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Standing Committee on Canadian Heritage

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• (1100)

[English]

The Vice-Chair (Mr. Kevin Waugh (Saskatoon—Grasswood, CPC)): Welcome to meeting number 101 of the House of Commons Standing Committee on Canadian Heritage.

Today's meeting is taking place in the hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely using the Zoom application.

I would like to take this opportunity to once again remind everyone that we can't have screenshots or photos taken of your screen. It's simply not permitted.

We have witnesses on the tech giants in today, and we have three on Zoom and one in person. As an individual, we have Jean-Hugues Roy, professor, École des médias, from UQAM in Montreal. From the Center for Countering Digital Hate, we have Imran Ahmed, the chief executive officer; and from Digital Content Next, we have Jason Kint, the chief executive officer. All three witnesses are here virtually. In person, as you can see in the room, is Michael Geist, Canada research chair in Internet and e-commerce law, University of Ottawa.

We have five-minute statements, and we'll start with Jean-Hugues Roy, the professor from UQAM, the Université du Québec à Montréal.

Sir, you have five minutes to address the Canadian heritage meeting here this morning. Go ahead, please.

You're either on mute or we have a problem. I thought we ended these problems two years ago, but I don't know. I was here in the room when you were successful with your sound check, so let me just check on it once again.

Mr. Roy, we can't hear you. We're going to go to the next speaker, and we'll get back to you in a minute.

From the Center for Countering Digital Hate, Mr. Ahmed, the chief executive officer, is up for five minutes.

Thank you.

Mr. Imran Ahmed (Chief Executive Officer, Center for Countering Digital Hate): Mr. Chair and members of the Standing Committee on Canadian Heritage, thank you for the opportunity to speak to you all today.

I am Imran Ahmed, the founder and chief executive of the Center for Countering Digital Hate. I am here to speak about the role that tech giants play in our information ecosystem, how the design and

business model of their platforms increases the prevalence of disinformation and hate speech, and how they behave in response to democratically enhanced oversight—enacted oversight in regulation.

Social media companies are not, despite their vital role in public discourse, in the business of free speech. They are motivated by money and make that money by selling advertising space on the back of content that news publishers and platform users create for them for free. Meta and the other platforms do not want editorial responsibility for the content on their platforms—for liability and financial reasons—because content moderation and editorial control require lots of resources.

However, in blocking the sharing of news posts in Canada, Meta is proving that they've always had editorial power and will use it indiscriminately if content threatens their all-important bottom line. Meta's decision to block Canadian news shows that this company, and others like it, only take responsibility for the content on their platforms when it threatens their finances.

This is why the Online News Act incenses them so. Bill C-18 compels platforms to negotiate with news publishers whose content they have profited from and some of whose businesses they have destroyed.

Canada has been left in a position where Canadians cannot share news posts with their friends, family and community. This decision is nothing more than a temper tantrum by a company that has shown itself, at every opportunity, to be completely opposed to governance by democratically elected governments worldwide.

This year's Reuters digital news survey found that 27% of Canadians share news via social media and messaging. Now news has gone from Canadians' newsfeeds, so what replaces it? What content do users turn to now that reputable news outlets have been shut out?

That news vacuum—

• (1105)

[*Translation*]

Mr. Martin Champoux (Drummond, BQ): Mr. Chair, we're having trouble with the interpretation.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Mr. Ahmed, just hold on. We're having trouble with the French interpretation. I'm sorry about this. We'll stop the clock. You still have two minutes and 40 seconds or so to go.

We're just waiting. We've had some technical problems this morning.

Is everybody hearing the interpretation right now?

[*Translation*]

Mr. Martin Champoux: Mr. Chair, the interpreter is telling us there's some interference with another microphone.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): We're even having problems with the English interpretation now.

You said there's a mic on, and I don't see a mic on.

We will suspend for two minutes to see if we can get interpretation in both English and French.

• (1105)

(Pause)

• (1110)

The Vice-Chair (Mr. Kevin Waugh): You have about two minutes and 25 seconds left. I'm sorry for the interruption.

Go ahead with your remaining two minutes and 25 seconds.

Mr. Imran Ahmed: I'm sorry. It was two minutes and 40 seconds, earlier, but look, I will get through—

Some hon members: Oh, oh!

The Vice-Chair (Mr. Kevin Waugh): Sure. It's two minutes and 40 seconds. Go ahead.

Mr. Imran Ahmed: I will simply get through as much as I can. You may have to bear with me a tiny bit. You have my apologies.

As I was saying, that news vacuum is being filled, and I'm here to discuss the risk that disinformation and hate speech, fuelled by these platforms' algorithms, could become the filler.

Harmful algorithms feed the spread of disinformation. The design of these algorithms prioritizes attention and engagement to maximize the number of eyeballs on and the time spent viewing advertiser content.

My organization researches the amplification of disinformation and hate speech by social media algorithms. Rather than giving people the freedom to choose their own content, algorithms apply methods such as predictive analysis to promote whatever outcome the company determines will maximize its profits.

I just want to repeat that again. Platforms' algorithms don't give you what you want. That's a myth. They give you what they want you to want.

These highly personal, highly invasive systems have resulted in the polarization of economic, democratic and social thought, and are correlated to a rise in radical hate groups, networks and extremism.

Algorithm and “recommended” systems are fundamental to technology platforms' business models. This commercial sensitivity is one reason technical information about these algorithms is so hard to obtain.

Nevertheless, we have shown, through our research, a strong relationship between algorithms and the promotion of conspiracist and hateful content and disinformation. For example, in August 2020, when Instagram added recommendations to its user experience—unsolicited content to user streams to extend their time on the platform—CCDH set out to understand what effect this design change had on the prevalence of misinformation and hate speech.

In our 2021 report on algorithms, we found evidence that this design choice actively pushed radicalizing extremists' misinformation to users. Once the user exhausted the latest content from all accounts they follow, they gave new content as an extension of their feed, identifying users' potential interests based on their data and habits. If they were looking at COVID-19 disinformation, it actually gave them QAnon and anti-Semitic disinformation. If they were looking at anti-Semitic users, they were being fed anti-vax and COVID-19 disinformation as well.

Our findings illustrate how platforms' algorithms and design choices can quickly lead users from one conspiracy into the next, from investigating questions about the efficacy of a novel vaccine to unrelated conspiracies like QAnon, electoral rigging and anti-Semitic hate.

Meta owns, controls and profits from the Instagram algorithm, which here was shown to amplify dangerous misinformation and conspiracies. That's just one example of the malignant dynamics caused by our reliance on a revenue-maximizing algorithm.

The Vice-Chair (Mr. Kevin Waugh): Can you wrap it up, please, Mr. Ahmed? Your time is up.

Mr. Imran Ahmed: Of course.

Although it is too early to test all consequences of Meta's decision to remove news content in Canada, I can see no way in which the removal of editorially accountable news and journalism could possibly improve, rather than destroy, the quality of algorithmic recommendations, or break this malignant cycle of disinformation that I described.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you very much. We will move now to Mr. Roy for five minutes, please. I think we have the technical issues looked after.

The floor is yours. Go ahead.

[Translation]

Mr. Jean-Hugues Roy (Professor, École des médias, Université du Québec à Montréal, As an Individual): Thank you for inviting me to appear before the committee.

I'm going to make a preliminary observation and then suggest four recommendations.

First of all, I'm stunned to hear Meta and Google spokespersons say that information has no value for them. I would note that a French researcher, Tristan Mattelart, clearly documented Facebook's efforts, when it was starting out, to encourage the media to create their own Facebook pages. At the time, Meta/Facebook was looking for high-quality content to enhance its subscribers' experience.

Meta's CEO, Mark Zuckerberg, has regularly stated that his company's mission is to build better communities. In 2017, he specified that the communities Facebook wanted to build had to meet five criteria, one of which was to build informed communities.

Meanwhile, Google realized as early as 2001 just how valuable information could be. At the time of the September 11 attacks, Google realized that users were searching for keywords such as "World Trade Center" and "attack", and that they couldn't find anything about the events because Google's indexing robots only visited each website once a month. So the company's engineers thought they'd better start indexing news websites much more often to meet the needs of their users. Information enriched Google's search results and has also enriched the company for over 20 years.

Now I'm going to make four recommendations regarding the Online News Act, the former Bill C-18. We now realize that it perhaps wasn't the best approach. I would encourage you legislators to trust in your role as parliamentarians to avoid falling victim to the intimidation tactics that the online platforms use.

My first recommendation is based on the Canadian Charter of Rights and Freedoms. Section 3 of the charter guarantees the democratic rights of Canadians. As stated on the justice department's website, "A measure that denies electors sufficient information to enable them to make an informed choice in voting may compromise the right to vote guaranteed by section 3."

The blocking of news by Meta is, in my opinion, such a measure. The public's right to information is not expressly guaranteed by charters, but I think everyone here would agree that it's a fundamental right. Insofar as 45% of Canadians today get their information from social networks, I believe the legislator would have an argument for obliging online platforms to provide information to Canadians, or at the very least prohibiting them from blocking information of public interest to Canadians. I think that section 51 of the Online News Act is a step in this direction. It simply needs to be made retroactive.

Moving on to my second recommendation, web giants Google and Meta have both said they are ready to contribute to a fund to support journalism in Canada. That's great. Except that it will now be up to the legislator to define the amount. It could amount to a percentage of the Canadian sales of online platforms that have provided Canadians with access to information over the past 15 years. You may be wondering how we can calculate these sums if we have no financial information regarding activities on these platforms in Canada. That brings me to my third recommendation.

You're no doubt familiar with Australia's ongoing inquiry into online platforms, which is scheduled to run from 2020 to 2025. The seventh progress report from that survey was just released yesterday. When you read it, you realize that Australia requires listed multinationals to provide information to it. I'm not just talking about those on the web, but rather about all multinationals that have subsidiaries in Australia. They are required to provide Australia with detailed financial statements on their subsidiaries. Why doesn't Canada have the same tools? Give us the means to acquire that information.

My last recommendation is that we collectively give ourselves more resources. In order to protect citizens, governments have given themselves the right to see how certain companies handle food, for example. They have given themselves the right to inspect aircraft and search travellers' luggage. There are a lot of good reasons to conduct this kind of activity.

Online platforms, for all their benefits, can also have harmful effects. Insofar as they have demonstrated, over the past 12 years, their inability to mitigate these harmful effects themselves, I believe the time has come for Canada to give itself the right to inspect what information these companies possess about Canadian citizens. I'm not just talking about Meta and Google, but also about Uber, Netflix, Spotify and OpenAI.

• (1115)

In my opinion, while of course respecting users' privacy, Canada should give itself the right to access these companies' databases and examine their algorithms. I know that the algorithms are like the Caramilk secret, but the well-being of Canadians supersedes the commercial interests of these companies.

