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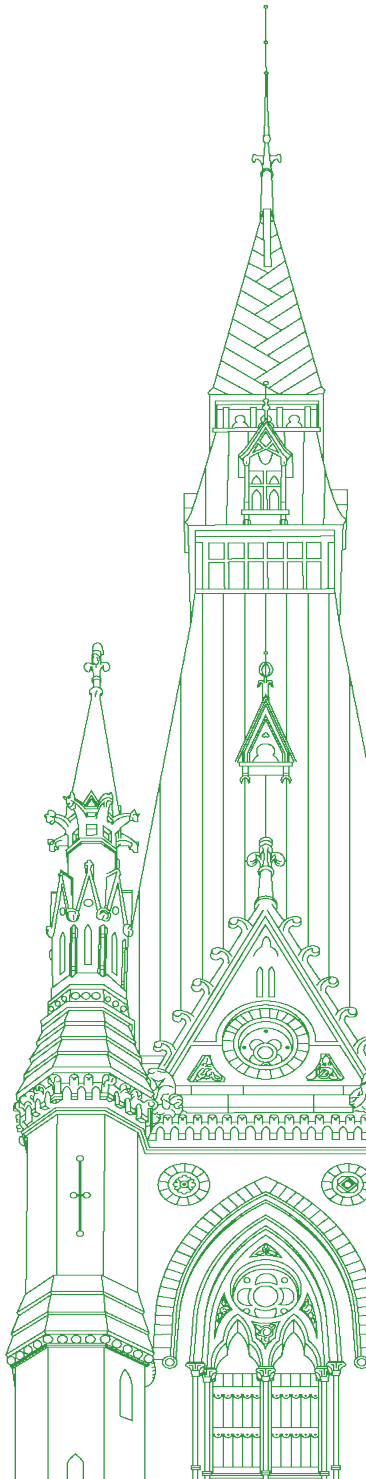

Chair: Mr. Ali Ehsassi

# Standing Committee on Foreign Affairs and International Development

**Thursday, March 23, 2023**

● (1105)

[*English*]

**The Chair (Mr. Ali Ehsassi (Willowdale, Lib.)):** I call the meeting to order.

Welcome to meeting number 55 of the Standing Committee on Foreign Affairs and International Development.

Today's meeting is taking place in a hybrid format, pursuant to the House order of June 23, 2022. Members are attending in person in the room as well as remotely by using the Zoom application.

I'd like to make a few comments for the benefit of the members.

Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your mike. Please mute yourself when you are not speaking.

Interpretation for those on Zoom is at the bottom of your screen. You have the choice of either floor, English or French. For those in the room, you can use the earpiece and select the desired channel.

Pursuant to the order of reference of Wednesday, November 16, 2022, the committee commences consideration of Bill C-281, an act to amend the Department of Foreign Affairs, Trade and Development Act, the Justice for Victims of Corrupt Foreign Officials Act, the Broadcasting Act and the Prohibiting Cluster Munitions Act.

It is now my honour to welcome the sponsor of this bill, MP Philip Lawrence, the member for Northumberland—Peterborough South.

I suspect you're familiar with how we do these things. You will be provided five minutes, after which we will open it to questions from the members.

Thank you.

**Mr. Philip Lawrence (Northumberland—Peterborough South, CPC):** Thank you very much. I am on the equally productive and busy finance committee, but it's somewhat different, so my apologies if I talk too much about numbers.

It's an incredible honour to be in front of the foreign affairs committee today to discuss my bill. As previously mentioned, it is Bill C-281, an act to amend the Department of Foreign Affairs, Trade and Development Act, the Justice for Victims of Corrupt Foreign Officials Act—often known as the Sergei Magnitsky act—the Broadcasting Act and the Prohibiting Cluster Munitions Act.

This bill is an omnibus human rights bill that's designed to build consensus in areas of obvious need of reform. We'll go through four different areas in which these reforms were made.

To begin with, I think it's right to point out, especially during some difficult times for our democracy recently, that Canada can be, and has been, a beacon for what is right in the world when it comes to human rights and other issues. We have the benefit of a culture that values life, that values human rights and that values respect for one another. For my part, I am extremely proud to call myself a Canadian and to be a representative of the Canadian government.

That is exactly why I have put this legislation in front of the committee and in front of Parliament. I believe this legislation would assist us not only in building Canada's reputation but also in subsequent efforts to improve the world, even if it's just in small ways.

We'll go through it line by line, but I must briefly comment that this has been a tremendous experience for me personally. In the process of creating this law, I've had the opportunity to work with great MPs from around the table, from all parties.

I have had the tremendous privilege to talk to stakeholders from the human rights community who are doing such valuable work to protect the most vulnerable in the world and to hold to account the people who commit the most vile atrocities around the world.

A big thank you goes to everyone who has helped to bring us to this stage, and I look forward to, as it has been throughout in the House of Commons and otherwise, a productive, substantive discussion about Canada's role in the world, specifically with respect to these four provisions.

The first amendment imposes a reporting requirement on the Department of Foreign Affairs in relation to international human rights. Specifically of key importance is publishing the names of prisoners of conscience whom the government is working to release and making Canadians and the public aware of them.

This was a subject of some debate and some questions in the House. I've had the privilege, once again, of talking to family members of individuals who are being held around the world simply because of their religious views, who they are, their status or their political views. I've heard a full-throated cheer for this section. They believe, as I do, that transparency is the best disinfectant.

When there are people who are committing atrocities, they need to be held accountable. We can become aware of some of the difficult times that people are having and the difficult positions that people are in around the world—people just like us, who are fighting for freedom, fighting for LGBTQ rights and fighting for democracy. They need to be supported and they simply cannot be left in the darkness as a remnant of international discussions or of trade discussions. They must take the spotlight, as these are, in many cases, great people fighting for freedom around the world.

The second one is with respect to the Magnitsky act. The Magnitsky act is a powerful piece of legislation that, if I can be so bold, has not, in recent years, been used to its maximum advantage. The Magnitsky act is, of course, named after Sergei Magnitsky, who was one of the first people to attempt to hold Vladimir Putin to account.

The Magnitsky act attempts to impose sanctions on those who are the most heinous violators of human rights. Unfortunately, in recent years, for whatever reasons, these sanctions have not been used to their full advantage. That calls for the government to report back to Parliament on the reason it is not imposing certain sanctions.

● (1110)

The third section is with respect to the Broadcasting Act. It seeks to restrict the ability of genocidal states to use Canadian airwaves to broadcast their propaganda.

The fourth and final amendment aims to strengthen the Prohibiting Cluster Munitions Act. It seeks to defund companies that are in the process of manufacturing and producing cluster munitions. Cluster munitions, of course, are really not even effective war tools. They're in fact just tools of terror that inflict many needless casualties and injuries to the civilian population, in many cases children.

I thank you for your time, I thank you for your consideration and I thank you already for the productive discussion we will have. I believe the bill is great in its own current form; that being said, I'm open to any amendment or discussion that will make the bill better.

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

We will now open the floor to questions from the members. The first question goes to Mr. Epp.

**Mr. Dave Epp (Chatham-Kent—Leamington, CPC):** Thank you, Mr. Chair.

Thank you to my colleague for his well-thought-out bill.

You opened by describing and dealing with, in your first section, prisoners of conscience. Can you expand a bit on exactly the breadth of what you mean? I heard you mention LGBTQ rights and human rights. I also heard you reference those who are fighting for democracy. I'm hearing a bit wider definition rather than a very narrow and prescriptive one.

Am I hearing you correctly?

**Mr. Philip Lawrence:** You're correct. We had a discussion about this in the House when I was giving my speeches. I'm just really reiterating the comments that I've heard from stakeholders and families of prisoners of conscience. What they don't want to have happen is for it to be overly prescriptive in nature. They prefer a broader term.

I'm well aware, and it's been quite pointed out, that the term "prisoners of conscience" is not a term of art, as it were, and I'm not married to those exact words, so if there are amendments, I'm open to them, but I would not want to see any weakening of this wording, by which I mean a narrowing of the definition. I would rather see too many names published as opposed to too few.

I've heard from families over and over again that they are not concerned that the name may put their loved ones in jeopardy. In fact, it's just the opposite: They're tired of their loved ones being an afterthought in geopolitical politics. These are real human beings and this is where we can make a real difference. It would be a shame to leave people out as a result of a definitional issue when we could otherwise help them.

**Mr. Dave Epp:** Thank you. You touched on exactly where I want to go in my next question.

This bill proposes the publishing of names. Can you talk a bit more about the risk or the potential risk around that? Also, what if there are concerns by the individuals involved with that risk specifically?

● (1115)

As I stated, I've had numerous conversations with families of individuals who are being held in various countries, from Venezuela to many other authoritarian countries, and they've said over and over again that they want the names published. If there were to be any change to this part, I would not want to see the rights of these family members restricted in any way. I believe that it should be directed by the victims themselves, but over and over again I heard from the families that they weren't concerned about the names being published. It was just the opposite.

So many of them, unfortunately, felt marginalized by the unwillingness of countries around the world to publicize these names. Whether it is the authoritarian leaders themselves or the people under them, their greatest fear is to be exposed for what they are. Whether it is through the Magnitsky act or by publishing these lists, I don't think we can be afraid to say it like it is, and that's what I heard over and over from family members. They're tired of being shoved into the darkness. They want to see in the light.

I know how great Canadians are and what amazing people we have. If they see what these people are being exposed to and they're made aware of it, I am confident that we will have a stronger push than ever for protecting human rights around the world.

**Mr. Dave Epp:** Thank you, but I'm also hearing you say you would not.... If someone's family were to be so targeted, are you open to a process whereby they could be protected, if that was their desire?

