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• (1540)

[English]

The Chair (Mr. Randeep Sarai (Surrey Centre, Lib.)): I call this meeting to order.

Welcome to meeting number 58 of the House of Commons Standing Committee on Justice and Human Rights.

Pursuant to the House order of March 27, 2023, the committee is beginning its study on Bill C-41, an act to amend the Criminal Code and to make consequential amendments to other acts.

Today's meeting is taking place in a hybrid format, pursuant to the House order of June 23, 2022. Actually, everyone is attending in person today, so I won't go through the hybrid format.

For the minister and anyone who's new—I think we have a lot of new members today—I use cue cards. When you're down to 30 seconds, I will raise the yellow cue card. When you're out of time, I'll use the red. I will ask you to wrap up with that, so I don't have to interrupt you.

We are pleased to welcome the Minister of Public Safety and Emergency Preparedness, the Honourable Marco Mendicino. Welcome, Minister.

Today we also have, from Public Safety, Sébastien Aubertin-Giguère, assistant deputy minister of the national and cyber security branch. From the Department of Justice we have Robert Brookfield, director general and senior general counsel of the criminal policy section, and Glenn Gilmour, counsel of the criminal law policy section. From Immigration, Refugees and Citizenship Canada we have Selena Beattie, director general of policy and outreach for the Afghanistan sector.

I think we might have some others as well. We welcome you and are glad to have you here.

Minister, you'll have the floor for 10 minutes, as usual. Your opening remarks will be followed by questions from the members of the committee.

The floor is yours.

Hon. Marco Mendicino (Minister of Public Safety): Thank you very much, Mr. Chair and colleagues.

By way of some housekeeping, I am very pleased to be joined by a number of colleagues, as you pointed out, Mr. Chair, from my department of Public Safety, from Global Affairs, from Immigration, Refugees and Citizenship Canada and, of course, from Justice. I am

seated next to Monsieur Aubertin-Giguère, who is one of our officials from Public Safety.

I think you also said that I was the Minister of Public Safety and Emergency Preparedness. I know our colleague, Minister Bill Blair, might take some umbrage at that. I say that with a bit of a smile. He's doing a very able job at emergency preparedness, in his capacity as minister of that portfolio.

On to the subject matter before us, I am very pleased to be able to discuss Bill C-41 with all of you, which is an act to amend the Criminal Code and to make consequential amendments to other acts.

Colleagues, as you will know, Bill C-41 creates an authorization regime to facilitate the delivery of international assistance in geographic areas controlled by a terrorist group as defined in the Criminal Code.

As you all know, and given the state of affairs in Afghanistan and other troubled regions of the world in which there are conflicts, this bill is crucial.

Allow me to explain. As I implored all members when our government tabled this legislation, there is a humanitarian crisis in Afghanistan. After four decades of conflict, political and economic instability and a global pandemic, the Taliban's takeover in August 2021 exacerbated an already dire situation.

Under the Taliban regime, we have seen violence, the erosion of fundamental human rights, and the brutal assault, torture and killing of women, girls and religious and ethnic minorities.

[Translation]

They require help with such basic aspects of life as food, health care, shelter, protection and education.

[English]

Canada continues to do everything in its power to assist the people of Afghanistan. I would note that our ambitious commitment to welcome at least 40,000 Afghan refugees has hit a significant milestone. Very recently, we just welcomed the 30,000th Afghan refugee on Canadian soil. That is something that I think ought to be celebrated, as those individuals will now have the chance of a better life.

[Translation]

Currently, the Criminal Code contains strong counter-terrorism financing provisions. Specifically, under paragraph 83.03(b), it is prohibited to directly or indirectly provide or make property available knowing it could be used by or will benefit a terrorist group.

• (1545)

[English]

These provisions have a significant impact on Canada's ability to deliver aid and other forms of international assistance, including in Afghanistan. That's because, although the Taliban is the de facto authority of Afghanistan, it remains a listed terrorist entity under Canada's Criminal Code. As such, aid delivery has the potential to benefit the Taliban, thereby contravening the Criminal Code.

Canadian organizations, including non-profit aid groups and departments of the Government of Canada, risk inadvertently breaking the law if they attempt to provide aid within Afghanistan. Bill C-41 will provide clarity and assurance for Canadian organizations that they are not committing a terrorism offence when acting within the scope of the authorization that is contemplated within the bill.

[Translation]

I would note that the authorization regime would not be restricted to Afghanistan, but would apply to any geographic area controlled by a terrorist group in order to be able to respond to similar situations.

[English]

Mr. Chair, our government considered all possible remedies, including the possibility of a humanitarian exemption to the existing law; however, a statutory carve-out would not provide, in our submission, the same security checks and balances, and it would risk greater abuse of the provision. The approach outlined in Bill C-41 best mitigates those risks by potential terrorist actors.

Banks and financial institutions have also called for these security measures.

Allow me to outline the bill's extensive guardrails. This begins with collaboration across various portfolios, some of which are represented at the table with me today. The Minister of Foreign Affairs and/or the Minister of Immigration, Refugees and Citizenship would first refer applications to me in my capacity as the Minister of Public Safety.