This right should also be accompanied by obligations for these platforms to provide, again while respecting user privacy, programming interfaces, APIs, to enable researchers like me, Mr. Geist and others in Canada, to study what's happening on these platforms, which are playing an increasing role in the lives of Canadians.

• (1120)

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We'll move to our next virtual guest.

Jason Kint, chief executive officer of Digital Content Next, you have five minutes. Go ahead.

Mr. Jason Kint (Chief Executive Officer, Digital Content Next): Good morning. Thank you for having me, Chair.

Thank you for the opportunity to testify today on behalf of Digital Content Next. DCN is the only trade group exclusively focused on the future of high-quality digital content companies that manage trusted, direct relationships with consumers and advertisers.

Our members include more than 60 media companies and thousands of brands, including news organizations ranging from local to national and international, such as The New York Times, The Washington Post, the BBC, The Wall Street Journal, The Guardian, The Philadelphia Inquirer and the Financial Times.

I last testified before this committee in 2022, ahead of the passage of the Online News Act, which DCN enthusiastically supported. We are grateful for your considerable diligence in studying the imbalance in bargaining power with Google and Facebook.

As background, I have nearly 30 years of digital media experience, including spending the first 20 running digital media businesses. During that period, I executed a number of major commercial deals with the large tech companies.

With antitrust lawsuits under way around the globe against Google and Facebook, the evidence emerging in these cases confirms what we have witnessed whenever one of these companies faces a legislative or regulatory threat to its bottom line.

Today, I'd like to open by sharing at a high level the types of intimidation brought on by the companies.

The first is threats to legislation. As you know, Australia provided a road map for this investigation, legislation and intimidation tactics around Bill C-18.

Much of the public learned about Australia's new bill when Facebook blocked users' sharing of news for five days in March 2021, just as vaccines were being rolled out. What may be less known is that Facebook's plan was to block news during the most critical week of Parliament's deliberations. A brave whistle-blower shared internal documents from The Wall Street Journal showing access at the highest level of the company before going underground for fear of identification and retaliation. Consider how much more informed lawmakers would have been if that whistle-blower hadn't been scared away from testifying.

The second is threats to investments. The public may know that Facebook significantly expanded its investment in the U.K. over the last few years, even moving a number of executives to London before shuttering its Instagram office earlier this year. Less known is what we learned through an open records request: that Mark Zuckerberg threatened to pull back investment in the U.K. at a time when its Parliament was demanding he testify about questions he never answered—to this day—including to Canada's Parliament, which went so far as to summon him.

On a related note, it made global news when the company agreed to pay \$5 billion to the U.S. government to settle the matter in the States. However, what is less known is that this is the basis of an ongoing shareholder lawsuit alleging insider trading charges against Zuckerberg, and that the company overpaid to protect its CEO.

The third is threats to publishers and newsrooms. We've seen significant headlines over the years about both companies funding news projects and academic programs. Behind the scenes, the companies were able to leverage commercial relationships to suppress reporting on information considered sensitive to the companies. Those considered partners, through high-revenue programs or advanced access to new products, are understandably much more reluctant to publicly criticize the companies.

Google and Facebook also issued threats to pull out of news altogether. One example is the head of news at Facebook reportedly telling Australian publishers that they would be in "hospice" if they didn't work with Facebook.

In 2018, The Guardian and The New York Times reported on Cambridge Analytica, which is Facebook's largest-ever scandal. Again, less known is Facebook's threat to sue The Guardian a day prior to its news report, which Facebook's own head of news—and I'm quoting her, as I was sitting immediately next to her on a Financial Times conference panel—said was, "Probably not our wisest move".

The fourth is record spending on lobbying, including through proxies. Google and Facebook registered in the top 10 lobbyists in the EU and the U.S. In addition to direct employee and campaign contributions, there is a long list of groups that champion the two companies' talking points in return for significant funding.

The fifth is that the companies intimidate consumers in order to drive outrage, including by using their dominant gateways of YouTube, search and messaging. This includes the oft-repeated claims that regulations will destroy innovation or end the free and open Internet. In each case, whether it was on new privacy laws, the EU copyright directive or Australia's news bargaining code, the Internet never broke.

Facebook often takes it a step further by suggesting it will have to charge for services or kill thousands of small businesses and millions of jobs. Mind you, the company makes tens of billions in profit per year, driven nearly entirely by ultra-high margin advertising.

As you've witnessed first-hand, these companies use various tactics in a coordinated fashion to slow down or stop any regulation that would impact their bottom line. Fortunately, their playbook is becoming more widely known and policy-makers around the globe are beginning to take action.

• (1125)

I appreciate the opportunity to speak with you today. I look forward to answering any questions you may have.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Kint.

We go now to our final person on the panel, Michael Geist, from the University of Ottawa.

Go ahead for five minutes, please, Mr. Geist.

Dr. Michael Geist (Canada Research Chair in Internet and E-Commerce Law, Faculty of Law, University of Ottawa, As an Individual): Thank you, Mr. Chair.

Good morning. My name is Michael Geist. I'm a law professor at the University of Ottawa, where I hold the Canada research chair in Internet and e-commerce law. I'm here in a personal capacity, representing only my own views.

I've appeared before this committee many times, yet it seems necessary to expand on my standard opening by stating that I have never been compensated or otherwise received a benefit from any tech company in conjunction with any of my appearances, submissions or statements on any legislative or regulatory issue. I don't think I should have to say this, but given the tendency of some to defame critics of Bill C-11 and Bill C-18 as shills, I should be absolutely clear that my views are not for sale.

Further, I should also be clear that criticism of Bill C-11 and Bill C-18 was not opposition to tech regulation. There are real harms, and we need regulation. I recently appeared before the INDU committee, calling for the strengthening of Bill C-27 on privacy and AI regulation. I have to say that I have spent much of my time, in the aftermath of the events of October 7, focused on the alarming rise of anti-Semitism and the urgent need for action both off-line and online, which could include the much-delayed online harms bill.

Since this study is about tech efforts to influence policy, I'll focus on that.

There have been important studies and reports that chronicle tech sector efforts to influence policy. For example, the Tech Transparency Project reported on Google-supported research. It identified many papers and work by academics with links to, or financial backing from, that company. However, the investigations identified virtually no Canadian examples. In fact, a search for any articles or reports from the project, since its inception across multiple tech companies, reveals very little involving Canada.

If we consider efforts to influence Bill C-11 and Bill C-18 through lobbyist meetings—we just heard about lobbying—one organization leads the way. It isn't Meta, which had relatively few meetings on these bills—in fact, fewer than CAB, ACTRA, CDCE or CMPA. It isn't Google, which ranked second for the meetings. Rather, the organization with the most registered lobbyist meetings on these bills is News Media Canada.

It's important to state that, if this hearing is about retribution for the blocking of news links in response to Bill C-18, I think that's misguided. Companies and many experts warned repeatedly that the legislation was deeply flawed. Now that news-link blocking has gone on for months on Facebook and Instagram without any apparent interest from that company in regulatory reform, I think that's pretty clear evidence that this is a consequence of the legislation and not a tactic to influence it. It was not a bluff, as many kept insisting. Indeed, I would argue that, frankly, both companies were pretty consistent from day one in their statements about the legislation.

In many respects—we just heard about threats to remove or stop investment—it's no different from Bell's recent announcement, in which it threatened to cut capital investment by a billion dollars in response to a CRTC wholesale Internet access ruling, or Stellantis putting its investment on hold earlier this year in Canada with the announcement of the Volkswagen deal. Simply put, legislation and regulation have consequences.

If this is actually about addressing concerns around regulatory or legislative influence, however, the real issue isn't tactics. It's regulatory capture. On that front, there is cause for concern in Canada. With Bill C-11, there was ample evidence of regulatory capture, as a handful of legacy culture groups dominated meetings with officials and time with this committee. The voices of Canadian digital creators were often dismissed or sidelined, including those from indigenous and BIPOC communities, some of whom reported feeling disrespected or intimidated by department or ministry officials.

The situation was even more pronounced with Bill C-18. Members of this committee indicated they were ready to move to clause-by-clause review without even hearing from Meta. During that review, someone stated that online news organizations were not even news. This form of regulatory capture was particularly damaging. Online news outlets were sounding the alarm over the risks of the bill and took the biggest hit with news-link blocking. They too were ignored. Some have now stopped hiring or been forced to suspend operations, yet News Media Canada somehow managed, in the span of five years, to obtain a \$600-million bailout, the swift enactment of Bill C-18 and now an expansion of the labour journalism tax credit, in which their demands were met down to the last penny. Now that is influence.

Cultural policy is the bedrock of this committee, but culture isn't static. It's essential this committee and the department ensure they avoid regulatory capture and provide a forum for all voices. Failure to do so makes for bad policy and raises the risk of intimidation, in which—inadvertent or not—it may be the government, or this committee, that does some of the intimidating.

• (1130)

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

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Geist.

We'll go to our first round of six minutes.

We'll start with the Conservatives and Rachael Thomas.

Mrs. Rachael Thomas (Lethbridge, CPC): Thank you.

My first question is for Dr. Geist. As you know, there has been a complaint filed with the Competition Bureau. The complaint was put forward by News Media Canada, the Canadian Association of Broadcasters and the CBC. The complaint has to do with Bill C-18, and the fact that Meta has determined that it is no longer carrying news links. Well before the legislation was passed, Meta made it clear that this would be the decision it would make in response to the legislation.

However, these outlets that I've just listed—or unions—are now complaining that:

By refusing to negotiate with Canadian news organizations in good faith for the access of Canadian news content on Meta's platforms, and by blocking the news content on the platforms, Meta is denying Canadian news organizations fair compensation for their content, leaving them with limited resources to compete effectively in the news publishing market.

This last phrase here, “leaving them with limited resources to compete in the news publishing market”, would say that Meta served as a vehicle or a platform by which these news sources were being shared. That vehicle is no longer provided, and these news outlets are saying that it's hurting them.

However, the whole premise of Bill C-18 was that the news outlets were actually providing the value, and that Meta needed to pay them. It seems they're making an admission that the actual benefit was found in Meta being the vehicle.

Do you care to comment on this further or expand on it?

Dr. Michael Geist: Sure. As many have pointed out, the reality is that there were great benefits that came to the publishers from so-

cial media and from search. Indeed, that was the basis upon which, in many respects, this took place for a very long period of time.

Frankly, what we have seen in the aftermath of the legislation taking effect in June really confirms that. I don't think it can be understated. There is real harm with news entities talking about lost traffic in the range of 30%. There are some news outlets that have stopped their services, effectively, or suspended their operations altogether.

Notably, there has been real harm from an investment perspective in this country. I've had a number of entities come forward, saying that in the current environment, and given the way the legislation has been structured, investing in news in Canada just isn't something people are apt to do.

It has caused real harm, based on this odd conception that driving free traffic to publishers, which was clearly a value—and we now see just how much it was worth—somehow required compensation. At the end of the day, it was all about creating mandated payments for links. This is why I know that I and many others were deeply troubled by the foundational elements in the legislation.