**Mr. Philip Lawrence:** I am. I think that would be a reasonable discussion that perhaps we could have with respect to an amendment to the bill.

As I said, it's key to me, after having many emotional discussions—one in particular was hours in length and many tears were shed—that it be victim-driven, because it's way too easy for a government bureaucrat to prioritize other things over human rights. If in fact there's not a light on that, if it's not victim-driven, then I'm worried that other priorities could overshadow human rights, which in my view is not the right course.

**Mr. Dave Epp:** Thank you.

I'll move on a bit to the section that deals with the changes to the Broadcasting Act.

In the House and the Senate, we have spent a lot of time—and we will be spending more time—on Bill C-11, which talks about the risks of censoring free speech, yet here is the contemplation of attaching some censorship. Can you talk about the distinctions between the concerns many of us have about Bill C-11 and the risks you're addressing with your bill?

**Mr. Philip Lawrence:** I share some of the concerns on Bill C-11. My thoughts on that are on the record in the House.

This, I would say, is very different. It's a very narrow, very small limitation. What it's really attempting to do is limit the ability of genocidal states to use Canadian airways to broadcast their propaganda. It received near-unanimous support, I think, with respect to Russia today, when the airways were being utilized to broadcast Russian propaganda.

I think that in this narrow stance, we have to make sure that foreign states aren't utilizing Canadian airways to broadcast their propaganda and in some ways threatening newcomers from around the world in Canada. This is just an incredibly narrow exception that is important in order to make sure that foreign state actors, which is what they would be, are not controlling Canadian airways.

**Mr. Dave Epp:** Thank you.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Epp.

We next go to Mr. Sarai for six minutes.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Thank you, Chair.

I want to thank Mr. Lawrence for introducing his private member's bill. It's a lot of hard work.

You're attempting to amend four separate sets of legislation, so it's no easy task. Maybe you could tell me what your initial intention was. Then I have a few questions.

**Mr. Philip Lawrence:** The intention was.... This might sound a little bit naive, I guess, and maybe a little like Pollyanna. I really did come to Ottawa to make Canada and the world a little bit better. I think that there are 337 people who probably did the same. As much as it gets rancorous and difficult and there are challenging times and partisanship, I really do believe that parliamentarians by and large come to Ottawa to make the world a little bit better.

These are omnibus bills. The thing that connects them all is that they enhance the ability of Canada and Canadians, through the government, to have a positive impact on the world, whether it is calling attention to prisoners of conscience, whether it is holding accountable individuals who have committed some of the most vicious atrocities that you can imagine, whether it's stopping the broadcasting of genocidal states or whether it's stopping the funding of cluster munitions.

I had an individual talk to me about cluster munitions. Sometimes cluster munitions are really just small bombs. When they go off indiscriminately, they kill civilians. They don't always explode.

I've talked to some of the NGOs involved in cluster munitions. They look like little shiny things. I have young kids. Anyone else who has kids knows that they like little shiny things. More than one child has died as a result of unexploded cluster munitions when the child thought it was a toy or something to play with.

**Mr. Randeep Sarai:** The intent is very strong, and you're very passionate about it.

My worry is about how you define a prisoner of conscience. States won't charge them and say, "You're a prisoner of conscience, so we're going to arrest you for this." They usually make up or fabricate charges. If it's homosexuality, they'll charge under sodomy. If they're against the state or don't like the government, they'll call it sedition or treason or terrorism if they want.

How will we, sitting in Canada, determine if that person is a prisoner of conscience? If you're going completely upon the accused, then every accused in the world that is charged with any crime will want to be considered a prisoner of conscience. Nobody is going to say that they are involved in sedition, treason or terrorism. Who determines that?

**Mr. Philip Lawrence:** This is something that the lawyers have dealt with for centuries.

At the edge of any type of definition, there's always going to be discussion and debate.

When I talk to—

**Mr. Randeep Sarai:** No, I'm talking about the bill. How will Canada define those people as prisoners of conscience? Who decides that fact?

**Mr. Philip Lawrence:** That will ultimately be in accordance with the government.

As for prisoners of conscience, when I talk to stakeholders, not one person was confused by that.

I understand why we want to split hairs here, but the reality is that this is really quite pedantic. I believe that most government officials, diplomats and stakeholders in those discussions know what a prisoner of conscience is, although there are going to be some on the edge as to whether that person is a prisoner of conscience or not. I'm even open to putting a definition in there, if that is the difference between having your party's support and not.

What I would not want to see is it being overly prescriptive, because I would rather see someone's name published than make it overly prescriptive. All we're doing is publishing. We're not freeing anyone who is maybe on the broader side of “prisoner of conscience”, and quite frankly, I don't think it's a valid argument. That's an argument about any definition; we could squabble at the edges of any definition.

**Mr. Randeep Sarai:** The other part, you said, was about countries that have committed genocide or committed atrocities. Is that the UN definition of genocide, our definition of a genocide, or a UN Security Council definition of a genocide, which never happens? How do you determine that?

Many countries have had genocides in their country at certain periods of time. Does that mean that we don't broadcast anything from that country ever again because they've been accused or they've admitted to genocide in the past?

I'm concerned. I'm in favour of doing it to some degree, but I need to know what kind of parameters it has if I'm voting on it.

**Mr. Philip Lawrence:** For sure. It would be the Canadian Parliament that would call it genocide, just as we called the Uighur genocide a genocide. That's clear.

In addition to that, it doesn't in itself cut off the broadcasting. What it's doing is giving the CRTC power. The CRTC uses this power with respect to Russia today. They just didn't have an appropriate process to do it, so it made it extremely difficult. This would give them a much clearer path in the extreme cases.

● (1125)

**Mr. Randeep Sarai:** Lastly, really quickly, how do you describe the process on the government's response? Do you expect 120 days, as the committee usually requests, for a response on this? Is responding to certain reports outlined in the legislation feasible in 40 days? What's the result you're looking for?

**Mr. Philip Lawrence:** I think what you're talking about is the 40-day reporting period with respect to the Magnitsky act. We're calling for the government to, within 40 days, report back.... If we put forward, either in Parliament or in committee, a motion calling upon someone to be sanctioned with respect to the Magnitsky act, all we're asking for is a response as to why or why not. I think 40 days is more than reasonable, and I believe that it's extremely possible.

When you think about people who are being tortured or who are in pain—Magnitsky violations are people creating some of the worst heinous crimes—it's not too much to ask a bureaucrat to get it done in 40 days.

**Mr. Randeep Sarai:** Thank you.

**The Chair:** Mr. Bergeron, you have six minutes.

[*Translation*]

**Mr. Stéphane Bergeron (Montarville, BQ):** Thank you, Mr. Chair.

Colleagues, thank you for this bill and for being with us today.

It's hard to be against motherhood and apple pie. From the outset, I believe that, on principle, there is little we can hold against this bill. The trickier part lies in its application, as you saw from the questions which have been asked until now, and in the fact that this bill tries to cover too much ground. As the saying goes, “you should not bite off more than you can chew”.

Therefore, beyond the bill's lofty principles and values, the issue is: What can realistically be achieved with the provisions contained in the bill?

For example, regarding the Sergei Magnitsky Law, you all know it's become a habit: you adopt a directive to prohibit the import of goods from Xinjiang involving forced labour, but you can't enforce the directive. You decide to apply sanctions, but you can't really follow up and make sure the sanctions are actually being enforced. You adopt a bill to seize assets and give them to Ukraine to rebuild the country, but you can't enforce the provisions. In short, we are adopting a bill which provides for sanctions, the Sergei Magnitsky Law, but it will never be enforced.

In your view, why do you think your bill has a better chance of enforcing the Sergei Magnitsky Law? What will prevent the thing officials were describing, namely that as we make our intentions clear, people will quickly move their assets to avoid sanctions?

[*English*]

**Mr. Philip Lawrence:** Thank you very much.

I think your question, and correct me if I'm wrong, was with respect to the moving of assets with respect to the implications of the Magnitsky sanctions. Is that correct, or is it more than that?

**Mr. Stéphane Bergeron:** Overall, yes.

**Mr. Philip Lawrence:** Okay.

First off, I would say that with respect to a private member's bill we have to be mindful of scope. We individual parliamentarians are not governments. Would I like to do more? Sure, there's a lot more we could do, but within the private members' scope, I think the ones, by and large, that have been most effective have been somewhat smaller in scope. We wanted to make that impact.

The second point is that there is a huge win in just awareness, in just the labelling of Magnitsky sanctions. Sure, this government has had a terrible track record of actually seizing any of the assets, and I would hope that future governments would do better. I agree with that 110%.

Just the fact that now we are going to bring them in front of the foreign affairs committee if they don't impose them is, I think, a little bit of an irritant to any government. It may one day be a Conservative government, and it may be some of the members on the other side who are bringing this against a Conservative government.

**A voice:** Or an NDP government....

**Mr. Philip Lawrence:** It could be an NDP government—yes, exactly.

**A voice:** Or a Bloc government....

**Mr. Philip Lawrence:** Yes, but what I heard over and over again from the international human rights community was the fact that they want more awareness. Just the bringing of this forward raises awareness.

Certainly, I would be happy to work with you and discuss with the Bloc ways we can be more effective at actually seizing some of these assets and not just making paper tigers.

● (1130)

[*Translation*]

**Mr. Stéphane Bergeron:** Officials from Global Affairs Canada raised another concern. Indeed, generally speaking, sanctions, including those which would be imposed under the Sergei Magnitsky Law, are adopted in collaboration with our allies. Yet your bill doesn't say anything about that.

How can we be sure that our actions will make a difference if we join forces with other countries who share our values?