[Translation]

Moreover, the referring minister would also need to be satisfied that the applicant is capable of administering funds in high-risk environments, and effectively reporting on that administration.

Once a referral has been received, the national security community would conduct a security review to assess the impact of granting the authorization on terrorism financing.

[English]

This process would consider whether the applicants have links to terrorist groups or activities. The authorization could be granted once I am satisfied, in my capacity as the Minister of Public Safety, that there is no practical way of undertaking the proposed activity

without a risk of terrorist financing and that the benefits outweigh the associated risks.

The assessment will take into account the referral received from the Minister of Foreign Affairs or the Minister of Immigration, the security review findings, the measures to mitigate risks, and any other factors considered appropriate. If an application is refused, those applicants would be able to seek recourse through judicial review.

[Translation]

Authorizations would be granted for a period of up to five years and would apply to any person or organization involved in carrying out the authorized activity.

[English]

Authorizations may be revoked if the applicants fail to comply with the conditions and terms that are set out within it. The Canadian Security Intelligence Service, the RCMP, the Communications Security Establishment and the Canada Revenue Agency will also be involved in security reviews.

To ensure that the authorization regime is held accountable, as Minister of Public Safety I would provide an annual report on the regime and conduct a comprehensive review within five years of the bill's coming into force.

The bill sets forward clear operational guidance, and the application process is free.

Let me be clear. Terrorist financing remains a criminal offence and a serious threat to our interests both domestically and abroad, and authorization would not shield efforts to benefit a terrorist group. Such activities would remain criminal.

It is vital that Canada continue to provide international assistance in Afghanistan, as well as in other regions where there is protracted conflict. To facilitate this and prepare for future situations posing similar constraints, the proposed amendments to the Criminal Code are critical. It is transparent and charter-compliant, and the provisions that are set out in this bill are in accordance with the law.

• (1550)

[Translation]

Bill C-41 would help address immediate needs in Afghanistan, and also adapt to future needs.

[English]

Today and throughout our history, Canada continues to help the global community.

I want to thank you, Mr. Chair, for the opportunity to provide some prefacing remarks. I also want to take a moment to thank all the members of this committee for their advocacy and their leadership in bringing this important issue to the fore. We now have an opportunity to remedy some of the constraints that have previously prevented Canada from doing more to help the people of Afghanistan and other vulnerable individuals who have come under the thumb of autocratic and oppressive regimes.

I now look forward to your questions and comments.

[*Translation*]

Thank you.

[*English*]

The Chair: Thank you, Minister. I appreciate your timeliness on this.

I will begin the first round with Mr. Genuis, for six minutes.

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

I think it's important to underline where the debate on this bill is in this Parliament. Nobody in any of the opposition parties, I think, disputes the urgency of the humanitarian crisis or the need for legislative action. In fact, the issue has been the significant delays from the government side in moving this forward, with concerns about whether the regime will work effectively for the organizations that need to use it.

At the time Kabul was falling, your government, instead of attending to the situation, was calling an election. We had an Afghanistan committee that called for these changes a year ago. We haven't seen anything on it until now. We had a motion at the foreign affairs committee, which I moved in the fall, and a second motion at the foreign affairs committee earlier in the spring.

You're going to have strong agreement that action is required and, I think, in principle with the legislation moving forward. I wish the government had acted earlier, and I remain concerned about the effectiveness and the efficiency of the regime in helping organizations get the aid to where it needs to go.

I want to ask specifically how long you expect it to take to approve these kinds of applications. Can we expect that all of the enabling regulations and processes will be in place to allow humanitarian organizations to rapidly deliver the aid that's needed once this legislation passes? In particular, by the time we come near another winter in Afghanistan, will the legislation not only be passed but have its exceptions granted so that it can be used?

Hon. Marco Mendicino: First, Mr. Chair, through you to Mr. Genuis, I share the concern and the sense of urgency in aiding the people of Afghanistan, who, as I pointed out in my introductory remarks, have been subject to human rights violations, oppression, torture and killings, and these disproportionately towards women and girls and religious minorities.

That is precisely why, as part of the bill, we contemplate having a streamlined process, one that will efficiently work with organizations that have put themselves forward as candidates for authorizations to deliver this aid, but with the requisite security checks that

are required both to protect the integrity of the program and to guard against any potential risks that may flow where the funds to a de facto regime like the Taliban authority, which is listed under the Criminal Code as a terrorist entity, may inadvertently benefit.... We need to strike that balance and to do it in a way that promotes transparency and accountability, but with a sense of urgency that I think all Parliamentarians are united behind in getting that aid to Afghanistan.

Mr. Garnett Genuis: Thank you, Minister.

I won't repeat the question around what you expect to be the specific timeline, as I'm quite tight for my own timeline for questions, but if you can follow up in writing or your officials can follow up with an estimate of the turnaround time that organizations could expect in terms of applications.... I know you strike a balance, but we would like you to try to quantify what exactly that balance would be.

I have another specific question. Would this legislation apply only in the case of areas controlled by listed terrorist organizations? What I'm hearing from some of the stakeholders is that it doesn't appear to apply only to territory controlled by listed terrorist organizations.