Mrs. Rachael Thomas: Thank you, Dr. Geist.

I want to follow up on something else you said, and it's somewhat related.

We know that the big broadcasters—Rogers, Bell and CBC—have a lot to gain from Bill C-18, potentially. However, we also know that the new up-and-coming platforms that are based online, which Ms. Hepfner referred to as not actual news outlets—and I would contend otherwise as I believe they're legitimate—are actually being hurt significantly by this legislation. To the point you raised in your opening remarks, many of them have made the determination to not hire more employees, because they know they might be put out of business, potentially, by this legislation.

In your estimation.... It's not fair to ask why. I'm sorry. I can't ask you to speculate, but I'm just curious. Could you expand a bit? Bill C-18 was put out by the minister at the time, Minister Rodriguez, as something that was meant to benefit the little guy. It was meant to benefit the local newspapers, the ethnic media, the local media sources, etc. Many of these exist online.

Why did it end up in a place where it is benefiting the big broadcasters?

• (1135)

Dr. Michael Geist: I guess I'd respond in a couple of ways.

First, it ends up benefiting primarily the large broadcasters. The Parliamentary Budget Officer tells us that 75% of the money goes to the radio and television broadcasters, largely based on the way it was structured. It went outside of the QCJO framework that we have around the labour journalism tax credit, and that ensured that broadcasters, which are dominated by a handful of large players in Canada, would be the major beneficiaries.

Personally, I think it was a mistake. At a minimum, if the goal was to support the core or what we would think of as newspapers or digital publishers, that's where the focus of the legislation ought to have been.

I think there is an answer to your question of why. I think part of the answer to the why is that many of the online news organizations weren't heard. They were oftentimes not given opportunities or when they were—whether at this committee or, frankly, at the Senate—at times they were disrespected.

I can recall that one of the largest of the independents that is operating in many Ontario communities, Village Media, appeared before the Senate. Their CEO, Jeff Elgie, was asked by Senator Harder if he was happy to see newspapers closing because then they could scoop up some of the staff and enter into these new markets.

The idea that online news entities somehow celebrate or welcome the prospect of the challenges that are being faced is such a total misread of where things are at. What we've seen in the recent months is everyone from Village Media to Narcity, to a whole range of players, basically screaming that this is causing enormous harm. They're saying that, at a minimum, surely we need some sort of deal with Google, because otherwise the effects will be catastrophic. One would hope that will ultimately lead everybody to find some kind of compromise on this.

The harm here has been very real. It was not just predictable; it was predicted.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Geist.

We'll go now to the Liberals and Lisa Hefpner for six minutes, please.

Ms. Lisa Hefpner (Hamilton Mountain, Lib.): Thank you, Chair.

I want to turn first to Mr. Ahmed, who is online.

I found your opening statement very interesting. You said that platforms like Facebook “do not want editorial responsibility”, but on the same hand they prove that they are willing to exercise that editorial responsibility by blocking access to news. You say they only take responsibility when it threatens their finances. You said it was more like a “temper tantrum” that they had.

What we've gotten in exchange is a rise in hate and extremism online.

Sir, what do you make of these arguments that we've heard so far today, that of course they've done this, that it's a business decision and that they told us they would do this, so this is what we should expect?

Mr. Imran Ahmed: I think that's the soft bigotry of low expectations that we've been attuned to expect from these companies.

In a sort of twisted irony, my organization has shown that Meta has allowed state-controlled media in authoritarian countries to pay for advertisements containing disinformation. In 2022, we published a report on Chinese state media buying Facebook ads to push disinformation about the conflict in Ukraine. While Meta is punishing Canadian news publishers by removing their ability to operate on the platform, it has profited from disinformation content paid for by state-controlled media elsewhere in the world.

The truth is that we've come to expect the platforms, and Meta in particular, to behave in the worst way possible. Not only are these regulations.... I think that Bill C-18 has its value, but one thing we've urged to Canadian ministers when I've met them, and we will urge today, is that there needs to be a more comprehensive framework that surrounds these platforms.

Ultimately, if they can find a way to squeeze out of taking responsibility and retaliate against anything that you do try, they will do so. That's why a more comprehensive framework—based on what we call the STAR framework at CCDH—includes safety by design, transparency of the algorithms, economics and a content-enforcement policy. It includes real, meaningful accountability to democratic bodies like your own and also shared responsibility for the harms they create. The negative externalities that these companies are imposing are an unbearable cost on our societies, whether that's destroying the news media industry or harming young girls and young children with self-harm and eating disorder content.

In all of those respects, I think the lesson you need to be taking from this is that these companies will wiggle out of everything they can. They will act in the worst possible way, and that's why more comprehensive legislation—a framework, as your previous speaker said—is necessary.

● (1140)

Ms. Lisa Hefpner: I met with McMaster University's student newspaper recently, The Silhouette, and they told me that they're really struggling, because without being able to share on Facebook and Instagram they don't have a way to reach their audience, the students of McMaster University. They're finding that, in lieu of getting news sources, the students are reading various opinions that are posted online.

I do agree that there are lots of great news organizations that operate only online. If people take my previous comments to mean otherwise, then that's just because they were inelegantly stated. Of course there are great online journalists, but there's also a proliferation of opinion that's not based on news or fact.

What do you think about those tactics that pull in an organization that doesn't even fall under Bill C-18. Student journalists wouldn't benefit from Bill C-18, yet they're being caught in this intimidation tactic.

I'll go to Mr. Ahmed first.

Mr. Imran Ahmed: I think this reinforces the fact that this is nothing more than Facebook literally vandalizing their own service in a petulant display of mock martyrdom, claiming that this is necessary for their business.

How on earth could it possibly be a viable business decision to say that the students at McMaster University and the journalism they're producing are in any way a significant threat to their bottom line, such that they have to withdraw their facilities from them?

I think it's in the petulance, in the sheer scale of their decision and in the lack of care that they've taken with it that you can see precisely what it is they're up to. Thank you for highlighting that.

Ms. Lisa Hefner: Thank you.

Mr. Kint, I'd like to turn to you.

With the one minute I have left, maybe you could give us an overview of the sorts of court cases that we're seeing in the United States and what lawmakers in other countries are trying to do that's similar to what we are trying to do in Canada.

Mr. Jason Kint: Thank you for that question.

Most of the most interesting court cases are around antitrust and data abuse, so we know, and this was part of the study in Australia too, that the source of their market power and this imbalance in bargaining power is that they—Google and Facebook, in particular—have access to all the data and the distribution and they're the gateways.

You're seeing new legislation and you're seeing lawsuits that involve that kind of integration of market power play out.

We're talking about harms from Facebook's blocking of traffic. Yes, that traffic does have value to publishers, but the only reason they're able to do that and get away with blocking across the board, and having it exert so much harm, is their market power. That's what this is all about—this imbalance in bargaining power.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Kint.

We'll move now to the Bloc, Mr. Champoux, for six minutes.

Martin.

[*Translation*]

Mr. Martin Champoux: Thank you very much, Mr. Chair.

Thanks to our guests for being with us today.

Mr. Roy, you said in your opening statement that Bill C-18 might not ultimately be the right approach. I'm a bit surprised by that.

I'm not saying Bill C-18 is the only approach we should adopt, but don't you think we're in a way throwing the baby out with the bathwater by concluding it wasn't the right one?

Mr. Jean-Hugues Roy: All I said was that it wasn't the best approach.

Mr. Martin Champoux: Do you agree with me that it's one of the tools that could be useful in the present system if Canada manages to get Google to enter into agreements with the media?

Mr. Jean-Hugues Roy: Yes, it could be useful, but we can also go further. Earlier we were talking about a fund.

There's also a complex side to Bill C-18. It can take a long time to negotiate with everyone. If two businesses said they were prepared to contribute to a fund, it might be up to you legislators to establish the amount of that contribution. You could set it at 30% of their revenue, for example. We already have mechanisms for then distributing those amounts, such as the Canada media fund, to which we could add an information component.

• (1145)

Mr. Martin Champoux: You're getting ahead of me by bringing up the Canada media fund. You may have heard about the recent proposal that the Québec people put to the CRTC concerning a 20% fund that would be divided up to create a journalism fund and another fund for the cultural sector.

Part of that fund could also be used, for example, to ease the regulatory burden caused by the requirements under paragraph 9(1)(h) of the Broadcasting Act, in particular.

Have you given any thought to that? Do you have any idea of the value of the fund, or levy or fee, that Canada could charge the web giants?

Mr. Jean-Hugues Roy: It's hard to say. According to a recent study, Google should contribute approximately USD \$11 billion or \$12 billion to the news media in the United States. I personally think that's over the top.

As for Google in Canada, it's very hard to calculate. I've looked into Meta in the past few years, and Meta generated revenue of CAD \$4 billion last year, and the value of information was approximately \$200 million. I think we could go after part of that amount. If we split the difference and got \$100 million from Meta, I think that would be reasonable.

Mr. Martin Champoux: I think it's interesting that you referred to that study, which is relatively recent. However, the figures cited are nothing like the ones that have been put forward since the study of this bill began. They're much higher than those that are supposed to correspond to the value of news on the platforms. That's particularly the case for Meta and Google. That sort of surprised me.

I heard you react on the subject in the media. In particular, you said that one should always take those studies with a grain of salt because the real figures are inaccessible. We lack the information to conduct an exact valuation.

Don't you get the impression that the strategy of these big companies is precisely to ensure that the actual figures don't get out? Then they can cover their tracks and make it hard to establish the amount of a fair and equitable fee.

Mr. Jean-Hugues Roy: That's exactly why I made those last two recommendations. You have to be demanding with these platforms. Canada could demand to see the figures for the Canadian subsidiaries of Google, Airbnb and all the listed digital multinationals conducting business in Canada. Their operations have an impact on Canadians' lives.

Then you should assume a right to review the information that these companies have on Canadians. I think that's fundamental. You obviously have to protect users' privacy. If you want to regulate those businesses, you have to get to know them better, and I think you can develop the means to do that.

Mr. Martin Champoux: Based on your expertise, do you think we've done the right thing by considering regulating the digital giants by sector?

Rather than introduce regulations and bills on a sector-by-sector basis, as in the case of culture or news—which we're going to do with regulations on online hate and artificial intelligence—do you think we should have looked to Europe's digital services legislation instead?

In other words, should we have taken a more comprehensive approach than a sector-by-sector one? Would comprehensive legislation have been more effective?

Have we in a way shot ourselves in the foot by proceeding one step at a time?

Mr. Jean-Hugues Roy: I don't think Canada has shot itself in the foot. Journalism needed funding and that looked like an attractive solution. I think what you're proposing is a good idea for a future regulatory effort.

Mr. Martin Champoux: Are you optimistic?

Mr. Jean-Hugues Roy: I'm not very optimistic about information in Canada for the moment.