[*English*]

**Mr. Philip Lawrence:** I agree 100% that we need to coordinate that. As to how we would put that in legislation, I am not exactly sure. It would probably be beyond the scope of a private member's bill, but you will see that around the world various other countries actually have parliamentary triggers to Magnitsky sanctions. They can actually trigger them without the executive even being involved. We're just taking a step halfway there. As I said, I think it's consistent with the scope of a private member's bill to have the government report back to us within 40 days as to why they have not.

It could, and perhaps might, enable parliamentarians from around the world to start coordinating this as well and talking to counterparts around the world about putting in Magnitsky sanctions. I agree with you that we need greater collaboration. We need to be aware that this is a global world in order to hold some of these violators accountable. We need greater global co-operation. I agree 110%.

**The Chair:** We next go to Ms. McPherson for six minutes.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Thank you very much, Mr. Chair.

Thank you very much, Mr. Lawrence, for coming here today. I will say it again: I think you are an NDP in hiding.

**Voices:** Oh, oh!

**Ms. Heather McPherson:** Much of what's in this bill I firmly agree with. I think there are some ways in which we could bring some amendments forward and perhaps strengthen it.

One question I have, which I've raised with you in the past, is that we don't have a government-wide international human rights strategy. We really don't have a baseline with which to evaluate whether the government has done a good job on some of this. Would you welcome that, or would you think that it might be something that would strengthen our ability, I guess, to hold whatever government of the day to account?

**Mr. Philip Lawrence:** I would certainly welcome those discussions.

I would like to personally thank you for your collaboration, support and help with the legislation—even if you have, just now, ended any possibility I had of ever serving in cabinet.

**Voices:** Oh, oh!

**Ms. Heather McPherson:** Okay. Wonderful.

With regard to another thing you talked about, I do take your point that you've spoken to many families about the need to say the names and to publish the names. Of course, many families is not all families, and we do need to be conscious of that.

I've worked in international development for decades. I know that the way we protect folks in Colombia and the different countries I've worked in is really important for their safety, their lives and their ability to come forward or their even wanting to come forward if there isn't that protection.

I'm just wondering, as we want more information and we want there to be some information on the prisoners. Would you be open to having some individuals at risk be made public and others be kept private, or to have more of an anonymous list of prisoners worldwide who are detained rather than this?

**Mr. Philip Lawrence:** I'm open to those discussions, as I talked about a bit.

I'm sure, Heather, that you'd agree with me. My overarching concern would be the victims and the victims' families. If the bill were to be amended in such a way that victims' families would have the right to not have it published, I'm okay. That makes sense.

What I am concerned about—and this could be with a Liberal, NDP or Conservative government—is that there are always lots of priorities a government has when negotiating with other nations and countries. I just don't want it to be easy for them to not publish this because it's convenient for a trade negotiation or convenient or expedient in another way.

While I'm very happy to have discussions about small changes to the bill, I'm just very protective of the families and the individuals, the prisoners of conscience who were held abroad. I think you'd be naive to say that this hasn't happened on probably a regular basis for probably hundreds of years, if not more, where individual rights are traded off for national priorities. I think it's a great opportunity for Canada to take a stand that individual rights are important and human rights are important. We shouldn't just trade them away quickly to get a trade deal done or for some other national priority.

**Ms. Heather McPherson:** That's extremely well said. I've said time and time again that we cannot substitute trade relationships for our diplomatic and human rights relationships.

I think it would be important that this list contain information on what Canada is doing to advocate for detained Canadian citizens. I also right now think about dual citizens. I think many of us are seized with the horrific work that's being done by the Parliament of Uganda right now, and the risks towards members of the SOGIE community. It's horrendous.

Human rights organizations and families of Canadian citizens detained abroad have repeatedly expressed concern that they're not getting adequate information or communication from the government about their family members' cases. We've heard that time and time again. I think everyone in this room could list a number of people whom we would like to get more information on. We've seen this in many consular cases.

Would you be open to an amendment that would require the government, in an annual report, to describe the efforts of the minister and what the minister has done to improve consistency, transparency and accountability to families?

**Mr. Philip Lawrence:** I'm certainly open to those discussions as well.

Not to digress too far, but in conversation, I had the absolute privilege to talk to some of the families of some absolutely incredibly brave women and men throughout the world. Some of the struggles they have faced, like you said, are in terms of getting basic information. Like I said, I think Canada has the opportunity to be a shining beacon of light to the world.

The one conversation that just keeps coming back to me again and again was well over an hour in length. There were tears, confusion and frustration about dealing not only with the regime that their family members were being held by, of course, but also with the Canadian government. I think we need to be able to cut red tape. We need to do everything we can within reason to help these people.

**Ms. Heather McPherson:** I couldn't agree more. We're going to have civil society members come and talk to us about that. I think we'll talk about some of those cases in detail.

One last thing is that I do find it surprising that you see a role for the CRTC in some situations and not in others. It feels to me a little odd that the CRTC overreaches when that's the Conservative narrative and doesn't overreach when it is not. I'm just wondering if you could talk a bit about that.

● (1135)

**Mr. Philip Lawrence:** Generally, as a good Conservative, Heather, I believe in freedom of choice and that, when you sign in to YouTube, you should be able to watch what you want to watch unfettered by an overlooking government.

● (1140)

**Ms. Heather McPherson:** You will be fettered. You'll just be fettered by YouTube.

**Mr. Philip Lawrence:** Fair enough, but this is a very narrow exception. I think it's also a bit of a realization of the fact that foreign state actors are attempting to influence Canadian society, and we have to be on alert to that.

I don't think, given the current context, I need to say anything more on that.

**The Chair:** We will next go to Mr. Genuis for five minutes.

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

Mr. Lawrence, I was going to be somewhat complimentary of your efforts on this, but I don't think I can top the kind words from Ms. McPherson. I am now a bit more suspicious of your motives since you're being called a closet New Democrat.

In all seriousness, though, thank you for your work on this.

I want to start with a comment to respond to the very sincere and good questions from Mr. Sarai. It seems to me that, as this legislation is constructed, the government has the flexibility to define what it considers to be a prisoner of conscience. It may get questions in the context of a report about how it operationalizes that, but it does provide a significant level of flexibility, which, from the government's perspective, is probably appreciated.

On this issue of genocide recognition and whether that would apply to a state that committed a genocide at some point in the past, that question is, I think, answered quite clearly by the legislation that you've drafted. It says:

> No licence shall be issued, amended or renewed under this Part in relation to a broadcasting undertaking, including one that distributes foreign programming, that is vulnerable to being influenced by a foreign national or entity
>
> (a) that has committed

It says certain crimes. In other words, it's not about the fact that it comes from a country where genocide has been committed. It's a question of whether it is subject to the influence of an individual. Clearly this wouldn't apply to Germany, for example. Clearly this wouldn't apply to Turkey. It wouldn't apply to Rwanda. In cases where there has been a change of the individuals in charge, there's no sense in which this provision would apply.

Even if there's a certain level of political continuity, but there has been a change in the individuals involved, it likely wouldn't apply. It would seem to me that it only applies in the case where individuals have been included in the context of a genocide recognition. If those individuals also control a broadcasting entity, that would trigger this section.

I hope that answers the concern of whether this applies to Germany, Turkey or Rwanda—cases where the current government has nothing to do with the governments that were involved in genocides past—but I'd love to hear your reflections on those clarifications.

**Mr. Philip Lawrence:** I apologize. My answer wasn't clear on that, but, yes, it's meant for a very narrow section of individuals who are attempting to influence our broadcasting networks and are actively involved in genocide. Obviously, Germany would be excluded and other such examples would be excluded.

You're right, Mr. Genuis, as always.

**Mr. Garnett Genuis:** What a love-in this is. This isn't how it normally is, unfortunately, but maybe we're headed there with your positive influence.

On the issue of the parliamentary trigger that was also raised, it seems to me that one of the important things about this legislation is that government responses can take a long time, 120 days maximum, and that may not be adequate in responding to emergent situations. It does give committees flexibility around creating a timeline for a response, but it also requires a response even in the event of prorogation or dissolution. There is no mechanism by which governments can avoid providing this response. If a committee says this is an urgent international issue and that a response is required, that is important as a way of saying that we need a response from the government. It also prescribes that the response has to be a response.

Sometimes we get, in committee responses, official government responses provided through the standing order process, something like, “The government takes note of the committee's recommendation.” What I wouldn't want to see is, if the committee says, “We think this person needs to be sanctioned and the government needs to consider sanctioning the person”, the government waits 119 days and then says, “We take note of that recommendation,” or it gets lost in prorogation or dissolution. This is why, from my perspective, the parliamentary triggers that we've seen in other countries for Magnitsky sanctions and in this legislation are important.

Could you maybe comment further on it? Some people are going to say that there's already a mechanism for asking for a government response, so why did you add this additional mechanism as it relates to sanctioning entities and individuals?

**Mr. Philip Lawrence:** As you said, Garnett, this is a substantive provision. I'm sure this never happened to the Liberals from the Conservative government, but I have been the recipient of some less than substantive answers from the Liberal government. I'm sure that maybe all members of the opposition would see that. This is an attempt to make it a little more substantive.

With respect to the 40 days, at the risk of becoming a finance committee member here testifying before foreign affairs, when I look across the world, we are, as a government, increasingly behind the eight ball when it comes to efficiency on everything from tax filing to managing our civil service. We have great civil servants, but we're not giving them the tools they need to be successful. Our standards, whether it be passports that take nine months to get in place, or whether it takes months and months, are....