• (1555)

Hon. Marco Mendicino: Well, certainly that is our top priority, and those organizations that have been listed as terrorist entities under the Criminal Code meet that definition and, by extension, pose a risk and a threat to Canadian interests both here and abroad, as well as to the people where they may be operating, and certainly within the geographic areas that we are trying to get aid to.

I would submit, Mr. Genuis, that through that lens it is important that as we receive applications, and as we screen both the principal sponsors of those applications and the activities that will be authorized under the regime, we look at all the circumstances—

Mr. Garnett Genuis: Okay, but if I can zero in on the specific question, is the intention of this legislation to deal only with situations in which territory is controlled by a listed terrorist organization, or is it intended to apply to cases of organizations that are concerning from a certain perspective for whatever reason but not listed as terrorist organizations?

Hon. Marco Mendicino: As I was saying towards the end of my answer, the primary focus is to make the assessment through—

Mr. Garnett Genuis: I'm not asking what the primary focus is. Is the intention of the legislation to apply only to listed organizations, or is it to apply to organizations that are not listed?

Hon. Marco Mendicino: Mr. Genuis, if you'll allow me to finish my answer, I think it will be responsive to the point you're making.

Mr. Garnett Genuis: Okay. Answer quickly, please, as I want to get one more in before I'm out of time.

Hon. Marco Mendicino: We are making this assessment primarily through the listing of terrorist organizations as defined under the code, but the security review will look at all the factors on the ground to assess and be sure that we are able to mitigate against those risks. I think you will agree that yes, for example, while in Afghanistan, we will be making these assessments on the basis of the reality that the Taliban are the controlling authority in that region, but we will look holistically at all of the threats that are in play on the ground.

Mr. Garnett Genuis: Sorry, I want to get to one more question.

Respectfully, I don't think that's a very clear answer, but I would welcome a follow-up in subsequent rounds or in writing.

This bill contemplates other organizations being listed and the implications there. Could you give us an update on the government's considerations around listing the Wagner Group as a terrorist organization?

Hon. Marco Mendicino: Well, first I would say we're vigilant about making sure we list entities that meet the definition, and we rely on our non-partisan, professional public servants to provide us with the best possible advice on that exercise. Where appropriate, we move expeditiously to ensure that we are listing those organizations so Canada is not a safe haven either for the flow of terrorist funds or for any terrorist activity.

The Chair: Thank you.

Thank you, Mr. Genuis.

The next round of six minutes goes to Mrs. Brière.

[*Translation*]

Mrs. Élisabeth Brière (Sherbrooke, Lib.): Thank you, Mr. Chair.

Good afternoon, Mr. Minister. I am always happy to have you with us.

What's happening over there is awful. The situation for women and other vulnerable people that you mentioned is very difficult when it comes to health care, safety and, of course, education. It's a humanitarian crisis we don't talk enough about.

It's also important to enhance Canada's ability to provide humanitarian aid. In developing the new rules, did you speak to non-governmental organizations to ensure that their methods are taken into account? I want to make sure that compliance with the new measures will not result in additional, more burdensome work for them.

Hon. Marco Mendicino: I'd like to thank my colleague for her question, Mr. Chair.

First, I want to emphasize that the process the government is putting in place with this new regime is very efficient. We need to make this process a priority because of the situation on the ground in Afghanistan. The situation is very difficult and serious for women and girls, as well as for religious minorities. So we're going to work closely with the organizations seeking to provide services on the ground. We know it's urgent that we act now.

Secondly, we consulted with NGOs and will continue to do so to find solutions to existing challenges so they can deliver essential services.

The last thing I want to emphasize is that the plan is flexible. We can provide assistance in terms of food services, temporary housing, physical and mental health services, education services, as well as programs to protect people's rights. Finally, we can facilitate the settlement of people through our immigration programs.

The parameters are very flexible and they respond directly to the feedback we received from organizations.

• (1600)

Mrs. Élisabeth Brière: Thank you very much.

You chose to go with a method that will require an exemption.

Why didn't you choose a full exemption rather than forcing agencies to apply for an exemption?

Hon. Marco Mendicino: That's a very good question.

I know that a few committee members and many other parliamentarians have suggested the full exemption solution. However, the government chose to introduce a bill that fosters transparency, reliability and integrity in a program that includes a review process to ensure the safety of the organizations and of the people who we want and will want to help, while also retaining the flexibility we need.

In the government's view, this bill strikes a balance between all the priorities.

Mrs. Élisabeth Brière: I see.

Did you draw inspiration from existing legislation? For example, do other countries use this method?

Hon. Marco Mendicino: Yes.

There are other mechanisms and opportunities, but I'd like to emphasize—this is the key point—that the government is getting its information from our discussions with organizations and human rights lawyers.

We believe that Bill C-41 strikes a very good and effective balance that fosters transparency and integrity, as well as the values of safeguarding human rights.

Mrs. Élisabeth Brière: I see.

What aspects of national security were considered in drafting this bill?

Hon. Marco Mendicino: Mr. Chair, my colleague raises a very important issue.

The situation in Afghanistan is truly complex. There is a terrorist organization there to which the Criminal Code applies because it poses significant risks to Afghans. If no security system is in place, that creates many opportunities to divert or use Canadian government funds to finance terrorist activities.