At the time when Facebook blocked news content in Australia for six days, I had conducted a research project on the impact of the suppression of French-language information in Canada in 2020. I didn't find much disinformation. Facebook has now blocked the news in Canada for three months, and I can see that it's less benign than I had expected. A lot of viral content comes from the media, but with deceptive or outright false elements added in. Facebook without information is far more toxic than I thought.

• (1150)

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Roy. We're over time.

Thank you, Mr. Champoux.

We move to the New Democratic Party and Mr. Julian.

Peter, you have six minutes, please.

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thanks to all our witnesses.

Mr. Ahmed, I'd like to start with you. You're a hero to so many of us for the work you've done in exposing some of the unbelievably toxic practices of the web giants.

The report “Malgorithm”, which the Center for Countering Digital Hate issued, is frightening, and it is disturbing. You speak of Meta basically force-feeding misinformation about COVID, election denial and QAnon—profoundly disturbing information. We know that in states and provinces where there was a lower vaccination rate, more people died. We know that people died in Washington. There has been violence linked to QAnon.

Can you tell us if you see a link between that real-world violence and the kind of irresponsible toxic practices that Meta and X are engaged in?

Mr. Imran Ahmed: Quite clearly, yes. When people see content more often, there's a simple frequency bias in our psychology that we believe it's more likely to be true. Platforms are force-feeding disinformation to people through their newsfeed, which is an act of publishing.

There's this myth that what you see is the content of a billion people—of course you don't. You see a timeline that's structured specifically for you. This is not a global discourse. This is a discourse that's controlled by algorithms, which are designed for commercial impact. You saw it again and again in the witness testimony of people who were charged with crimes related to the January 6 insurrection in the Capitol—about four blocks down from my house here—or it's in the testimony of my friends and my colleagues who work in the medical profession, who told me about people who were choking to death in ICUs, begging for a vaccine that they had once thought would harm them and it was now too late to administer. Many of those people went on to die. There are human beings, there are tragedies and there are families today bereft, directly because of the disinformation that was pumped actively, as an act of deliberate publishing, to people.

There are victims of terror attacks. I was speaking in Pittsburgh at the Tree of Life synagogue quite recently. Again, we see the effect of these conspiracy theories being force-fed to people such that they think it is acceptable and normal, and that other people would approve that they've killed people because of the god they worship or who it is they choose to love.

Mr. Peter Julian: You reference the anti-Semitic killings at the Tree of Life. I'll reference the Islamophobic killings in London, Ontario, and Quebec City; the homophobic killings in Colorado Springs; and the racist killings in Buffalo, New York, and Charleston, South Carolina. We can go on and on. I note that, in 2022, every single ideologically motivated mass murder in North America was provoked by far-right terrorism. That is a clear and present danger to our democracy.

The Anti-Defamation League and the Southern Poverty Law Center have started their “Stop Hate For Profit”, which comes from Meta's unbelievably irresponsible actions.

I would like to ask you a question, Mr. Ahmed. Canada subsidizes Meta and Google indirectly by providing massive subsidies—over \$1 billion a year for businesses to advertise on Meta. It's a tax write-off. The Canadian taxpayer picks up the tab for Meta and Google. Do you believe this is a responsible action, to so heavily subsidize companies that are engaged in that deliberate fomentation of hate?

To what extent can we push back against anti-Semitism and Islamophobia by ending that massive subsidy to these companies?

• (1155)

Mr. Imran Ahmed: Peter, thank you so much for the words you said earlier on about the work that we do at CCDH. To be clear, we're around 25 people with about \$2.5 million a year in revenue. Think about the fact that we do that research, which is innovative and provides you with insights that you're not getting from these companies that you provide \$1 billion a year to in subsidies. They can't be bothered to do the basic work that we are doing to check whether or not their platforms are safe across a number of different areas of harm.

It is, frankly, outrageous that for so long these companies have been able to get away with things like governmental subsidies—and you're not the only country that does so—and with the acclaim that their founders and people like Mr. Zuckerberg and Mr. Musk receive, while at the same time failing to do the basics necessary, which are being filled in by civil society and funded by philanthropic donors and by members of the public, like the Center for Countering Digital Hate and the work that Jason does. By the way, I want to say he's another hero of mine.

Mr. Peter Julian: Thank you.

This is the final question for this round. You noted in your submission that you “recorded ads placed by Facebook Pages controlled by Chinese state media...and found that out of 50 ads...88% were hidden from Meta's ad library after they ran.” Can you explain that, please?

The Vice-Chair (Mr. Kevin Waugh): Quickly.

Mr. Imran Ahmed: I really can't. You'd have to ask them why on earth they took the decision to sweep away their shame under the carpet. These companies.... Again, we see them playing ball with repressive regimes around the world, while at the same time showing a complete lack of respect to a democratically elected government such as that in Canada.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We'll go to the second round. It will be a five-minute round for the Liberals and Conservatives.

We'll start with Marilyn Gladu for five minutes for the Conservatives.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Thank you, Chair.

Thank you to the witnesses for being here today. I'm going to start with Dr. Geist.

Dr. Geist, you may have seen some of my interventions here at committee on C-18, where I did start by pointing out to the then minister of heritage what had happened in Australia when Meta blocked news content. I asked him what actions he was going to take to make sure that didn't happen in Canada. He said it was a simple business decision.

When Meta and Google were here, I asked them whether, if C-18 was passed in its current form and if the government made them pay for people to share news links, it would be a reasonable business decision to decide not to do that because they would have to pay. They both said it was, so I was not surprised when this result happened, although the Liberals and NDP seemed to be shocked and surprised. It looks like it's had very negative impacts on small and local businesses, when the whole point of C-18 was to try to protect small, local news outlets.

Were you surprised? What do you think the impacts have been?

Dr. Michael Geist: Thanks for the question.

No, I wasn't surprised. I appeared before this committee a couple of times on C-18, and I thought that if you understood the business model that existed....

We've heard a lot of the negative aspects of the business model, which is why I think there is a role to play for regulation when it comes to some of the harms that have been articulated, but that wasn't what C-18 was about. If you understood the business model of trying, as we've heard, to keep people on the platform, capture information and deliver ads to them, the idea that news content was something they couldn't live without never made much sense. The reality is that it's the sort of content that actually sends people away, off the site. Given what had been taking place, it seemed to me that this was likely to occur.

I also have to say that sometimes it felt as if people didn't fully think through some of the implications. I mean, with all respect, it was this committee that established a specific exception for campus broadcasters to include them in the legislation, and we just heard today that campus news isn't included. This committee literally included it within one of its amendments so they would be eligible under the system.

It's also this committee that passed legislation that said that facilitating access to all news, whether in Canada or anywhere, brings you within the scope of being a digital news intermediary. You could have made the choice to say only news that's from a qualified Canadian journalism organization or only those who qualify for payments, which actually would have excluded some of these other entities and would have excluded many of the foreign entities, but that wasn't the choice that was made.

It seems to me these were the choices made in the legislation and the outcomes were pretty predictable.

• (1200)

Ms. Marilyn Gladu: Thank you.

It appears there are even more harms coming from the way C-18 was implemented than expected. You may have seen the Substack from my colleague Michelle Rempel Garner yesterday, where she expressed concern about how the rollout of C-18 was going to impact especially diaspora and ethnic small media.

Could you comment on what you think the impacts of C-18 have been on them?

Dr. Michael Geist: With your permission, I'd like to expand that not just to C-18 but to C-11 as well.

One of the real concerns with the legislative approach that this committee and that the legislation has taken on both the streaming act and on the news act has been to have significant negative implications for access to foreign content for diaspora communities. One of the real fears of what we're seeing play out at the CRTC is the likelihood that the increased cost of regulation and registration—but even more than registration, the actual costs of regulation—could well lead many foreign streaming services to simply block the Canadian market, because it doesn't become economical anymore. It's particularly those communities that may be most directly affected. The same is true on the news side.

Yes, this was a likely outcome. Again, I'm going to come back to my opening remarks to emphasize that, if you weren't listening to these players, if you decided all you needed to do was by and large listen to News Media Canada and a few other cheerleaders, then you'd miss that large story.

Ms. Marilyn Gladu: Let's go there for a minute.

You said News Media Canada was the biggest lobbyist on this bill, and they got everything they wanted. We saw, immediately after C-18 was passed, that Bell Media decided to shut down over 1,200 news outlets that were local, and Métro followed suit. It looks, at the end of the day, like C-18 utterly failed to meet its objective and, rather, lobbyists and the CBC, Bell and Rogers ended up with the lion's share of the taxpayers' money.

Would you agree with that?

Dr. Michael Geist: I'd say nobody has ended up with anything right now.

There is certainly some hope that there may be a deal with Google, and if there is one, then there is some revenue. I have to say, given what seems to be a permanent position, where Facebook, Meta and Instagram will not be coming back into the news market under this current environment, it's going to be very hard to make up the damage that's been caused by this legislation already. I think this helps explain what we just saw in the fall economic statement, which was the \$129 million supplementing and more than doubling what's available per journalist as part of the journalism labour tax credit.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Geist.

We'll move to the Liberals for five minutes.

Go ahead, Michael Coteau.

Mr. Michael Coteau (Don Valley East, Lib.): Thank you very much, Mr. Chair.

Thank you to all of our witnesses for being here today. My first question is for Mr. Ahmed.

Thank you for being here. I was really compelled by many of the things you said in your opening statement.

I want to ask you if you could give us, basically, a perspective on the trajectory of hate over the the last decade—we've seen a substantial growth in online hate—and on how larger platforms have contributed to those milestones within that trajectory of the potential growth or decline in online hate.

Mr. Imran Ahmed: Sure.

With regard to observations on the actual metrics, clearly there's been a substantial rise in online hate, and that is having an off-line effect. When I started the CCDH in 2016, it was somewhat controversial to say that what was happening online was having off-line impacts. I kept being told that I was crazy for saying that. By now, there's no one arguing that.

What we are seeing, however, is an increase in the normalization, so the fringe ideologies are becoming mainstream through the algorithmic action of companies trying to put the most engaging, controversial, chewy content into as many timelines as possible. It's the normalization of fringe concepts.

Second, we are seeing an increase in the volume of hateful content, which is actually having an impact on BIPOC communities and on LGBTQ+ communities. I'm brown, and I wouldn't go out in my streets in Washington, D.C., if people screamed abuse at me every time I went out. I'd just stay at home. It's the same with social media platforms. Who on earth wants to go on a platform that's rife.... As we found when Elon Musk took over X, there was a 202% increase in the volume of hate speech against Black people when he took over. Why would people want to post on that platform, which is rife with people using the most offensive terms possible? There's that.

Second of all, we're seeing hybridization of movements. Because of that churning activity that I described with Instagram with “Malgorithm”, where conspiracy theories are being cross-fertilized, we are seeing the development of new, online-first conspiracy theories. I would argue that the “great reset” is a very good example of such a hybridized conspiracy theory, in which convergence between conspiracist movements and hateful movements is leading to new hybridized ideologies. That actually is happening at warp speed, so it's making a more vociferous and more complicated threat environment. I'm sure that your national security people are telling you the same thing.