In terms of asking the government to report back within 40 days, in the private sector, on an issue as serious as Magnitsky sanctions, that would be back in 48 hours flat. I'm sure of it. To me, asking the government to respond within 40 days, which is a month and 10 days, with a reasonable answer as to why or why not they're imposing Magnitsky sanctions—you don't have to do it, but just tell us why—is incredibly reasonable. I would call upon and hope that the federal government would improve its efficiency on all sides, and of course, right at the top of the list, with respect to human rights.

● (1145)

**The Chair:** Thank you.

Next we will go to Mr. Oliphant for five minutes.

**Hon. Robert Oliphant (Don Valley West, Lib.):** Thank you, Mr. Chair.

I want to thank Mr. Lawrence for the bill and for his passion and compassion in doing it. I probably have more problems with the bill than others, so I am going to dig in on a couple of things.

This is a piece of legislation. It's not a report and it's not a statement or a speech. In legislation, precision is important. I want to go back into the area of how you define “prisoner of conscience”, the legal standing of that term and how it would be interpreted by someone needing to actually decide who is one and who is not.

I come at that as a former prison chaplain, where everyone was innocent. Everyone has their own definition of that, if you're in prison, and every country has its own legal standings. Canada has its understanding. That's not a legal definition in Canada, so how do you define it?

**Mr. Philip Lawrence:** Thank you very much, Mr. Oliphant. I really have tremendous respect for some of the work you've done in foreign affairs and otherwise. I guess I would start by saying that, if you want to put some more meat on the bones, as it were, with respect to the definition, I would love to sit down and talk to you. It was purposely left wide, I grant you that, to give the government some flexibility with respect to defining it.

I don't know if you'll ever get to a perfectly prescriptive definition of where you could list this person, this crime, that crime and this crime. Ultimately, as you would know, Mr. Oliphant, because you have a tremendous track record of working around the world with various organizations, every situation might be a little bit different. Every regime is different. You couldn't just categorize a certain crime as “prisoner of conscience” and this one not. I don't know whether you'd ever get it to be that prescriptive.

I'm happy to sit down and discuss it. If you want to help define it more, I am more than happy to have that discussion with you.

**Hon. Robert Oliphant:** As well, Ms. McPherson's questioning was somewhat different from Mr. Sarai's. She was talking a lot about Canadians who are detained elsewhere. These are consular cases. Is this primarily about Canadians who are detained somewhere and these are consular cases, or are these about human rights defenders within another country who don't have dual citizenship but have citizenship in that country?

**Mr. Philip Lawrence:** That is a great question. My focus in drafting the legislation was primarily on Canadians, but I'm willing to discuss that.

**Hon. Robert Oliphant:** We may need to get into that a little bit. For the consular cases that I've dealt with—and I've dealt with literally hundreds of them—every one is unique and different. I guess I would take exception to saying that we bargain or attempt to have national priorities or trade interests above.... My understanding, from the way I've worked with consular officials, is that every case is treated as what is best for that Canadian in detention, always.

One of the problems I have with this list is that Canada has a very good reputation in many countries. We have irritated relations with some countries, and if we put a person on a list in Canada from a country that we have an irritation with, that person could then have more hardship. I have seen that.

I'm not going to name a country, but there is a country that we have a very difficult relationship with—it's not China; we have a different relationship with them—but we are very cautious about Canadians in detention there for fear they will have bigger punishment, more hardship and less access if we publicize the case.

I've often had to work with families and say that megaphone diplomacy works sometimes to draw attention to a case, but sometimes you're going to get your family member killed or another Canadian killed if you do that. I'm just wondering about the nuance in this bill around that.

● (1150)

**Mr. Philip Lawrence:** I am aware of that, and I think reasonable people can differ on it. I'm open to some amendment on that. Once again, I'm happy to work with you on that, Mr. Oliphant.

My concern is that with some governments—let's just throw Liberal and Conservative out of it—it has occurred in the past that other priorities get put ahead of the families. For any type of amendment on this, I would want to make sure that it's driven by the individual's rights and by the family's wishes, as opposed to other priorities.

I do respect your service, though, and also your comments. They're very reasonable.

**Hon. Robert Oliphant:** All right. That's my time.

I'd like to get into issues around the sanctions and reporting, because I don't know how committees have the resources to do.... Our sanctions regime is robust, and when we put sanctions on someone, we have judicial requirements, whether they're justice requirements or legal requirements. I don't know how a committee does that and gives due process to the names we're throwing around.

I know my time is up.

**Mr. Philip Lawrence:** I'm on the fifth floor of the Wellington Building. You can come up and see me any time, Mr. Oliphant, and we'll talk it through.

**Hon. Robert Oliphant:** Thank you.

**The Chair:** Thank you.

We next go to Mr. Bergeron.

You have two and a half minutes.

[*Translation*]

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

As to whether Canada's sanctions regime is robust, we will certainly have the opportunity to discuss that more in depth soon because we are about to start a review of Canada's sanctions regime. We will certainly take a closer look at that issue during the study.

I would like to follow up on the issue just raised by Mr. Oliphant. The idea that Global Affairs Canada should be forced to reveal its involvement in the freeing of political prisoners is a good one. That should be established from the outset. However, should that include prisoners of conscience, since there could be repercussions for the prisoners themselves as well as for their loved ones in the country in question?

What parameters would you like to see to ensure that publishing the names of people will not jeopardize their safety and that of their family?

[*English*]

**Mr. Philip Lawrence:** Thank you very much for the question.

[*Translation*]

That's a good question.

[*English*]

As I noted before, I guess I would start with what the families have told me over and over again. We had a town hall with over 200 people who attended with respect to the legislation. Over and over, I heard, “We want the names published.” I didn't hear from one family who said, “Let's not do this because I'm afraid for my family's life.” These people in many cases are already in the worst of positions.

With respect to any types of parameters on the amendment, for me, my bright line is putting the victims first and putting the families of the victims first.

● (1155)

[*Translation*]

**Mr. Stéphane Bergeron:** The problem is that we are trying to apply a measure—

[*English*]

**The Chair:** I'm afraid you're out of time, Mr. Bergeron.

We next go to Ms. McPherson.

You have two and a half minutes.

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

Two and a half minutes go very quickly.

I'm going to ask you a little bit about cluster munitions, if I could, Mr. Lawrence.

Of course, my team and I have consulted with experts on disarmament. We intend to bring forward an amendment to this bill on section 11 of the Prohibiting Cluster Munitions Act. As you know, that contains a long list of exemptions about combined military operations, exemptions that are not in place for 21 other NATO countries, so I think the NATO excuse doesn't hold. It allows for Canadian Forces personnel, when they are in combined operations, to transport cluster munitions and to direct or authorize the use of cluster munitions.

Would you be open to an amendment that would limit the ability of section 11, that would take section 11 out?

**Mr. Philip Lawrence:** Thanks, Ms. McPherson, for that.

That would be something, candidly—I'll be open—that I'd have to consult on with our shadow minister for defence and a number of our colleagues just to see what the impact of that would be on our armed forces. I very much know that your intent is very good. Like I said, I'd have to go back and discuss it with our caucus.

**Ms. Heather McPherson:** Maybe certainly do that, because, for us, it puts our personnel, our military, in a dangerous or a difficult situation when they have to do something they probably don't believe in. I think all Canadians are proud of the work we've done on land mines. I think they're proud of the disarmament efforts we take. Knowing that 21 other NATO countries have taken this step, I think it's an excellent amendment.

**Mr. Philip Lawrence:** Yes. Like I said, I will take that back to our caucus, and we can have further discussions.

I would share, of course, that I'm extremely proud that it was a Conservative government that initially brought in the demining and cluster munitions legislation. I'm very thankful and very proud of the fact it was Prime Minister Stephen Harper who started this ball, and we'll continue moving it. Like I said, I will discuss your amendment with our caucus. I know it has the best of intent behind it.

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

Those are all my questions.

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

Allow me to thank Mr. Lawrence.

Thank you for your passion and your compassion.

Yes, Mr. Genuis, go ahead.

**Mr. Garnett Genuis:** Chair, Mr. Lawrence is supposed to be here for an hour. Can we just use the remaining time?

**The Chair:** No, we cannot.

Mr. Lawrence—

**Mr. Garnett Genuis:** Is it the will of the committee to use the remaining time or...?

**An hon member:** Oh, oh!

**The Chair:** Mr. Lawrence, thank you very much for your passion and your compassion. I have to confess that I have never seen so many compliments flying back and forth between members and parties. Thank you for having made all that possible.

**Mr. Philip Lawrence:** Thank you very much.

It is a privilege to be here. I'm tempted to filibuster to support my colleague, but I won't do that in the name of harmony and peace.

I certainly do appreciate it and look forward to passing great legislation. Thank you all for your constructive comments.

**The Chair:** Thank you.

Now we'll suspend for a few minutes.

Everyone who's online and virtual can just remain, and we'll move to the next panel.

Thank you.

● (1155)

_____(Pause)_____

● (1200)

**The Chair:** Welcome back, everyone.

Pursuant to the order of reference of Wednesday, November 16, 2022, the committee resumes consideration of Bill C-281, an act to amend the Department of Foreign Affairs, Trade and Development Act, the Justice for Victims of Corrupt Foreign Officials Act, the Broadcasting Act and the Prohibiting Cluster Munitions Act.

It is now my great pleasure to welcome to the committee five different officials.

First of all, from Global Affairs Canada, we have Ms. Heidi Hulan, assistant deputy minister, international security; Ms. Marie-Josée Langlois, director general, strategic policy branch; Ms. Angelica Liao-Moroz, executive director, non-proliferation, disarmament and space; and Mr. Jeffrey Marder, executive director, human rights and indigenous affairs. It's also our great pleasure to have with us today Ms. Amy Awad, senior director, marketplace and legislative policy, Department of Canadian Heritage.