We don't want that to happen. That's why we have come up with a mechanism that protects the integrity of the program and the authorization process, but still retains the flexibility to provide all the assistance people need on the ground.

Mrs. Élisabeth Brière: Thank you.

[*English*]

The Chair: Thank you, Ms. Brière.

Next we'll go to Monsieur Brunelle-Duceppe. Welcome to the committee today.

• (1605)

[*Translation*]

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Thank you, Mr. Chair.

I'd like to thank all the witnesses.

Thank you for being here, Mr. Minister. I was really looking forward to talking to you. It's been a long time.

On December 22, 2021, the United Nations passed Resolution 2615, calling for us to amend our legislation to allow humanitarian organizations to work in Afghanistan.

On February 7, 2022, I first asked the question to the Special Committee on Afghanistan to raise the issue. On February 22, 2022, I introduced a motion seeking unanimous consent to allow our non-governmental organizations, or NGOs, to work on the ground there. Your government rejected it. In fact, I believe it was the Minister of Justice who blocked it at the time.

you appeared before the Parliamentary committee, Mr. Minister, as did the Minister of Foreign Affairs, the Minister of Immigration, Refugees and Citizenship and the Minister of International Development. You all appeared and agreed that there was a problem and it needed to be addressed.

Why did it take you over a year, Mr. Minister?

Hon. Marco Mendicino: First, I'd like to thank you, Mr. Brunelle-Duceppe, for your leadership on this issue. I know that you have put and are putting a lot of energy into advancing the cause. Thank you.

I have shared your concerns with respect to the urgent need to manage—

Mr. Alexis Brunelle-Duceppe: Why did it take a year, Mr. Minister?

Hon. Marco Mendicino: The situation in Afghanistan was so complex due to the conflict and the evacuation of U.S. troops. A number of factors affected the ability—

Mr. Alexis Brunelle-Duceppe: So it was the complexity of the issue.

Hon. Marco Mendicino: Absolutely.

It's the complexity of the situation—

Mr. Alexis Brunelle-Duceppe: So various departments discussed this to come up with a solution, and it was the complexity of the issue that made you take so long.

Hon. Marco Mendicino: In addition—

Mr. Alexis Brunelle-Duceppe: The solution was there all along, Mr. Minister. Nothing has changed since we raised the issue and since you introduced this bill. If I understand correctly, you're saying that it takes a year to draft 82 pages.

Minister Lametti appeared before the Standing Committee on Citizenship and Immigration and praised the 2002 Liberal government, which in the same situation had made the legislative changes needed to follow U.N. Resolution 1173, in a matter of months.

If it took the Liberal government only a few months in 2002 and it took you about 15 months, does that mean that the Liberal federal ministers in 2002 were more competent than those in place today, Mr. Minister?

Hon. Marco Mendicino: No new factors influenced the duration of our operation in Afghanistan. However, the pandemic is a factor that had a tremendous influence on our operations, Mr. Brunelle-Duceppe—

Mr. Alexis Brunelle-Duceppe: I'm glad that you brought up the pandemic, Mr. Minister, because within a few weeks, we were able to put in place extremely complex programs rapidly, because people were losing their jobs and needed help. It was very hard work and we were in the middle of a pandemic. All your departments were blocked. However, you were able to enact legislation that allowed you to act swiftly.

In your opinion, is it more important to help a Canadian worker who has lost their job than an Afghan child who needs humanitarian aid, Mr. Minister?

Hon. Marco Mendicino: We must also remember that Canada's presence in Afghanistan had been greatly reduced in the preceding decade. The military had pulled out several years earlier, and the decision to send military personnel back in to bring the refugees here was an operation—

Mr. Alexis Brunelle-Duceppe: Mr. Minister, with all due respect, Canada's presence or absence in Afghanistan has nothing to do with the Criminal Code amendments. It's completely—

Hon. Marco Mendicino: That's true, but I just wanted to add a little context to explain how long it took.

Mr. Alexis Brunelle-Duceppe: That's fine.

The Government of Canada already works with several recognized organizations. Is it necessary to weigh down the process by requiring authorization if you already know the credible humanitarian aid organizations, such as the Red Cross and Doctors Without Borders?

Hon. Marco Mendicino: There are many examples of organizations we're familiar with and have good relationships with. Some have other arrangements or agreements. I hope that the authorization process will work efficiently, in a completely unbiased and neutral way.

Mr. Alexis Brunelle-Duceppe: You know that we worked very hard and that we will try to get the bill passed as quickly as possible, with the powers we have. It should have been done long ago.

Now, the bill refers to a reasonable amount of time to obtain authorization. That's pretty subjective for humanitarian organizations. Since it took you so long to draft the bill, I imagine you prepared yourself and you are able to estimate how much time it will take.

How long do you, the Minister of Public Safety, feel is a reasonable amount of time to obtain authorization, in absolute terms?

• (1610)

Hon. Marco Mendicino: We can continue to look at options as we work through the bill, or even as we establish the regulations, which will help us provide guidance to organizations so that we can move forward in a very efficient manner.

Mr. Alexis Brunelle-Duceppe: I will repeat my question: How long does the Minister of Public Safety feel is a reasonable amount of time?

