was proposed in my friend Mr. Julian's bill? Maybe you can just go one after the other.

Go ahead, Mr. Marceau.

• (1700)

Mr. Richard Marceau: Is it already covered? I believe so. Would it be useful to be more precise? I believe so.

Mr. Anthony Housefather: That was a fantastic answer, and very fast.

Mr. Daniel Panneton: I'd like to reiterate the points that were just made. I believe it would be effective; however, due to the remixing nature of culture right now, even if we ban the swastika, we're going to see the swastika appearing in new forms and shrouded in different ways, so it's important that we basically keep on it in addition to criminalizing.

Ms. Jaime Kirzner-Roberts: Yes, I believe that it is already illegal. It's a way of promoting hate or advocating genocide.

However, as someone who's working on the front lines with law enforcement every day on individual hate crimes that take place, I will tell you that police are very reluctant to consider it a hate crime. Just seeing the symbol, they're very reluctant to investigate; they're reluctant to lay charges. They don't know whether charges will stand up in court. For that reason, I do believe that it would be an advancement to make the law more explicit so that there was less ambiguity in the eyes of law enforcement.

Mr. Anthony Housefather: Thank you.

I want to also say that I was so moved in terms of what Mr. Farber said about being a descendant of a Holocaust survivor and not having any family on his father's side. It reminds me that this week—tonight—is the beginning of Yom HaShoah, when we remember all the six million Jews who were victims in the Holocaust, murdered by the Nazis. How appropriate it is that we're having this discussion in the Canadian Parliament on the very anniversary of that date. This week as well, B'nai Brith's audit showed that even though Jews make up about 1.25% of the Canadian population, Jews are the victims of 61% of religious hate crimes in Canada. There's something weird, and awesomely bad, about that.

Mr. Panneton, I want to ask a question about social media. When it comes to social media, we see that wherever it goes, whether it was right before the insurrection last year, QAnon, George Soros, or whatever else seems to be happening, Jews are always at the centre of the narrative. We see that with the Russians right now and the disinformation campaign about Ukraine.

Can you explain to me why historically all of these groups for some reason seem to want to go after Jews as part of their disinformation campaigns?

Mr. Daniel Panneton: In a nutshell—it's a very complicated question—I will point to the historical document of the *Protocols of the Elders of Zion*.

The Chair: You have one minute.

Mr. Daniel Panneton: That emerged from a Russian forgery. Basically, people responded to it because it provided a very convenient narrative for a lot of the growing pains of modernity. Those conspiracy theories and the general framework that the protocols have promoted continue to exist, whether people realize it or not.

You alluded to George Soros and QAnon. People may not realize that when they say "globalists", they actually mean a very old anti-Semitic narrative, but that is what they are saying.

• (1705)

Mr. Anthony Housefather: Thank you so much.

I will just close my time by saying that I share your view, Mr. Levitt, about IHRA. Can you talk about some of the organizations in Canada—other than the Government of Canada, the Government of Ontario and the Government of Quebec, which have all adopted IHRA—that should be adopting IHRA?

The Chair: You have 21 seconds, Michael.

Mr. Michael Levitt: That's more than the 15 seconds I got the last time, so I'll consider myself fortunate.

Voices: Oh, oh!

Mr. Michael Levitt: We have already addressed the issue of campuses. I think the campus has been a hotbed of anti-Semitism. We have Jewish students who have to become campus warriors, defending their right to wear a kippah or to have a table supporting Israel or to do any of these things. That's out of control.

We know the IHRA definition. We've seen IHRA adopted in university institutions across the U.S. and across the U.K. Again, it's a tool. It's something to be able to help bring clarity. We get a number of cases at the Friends of Simon Wiesenthal Center from parents and students coming in who have faced discrimination, anti-Semitism and racism on campus. The answer from administration is that they're not really sure if it's anti-Semitism or not.

There's a definition. There's a way to deal with this. We need to see that being adopted much more widely across the country.

The Chair: Thank you, Mr. Levitt.

We will now go to the Bloc Québécois.

[*Translation*]

Mr. Champoux, you have six minutes.

Mr. Martin Champoux (Drummond, BQ): Thank you very much, Madam Chair.

I am going to use my six minutes like Mr. Levitt uses 15 seconds and 22 seconds.

I find today's discussion extremely interesting. As Mr. Housefather said a few minutes ago, this could not come at a better time.

I also have to admit I'm having some trouble positioning myself and forming a clear opinion on this issue. On the one hand, I'm extremely shocked when I see hate symbols. In fact, I'd like to draw a parallel with what Mr. Housefather mentioned earlier. During the election campaign last fall, on his Twitter feed I saw photos of absolutely heinous symbols drawn on his election signs. I even reacted, and we had a conversation about it. Like everyone else, I was outraged by those acts.

On the other hand, there's a fine line between us and the sacrosanct principle of free speech. That is why I feel a bit ambivalent about where to stand. It confirms that we're having a very timely discussion today.