The reason for that is the companies' algorithms, but it's also their failure to enforce their own policies, the community standards that are our responsibilities as users and, therefore, our corollary right to expect others to abide by them and for someone to enforce those rules. All in all, it is a bit of a mess.

• (1205)

Mr. Michael Coteau: The spread of online hate is actually monetized by platforms. Is that correct?

Mr. Imran Ahmed: Yes.

Mr. Michael Coteau: Do you think these platforms that participate in making money off of spreading hate have the ability to self-regulate, or has it gone past that point to where there needs to be more government regulation in order to prevent the spread of all these falsehoods?

Mr. Imran Ahmed: Could they self-regulate? Yes. Will they self-regulate? No.

By now, the indulgence of people who once were young, cool, liberal-seeming, San Francisco executives—of course they're going to try to do the right thing.... I think they've lost the ability to claim that this was the benefit of the doubt. It is time for comprehensive regulation as the European Union has passed with the Digital Services Act and as the United Kingdom, my home country, has passed with the Online Safety Act, which finally received royal assent a few weeks ago.

I think it is about time that Canada joined the rest of the world in promulgating legislation that will actually ensure that the negative externalities of these companies and their failures to think about safety by design, their negligent product design, actually result in economic disincentives that create a culture in which these companies start to think about the impact they have on our information ecosystem and, therefore, our world.

Mr. Michael Coteau: I appreciate your time.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you. We're right on time.

We'll move now to the Bloc for two and a half minutes with Mr. Champoux, please.

[*Translation*]

Mr. Martin Champoux: Thank you, Mr. Chair.

Mr. Roy, I'm going to go back to the subject that Mr. Ahmed addressed.

Legislation such as the Online Safety Act, which was recently passed in the United Kingdom, as Mr. Ahmed said, and the regulations introduced in some European Union countries impose serious penalties on the digital giants.

Do you think these kinds of legislative instruments would work well in Canada? Should we follow that path to prevent online violence?

Mr. Jean-Hugues Roy: I've always wondered why we in Canada couldn't do what the European Union is managing to do. Once again, it's solely up to you parliamentarians to do it.

Mr. Martin Champoux: I conclude from what you're saying that you'll be pleased to come back when we discuss those bills.

Won't you?

• (1210)

Mr. Jean-Hugues Roy: With pleasure.

Mr. Martin Champoux: Mr. Geist, earlier you talked about the lobbyists who intervened in the study of Bill C-18. You mentioned News Media Canada in particular. You're right in saying its members were very active. That organization represents 830 newspapers, dailies, weeklies and community newspapers across Canada. Since it's the group most affected by the crisis, particularly as a result of the domination by digital businesses, it's quite natural for the members of that organization to be the most active group seeking regulations.

I understand that we can have very broad discussions regarding the business models of both digital and conventional businesses, which perhaps should be reviewed.

I recently suggested that we take a break and conduct an extensive study on the state of conventional media in Quebec and Canada, particularly on the state of news media.

Do you agree with that idea? Isn't it time we held a kind of summit to review those models and look to the future with a clearer idea of what lies ahead?

[*English*]

Dr. Michael Geist: There may not be a lot of time, but thank you for the question.

I would say that I think the time to conduct the kinds of studies you're talking about—to better understand the sector, to better understand the digital sector—is, in many ways, before you jump in with legislation.

Candidly, even the title of this hearing seems to presuppose exactly what the outcome is going to be. As a researcher, typically I start with the question, conduct the research and then come to the conclusion. The title of this study seems to have the conclusion already there, and now we're going to fill in the blanks.

To answer your question, it's the same thing. To put forward the legislation and then study the sector...? I think we should have done it the other way around.

The Vice-Chair (Mr. Kevin Waugh): Thank you for that. We have to move on.

I gave you an extra 30 seconds, Mr. Champoux.

We move now to Mr. Julian from the New Democratic Party.

Go ahead, Peter.

[*Translation*]

Mr. Peter Julian: Thank you, Mr. Chair.

Mr. Roy, we hear about islamophobic, anti-semitic, homophobic and racist attacks, which have an impact in real life. We know there's a connection between what people see online and what's conveyed in the real world. Earlier it was mentioned that we're subsidizing Meta and Google to the tune of more than \$1 billion a year. The Library of Parliament calculated that number.

You mentioned intimidation tactics. We're still subsidizing companies that refuse to respect our democracy and engage in practices that undermine our society. Many people feel that those practices trigger violence.

Do you find that disturbing?

Mr. Jean-Hugues Roy: I'm seriously concerned about that.

With regard to the \$1 billion subsidy, I believe you're referring to section 19 of the Income Tax Act. Yes, that makes no sense.

You say that what happens online has an impact in real life. That's what I'm afraid of. I'm also greatly concerned about news-link blocking. Many people, especially our younger fellow citizens, conduct their entire lives on their cell phones. Their lives essentially take place online, on social media, and information is excluded from what they see on social media. If that continues, my impression is that people will think there's no such thing as information, that verified journalistic information doesn't exist. There will only be influencers.

Mr. Peter Julian: Would you approve if the government immediately cut that indirect subsidy?

We urge Google and Meta to contribute to disinformation and simultaneously give them money. It makes no sense. These digital giants are getting a lot of money from indirect subsidies.

Mr. Jean-Hugues Roy: I absolutely agree with you.

I'd forgotten that section of the Income Tax Act. It could be the subject of a fifth recommendation: that indirect subsidies be immediately halted. That would rectify the situation in no time.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Julian.

Next, we have five minutes for the Conservatives with Martin Shields.

Mr. Martin Shields (Bow River, CPC): Thank you, Mr. Chair.

I appreciate the witnesses for being here. It's an example of freedom of speech and freedom of opinions. I appreciate hearing them all.

Dr. Geist, to start with, when we talk about supplementing Meta, it's pretty well known that once the financial update came out, the Liberals immediately spent a lot of money. About 30 ads immediately went up on big tech. The NDP recently spent \$2.5 million. Its leader spent \$400,000. We are all using this particular service out there. I have many weekly newspapers in my riding. They say that the 30% they've lost from federal advertising went to the big techs.

What is the role of government in news? Is it advertising? What role does the federal government have in Canadian news?

Dr. Michael Geist: I do track some of the advertising activity. We do see both the Conservative Party and the Liberal Party advertising. I don't believe I see the NDP advertising.

This notion of subsidies is being bandied about quite a bit. Advertising by government is not a subsidy. Advertising by government is designed to inform the community, whether it's about COVID or other sorts of issues or about the opportunities people

have to take advantage of different programs that have been established, such as getting a passport or whatever it happens to be. These aren't subsidies.

It seems to me that what you want to do is to be able to advertise to people where they are. If they are on some of these platforms, that's where you're going to advertise. You can make the decision not to do so, and we've seen that in the aftermath of Facebook blocking news links. Nevertheless, I don't see that as a subsidy.

To be honest, this notion that deducting advertising as a subsidy strikes me as really odd. It's a deduction for businesses that advertise. The idea that we would eliminate the ability for those businesses to effectively advertise in places makes them less competitive, it seems to me.

I understand why we might be unhappy that big tech is getting this money. Tax them. I mean, the solution, if you don't think they are paying their fair share, is to tax them. Don't leave our own businesses at a significant competitive disadvantage by saying they can't deduct that kind of advertising.

• (1215)

Mr. Martin Shields: Thank you. I appreciate that.

With social media removing links, what, in your opinion, has that created in the Canadian landscape? Social media links have been removed.

What did that create in our social fabric and our country when social media did that?

Dr. Michael Geist: We've already talked about how the removal of news links certainly harmed many news entities by losing audiences. We've heard from other witnesses about the concern that filling that gap is hateful content or other kinds of content. There have been some reports that suggest some of what has filled that space are, frankly, memes, pictures of friends and things like that. It isn't that harmful.

I want to state this unequivocally, because Mr. Julian raised the issue of hate online and anti-Semitism. We need to be absolutely clear here. I've been outspoken on these issues. I've been targeted by Laith Marouf on these issues.

A year or so ago, a former member of this committee suggested that I was racist for raising questions around anti-Semitism. This is deeply personal for me and my community right now. We need action. We also need true accountability, with everyone willing to stand up and say so. Where that hasn't happened, I find it enormously troubling when those things take place.

Mr. Martin Shields: When you reference Bill C-11 and Bill C-18, who should set the standards there. Who should set these standards? Where do you think we should go?

Dr. Michael Geist: Standards for what? Is it for what appears on social networks?

Mr. Martin Shields: Yes. Who should set those standards?

Dr. Michael Geist: Freedom of expression is quite clearly there, but it is open to the government to establish online harms legislation that provides guardrails and addresses some of these issues.

Candidly, one of the things that I have found most inexplicable about the government's strategy is not that it hasn't decided to go forward and deal with some of these issues. There is a need to deal with these issues. It's that privacy was largely ignored or left to the end. AI has been moved forward without full consultation, and online harms have been left as a laggard.

I'm not saying that I want the government to come in and regulate everything people can say. I think there are real challenges around misinformation and disinformation from a regulatory perspective. Surely, we can ensure that platforms are responsible when it comes to content that we already know is unlawful, for example, terrorism content, certain kinds of hate content and the like. There is an opportunity there, and it is a source of frustration for many that the issue has not been prioritized but some of these others have been.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Shields.

We're going to move on to the Liberal party for five minutes.

Ms. Dhillon, you have five minutes, please.

Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.): Thank you, Chair.

Thank you to our witnesses for being here.

My questions will be for Mr. Ahmed.

Have you found that big tech companies cultivate friendly academics, experts, think tanks and advocacy groups to maintain a status quo and oppose regulation? We've seen in the past that the big tech companies try to resist and undermine and subvert experts from regulating them. Can you please comment on that?

Mr. Imran Ahmed: Thank you for the question.

We have seen an even more sophisticated version of the array of astroturf groups of paid influencers who support social media companies in their efforts to resist regulation and to resist having to take responsibility for the externalities of their company's own work. Also, even more importantly, they control the digital information ecosystem. They shape that—and we know they have in the past—to support the narratives that benefit them.

I think with the unprecedented power they have to shape the narrative and the enormous amount of cash they have on hand to try to get others to help them shape the narrative, you're right. We are up against a really dangerous enemy in that respect.

• (1220)

Ms. Anju Dhillon: My last question, before I hand it over to MP Gainey, is this: What advice do you have for legislators, government and civil society in general to counter that?

Mr. Imran Ahmed: I'm not Canadian, so internal political disputes between parties in Canada are like watching my in-laws argue. I just don't want to get involved. What I can say is that we are all patriots, because the public service is a job for patriots.