Hon. Marco Mendicino: It's a faster, more efficient process, but it poses no risk to the integrity—

Mr. Alexis Brunelle-Duceppe: So you haven't determined the amount of time in an objective manner. It's only subjective for the time being.

Hon. Marco Mendicino: We can discuss it further when we're establishing the regulations.

Mr. Alexis Brunelle-Duceppe: You stated that you spoke to humanitarian organizations before drafting this bill.

Did you speak with people from Doctors Without Borders? Did you call them to find out what they thought of this bill before you drafted it?

Hon. Marco Mendicino: We held broad consultations. I know there's a diversity of opinion, but we at the federal government feel we have introduced a bill with the best—

Mr. Alexis Brunelle-Duceppe: So you did not consult Doctors Without Borders.

[*English*]

The Chair: Thank you, Monsieur Brunelle-Duceppe.

We'll next go to Ms. McPherson.

Welcome.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

Thank you, Mr. Minister.

[*English*]

Ms. Heather McPherson (Edmonton Strathcona, NDP): Thank you very much, Mr. Chair. It's nice to be in your committee today.

Thank you for being here, Minister.

Thank you, all of you, for being here and providing your testimony.

I have to say that I worked for about 20 years in the non-profit international development and humanitarian sector before I became a politician, so after 18 months of waiting for this legislation, I was expecting something good. Unfortunately, that's not what I see with Bill C-41, so forgive me, but I will speak with my international development hat on today.

You spoke about the balance needed between preventing funding going to terrorists versus helping humanitarian.... With all due respect, Minister, you got the balance wrong on this one. I say this for a number of different reasons.

First of all, we're creating barriers to humanitarian aid. I wrote to you immediately when this legislation came forward, and I didn't get much of a response. I outlined exactly why this legislation doesn't do what you think this legislation should do. I have lots of concerns about how it will be implemented and how we are going to get an overstretched and under-resourced Global Affairs Canada to do this work.

Ultimately, what this does is interfere with international humanitarian law. You talked about the balance. You talked about how this was the best thing you thought could happen.

Why do you think the Canadian government felt that this was the best thing to happen, when we look at governments like Australia, the EU, New Zealand, Switzerland, the U.K. and the United States, and they all listened to the experts in their field? They listened to the experts who do this work, who asked for a humanitarian carve-out.

Why did Canada choose to not go with a humanitarian carve-out when, very clearly, other countries did? I think we all know that other countries know exactly what they are doing on the ground. They have respect for humanitarian assistance. They have respect for anti-terrorism legislation.

However, Canada is the only one that put barriers up for humanitarian organizations, instead of making it easier for them to be on the ground, doing the work and helping Afghans.

Hon. Marco Mendicino: First, Mr. Chair, and through you to Ms. McPherson, I want to thank you for your leadership in this space. I know you've been an advocate for many years, and I respect very much the opinions you bring to this debate.

I would say to you that in this bill we have put forward a Canadian tailored approach that achieves the twin pillar objectives of both promoting flexible pathways to offer assistance—and I have enumerated them.... I think—and I say this respectfully—that a number of organizations that work in the same space that you have advocated in are broadly supportive of this regime—

Ms. Heather McPherson: You've put them in a situation, Minister, where they have no option but to be supportive. They waited 18 months for legislation. They're willing to take the crumbs you've put on the table, because you did not come with the right legislation. They're willing to take the crumbs you've put forward, because that's all you brought forward.

This is bad legislation. Will you be open to amending this legislation to make it stronger?

Hon. Marco Mendicino: First, I would not characterize the approximately \$4 billion we have put into Afghanistan since 2001 as “crumbs”. I think that does a disservice not only to the organization that serves in this space—

• (1615)

Ms. Heather McPherson: Minister, you know very well that's not what I'm speaking about.

Hon. Marco Mendicino: What I'm getting at is that we are talking about a program that has been set up with the input of and in consultation with organizations that work in the same space you do. I think I take a more optimistic view of the consultation and the input they have provided to us. I am not as skeptical as you are that they view this program as being crumbs. I say that respectfully.

However, I also want to point out some other things. It is precisely because you and many others want to see that help get to the ground that we have to be sure that Canadian funds are not misappropriated.

What you are characterizing right now as barriers—and I want to hear you out on how we can work through those in this process—I see as potential risks to our national security and to the security of the Afghan people. These are not barriers, in my submission.

Ms. Heather McPherson: Why do you think the U.S., the EU, the U.K., Australia and Switzerland do not see that balance the same way you did? Why do you think Canada is the only country that saw it that way?

Hon. Marco Mendicino: Again, I say this with respect, but I am not here to defend the position of the United States or any other country. I am here to articulate the rationale for Bill C-41, and I think the government has put forward a reasonable and compelling case.

Ms. Heather McPherson: A fundamental principle of humanitarian assistance is neutrality and impartiality. It's a fundamental part of human rights law. Of course, you would know that.

By getting approval from the Canadian government through the process you've put forward, do you not worry that this will actually impact organizations' ability to claim impartiality and neutrality? Do you not worry that you are going to be putting organizations in danger because you're making them go through this process?

Hon. Marco Mendicino: You're right to articulate the concern, but I also think, looking at the language of this bill, that we are promoting an approach and a regime that get that balance right.