Ms. Hulan, I understand you will be giving a 10-minute statement on behalf of all the officials who are appearing before us.

The floor is yours, Ms. Hulan. You have 10 minutes.

● (1205)

[*Translation*]

**Ms. Heidi Hulan (Assistant Deputy Minister and Political Director, International Security and Political Affairs, Department of Foreign Affairs, Trade and Development):** Thank you, Mr. Chair.

Good afternoon.

I thank the chair for inviting my colleagues and me to discuss private member's bill C-281, which makes amendments to the following four acts: the Department of Foreign Affairs, Trade and Development Act, the Justice for Victims of Corrupt Foreign Officials Act, the Prohibiting Cluster Munitions Act, and the Broadcasting Act.

Canada's commitment to the promotion and protection of human rights has not wavered. To further demonstrate this commitment, today we will outline areas where the government could make improvements to the bill and we look forward to the upcoming discussion on opportunities to enhance Canada's existing toolkit to advance human rights.

To begin, this bill proposes two amendments to the Department of Foreign Affairs, Trade and Development Act. First, there are new reporting requirements for the Minister of Foreign Affairs on Canada's efforts to advance human rights. Second, it proposes that Global Affairs Canada publish a list of the names and circumstances of prisoners of conscience held around the world whose release the government is actively seeking.

[*English*]

We welcome the call for an annual report on Canada's engagement in human rights, which will demonstrate the breadth of Canada's activities to advance human rights internationally, including our support of human rights defenders worldwide. There are numerous ways for the department to deliver a substantive report that provides transparency while also ensuring that our approach to foreign relations remains agile.

The bill also proposes to publicize a list of names of prisoners of conscience. While there is no international or domestic legal definition for the term itself, Canada is actively engaged in support of human rights defenders around the world. Such engagement is premised on key principles, including do no harm and only take action on a particular case with the free, full and informed consent of the human rights defender in question.

Publicizing a list of names and circumstances of human rights defenders where there is Canadian engagement cannot guarantee that these principles will be respected. Importantly, it would risk impeding diplomatic actions and could endanger the safety of the individuals concerned. That said, an annual report will give the opportunity to present Canada's broad engagement in support of human rights defenders.

Turning to Bill C-281's amendment to the Justice for Victims of Corrupt Foreign Officials Act, this amendment requires the Minister of Foreign Affairs to respond, within 40 days, to reports submitted by parliamentary committees that recommend sanctions be imposed against a foreign national, with the response subsequently published online.

We note Bill C-281's proposed 40-day response period is an entirely new reporting requirement for the minister, and it is not aligned with the existing standard practice for government responses, which is 120 days for the House of Commons and 150 days for the Senate, as is known better by people in this room than by us. We assess that the limited time frame associated with this proposal could impact the current rigour and judiciousness of Canada's approach to the imposition of sanctions. It presupposes Governor in Council approval, and it also risks the sanctions becoming ineffective.

Given these risks, our recommendation is to modify the proposal to instead require the acknowledgement and consideration of the committee's recommendation, but otherwise to align with standard practices and due diligence processes. We believe these amendments would respect the overall intent of Bill C-281.

Turning now to Bill C-281's amendments to the Prohibiting Cluster Munitions Act, we welcome the proposal to place prohibitions on direct investments, as it makes it explicitly clear that it is illegal for Canadians to make direct investments in cluster munitions and the industry. Canada is already fully compliant with the Convention on Cluster Munitions through our implementation of the PCMA, and these amendments further demonstrate Canada's commitment to eliminating these deadly and indiscriminate weapons.

Bill C-281 also introduces prohibitions on indirect investments. While this amendment is clearly well-intentioned, it poses a challenge to enforcement because it potentially criminalizes indirect investors, such as holders of pensions and retirement funds, who may be unaware of what investments they hold. Focusing the amendments in Bill C-281 exclusively on direct investments would ensure that the bill is enforceable and clear to Canadians, while contributing to a world free from cluster munitions.

● (1210)

Finally, with regard to the Broadcasting Act, Bill C-281 amends the Broadcasting Act by prohibiting the issuance, amendment or renewal of broadcasting licences to broadcasters who are “vulnerable to being influenced” by particular foreign nationals or entities of concern, including those who the House of Commons have determined committed genocide.

The bill's approach includes language that is overly broad, restricts the regulator's ability to find solutions and links the determination of genocide to a political statement rather than a legal determination.

By refocusing the language of Bill C-281, Parliament has an opportunity to strengthen and protect the integrity of our broadcasting system. To do this, we suggest better defining the relationship between the broadcasters and foreign entities, linking the determination of genocide to decisions by domestic or international tribunals and removing the prohibition on licence amendments, which can allow regulators to reduce the potential influence of a bad actor while maintaining the prohibition on the issuance and renewal of licences.

In concluding my statement, I would just like to note that we have taken good note of the strong cross-party support that this bill enjoys and that the issue of human rights enjoys. Let me say that, for the men and women of the Canadian foreign service who are defending human rights around the world, the existence of strong cross-party support in our Parliament for human rights gives us enormous legitimacy for that work.

That brings me to the end of my opening statement. We're at the committee's disposal to answer any questions.

**The Chair:** We now turn to the members.

The first member up is MP Genuis.

You have six minutes.

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

Thank you to the witnesses.

I'm going to start by asking about the Broadcasting Act issue, and the appropriate person is welcome to answer.

I was a bit disappointed by the characterization of a House of Commons' motion recognizing a genocide as a political statement. This is how genocides have been recognized in this country. In every case, it has been through a motion of the House of Commons. I would like to think that it has a significant impact on the way the government approaches it. It is not merely a political statement.

I would very much appreciate it if there were established tribunals here in Canada that would evaluate the question of genocide determination. The problem is that, and we see this in other countries, the claim is that it should be made by a legal tribunal, but there is no existing mechanism in domestic law. If I think a genocide is being committed somewhere, and I want the Government of Canada to make a determination that such and such a thing is a genocide, I cannot bring that to any court. The process has been the House of Commons making those acts of recognition.

Is there anything that I have said so far that isn't accurate from your perspective?

● (1215)

**Ms. Heidi Hulan:** I'd like to assure you that parliamentary determinations that genocide has taken place are taken extremely seriously in the conduct of our foreign policy abroad and are reflected in what we say publicly and to foreign governments around the world. It is in no way to suggest that those decisions are not influential or have material impact on our diplomacy. When it comes to further actions of a legal character, a legal determination is deemed to be a valuable thing.

For the—

**Mr. Garnett Genuis:** Who does that right now?

My understanding is that there is nobody within Canada who is available to provide that legal determination. There are civil society experts, yes, but for organs of government, no.

**Ms. Heidi Hulan:** Inside government departments, legal advice is provided with respect to whether certain acts have met the definition of genocide as set out in the genocide convention, although I can't claim to be an expert in this domain. If there's a further answer to your question about whether there are additional legal bodies that can make a determination, we will certainly be happy to feed that to the committee.

**Mr. Garnett Genuis:** Yes. I would welcome a follow-up response to that in writing. My understanding is that, in any case where Canada has recognized a genocide, the mechanism has been through Parliament. That's the appropriate mechanism to tie it to if we believe that entities involved in committing genocide shouldn't be able to transmit their genocidal propaganda into this country.

Now, it seems to me that there's an inconsistency in the way in which the government has approached the issue of disinformation from violent hostile regimes. When the government is asked in certain cases about this kind of disinformation, they have said the CRTC is independent and it should make these decisions. However, in the case of RT, the government issued a directive to the CRTC that led to the revocation of RT's licence.

The irony of this is that we know that, for instance, certain Chinese state-affiliated media are pushing disinformation specifically about Russia's invasion of Ukraine and that is showing up in Canadian broadcasting, as well as things like forced confessions obtained through torture. It seems troubling and maybe a bit convenient that, in the case of one media outlet controlled by a foreign genocidal actor, a directive has been issued, but in the case of another one that's sharing some of that same misinformation, the government says that the CRTC is independent.

Isn't it valuable for Parliament to say that there should be a consistent approach, that it shouldn't depend on whatever other factors inform this differential treatment and that there should be a consistent approach around disinformation by foreign states involved in genocide?

**Ms. Heidi Hulan:** Thank you.

I'd like to turn to Amy Awad from Canadian Heritage to answer that.

**Ms. Amy Awad (Senior Director, Marketplace and Legislative Policy, Department of Canadian Heritage):** Thank you for the question. Maybe I'll touch on all three points you made, with your permission.

First, turning to the question on the statement of genocide, the proposal that the government will be putting forward is one where we look at legal recognition by both domestic and international tribunals. Of course, there are international tribunals that have made determinations of genocide. Within Canadian courts, usually not directly, the courts have—

**The Chair:** Ms. Awad, I'm terribly sorry. The translators are having a hard time picking up your voice. I would just ask you to bend in the mike so that they have an easier time hearing you.

Thank you.

**Ms. Amy Awad:** I'm sorry.

Within Canadian court proceedings—for example, in the immigration context and other contexts—there is a possibility to see recognitions of genocide. There might be other domestic legal findings to point to beyond just the statement of Parliament.

The main concern around the determination by the House of Commons is not that it's not valid. It's very valid, and it's a strong statement. I think my colleague talked about the importance of the government. It's more about the process that's followed to make that statement. Frequently, those statements would then lead to, for example, sanctions or other things that follow, and have additional checks and balances, rights to responses and things that might not be present in the parliamentary process when dealing with a foreign entity.

In terms of your—

● (1220)

**The Chair:** I'm afraid you're out of time, Ms. Awad. Thank you.

We now go to Mr. Zuberi.