Right now, Meta is trying to make a joke out of Canada and of the ability of democracies to restrain companies when they create harm in their countries. As a patriot of my own country, and as someone who supports the Canadian government, please do not see this as a setback. See it as a reason for more comprehensive legislation that deals with the whole array of issues: good data through transparency, meaningful accountability, shared responsibility for the externalities and a culture of safety by design.

Ms. Anna Gainey (Notre-Dame-de-Grâce—Westmount, Lib.): Thank you. It's a pleasure to hear from all of you today.

Mr. Kint, I will engage you on this one. I feel that we've kind of left you quiet there.

I'm curious. In all the talk of big tech, we hear about Google and Meta and occasionally Twitter. Apple strikes me also as big tech, and it's a company that we don't often hear about in the context of news. The Apple news model, I think, has grown rapidly. It's certainly a tool I use on my phone in my day-to-day life.

How does that model work? How do you see Apple engaging with local news and their profit model? Why has it escaped this discussion to date?

Mr. Jason Kint: That's a really good question. Thank you for asking it.

Partially it's that our justice department is still investigating Apple. Unlike Amazon, Google and Facebook, they don't have a lawsuit yet from our justice department or a federal trade commissioner or our state AGs, who are all suing the other companies in some form or fashion. I think that raises the attention level.

You are right that Apple has choke-point gatekeeper power. I think it's why the Digital Markets Act in Europe was so sharp and smart to include them. It puts limitations on that gatekeeper power.

We are learning, particularly through the Google antitrust lawsuit here in the U.S., that the shared power between Google and Apple, where Google is paying Apple well north of \$20 billion a year and 37% of every single dollar that gets collected through their searches on Apple devices, is quite a choke point. These things are coming out, and I think we'll have more attention on Apple too.

Ms. Anna Gainey: Mr. Ahmed, I'm curious. The U.K. experience with the online harms bill was quite a journey. I followed it from a distance here.

Quickly, do you have any lessons learned for us from the British experience on that piece of legislation in particular?

Mr. Imran Ahmed: It really was a long journey.

I was the first witness to give evidence to the draft bill committee in September 2021. It took two years to promulgate that legislation.

The one thing I will say is that there is elegance in the British solution that says, “You set your own rules, but we want to see whether or not you enforce them in the right way.” You don't need to make it more complicated than saying, “If you act in a negligent way with respect to enforcing the rules that you tell others they have to abide by, and if that creates harm for our society, then we will impose significant economic consequences on you.”

I think it was the comprehensive nature, working within the platform's own community standards—because they need advertising and advertisers wouldn't advertise on there otherwise—that made that legislation so elegant.

Ms. Anna Gainey: Thank you very much.

• (1225)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Gainey.

We'll go now to the third round. I think we have time.

There will be five minutes for the Conservatives, and I'm actually going to lead it off.

Mr. Geist, the day Bill C-18, the Online News Act, was passed in the House of Commons, I found it ironic—some thought I was a conspiracist—that the big broadcasters slipped over to the CRTCC chair and said, “We want to do less local news.” Isn't that ironic?

Of course, no money has come yet from Bill C-18 to the big broadcasters, but they are preparing for that, and I can tell you, in my city, that the local television station does two hours a day out of 216 First Avenue North.

Dr. Michael Geist: I actually think what we've seen take place in terms of broadcaster response, both on news and on calls for reduced CanCon obligations, which we are also seeing now, does come out of this legislation.

On CanCon, for example, it was an obvious consequence that, if you were looking for the international streamers—the foreign streamers—to shoulder more of the responsibility, one of the responses you'd get from Canadian broadcasters would be, “Okay, we can reduce what we have to do as part of that.”

On the news side, I suspect the timing may well have been a coincidence, but in terms of the amount of news we might get from some of those broadcasters, there's been little evidence to suggest that the results they might get from Bill C-18, which appear now to be pretty limited—with really only one company now subject to this legislation—would change the trajectory of some of the things those companies have been focused on when it comes to news.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We'll move it over to Mr. Shields.

Go ahead. You have three minutes.

Mr. Martin Shields: Thank you.

I'm going to pick up where I left off, in reference to what you said about Bill C-11 and Bill C-18 in your statement and how some people might have been excluded for a variety of reasons.

We've just heard that it took two years for the U.K. to do the harms bill. You suggested that we had our study backwards here on Bill C-18 and Bill C-11. What would you like us to see as the mistakes that were made with Bill C-11 and Bill C-18 so that we have legislation that might not be what it should and we excluded people from the process? My idea is that you talk to everybody and make sure everybody's heard if you want to get something right. On the harms bill, what would you suggest?

Dr. Michael Geist: I think one of the reasons we've seen delays on the harms bill is that, in all likelihood, it is recognized—and rightly so—as being even more controversial than Bill C-11 and Bill C-18, and I think that's true.

I also think that it never made sense to put it in heritage. I don't know why online harms is a heritage issue. Reports have suggested that it has now been shifted within the government. I think that's a good thing, because I think this is much more of a justice and public safety-related issue.

I would say that what we really need as part of this legislation—and this may sound like a naive academic speaking—is for there to be an openness, a willingness, to engage in an open iterative policy process once it gets to committee, in the sense that making changes is not a mistake and doesn't suggest that somehow someone has erred but is rather an attempt to make the bill better.

With all due respect, I've felt that too often committee is set up more as consultation theatre than as actual, real, engaged consultation and that the notion of making changes, even potentially significant changes, is somehow seen as an admission of some sort of failure. I don't think it is.

These are bills that should have been not nearly as controversial as they proved to be. I think part of the problem was that from the day they were put forward—and this has been true for a long time with successive governments, frankly, both Conservative and Liberal—the idea was that, once the legislation was put forward, any significant changes were seen as somehow saying that we had made some sort of mistake and that was a sign of weakness.

I don't think it is. Actually, I think it's the opposite. I think it's a sign of strength to develop the very best policy possible.

Mr. Martin Shields: Thank you.

I think there are examples where that may have happened. I can remember when the current housing minister and I were on a committee and there was a word in there that was wrong. I knew it was legally wrong. They were determined to go, but I said, “You're a lawyer. Look at that word and tell me it's right.” He said, “Oh my God, we've made a mistake—let's fix it.”

I think that's what you're talking about that we should be able to do, but it takes a lot of people to be at that table to deal with this.

Dr. Michael Geist: It does. I know that there are negotiations that the public is not privy to, where members around this table negotiate how many witnesses you're going to have and for how long the hearings are going to go forward.

To me, the starting point has to be not how many witnesses, but who you need to hear from and who is most relevant. Frankly, as part of the Bill C-18 process, there was an attempt to wrap this up after just four meetings, if I recall correctly, when there was a wide range of people—both supportive and critical of the legislation—who hadn't been heard from.

• (1230)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Geist.

I have to move on to the Liberals for five minutes.

Mr. Noormohamed, go ahead.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you very much.

I really do appreciate all of you taking the time to be with us today.

Mr. Ahmed, maybe I could start with you.

Given the limited amount of time we have, it will be very helpful to us if you might be willing to give us a written submission on how things are working or are not working—as the case may be—from your perspective in the U.K. If you would be willing to do that, I think it would be very much appreciated.

Mr. Kint, we would appreciate it if you would be willing to do so as well.

Would that work for you guys?

Mr. Imran Ahmed: I'm sure Jason and I would both be happy to do so.

Just to be clear, it's a bit early. The legislation was promulgated just a few weeks ago, and Ofcom is still in the consultation stages of establishing precisely how it will utilize its powers.

Three years ago, we organized a conference in Washington, D.C., with lawmakers from Canada, the U.S., the U.K., Australia and New Zealand to talk about legislation. We'll be doing the same next year so we can learn lessons from each other about how the implementation has gone a year on.

Mr. Taleeb Noormohamed: That's fair enough. Thank you.

Mr. Kint, I'd like to turn to you.

From what you've observed, how does the Canadian experience with some of the strategies that the platforms have taken align with experiences in the EU, Australia, the U.S. and elsewhere?

Mr. Jason Kint: It's very consistent. I think the only distinction is that there's a lot of attention here on the loss of traffic from Facebook when they moved early, frankly, to block all news.

I think it's important to say that news was struggling before Bill C-18 was passed or before Facebook pulled out. Traffic is down

from Facebook and Meta across the board internationally. This notion or this myth that suddenly something happened because you passed Bill C-18, which isn't even in force yet, and that's the problem is kind of absurd when you look at and study the international news market.

I think you bravely passed legislation by looking at smart legislation elsewhere that is working. This is a short-term temper tantrum by Facebook, as was described. I think there are very consistent experiences.

A lot of the downstream harms that are being discussed today are also very consistent with what we see elsewhere. I would strongly encourage everyone to look at the state attorneys general lawsuit against Meta for underage children being harmed by their platforms. It's 40-plus state AGs. It's multi-party in the U.S.

Despite kind of looking at the U.S. and thinking that we can't agree on things, there's very clear agreement on the harm that's happening and that Instagram and Facebook are not taking care of their products.

Mr. Taleeb Noormohamed: That is an interesting perspective. It would be lovely to see a similar multi-party approach in dealing with these issues here, but obviously that's not necessarily the case.

With some of the tactics you've just talked about, one thing I'm curious about is the approach or the thesis that big tech cultivates friendly academics, experts, think tanks and advocacy groups to kind of push on the status quo and to oppose regulation.

What is your sense of that? Is that a fair statement? What advice would you have for governments and civil society to push back on these efforts and resist that approach?

Mr. Jason Kint: I agree 100%.

On the research and academic side, I've seen very important researchers.... A group at NYU here in the U.S. was blocked by Facebook from research it was trying to do, because it was seen as adversarial as it tried to expose some of the harms on the platform.

On the flip side, Google hosted Newsgeist in Canada as you were starting to look at Bill C-18. I'm fairly certain that some of the witnesses who defended Google were at Newsgeist, which is a closed-door, invite-only, Chatham House rule conference for a lot of academics and people in the news industry who covet that invitation from Google.

I don't get invited, by the way.

• (1235)

Mr. Taleeb Noormohamed: With the remaining moments I have left, there was an assertion made earlier that, as a result of legislation, people aren't investing in news. It would seem to me that this is not a Canadian trend, but a problem we're seeing around the world, where there's less and less money to be made in news, so smart investors just aren't putting their money there.

How much of that would you ascribe to legislation that has not yet been in force in this country, and how much would you ascribe to the sad reality we're seeing globally, with respect to the investments being made in high-quality news and journalism?

Mr. Jason Kint: No. The investment will go into high-quality journalism when you have competition on the platforms, where they can't abuse the news companies by just sucking out the data and then putting the ads against the cheapest content possible, which is often harmful content.

You need competition and you need data protection. That will help the news industry.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We move to the Bloc and Mr. Champoux for two and a half minutes.

[Translation]

Mr. Martin Champoux: Thank you very much, Mr. Chair.

I frankly want to say that I always find these discussions very interesting. Sometimes our questions are too long and don't leave enough time for answers. We should all take note of that, starting with me. We will surely know the ins and outs of the job by the end.