I say that, first, because we take advice from the public service. The public service is not partisan; it is not political.

Second, I would add one last point. Certainly, for this bill, I will endeavour to exercise the discretion that is afforded to this office in the best possible way, but in the event that there were any concerns about the way in which that discretion was exercised by me or any successor, there are judicial review mechanisms specifically contemplated by this bill, which afford transparency and accountability.

Ms. Heather McPherson: Yes, but it starts as a politicized process, and anyone can take that politicized process and take it to the

next step. The next government may not be as benevolent as you are towards humanitarian organizations.

Hon. Marco Mendicino: Well, I appreciate having the benefit of the doubt.

The Chair: Thank you, Ms. McPherson.

We'll next go to a round of five minutes, beginning with Mr. Brock.

Mr. Larry Brock (Brantford—Brant, CPC): Thank you, Chair.

Thank you for your attendance, Minister and department officials.

I want to continue the discussion or the Q and A that Ms. McPherson finished off with. One of the questions I was going to ask is how this particular piece of legislation was framed in terms of how other democratic nations across the world have dealt with this humanitarian crisis. I get the impression, when I listen to how her question is framed and, Minister, to your responses, that Bill C-41 appears to be an outlier in the sense that other nations are currently providing humanitarian exceptions and getting humanitarian aid to Afghanistan a hell of a lot quicker than Canada is. Is that a fair assessment?

Hon. Marco Mendicino: I certainly believe that this bill presents a Canadian tailored approach, but we also take a very tailored approach when it comes to defending human rights through our refugee program. Therefore, it's true that we may be exceptional in that regard, but I think it puts Canada in a very strong light when it comes to protecting vulnerable individuals who have been oppressed or tortured or killed as a result of the fact that they are women or young girls or religious minorities. This bill allows us to try to save as many lives as possible.

Mr. Larry Brock: You mentioned that this particular bill is charter-compliant. Is there a charter statement?

Hon. Marco Mendicino: Minister Lametti would be responsible for that analysis, and I am happy to defer to our Justice officials who are here on that, if you would like to hear from them.

Mr. Larry Brock: I'm concerned about the privacy aspect in terms of releasing confidential private records from the CRA as part of the risk assessment and intelligence-gathering. How does that impact section 1 of the charter?

Hon. Marco Mendicino: I'm happy to say a few words about it and then, Mr. Brock, if you'd like to hear a more expanded....

First, though, I want to assure you.... I thank you for raising the question of privacy. This law will comply with Canada's privacy laws, which is to say around retention and storage, and—I would say most importantly for the purposes of the administration of this bill—the funds and the sharing of information that will be authorized that will enable those funds to get through and that will be done for that purpose and that purpose only.

As to your question around section 1, as you know, the interplay between sections 8 and 1 of the charter is somewhat unique. There are some who would say that in a lot of ways section 1 is built into the reasonableness analysis under section 8. I assure you that the impact analysis is being done by Justice, and I will turn to my colleagues to say more if they wish to add something.

• (1620)

Mr. Larry Brock: Thank you for that, Minister.

I'm going to cede my time to my colleague, Mr. Genuis.

Thank you.

Mr. Garnett Genuis: Thank you, Chair, and thank you, Mr. Brock.

I want to press you on this issue of what constitutes a terrorist organization for the purposes of this legislation, because I think this is really important. The Criminal Code defines a terrorist group as either a listed entity or an entity that has as one of its purposes or activities facilitating or carrying out any terrorist activity. A terrorist group, then, doesn't necessarily mean a listed terrorist group. There could be terrorist groups that are not listed, according to the Criminal Code.

Now, the definition of terrorist activity is long and detailed—

Hon. Marco Mendicino: I'm somewhat familiar with it.

Mr. Garnett Genuis: —but it could, from my reading, include not just non-state actors but also state actors who engage in violations of international law. There is no clear exclusion to say that other states—which, in certain cases, Canada recognizes—couldn't necessarily be considered terrorist organizations.

The legislation puts the onus on humanitarian organizations to determine whether or not they need to apply for this exemption. In a case with a listed terrorist organization controlling a territory like Afghanistan, it's relatively clear-cut that an exemption would be required. There may be cases in which it's not clear whether or not an organization is engaging in terrorist activity according to the Criminal Code, and therefore whether an exemption is required. This legislation could actually create additional problems for organizations that would then be unsure whether or not they would need to apply for an exemption to operate in a particular area when an organization controlling the territory might not be listed. To me, that's a clear problem, and that speaks to the need for clarity around whether we're talking only about listed organizations or about any organization that is defined as terrorist.

What is your response to that, and would you be supportive of providing that clarity in this legislation going forward?

Hon. Marco Mendicino: The short answer is yes.

I realize we're tight on time, but I think you have raised a valid point and I would say two things in response very quickly.

One, I think the flexibility of the terrorist definition is a positive thing in a case in which we're trying to get aid to an area where the de facto authority may not be a terrorist entity but there may be terrorist activity.

I would add to that, secondly, that what you may have characterized as a problem, I see as an opportunity to work with those stakeholders in this space to make sure we can help them navigate that process—

Mr. Garnett Genuis: Minister, that answer concerns me more, because the organizations don't benefit from this flexibility. They are left holding the bag, not knowing whether or not they are going to be prosecuted if they proceed in a particular case. They need clarity in law.