Mr. Zuberi, you have six minutes.

**Mr. Sameer Zuberi (Pierrefonds—Dollard, Lib.):** Thank you, Chair.

I'd like to thank the witnesses for being here today and for helping us put some precision to this good-faith piece of legislation. Having a math degree and a law degree, I see a lot of fuzziness in this, although it is well intentioned.

I appreciate what you said in terms of genocide and how we need to have some form of a concrete definition or a concrete standard. In the House of Commons, we sometimes have motions. For example, on the genocide relating to the Uighurs, we voted in name. Sometimes we have a unanimous consent motion that's put out to the Commons where nobody objects and it passes. At other times, we have committees that look at the issue.

You mentioned that the 40-day reporting would be challenging when it comes to Magnitsky sanctions. Can you walk us through what's required in order for us to actually have a sanction installed in the books, and whether or not that is actually possible within 40 days?

**Ms. Heidi Hulan:** Thank you very much.

The sanctions process is a detailed one and has a high threshold in terms of the expectation of substantiation. I would like to turn to Marie-Josée Langlois to walk you through the details.

Thank you.

**Ms. Marie-Josée Langlois (Director General, Strategic Policy Branch, Department of Foreign Affairs, Trade and Development):** In terms of our sanctions tools in Canada, the legislation defines clearly under what types of circumstances what types of actions can be taken by Canada. Once we receive information, or once we have information that is provided to us by others, we take a very close look and do a rigorous assessment of what the best approach to address the issue is and which sanctions tool or other diplomatic tool is best appropriate in the circumstances at hand. This involves policy considerations, legal considerations and often collaboration or coordination with other partners, whether in the Government of Canada or outside the Government of Canada—like-minded partners that also have similar objectives or interests.

Once there's a decision by the government to go forward in terms of designating people or entities, it's a regulatory process in Canada. We have to develop the regulatory package. This is presented to the Governor in Council for approval and then, once that is approved, it is made public on the Government of Canada website.

**Mr. Sameer Zuberi:** Thank you.

How long would that process take, the minimal time?

**Ms. Marie-Josée Langlois:** Regulatory processes in Canada are generally a longer process. For a typical non-sanctions issue, they often take many months. In the case of sanctions, it varies. There is a recognition by the government of the urgency of taking action in many instances, so there's no set time. It's varied and is very much aligned to try to meet the circumstances at hand.

**Mr. Sameer Zuberi:** I'm assuming, though, that if you had a committee that came forth and said that individual X should be sanctioned, it would take longer than 40 days for that analysis to happen and for it to take effect. Is that correct?

**Ms. Marie-Josée Langlois:** As noted, all the steps would have to be followed regardless. Often, in terms of the information at hand, when we receive information, we have to continue and deepen that information to search for more in order to be able to assess. Timing will vary. The other aspect that is also one we consider in terms of the timelines to announcing sanctions is the importance of protecting information before the sanctions are announced to ensure there is no opportunity for the people or entities that will be designated to take action.

● (1225)

**Mr. Sameer Zuberi:** Am I right to assume that 40 days is not sufficient to list somebody when a committee is saying that person X should be listed?

**Ms. Marie-Josée Langlois:** Thank you very much.

As noted, it will depend a lot. It is difficult to do them in short timelines, but it will depend a lot on ongoing circumstances.

**Mr. Sameer Zuberi:** I'm assuming that it's a rare minority of situations. Is it possible that in the vast majority it would be unreasonable? Is that correct?

**Ms. Marie-Josée Langlois:** Yes, and it is often very much related to the availability of credible, reliable, open-source information on a specific situation or on a specific person or entity as well.

**Mr. Sameer Zuberi:** Can you opine on the idea of having other international crimes, such as war crimes, ethnic cleansing, mass atrocities and mass killings, added to the notion, in addition to genocide, as it relates to the CRTC?

**Ms. Amy Awad:** Thank you for the question.

I think the same considerations would go into other types of crime. Those are also very serious international crimes. The question would be to ensure there was due process that was followed before an entity was identified so that the CRTC would have clear guidance in terms of when it was prohibited from issuing the licence.

I think the government would be open to looking at how the crimes are defined but also the process of how we get to that. As long as the process is addressed, I think the substance of the crime is something that could be further examined.

**Mr. Sameer Zuberi:** You've said clearly that you want a robust process that has unified standards and is not arbitrary.

**Ms. Amy Awad:** Yes.

**The Chair:** Thank you, Mr. Zuberi. You're out of time, I'm afraid.

We now go to Mr. Bergeron.

You have six minutes, sir.

[*Translation*]

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

Thank you to each of our witnesses for being here today and for your enlightening remarks on the bill we are reviewing.

I will ask you the question I wanted to ask Mr. Lawrence. We know full well that a certain number of countries around the world react fairly well and quickly to international pressure. However, we also know that a certain number of countries react fairly badly to international public pressure, and they will tend to close in on themselves like oysters rather than submit to the international pressure directed at them.

What do you think of the provision, which is a bit like a blanket provision, whereby the government would publish the names of prisoners of conscience, when we know full well that this might have an extremely positive outcome in some countries, but an extremely bad one in others?

[*English*]

**Ms. Heidi Hulan:** Thank you very much for the question.

As we said and as you heard in the last session, there are no international or domestic legal definitions for the terms in use here like “prisoners of conscience”. We use “human rights defenders”, which is a broader term that refers to people who individually, or with others, act to promote or protect human rights through peaceful means, but that is also not a legal definition.

This is a thorny area. Canada is very active in promoting the rights of human rights defenders around the world. As I said in my opening remarks, do no harm and the consent of the individual are key principles we use in taking that action. In all cases, the interest of the victim is the driving force behind the strategy we use in each consular case.

It is quite right to say that countries respond differently to pressure from outside. In some cases it can have a positive effect, and indeed we do frequently publicize names and cases, either ourselves, nationally or in concert with allies and partners. In other cases, particularly in countries with known practices of torture, publicizing a person's circumstances can lead to repercussions for the victim. Therefore, in this way, determining a strategy for how to engage on an individual case has to be determined on the basis of our understanding of local circumstances and contexts.

The most effective means that we can use is typically quiet diplomacy. Sometimes action in the public sphere can amplify this work and accelerate it, but I would conclude by saying that a requirement to publish the names of people on whose behalf Canada is engaging could impede our ability to assist them in their release. A lot of conversations require diplomacy in order to yield results in this area, and in certain cases publicizing those names could impede the development of the discussions that can be critical for results.

I'll leave it there.

● (1230)

[*Translation*]

**Mr. Stéphane Bergeron:** In a piece in the New York Times, republished in La Presse on March 16 last, it was reported that Orlan-10 drones are playing an important role in Russia's artillery strategy, and we can imagine that they are also being used to drop cluster munitions.

In a National Post piece on December 15, an investigation revealed a logistics chain that goes around the world, including through Canada, and which ends at the production line of Orlan-10 drones at the Special Technology Centre in Saint Petersburg, Russia.

According to the National Post, one of the major suppliers of Russia's drone program is an exporter based in Hong Kong, Asia Pacific Links, which, according to Russian customs and financial files, has provided millions of dollars' worth of parts, but never directly.

The owner of Asia Pacific Links is a man named Anton Trofimov, a Russian expat who holds a degree from a Chinese university and who also owns a company in Toronto. But according to our information, Mr. Trofimov is presently not the target of sanctions.

Since part of this bill deals with the sanctions regime—

[*English*]

**The Chair:** Mr. Bergeron, you're over time. Can I ask that you wrap it up as fast as you can?

[*Translation*]

**Mr. Stéphane Bergeron:** Since part of this bill deals with sanctions, why is it that one oligarch might be on the sanctions list, but not another? Is it perhaps because one of those oligarchs owns a company in Canada?

[*English*]

**Ms. Heidi Hulan:** Very briefly, I can simply say that the decision to list someone and put them under sanctions is determined on the basis of what we believe to be the need and on what we can find in terms of evidence. As you know, all sanctions have to survive a judicial review if one is instigated, so a key driver for who is put on sanctions lists and who is not is the availability of evidence to substantiate the case.

**The Chair:** Thank you.

We will now go to Ms. McPherson for six minutes.

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

Thank you all for being here today. I know it's sometimes difficult, as you all have very busy jobs, so it's very kind of you to come and share your expertise with us.

This is a very complex bill because, of course, it touches on so many different areas.

Ms. Hulan, you won't be surprised that I'm going to ask you about the cluster munitions piece. I'm sure you've heard my thoughts on the TPNW, the Treaty on the Prohibition of Nuclear Weapons, and the work that needs to be done in Ukraine on land mines.

With regard to cluster munitions, in your testimony you talked about the indirect financing of cluster munitions and not wanting to have people with pensions and whatnot be implicated. My question to you is this. Why would we want to allow anyone, including pensioners or others with pension funds, to invest in banned weapons? Many other countries have strong divestment policies, so I don't understand why that would be a rationale for why Canada allows that to happen.

● (1235)

**Ms. Heidi Hulan:** It is a question in our system of enforceability and questions around whether even financial institutions that hold mutual funds and other products can track all of the secondary and tertiary linkages between those investments and the source of revenue coming back. It is a pragmatic position that is designed to make the provisions enforceable.

**Ms. Heather McPherson:** As I mentioned, many other countries do have strong legislation. We wouldn't even need to start from scratch. We could work with our allies.

As I mentioned earlier in today's meeting, 21 NATO countries have stronger legislation on cluster munitions. Why can Canada not follow the lead of those other countries? You say that it is too difficult, but it seems that other countries are able to enforce that. Other countries are able to have that legislation. I hate to think that Canada would be weak on that front.