I want to thank the witnesses for clarifying these issues, which divide a lot of people.

Mr. Chair, as I am concerned about what we're currently seeing at the CRTC's hearings, about the study we're conducting on bills and about the general situation of the media, particularly the news media, I would immediately like to introduce and debate a motion.

I move as follows:

Whereas:

- 1- The news media is in crisis due to the dominance of foreign digital companies;
- 2- Hundreds of newsroom positions across Canada have been cut since the beginning of the year, and hundreds more are likely to be cut in the near future;
- 3- Canadian broadcasters, journalists' associations, news unions and many experts agree that urgent action must be taken to ensure adequate, diversified news coverage in all regions of Quebec and Canada;

That, pursuant to Standing Order 108(2), the Committee undertake a study to determine the appropriateness of holding a national forum on the media and that the Committee determine its terms of reference.

That the Committee hold a minimum of four meetings and report its recommendations to the House.

Mr. Chair, we sent the French version of this motion to the clerk a little earlier. I now turn the floor over to you.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Champoux.

We have received this in French. We're trying to get it translated into English. It is related, so I'm going to open it up for debate, if you don't mind.

I have Mr. Julian on a point of order.

Mr. Peter Julian: Mr. Chair, we have more questions for our witnesses. This is a very important panel.

I would ask Mr. Champoux to hold off. I think we can have a debate after the final round.

I have more questions that are very important. Unfortunately, I don't feel that cutting witness testimony is the appropriate way to act.

[Translation]

Mr. Martin Champoux: Shall we go back to the point of order, Mr. Chair?

[English]

The Vice-Chair (Mr. Kevin Waugh): Mr. Champoux and Mr. Julian, I have ruled that it is debatable. We are talking about the news industry here. You are bringing up this motion. It is related.

Go ahead, Mr. Champoux.

Mr. Peter Julian: I'm sorry, Mr. Chair—

[Translation]

Mr. Martin Champoux: Pardon me, Mr. Julian. I believe I have the floor.

I know we're still waiting for the English version of the motion. However, I have no objection to the New Democratic Party continuing with its questions. We can be notified when the translation is ready and can start debating the motion at that time. I'm entirely willing to proceed in that manner should you agree.

[English]

The Vice-Chair (Mr. Kevin Waugh): That would require unanimous support. Is it unanimous?

Do we continue questioning our guests while the motion is being translated into English? It needs unanimous support. If not, we're at a stalemate, waiting for the translation into English, which could take.... It's fairly long, so if you don't mind me saying, it could take considerable time. I don't know, but checking with the clerk, she is indicating that it could take some time.

Go ahead, Mrs. Thomas.

• (1240)

Mrs. Rachael Thomas: For Mr. Champoux's sake, I think clarity is necessary. Should it not be translated by the end of this meeting, what happens with his motion?

The Vice-Chair (Mr. Kevin Waugh): There are two things. One, we could move to suspend until we get the translation. Two, we would adjourn and then bring back the motion.

[*Translation*]

Mr. Martin Champoux: Mr. Chair, I'm going to take the risk of introducing my motion again at the next opportunity. The translation isn't ready, and there's absolutely no point in suspending the committee's proceedings until it is. I think we can continue with the rounds of questions. I trust the committee not to prevent it from being introduced again at the next opportunity.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

Do I have unanimous consent, then, to move on? No, I'm not hearing it on this side. I don't.

Then I think we need to suspend—

Mr. Peter Julian: I'm sorry, Mr. Chair. I challenge your ruling then.

The Vice-Chair (Mr. Kevin Waugh): The motion was related. It was very—

Mr. Peter Julian: I challenge your ruling. The witnesses are here. We have questions. If the Conservatives are blocking again, that's their problem, but I would like to continue asking questions. The best way to do that, with all the respect that I owe you, is to challenge your ruling, which allows us to go back to the questioning.

The Vice-Chair (Mr. Kevin Waugh): Thank you for that, Mr. Julian. We'll go to the vote on the challenge of the chair.

Go ahead, Geneviève.

The Clerk of the Committee (Ms. Geneviève Desjardins): I'll just clarify. The vote is challenging the chair's ruling that the motion is currently admissible.

[*Translation*]

Mr. Martin Champoux: I think it's the decision to suspend debate that's being challenged.

[*English*]

Mr. Peter Julian: No, Mr. Chair. It was actually on your decision to accept the motion at this time. I support the motion, and I'll certainly support bringing it back, but I challenge that because challenging that decision allows us to go back to the witnesses.

The Vice-Chair (Mr. Kevin Waugh): Okay. I'm just going to turn it over to the clerk for understanding here.

Go ahead, Geneviève.

The Clerk: My understanding is that a motion was moved. It was ruled admissible, and that decision is being challenged. The vote is on the challenge to the chair. If you vote yea, you agree that the motion is admissible, and we would move to debate. If you vote nay, we do not proceed to debate.

Mr. Peter Julian: And we go back to the witnesses.

The Vice-Chair (Mr. Kevin Waugh): Mr. Coteau and Mrs. Thomas have their hands up.

Go ahead, Michael.

Mr. Michael Coteau: I'm sorry. I'm okay.

Mrs. Rachael Thomas: It's a clarification. It is totally not clear what is being challenged here.

Unanimous consent was sought, and it was not granted. Is that what is being challenged?

Mr. Peter Julian: No, I am challenging the decision of the chair to allow the motion.

Mrs. Rachael Thomas: Excuse me. I'm sorry, Chair. My conversation is towards you. Thank you.

Then, Chair, the challenge would be to your ruling that Mr. Champoux's motion is in order.

The Clerk: Yes.

Mrs. Rachael Thomas: Okay. Thank you. You are saying yes, it is in order.

The Vice-Chair (Mr. Kevin Waugh): It is.

Can we call for the vote?

(Ruling of the chair overturned: nays 6; yeas 4)

• (1245)

The Vice-Chair (Mr. Kevin Waugh): That means my ruling is defeated. We move on for two and a half minutes.

Mr. Champoux, you have a minute left.

[*Translation*]

Mr. Martin Champoux: Thank you, Mr. Chair.

I want to take this opportunity to make a comment for my committee colleagues. With all due respect to everyone on this committee, this is the second time recently that a decision of the chair has been challenged, despite the fact that decision was based on the rules and usages governing committee proceedings. This isn't a matter of interpretation of the standing orders. Rules regarding our practices do exist, and they must be obeyed. Once again a decision of the chair has been challenged and overturned because we prefer to continue. Which is absolutely right and legitimate; we want to continue questioning the witnesses.

I call on this committee to exercise great caution. There are rules, and it is all well and good for the committee to be sovereign and the master of the decisions it makes regarding how it operates, but we are on extremely slippery and dangerous ground when we overturn decisions that are clearly consistent with the rules based on the Standing Orders of the House.

This happened a few weeks ago when the decision on a motion to adjourn was challenged. This time, a decision on the admissibility of a motion has been challenged.

I'll stop there.

Mr. Chair, I want it recorded in the minutes of this meeting that I encourage this committee to exercise considerable caution with regard to all the parliamentary tools we have at our disposal.

Thank you.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): That's fair.

Thank you, Mr. Champoux.

On a point of order, I have Mr. Noormohamed.

Mr. Taleeb Noormohamed: I'd like to register two things.

One is that I share Mr. Champoux's concerns that there have been moves in this committee that have made it very difficult for the work of the committee to be done.

Mr. Champoux was very gracious in offering to translate the motion and for us to continue. It's certainly disappointing that this is not where we went. It's important for us to recognize that it would be great for us to be able to ensure that things move in way that allows us to get to where we need to get to, rather than obstructionist tactics that seem to be the way of the world.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Noormohamed.

[*Translation*]

Mr. Martin Champoux: A point of order, Mr. Chair.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): We'll go to Mr. Champoux, and then we're going to move on for two and a half minutes.

[*Translation*]

Mr. Martin Champoux: I just want to react to that point of order, Mr. Chair.

It's absolutely fair for the Liberals to attack the Conservatives and for the Conservatives to attack the Liberals. That's part of the game and I understand it.

In this instance, however, the obstruction didn't come from the Conservatives. My point is that it's the Liberals and the NDP who voted to overturn your decision, Mr. Chair. I repeat: your decision was based on the Standing Orders as written, which are clear and should be followed.

A decision of the chair may be overturned in exceptional cases, but I think this is becoming a habit and it worries me.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

Mr. Julian from the NDP, you have two and a half minutes.

Mr. Peter Julian: Thank you very much, Mr. Chair.

Of course, that decision was on the line. The committee has the perfect right to make that decision. I would agree with Mr. Champoux that committee work means working often by unanimous consent, and I'm hoping that we get back to that.

Mr. Ahmed, I want to come back to you.

I'm stunned to learn that you have 25 members on your team. Please pass on our sincere appreciation for 25 people doing such remarkable work in the face of the big tech juggernauts and the massive increase in hate and disinformation we are seeing.

One of the things that can help to push back against this hate and disinformation is having transparency around online algorithms. Bill C-292, before the Canadian Parliament, seeks to do that.

In the United States, before the U.S. Congress, as I know you are aware, Senator Ed Markey has put forward similar legislation to oblige big techs to actually expose the algorithms they use to force-feed, in this case, hate and disinformation to so many people.

The concern in big tech, of course, is that they'll be libel if there is a direct link between the massive terrorist attacks that we've seen linked to hatred, whether anti-Semitic, homophobic or racist, and their algorithms. A legal liability would be established.

How important is it for Parliament and the U.S. Congress to adopt this kind of legislation to hold big tech libel for the egregious practices they have?

• (1250)

Mr. Imran Ahmed: That transparency legislation is vital, because without it, we can't actually create the arguments for liability. Transparency is the absolute bedrock of an effective mechanism for accountability, and then shared responsibility for any harms that are created.

The European Union is also doing some really interesting things right now. It will be setting up new algorithmic studies in Seville, which will be operating soon. That will give us a lot more data on how these platforms are working.

Let's be absolutely clear: Algorithms are the product. If you think they are content platforms, they're not. They're an algorithm platform that publishes a timeline that is algorithmically ordered to keep you addicted. That's what is crucial about the legislation you're promulgating.

The Vice-Chair (Mr. Kevin Waugh): Thank you very much.

We've run out of time at two and a half minutes.

Mr. Peter Julian: I still have 10 seconds, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): I have more like minus five here.

Mr. Peter Julian: Can you tell us more about Seville, Mr. Ahmed?

Mr. Imran Ahmed: I'll be happy to provide something in writing to the committee.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

The last two rounds are scheduled for five minutes. Seeing the clock, I'm going to say there are three minutes each for the Conservatives and the Liberals, if that's okay, in order to round out the third round.

We have the Conservatives for three minutes. We'll start with Mrs. Thomas.

Mrs. Rachael Thomas: Thank you, Mr. Chair.