Hon. Marco Mendicino: We'll provide them that.

The Chair: Thank you, Mr. Genuis. The time is up.

I'm going to go to the next member.

Mr. Naqvi, you have five minutes.

Mr. Yasir Naqvi (Ottawa Centre, Lib.): Thank you very much, Chair.

Minister, welcome, and officials, thank you for being here.

I want to step back a bit, because I think that in this very important and intense conversation it's important to be reminded of some really crucial facts. In my view, one of them is the fact that Afghanistan is a very troubled part of the world. It's a very dangerous part of the world.

I'm sure you will agree that the Taliban regime, which has taken over Afghanistan, is an absolutely brutal organization that is against women and against the LGBTQ community, has very little tolerance of all kinds of minorities, and has acted in the past in terrorism-related activities. They are the ones who are in charge in that country, and they are violating the rights of their own citizens under the government they have in place at this moment.

I'm sure you would agree with my analysis or assessment, Minister, of what's happening in Afghanistan at the moment.

• (1625)

Hon. Marco Mendicino: Without question, Mr. Naqvi, and just to add a few statistics that are truly horrifying and I think underline the urgency that has been a consistent theme throughout the interventions today, we are presently looking at 20 million Afghan people who are suffering from acute hunger. In 2023, a total of 28.3 million people, or two-thirds of the population, are in need of humanitarian assistance. That constitutes the need to get aid to 33 out of 34 of the provinces in Afghanistan.

Your question and your comment are very much borne out by the statistics, but behind each and every one of these aggregate statistics there is a human life, and we are trying to save as many of those lives as possible.

Mr. Yasir Naqvi: This is a draconian government that is violating people's rights, and not only is it undermining democracy right now in Afghanistan, which the Afghan people themselves and western countries worked extremely hard to establish, but its actions are also causing significant harm to its own people, as you stated by the data you just shared.

In addition, Minister, if you can share this with us, is Canada in a fairly unique position to declare the Taliban as a terrorist entity or terrorist organization when we look at other peer countries?

Hon. Marco Mendicino: I wouldn't say we're in a unique position. I know that other countries have their own regimes, and I'll confine my comments to the decisions that we take as a government, which is that we believe the Taliban meet the definition of a terrorist entity under the Criminal Code, and that in creating this legislation we are mindful that as the controlling authority there are risks that need to be mitigated if we choose to amplify our humanitarian efforts on the ground—

Mr. Yasir Naqvi: You're going exactly where I want you to go, because I want to very clearly ask you, what is the balance in light of everything we have just spoken about in terms of what's happening in Afghanistan and the impact of the Taliban's regime on the people of Afghanistan? As Canadians, as we try to provide help and aid to Afghan people through various NGOs, what's the balance you're trying to maintain here? What's the balance you're trying to create through this legislation?

Hon. Marco Mendicino: It's a very fair question, and it's important. It informs the twin objectives of this legislation.

The two priorities that we are attempting to balance here are, first, to create a vehicle that will allow us to deliver more humanitarian aid flexibly and on the basis of the input that we have received from many advocates and organizations that operate in the humanitarian space. That includes life necessities like food, shelter, education and support for those who may wish to come to Canada through settlement and immigration services.

Second, it's making sure that as we create the pathways to deliver that humanitarian aid, we reduce as much as possible the potential that those Canadian funds will be misappropriated and used to support the terrorist activities of the Taliban.

Those are the two priorities that we are trying to get the balance right on. We believe that this project does that.

The Chair: Thank you, Mr. Naqvi.

Next, we'll go to two two-and-a-half-minute rounds.

We'll begin with Mr. Brunelle-Duceppe for two and a half minutes.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

To obtain authorization, NGOs must submit an application to Global Affairs Canada. Is that right?

Hon. Marco Mendicino: They must submit an application to the Department of Foreign Affairs or to our colleagues in the Department of Immigration.

Mr. Alexis Brunelle-Duceppe: So there's no one-stop shop. It's one department or another. NGOs related to immigration go to IRCC, and they expect the two departments to coordinate the process between them from then on.

I believe an additional response could be provided.

Hon. Marco Mendicino: I will turn the question over to my colleague, because I believe there is a technical response. There is a single gateway on the website.

• (1630)

Mr. Alexis Brunelle-Duceppe: Yes, that's what I'd like to know. That's precisely my question. It says there are two gateways, but you say there's only one.

Mr. Sébastien Aubertin-Giguère (Assistant Deputy Minister, Department of Public Safety and Emergency Preparedness): We will create a one-stop shop.

Mr. Alexis Brunelle-Duceppe: Perfect.

Mr. Sébastien Aubertin-Giguère: Based on the field of activity, the application will be referred to one department or the other.

Mr. Alexis Brunelle-Duceppe: To sum up, applications are submitted to Global Affairs Canada, right?

Mr. Sébastien Aubertin-Giguère: There will be a Government of Canada portal.

Mr. Alexis Brunelle-Duceppe: There will be a government portal, and then applications will be referred either to IRCC or Global Affairs. Then the Department of Public Safety will need to authorize everything.