**Ms. Heidi Hulan:** Yes, as would the government.

Let me just say that we collaborate frequently and consistently with our allies, including those to whom you are referring, and we have discussions with them about how they've placed provisions on indirect investments as well. To elaborate on this point, I'd like to turn to the director of the disarmament and non-proliferation division in our ministry, Angelica Liao-Moroz.

**Ms. Angelica Liao-Moroz (Executive Director, Non-Proliferation, Disarmament and Space, Department of Foreign Affairs, Trade and Development):** Thank you very much for the question.

When Canada enacted our domestic legislation, the Prohibiting Cluster Munitions Act, the clause related to prohibiting aiding and abetting, which I'm sure you're familiar with, was seen as covering the issue of investments. You rightly point out that different countries have different legislation in terms of how to implement that.

I won't comment specifically on the legislation of other countries, because I cannot speak to that with any degree of authority. What I would say in relation to indirect investments is that a really important element of it is intent and how you would determine or prove that the individual investor or entity has that intent.

As my colleague said, we know that the bill is well-intentioned. We just want to make sure that, at the end of the day, it is enforceable, and that we're not holding Canadians criminally liable, for example, pension fund holders who may unwittingly hold investments related to cluster munitions.

**Ms. Heather McPherson:** I would argue that the intent of most pensioners is not to purchase cluster weapons. Therefore, it would be useful to have that in law so that they were not unintentionally doing that, as I've mentioned other countries have done.

Could you also explain this to me? When Canada, as a state party to the Convention on Cluster Munitions, is legally obligated to ban cluster munitions and to discourage their use by anyone, Canadian Forces personnel are still permitted, during combined operations with states not party to the convention, to transport cluster monitions or to direct and authorize the use of cluster munitions. Does that not say that we don't believe in them, but we're going to give some exemptions to use them?

**Ms. Heidi Hulan:** Thank you for the question.

Under the treaty itself there is a carve-out in article 21 that takes into account the legitimate needs of armed forces to collaborate with one another—

● (1240)

**Ms. Heather McPherson:** Is that on the legitimate use of cluster munitions?

**Ms. Heidi Hulan:** No. Mr. Chair, let me just clarify that. With respect to the Canadian Forces, the Department of National Defence has implemented directives that surpass the obligations of the legislation and the convention. Those directives prohibit the direct use of cluster munitions by the CAF, even when on secondment or exchange with other militaries. They impose further restrictions prohibiting transport of cluster munitions on CAF vehicles. They prohibit CAF training by, or instruction of, others on the use of cluster munitions.

**Ms. Heather McPherson:** Then we should be able to get rid of that section 11, if we have things that supersede it.

**The Chair:** I'm afraid you're out of time.

We will now move to the second round. We will first go to Mr. Hoback.

Mr. Hoback, you have five minutes.

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Chair, I just want to inform you I'll be sharing some of my time with Mr. Chong.

Ms. Awad, you were going to finish your question with Mr. Genuis. He requests that you finish your answer in writing, if that's okay.

I'm going to go back to the time frame around sanctions. I know in the bureaucracy there's a process that's consistent, that's comfortable and that everybody likes. However, in times of sanctions, is there not a way that we could actually shortchange the system? I'm not sure what the right word is, but could we supercharge it so that it could actually turn around quicker? Could we look at the processes that are involved and deal specifically with what would be required for this type of sanction versus something that's more general?

**Ms. Heidi Hulan:** Thank you very much for the question.

With respect to the discussion on timelines for how we impose sanctions and the cases that we have to build around each individual person or entity that we include on a list, I can assure you that the process is onerous within the government. I would not characterize it as comfortable in any way.

As you know, we have imposed many rounds of sanctions on Russian individuals and entities over the last year, since the large-scale invasion of Ukraine. In every case that I'm aware of, the sanctions have taken longer than 40 days to impose.

**Mr. Randy Hoback:** I'm going to share my time with Mr. Chong, so this will be very quick.

What is the problem with putting the sanctions on and then putting the onus on them to have those sanctions removed? What is the harm in saying, “We're going to implement the sanctions, still do our due diligence and then it's up to you, who's being sanctioned, to come back to us and explain to us why you shouldn't be on that list”?

**Ms. Heidi Hulan:** Under Canadian law and regulation, the onus is on the government.

**Mr. Randy Hoback:** We'd have to change the law to reflect that.

**Ms. Heidi Hulan:** It is incumbent upon the government to demonstrate that someone has committed the offence that would justify their inclusion on a sanctions list as a means of avoiding frivolous use of this very powerful tool.

**Mr. Randy Hoback:** Exactly, you'd want to prevent that somehow, for sure. I understand that.

Maybe I'll stop there, Mr. Chair. I'll turn the floor over to Mr. Chong, if that's okay.

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Thank you, Mr. Hoback and Mr. Chair.

Thank you, Madam Hulan, for coming here today.

I have two questions about sanctions enforcement. They're very simple ones. First, the government in the last budget announced a Canada financial crimes agency. The U.K. has announced a similar initiative. The U.K. has indicated that a unit within this new agency in the United Kingdom will be for sanctions enforcement. Can you tell us if the Government of Canada has similar plans for this new Canadian agency?

**Ms. Heidi Hulan:** I can say that sanctions enforcement is increasingly the area, particularly in relation to Russia-Ukraine, where our attention and that of our allies are focused. It occupies the bulk of those energies on the specifics of the recent provision.

I'll turn to Marie-Josée Langlois.

**Ms. Marie-Josée Langlois:** The Canada financial crime agency that you mentioned was flagged in the last budget. It is under the leadership of Public Safety Canada.

**Hon. Michael Chong:** Do you know if a sanctions unit is part of this initiative?

**Ms. Marie-Josée Langlois:** At the moment, Public Safety is leading the way on that issue.

**Hon. Michael Chong:** Okay, so that hasn't been yet determined.

Do you know whether they are going to do this or not?

● (1245)

**Ms. Heidi Hulan:** I can consult with our colleagues in Public Safety and get back to you.

**Hon. Michael Chong:** If you wouldn't mind sending the clerk that in writing, it would be appreciated.

This is my second very quick question. Yesterday Minister Champagne announced a federal beneficial ownership registry, which is obviously an important tool that law enforcement can use to enforce sanctions laws in Canada. However, this only applies to corporations incorporated under the Canada Business Corporations Act, which is only about a tenth of all corporations in Canada. The vast majority are incorporated under 10 provincial statutes.

I have a two-part question. Is this going to be extended to include corporations incorporated under provincial law, and will it also include real estate? The Cullen Commission in British Columbia identified significant money laundering, particularly international money laundering, going through B.C. real estate. Will this registry be extended to provincially incorporated entities and to real estate?

**Ms. Heidi Hulan:** Mr. Chair, I'm afraid that the witnesses here are not competent to answer this question, but we'd be happy to look into it. Thank you.

**Hon. Michael Chong:** Okay. Thank you. Those are all the questions I have.

**The Chair:** Thank you very much.

We now go to Mr. Bergeron.

You have two and a half minutes.

**Ms. Rachel Bendayan (Outremont, Lib.):** Mr. Chair, I think we go—

**The Chair:** I'm sorry.

Ms. Bendayan, you have five minutes.

**Ms. Rachel Bendayan:** Thank you, Mr. Chair.

Thank you to the witnesses who are here.

Assistant Deputy Hulan, I'm going to pick up on the theme of sanctions but from a slightly different angle. I agree that the enforcement of sanctions is, of course, very important, but I am extremely concerned by something that I believe this bill would do. Perhaps you could correct me if I'm wrong. My understanding is that the Minister of Foreign Affairs would have to publicly indicate that sanctions will be imposed against an individual before the sanctions enter into force. It would strike me as quite reckless to do that, because the individual who would be targeted by those sanctions would have an opportunity to move their assets.

Is that an accurate understanding?

**Ms. Heidi Hulan:** As I've testified before this committee, ambiguity is always desirable in advance of imposing sanctions, for exactly the reason cited, namely, that you do not wish to give the opportunity to move assets out of the country and, therefore, out of our jurisdiction.

**Ms. Rachel Bendayan:** Would the bill as currently written do exactly that, in your opinion? It would provide prior notice to....

**Ms. Heidi Hulan:** Yes. The part of the bill that would require prior notice would create this problem for us.

**Ms. Rachel Bendayan:** Thank you.

In your opening and then in response to questions, you've indicated on several occasions that the term “prisoner of conscience” is not defined in either international law or Canadian law. As a lawyer, in my former life I would have found that very difficult to work with.

Would you believe that we would need to define that term in order to actually action the elements of this bill?

**Ms. Heidi Hulan:** Thank you for the question.

The term we use is “human rights defenders”. We use it explicitly, because it is a broad term. We would not—

**Ms. Rachel Bendayan:** I understand that “human rights defenders” is the term we in Canada use, and it is also quite broad. How would you create a list of human rights defenders?

**Ms. Heidi Hulan:** It would be very challenging to create a list of human rights defenders worldwide, and it would require resources beyond what we currently have. However, the principal concern we have with this proposal is the constraint it would impose on how we support victims.

**Ms. Rachel Bendayan:** On that point, you have mentioned that quiet diplomacy is the way Canada functions and that sometimes public amplification could risk the security of the individuals we are attempting to support and help. My colleague Mr. Oliphant had an extensive exchange on this with the drafter of the bill.

Can you be a bit more specific? In a previous question, you said that having such a list could impede the advancement of discussions that would lead to results. In perhaps more plain language, do you think the security of the individuals Canada is trying to support and protect would be at risk? Do you think we could actually harm the individuals we're trying to help?