Dr. Geist, with regard to Bill C-11, you mentioned that indigenous folks, BIPOC folks and others who function within this digital space.... We often call them “digital-first creators”. Those individuals were not adequately consulted. You used the word “sidelined” in your remarks.

Can you talk to me about the impact Bill C-11 is having on digital-first creators in Canada and will potentially have on them, going forward?

Dr. Michael Geist: Thanks for that question.

I think there remains deep concern among many digital creators about the implications of Bill C-11. Obviously, there's been a policy direction that has tried to assuage some of those concerns. However, even within that policy direction, there still remain references to the prospect of dealing with algorithms and the like. I think there are still some concerns. There was media coverage, particularly on the issue of indigenous and BIPOC creators. In one instance, Vanessa Brousseau, who goes by the handle Resilient Inuk, went to meet with heritage officials and walked away feeling completely intimidated and disrespected.

I have to say that I find such an incredible disconnect between what are, legitimately, a whole raft of changes in the legislation designed to support those communities and their creativity, and—at the same time—the lived experience some have had within the legislative process, where efforts to bring their concerns to the table, whether at this committee or later at the Senate, may have been sidelined. The Senate heard from far more digital creators, from all walks, than this committee took the time to hear from, when it came to Bill C-11.

I think you have to do more than just have legislation that sounds good. You have to ensure the groups that are affected have an opportunity to be heard as well.

Mrs. Rachael Thomas: Thank you, Dr. Geist.

At this time, I would like to move a motion that was tabled and moved at the last meeting. However, we didn't have an opportunity to bring it to a vote. It's my hope that, today, we can bring it to a vote quite quickly and go onward.

I'll read the motion into the record:

Given that, the Department of Canadian Heritage, under the leadership of the Honourable Pablo Rodriguez, approved ‘anti-racism’ grants upwards of \$130,000 to Laith Marouf of the Community Media Advocacy Centre (CMAC), on October 21, 2022, the Honourable Pablo Rodriguez appeared before the Heritage Committee, during which time he was asked by a number of MPs about the date he was made aware of Laith Marouf’s derogatory remarks about Jews and Francophones and the minister reported to the Committee that he was not informed until after August 22, 2022, an article by the Globe and Mail and an Access to Information Request indicate emails circulated from the former Diversity and Inclusion Minister, the Honourable Ahmed Hussein, his former chief of staff, Minister Rodriguez’s former chief of staff, and the deputy minister at Canadian Heritage between August 17th and August 19th, 2022, including one sent to Minister Rodriguez’s personal email account titled “Laith Marouf and antisemitic hate speech,” the Committee invite the former Minister for Canadian Heritage, the Honourable Pablo Rodriguez, to appear before the committee as soon as possible for no fewer than two hours to clarify his remarks concerning Laith Marouf, and that the committee report its findings to the House.

Mr. Chair, I have read the motion into the record. My request is clear: that we hear from the former minister of Canadian heritage.

He is the one who made the decision or signed off on the \$130,000 that went to Laith Marouf. He is, further, the one who requested that the money be paid back. It has not been. Laith Marouf should have been scolded and had the money taken from him far sooner than it was by this minister, who chose instead to turn a blind eye.

It is incumbent upon this minister to come to the committee and explain to us why he made the decision he did or to clarify his previous comments.

I move the motion.

• (1255)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mrs. Thomas.

I'm going to call the vote to move to debate. That's the correct—

Go ahead, Mr. Coteau.

Mr. Michael Coteau: We were just asked if we would agree to an additional three minutes on each side. That was the request.

Obviously, the member can move a motion whenever she wants, but when we as a committee agree that we're going to provide three minutes to each side—

The Vice-Chair (Mr. Kevin Waugh): You still might get there, Mr. Coteau, if we can get—

Mr. Michael Coteau: Do you know what? I'm sorry, but the only way this committee can work in the sense of working together is by honouring the agreements we make.

If I knew that we were going to get into a debate over a motion at the last minute, four minutes or three minutes before the end of the meeting, we wouldn't have agreed to extend.

The Vice-Chair (Mr. Kevin Waugh): Actually, Mr. Coteau, if you look at the third round, instead of five minutes each for the Conservatives and the Liberals, I made an editorial change to three minutes. It was still in the third round, but because of the clock, I moved to the—

Mr. Michael Coteau: Yes, but I was specifically asked through the clerk, through the chair, if we were okay with that. I'm sorry, but I don't think this is a good way for us to proceed. It's not the right way as a committee to operate.

The Vice-Chair (Mr. Kevin Waugh): So—

Mr. Michael Coteau: I just want to finish, Mr. Chair, if that's okay.

The Vice-Chair (Mr. Kevin Waugh): Quickly.

Mr. Michael Coteau: Every single week, actually twice a week now, we have witnesses who, in some cases, come from all across the country to provide us.... They are not being paid like members of this committee to sit here. They're actually coming of their own free will because they are interested in issues that matter to them, issues that they care about. For them to come into this committee and, first of all, lose the opportunity to fulfill their opportunity to speak on these issues, it is not a great way for a committee to proceed.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

I am going to move to call for the vote...to the debate.

Mr. Michael Coteau: Mr. Chair—

The Vice-Chair (Mr. Kevin Waugh): We've discussed this.

Mr. Michael Coteau: Mr. Chair, are you saying that I can't continue talking?

The Vice-Chair (Mr. Kevin Waugh): No, I think the motion has been—

Mr. Michael Coteau: You've attempted twice to stop me from speaking.

The Vice-Chair (Mr. Kevin Waugh): Yes, I have.

Mr. Michael Coteau: Why are you doing that? Obviously, you want the vote called.

The Vice-Chair (Mr. Kevin Waugh): No, it's a dilatory motion, Mr. Coteau.

• (1300)

Mr. Michael Coteau: I have the floor. How much time have we sat here as members and listened to the member who is moving this motion speak for, in some cases, 50 minutes without being interrupted, and here I am.... I don't speak a lot at this committee—you know that—and here I am being told by the chair, twice now, to stop talking by the chair interrupting me. I don't think that's a fair process.

If you want to talk about fairness, then we should allow members to speak and actually—

The Vice-Chair (Mr. Kevin Waugh): Go ahead on a point of order, Ms. Gladu.

Ms. Marilyn Gladu: My understanding is that, when there is a motion, you can't call the vote until everybody who has their hand up gets a chance to speak. Could you just clarify?

Mr. Coteau has every right to continue.

Mr. Michael Coteau: Thank you. I appreciate that. I always say that you bring a lot of clarity to this committee, and you know I have said that before. I'm not just saying it because it's to my advantage at this moment.

The Vice-Chair (Mr. Kevin Waugh): I'm sorry, Mr. Coteau, but when we have a dilatory motion, it's not debatable. We move right away to the vote. That's why I cut you off twice. This is a dilatory motion. I've asked the clerk to call for the vote. I'm listening to the clerk. This is a dilatory motion. She has confirmed to me that it is.

Mr. Michael Coteau: Can I ask a question, Mr. Chair?

If it's one o'clock, can we adjourn?

The Vice-Chair (Mr. Kevin Waugh): I'll ask the clerk to clarify.

The Clerk: A dilatory motion is to replace the subject at hand with another order of business.

The vote would not be on the motion itself. The vote is to resume debate on the motion, and that is a dilatory motion, which is not debatable and amendable.

Mr. Michael Coteau: Do we have to continue at this point?

The Vice-Chair (Mr. Kevin Waugh): Being that it is a dilatory motion, Mr. Coteau, we can vote on it right now or when we come back on Thursday, when the first item would be to vote on this motion.

As chair, I call for the vote, and then we move on—

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

To move past the ascribed time for the committee, you need unanimous consent, which you do not have, so we're done.

The Vice-Chair (Mr. Kevin Waugh): We have three extra minutes, Mr. Noormohamed.

Mr. Taleeb Noormohamed: Now we have extra minutes—great.

The Vice-Chair (Mr. Kevin Waugh): Well, no, we've been talking the whole time.

Mr. Taleeb Noormohamed: Oh, I see. Okay.

The Vice-Chair (Mr. Kevin Waugh): But I would like to call for the vote—

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

We sit through countless hours of conversation.

We had a situation where Mr. Champoux put forward a motion. There was an opportunity for the committee to work collaboratively to continue with questions. Sadly, that was not given. We were not able to do that because some folks didn't feel that was appropriate.

We then agreed, as a group, through you, Mr. Chair, that each party remaining would get their three minutes.

The Vice-Chair (Mr. Kevin Waugh): Yes, just the two parties, yours and the Conservatives.

Mr. Taleeb Noormohamed: That's correct. We would do that.

It would seem reasonable, to a reasonable person, that in an agreement such as that, crafted among people who I assume are honourable, everyone would have their three minutes to do that work, given the time that has been given to us by these witnesses.

It seems as though, if that is the approach the committee would like to take going forward, then, certainly, we will guard ourselves accordingly, but as Mr. Coteau very rightly said—

An hon. member: We feel bamboozled.

Mr. Taleeb Noormohamed:—we sit here, with many on the other side whom we believe act in good faith, to be able to do that work.

This is now the second meeting in a row where this has happened, where, knowing that there is an agreement to finish our time and that we would be afforded that opportunity, both times a motion has been dropped at the very last second, knowingly ensuring that we won't get our time.

If that is the tone, the tenor and the approach you want to take to this committee, so be it. However, that is a decision being made by the Conservatives, certainly not by us, and I would argue not by members of other parties who are in this room.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

This is a motion. It's not debatable, though.

Mr. Peter Julian: I moved adjournment, and that has precedence.

An hon. member: It's also 1:03.

The Vice-Chair (Mr. Kevin Waugh): He doesn't have the floor.

There's a motion on the floor. I'm going to call for the vote again.

An hon. member: I move adjournment, Mr. Chair.

Mr. Taleeb Noormohamed: Mr. Chair, you don't have the unanimous consent of this committee to keep sitting past 1:03. You do not. You don't have it from us. I don't believe you have it from Mr. Julian.

An hon. member: You can't force this. You have to respect the rules.

Ms. Anna Gainey: Do we get to thank the...?

Thank you for coming and, for those of you online, thank you as well. Thank you very much.

The Vice-Chair (Mr. Kevin Waugh): I'm going to suspend, meaning that on Thursday, we'll pick this up.

Mr. Taleeb Noormohamed: No, you won't. There's a motion to adjourn. That takes precedence.

The Vice-Chair (Mr. Kevin Waugh): He hasn't had the floor.

● (1305)

Mr. Taleeb Noormohamed: If you want to pick this up when the minister is here instead of talking to the minister, that's your prerogative.

The Vice-Chair (Mr. Kevin Waugh): Does the committee agree to adjourn?

Mr. Peter Julian: We either vote to adjourn, or you just adjourn the meeting, because you don't have unanimous consent to continue. Those are the choices, and they both end up with adjournment unless you have unanimous consent to continue.

The Vice-Chair (Mr. Kevin Waugh): The chair says that the meeting is adjourned.

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