Being a rather optimistic person by nature, quite honestly, I always feel that education and dialogue can get us where we need to go. Of course, there are cases where that's absolutely impossible, we know that.

Mr. Marceau, as we've had the opportunity to discuss this together before, I think you know how sensitive I am to it. How do you draw the line to determine what is a hate symbol and what is not?

Mr. Richard Marceau: First, I want to thank you for your question, Mr. Champoux.

I'm a staunch supporter of free speech. That's the starting point for my positions. One of the key building blocks of a healthy democracy is free speech. I believe that in the public and legal culture of Quebec and Canada, we have more or less come to a very reasonable position. Free speech exists and must be protected. It's in the Quebec and Canadian charters. However, limits can also be placed on it, as long as they're reasonable in a free and democratic society.

This basic principle must guide any discussion of free speech. This isn't the United States, where free speech is all but completely unrestricted. There are actually some restrictions, but the U.S. con-

cept is very different from Quebec and Canadian legal culture. This is also true in Europe, where some countries are as democratic as ours. They also concede that limits can be imposed on the rights and freedoms that are protected.

Some aspects and symbols are very clearly hateful. As Ms. Kirzner-Roberts mentioned earlier, the Nazi swastika is the most striking symbol. In any case, waving that symbol around is a hateful act unless it's done for educational or artistic purposes, such as a play or film. However, when someone brandishes the swastika, the SS symbol, the Hezbollah flag or the Hamas flag, it's not ambiguous. There is no grey area.

In the discussion we must have, the situation is more complex for some symbols, particularly because they change and fashions come and go, as Mr. Panneton said. For some symbols, however, their meaning couldn't be clearer.

• (1710)

Mr. Martin Champoux: We're really in the heat of a discussion. I totally agree with what you're saying. I just feel like at some point, maybe some groups will come forward and say that a certain symbol is particularly grave to them and it should be banned. I feel like we're going to end up in a never-ending debate over what's acceptable and what's not.

I also have another concern. These days, with debate being polarized, groups tend to be a little more open to certain ideas. We're also seeing associations forming.

I had a discussion earlier with a colleague about an upcoming appearance by a radical—let's call him Mr. Sky—who is known for his antisemitic rhetoric, promoting antisemitism, and denying the Holocaust, among other things. He will be coming as part of a protest against health restrictions. However, the people he's going to meet and talk to are likely at risk of being somewhat influenced by ideas other than the views he puts forward about health restrictions.

Don't you feel that some of these polemicists might be portraying themselves as victims of free speech, and might even brandish the symbols we want to ban on purpose?

[*English*]

The Chair: You have one minute.

[*Translation*]

Mr. Martin Champoux: If we banned symbols of hatred, don't you feel we might be adding fuel to the fire when we're trying to do the exact opposite?

Mr. Richard Marceau: If doing nothing worked, we would know it. However, that's not the case.

In our view, Canada has let this to happen for long enough. It's one of the things that has led to a rise in hatred in Canada. It's not that alone, but it is part of it.

We're saying that things can be done. Banning hate symbols is one of them.

[English]

The Chair: You have 12 seconds, Richard.

[Translation]

Mr. Richard Marceau: I'll wrap up quickly, Madam Chair.

I have a full list of recommendations, including an online hate strategy, better training for Crown attorneys and judges, creating hate crime units across the country, and better education.

We could go on for hours about this, Mr. Champoux.

Mr. Martin Champoux: We could indeed.

Mr. Richard Marceau: I hope we get a chance to do that.

Mr. Martin Champoux: Unfortunately, I don't have Mr. Levitt's 15 seconds left, but thank you.

Mr. Richard Marceau: We'll save it for next time.

[English]

The Chair: Oh, you had a little more than that too.

Now we'll go to Peter Julian for the NDP.

Mr. Julian, go ahead, please. You have six minutes.

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you very much, Madam Chair; and thanks to all our witnesses.

This is some of the most important testimony we've heard in this Parliament, and we deeply appreciate your coming forward today to speak.

I'm the sponsor of Bill C-229, the banning symbols of hate act. There has been some discussion around the legality or not of putting forward a Nazi-hooked cross, a Nazi flag, a Confederate flag or KKK symbols.

The genesis of the bill, in reaction to the rise in hate that we are seeing, is also the fact that one block from my constituency office, a store was openly selling Nazi paraphernalia—openly selling Nazi flags, Nazi emblems. When the City of New Westminster looked at how it could shut down this open sale and display of this appalling symbol of genocidal hate, the city was told that there are no laws against it.

In terms of other communities in Canada, in Summerland, British Columbia, the mayor was forced to go into a store selling Nazi paraphernalia, this appalling symbol of genocidal hate. The mayor bought the entire stock and burned it, and then the store owner went out and bought more.

To my mind, there is obviously a vacuum that needs to be filled. We have these appalling symbols that are openly displayed, even on Parliament Hill, a few steps away from the Hall of Honour where 40,000 Canadians are commemorated after having given their lives fighting Nazism, including my Uncle Patrick.