**Ms. Heidi Hulan:** I'm going to give two answers to this question. The short answer is that sometimes we just don't know, and we are concerned about the very severe risk that would be borne by victims in this situation.

The second answer I would like to give is about our approach to this as consular officials and diplomats. We always craft strategies that are aligned with the local context, our depth of understanding of that local context and the actors involved. This is why we invest so heavily in our network of missions abroad as Canada, because the texture you can have through a mission in understanding how a government is likely to react, the range of risks a victim would face and who can apply the right pressure for a positive decision all depend on our analysis.

With respect to lists and generic approaches to consular cases, we would take the view that we are always better to have the scope to determine a situationally specific strategy to meet the objective of alleviating the suffering of the victims.

● (1250)

**The Chair:** Thank you very much.

We next go to Mr. Bergeron.

You have two and a half minutes.

[*Translation*]

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

Bill C-281, among other things, seeks to prohibit any person from having a pecuniary interest, directly or indirectly, as a shareholder, partner, or lender, in a business that has violated the prohibitions of the act or has aided or encouraged another person to violate the prohibitions of the act.

So you would legislate to penalize any person having direct or indirect interests in a business which manufactures cluster munitions. Yet is there not a risk that Canadians may have unknowingly invested in such a business and would then be targeted by the provisions of the bill?

Would it not be preferable to use New Zealand's legislation as a model? It focuses on the intent rather than on shareholders or participants having a direct or indirect financial interest in a business which manufactures cluster munitions.

[*English*]

**Ms. Heidi Hulan:** Thank you.

My colleague has addressed this point already. I'll invite her to elaborate on it.

**Ms. Angelica Liao-Moroz:** Thank you for the question.

You refer to the text of the amendment that talks about pecuniary or monetary interests. I would just add to what has already been said. Our understanding, based on legal advice in the department, is that Bill C-281, as it's currently worded, would expand the criminal liability beyond the scope of what's currently already prohibited in the language of "aiding and abetting".

As an example, it could be considered a crime, with the current wording of the amendment, if an investment was made in a company that no longer produces cluster munitions but somebody had previously invested in that company, the legal assessment that our department has is that the individual could potentially be criminally liable, even though there may not have been the intent.

The intent is the key part of it. That's a really important element, and we look forward to the committee's further study of that and how we can work to have workable language.

If there are further questions in terms of what would constitute a criminal offence, we would have to circle back to you with an answer once we have further legal advice.

**The Chair:** Thank you.

We next go to Ms. McPherson.

You have two and a half minutes.

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

Thank you again to the witnesses.

Ms. Hulan, you spoke about the directives that surpass the Prohibiting Cluster Munitions Act. If that is the case, does the government agree that section 11 of the Prohibiting Cluster Munitions Act runs contrary to the spirit and the letter of the convention? Would you support an amendment that made Canada compliant with the convention?

● (1255)

**Ms. Heidi Hulan:** Canada is already compliant with the convention.

With respect to the specific question, section 11 and section 21 are not separate. They're not exceptions to the convention. They are integral to the convention. I would just say further that these provisions are probably responsible for the breadth of support and adherence that the cluster munitions treaty has internationally, so we're very—

**Ms. Heather McPherson:** I'm sorry to interrupt you, but why are 21 NATO countries able to not have those exemptions within their legislation?

**Ms. Heidi Hulan:** I'm sure that our NATO colleagues would all evaluate very carefully the nature of their own practices. Within Canada, our armed forces collaborate with a wide variety of NATO partners, including the United States and especially the United States in some instances. For us, during the negotiation of the treaty, article 21 was a very important provision for Canada.

**Ms. Heather McPherson:** Wouldn't it be an opportunity for Canada to show some leadership on disarmament and to in fact encourage other NATO members to increase their ability to limit the use of cluster munitions? I think that would be an option.

I have one other question for you very quickly, and I'm going to run out of time. Another element missing from Canada's existing legislation on cluster munitions is the positive obligation to provide assistance, in particular article 5, "Victim assistance", as well as article 6, "International cooperation assistance".

Would the government support an amendment that would include this in the law?

**Ms. Heidi Hulan:** Thank you.

I'm going to have to turn this one to my colleague.

**Ms. Angelica Liao-Moroz:** You're right that there is a positive obligation included in article 21, and it's not a passive provision. As my colleague said, that is a positive obligation for Canada and other state parties to encourage non-state parties to join the regime.

I would say that we are a member in good standing. We have underscored our obligation to never under any circumstances use these. In the same breath, we condemn the use of cluster munitions by any actor.

You talk about potential support in terms of victim assistance. I would say that Canada has, more broadly speaking, if we talk about unexploded ordinances, so cluster—

**Ms. Heather McPherson:** In this case, we are in the minority of NATO countries that are supporting—

**The Chair:** I'm afraid we're considerably over time. Thank you.

For the last round of questions, we go to Mr. Genuis for two minutes.

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

Ms. Awad, I really wish we had more time for back and forth, but we're very constrained for time. I do look forward to your follow-up in writing.

If your departments are able to come up with an amendment that provides a clear, accessible and usable judicial objective mechanism for genocide recognition that would be binding in law, for the CRTC as well as other aspects of government, I think that would be a wonderful thing and a great effect of this bill. I think it's something, frankly, that we need to fully realize our obligations under the genocide convention in general. If an amendment could do that in a way that's meaningful and that would apply across domains, that would be great. I would welcome seeing that.

I think some good points have been made with regard to the need for points of clarity. I just hope that the amendments that we see come forward are as narrow as possible and that they get the substantive results that we're looking for without using potentially solvable technical problems as an excuse to throw out whole provisions.

For example, I think there would be acceptance that, in certain cases, there might be a reason not to publish a name. However, those exceptions need to be responsive to what the victims and their advocates are asking for and not to a situation where the government says it doesn't think the names should be published, even though the victims, their legal advocates and the experts in civil society say the names should be published.

Ms. Bendayan made some good points about whether this provision obliges names to be revealed in advance of sanctions being published. Surely that's not the intent, but that probably is a minor clarification issue.

On the issue of human rights defenders versus prisoners of conscience, I just want to say that I think “prisoner of conscience” is broader than “human rights defender”, because, to me, a human rights defender is someone who's actively involved in the work of human rights. Someone could be persecuted for their faith, for instance, someone who is not involved in human rights defender work. I think of someone like Asia Bibi, for example. She wasn't a media personality or a politician. She was an everyday person, but she was persecuted as a result of her faith—

● (1300)

**The Chair:** Mr. Genuis, you're out of time, and I think that was more in the nature of a commentary than a question, so it should be fine and none of the witnesses should have to worry about that.

We will go to our last questioner.

Dr. Fry, you have two minutes.

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Thank you very much, Chair.

I listened very carefully to what the officials were telling us, but I think that, as most people are saying at this committee, the intent of this bill is excellent. I think we can all agree with it.

There are certain areas in the bill that we think are too broad. Is it possible for the department to accept clear definitions? For instance, the whole term “prisoner of conscience”, I think, is very specific. It's not a human rights defender. Nelson Mandela is a famous prisoner of conscience. Ms. Aung San Suu Kyi was another one. Navalny was taken as a prisoner of conscience, it was removed from his name and it is back again.

I think prisoners of conscience are people who are peaceful. The term is very broad. In every sense there is a definition. It's a person who is imprisoned for their peaceful expression of religious views, of conscientiously held values that a government does not agree with, or of identity. Race comes into it, when you look at certain people being imprisoned just because of their race.

I think it's an important term, and I wonder if we could look at an amendment that said, “providing that the prisoner's family and the prisoner's advocates agree to their name being published”. Otherwise, we would never have heard of Nelson Mandela and all the good work that was done in South Africa because of some of the things that went on, or of Ms. Aung San Suu Kyi and all of the work that she did in that part of the world. I just think it's an important distinction, and I'm hoping we can do something about clarifying it.

I agree with you on the issue of not giving a heads-up to people who are going to be sanctioned so that they can't take their money out of the country. I agree on that one.

**The Chair:** Dr. Fry, I'm afraid you're out of time.

At this point, allow me to thank Ms. Awad, Ms. Langlois, Ms. Hulan, Mr. Marder and Ms. Liao-Moroz. We are very grateful for your guidance and for your insights.

Before we actually do adjourn, I have a few very quick housekeeping matters.

First of all, the budget for consideration of Bill C-281 was sent to all members on March 20, 2023. That would have been Monday. Is it the will of the committee to adopt that budget?

**Some hon. members:** Agreed.

**The Chair:** Thank you very much.

Second, the SDIR budget for the study of the Chinese government's residential boarding schools and preschools in the Tibet autonomous regions and all Tibetan autonomous prefectures and counties was sent to everyone on March 13, 2023. Is it the will of the committee to adopt that budget for SDIR as well?

**Some hon. members:** Agreed.

**The Chair:** Thank you very much.

As proposed in the calendar sent to everyone on February 24, is it the will of the committee to do the clause-by-clause consideration of Bill C-281 on Tuesday, April 18, 2023?

**Some hon. members:** Agreed.

**The Chair:** If that is the will, then in the context of Bill C-281, would it be okay with everyone that the deadline for the submission of amendments to the clerk of the committee be no later than 5 p.m. on Wednesday, April 12, 2023?

**Some hon. members:** Agreed.

**The Chair:** Awesome. Thank you very much, everyone.

**Mr. Garnett Genuis:** Is there a mandate to write to the independent members about this?

**A voice:** Yes.

**Mr. Garnett Genuis:** All right. Is there is agreement to find the government in contempt of Parliament as well?

I just wanted to make sure you're paying attention.

**The Chair:** The meeting stands adjourned.