I believe this cannot continue.

My question is to Mr. Farber, Mr. Marceau, Ms. Kirzner-Roberts, Mr. Sharma and Mr. Brereton. Do you believe it is time now for Canada to act and follow the lead of other countries where there's a best practice banning these symbols of genocidal hate, of violent racism, of white supremacy, so that we very clearly say that this is illegal in this country, as it is in other countries?

I'll start with Mr. Farber.

• (1715)

Mr. Bernie M. Farber: Thank you very much.

Let me be very clear: It is absolutely necessary to find laws by which to do this.

There was a question asked by the Bloc Québécois member in relation to trying to understand what hate is. This has already been defined by the Supreme Court of Canada. In the last Whatcott hearing, in which our anti-hate laws were upheld, the justices actually found seven hallmarks of hate. I think Canada has done the best possible job in actually defining hatred and I would urge the clerk of the committee maybe to pass that decision on to the members so that they have a clear understanding of what it is.

This isn't difficult. The emblem of the Nazi hooked cross brings death and pain to those who suffered under it. There are no ifs, ands or buts about it. We have to find ways to do it properly, but as everybody here has said—Mr. Marceau, Mr. Levitt and others—this is another tool in our arsenal. This is the way we move forward. I would urge members to give this very strong consideration.

Mr. Peter Julian: Mr. Marceau, would you comment?

Mr. Richard Marceau: Mr. Julian, your question was about whether it is time for Canada to—

The Chair: Before Mr. Marceau answers, excuse me for the interruption. Richard, I will not take your time. I will give it to you again.

We have bells ringing. It means we have votes. I would like to get unanimous consent from the committee to go to the end of Mr. Julian's round so that the witnesses can leave and we can go to vote.

Go ahead, Richard.

Mr. Richard Marceau: Thank you, Madam Chair.

Mr. Julian, on your question of whether it is time for Canada to ban hate symbols, my answer is a clear yes.

Mr. Peter Julian: Go ahead, Ms. Kirzner-Roberts.

Ms. Jaime Kirzner-Roberts: Is your question “Is it time to ban hate symbols?” or “Is it time to ban Nazi relics and Holocaust relics?”

Mr. Peter Julian: My bill talks about Nazi emblems, Confederate flags and Confederate emblems, and KKK emblems. Is it time to adopt that kind of legislation?

Ms. Jaime Kirzner-Roberts: I have to agree with my colleagues that it is time and it would be a very useful advancement. For us, it would be one more tool.

Yes.

Mr. Peter Julian: May I ask, Mr. Levitt, if you have anything to add in 15 seconds, sir?

The Chair: I will give you the extra minute that I took to ask for unanimous consent.

Mr. Michael Levitt: One of the things my colleague Ms. Kirzner-Roberts talked about in her remarks was what we're seeing happening in schools to our kids. All of a sudden, these symbols are appearing in classrooms. We had situations in Toronto of *Sieg Heil* salutes, Hitler salutes. A lot of it's coming off the Internet, as our colleague here from the Neuberger Centre talked about. We're seeing these things being pervasive. If this can help bring a close and reduce the amount of this hate online and in our society, yes.

Mr. Peter Julian: Thank you.

Mr. Sharma, would you comment?

Mr. Roopnauth Sharma: Madam Chair and Mr. Julian, thank you.

Banning the signs of hate is not going to resolve the problem. We need to address the groups that are promoting the hate. We need to address the medium that is allowing them to promote the hate.

We need to create laws that will ban or restrict hate in any form of media. We have the power. When an organization is created, it has to be incorporated. It must be investigated in depth to see what its objectives are, and if it's found to be promoting hate, the law is already there in the land to address that.

I think we recognize the problem, but maybe we are addressing it from the wrong end. When we do this, innocent people get hurt. We

need to address these organizations that are promoting hate and hold them to the law and let the letter of the law address them and put them under control immediately.

• (1720)

The Chair: Thank you.

Mr. Roopnauth Sharma: By banning the signs or stopping the selling of signs, we are not achieving our intent. Next door's door is open. It's like trying to ban marijuana. Today we have made it legal. We tried so long to ban it, and it's now legal. We need to stop the abuses of marijuana and we need to stop the promoters of hate. We need to address them at this point.

Thank you.

The Chair: Thank you, Mr. Sharma. I would like you to wrap up, because votes are something that we must attend.

I'm going to give the last word to Mr. Brereton.

Mr. Roderick Brereton: In terms of the question of whether it is time for Canada to ban hate symbols, my answer is yes.

Fear fuels hate, and it's time now to educate and also provide the reality in terms of where these fears are coming from and set an example for the world that Canada can take the step of banning hate but also of educating.

The Chair: Thank you very much.

I want to thank the witnesses for waiting such a long time to begin the meeting. You had a lot of patience. I want to thank you for your very excellent presentations and your clear and concise answers.

We're going to have to leave to vote now. I want to thank you again for coming.

The meeting is now adjourned.

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