So who oversees processing?

Mr. Sébastien Aubertin-Giguère: Overall responsibility for the program will fall to the Department of Public Safety.

Mr. Alexis Brunelle-Duceppe: Perfect.

However, if the gateway is not at the Department of Public Safety—it was at IRCC earlier—other departments will initiate the process without the oversight of the Department of Public Safety.

Hon. Marco Mendicino: The final decision is made by the Department of Public Safety, which is notified of applications by Global Affairs Canada or IRCC.

Mr. Alexis Brunelle-Duceppe: You see, it was a simple question and we are having trouble understanding the answer. Imagine how reassured NGOs are when hearing you right now. It was not a complicated question, yet it was difficult to answer. NGOs have seen different departments talking, and you took 15 months to draft an 82-page legislative document, when everyone knew how urgent it was to act.

Do you think NGOs feel safe in your hands? They must be wondering how long it will take for their requests to be processed.

There are crisis situations, Minister, where humanitarian aid has to get on the ground within hours. That is what is happening. Yet it is difficult to answer a simple question. There may be a problem there.

Hon. Marco Mendicino: I'm a little more optimistic than you are, as an efficient process will follow the passage of the bill, which I hope will be as soon as possible. We're going to continue.

Mr. Alexis Brunelle-Duceppe: Thank you.

[English]

The Chair: Thank you.

Next, we'll go to Ms. McPherson for two and a half minutes.

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

One of the things that we're losing track of with this conversation is that we're looking at this within the context of Afghanistan. Of course, Afghanistan was where this became very apparent, but this legislation that you've put forward will have implications as far-reaching as Gaza, Nigeria, Mali, the CAR, Syria, all of these different countries. This is a massive legislation change for the international development sector, for the humanitarian sector.

I'm not certain, listening to some of the questions I've heard from your colleagues, that they understand that this is not about the aid that you've provided to Afghanistan. This is about changing the way that international and humanitarian organizations are allowed to work in this space.

I have to follow up on what my colleague, Mr. Brunelle-Duceppe, has said.

At this point, this government—Global Affairs Canada—is unable, most often, to meet its obligations in terms of decision-making on funding announcements and refugee status. This government is not good at making timely decisions. Humanitarian crises happen in places where timely decisions are vitally important.

I would also point out that failing to recognize the urgency of that means that Canadian organizations can't be there; they can't be on the ground doing the work we need them to do.

How can we trust that if this is going through.... With all due respect, Minister, I spoke to you. I spoke to Minister Lametti. I spoke to Minister Sajjan. Nobody took ownership of this for 18 months.

How on earth can I go to the sector, go to representatives from MSF, from World Vision, from so many of the amazing organizations working in this space, and say, "Don't worry. They've never gotten it right, but they're going to get it right this time"?

Hon. Marco Mendicino: We've been engaging with many of those organizations, including the Canadian Red Cross, World Vision and many others.

I assure you that everybody at this table and the ministries that are represented here completely share the concerns you have expressed around urgency—

Ms. Heather McPherson: I don't want you to share my concerns. I want you to make the law better.

Hon. Marco Mendicino: Mr. Chair, through you to my colleague, Ms. McPherson, we are going to get this law passed. We want to make sure we are responding to the questions you have raised. Once we do that, our commitment is to provide clear guidelines and to support the organizations so that we have in place a system that will get aid to the people who need it as quickly as possible.

• (1635)

Ms. Heather McPherson: Do you worry that this will disproportionately hurt small and medium diaspora organizations that won't have the capacity to go through the hoops that you've now set up?

Hon. Marco Mendicino: No, because we will work with them as well. We will do so in a way that is impartial and neutral.

Ms. McPherson, you know me. I have an open-door policy. If there are organizations we need to reach out to, we will roll up our sleeves; we will do the work, and we will get this aid to them as quickly as possible.

Ms. Heather McPherson: With all due respect, you're not always going to be the minister.

Hon. Marco Mendicino: Let's hope for some time yet.

The Chair: Thank you, Ms. McPherson.

I want to thank Minister Mendicino for taking the time to explain and answer questions on Bill C-41.

I'm going to ask the representatives from the department to stay back.

We'll suspend for a few minutes.

• (1635) _____ (Pause) _____

• (1640)

The Chair: In the interests of time, we'll begin again, and we'll continue from where we left off with our very able and capable representatives from several ministries, from Public Safety, the Department of Justice and IRCC.

We'll begin with our first round of questions, with Mr. Genuis for six minutes.

Mr. Genuis, the floor is yours.

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

I'm going to follow up on some of the same questions I asked the minister, and I hope we can get some answers—some more technical information, I guess.

On the timeline of an application, let's pick a hypothetical application. Let's say it comes from an organization that is an established partner of the Government of Canada that you've worked with in the past, which is applying to run an agricultural project in Afghanistan. What's a ballpark reasonable amount of time for that application to be turned around?

Mr. Sébastien Aubertin-Giguère: Well, that's a hypothetical question, but we're not in a position at this point to establish service standards, because the time it would take to process the application will be relative to the nature of the activities they're going to be performing, the complexity—

Mr. Garnett Genuis: Sorry, I'm going to jump in.

Come on. I mean, of course it's a hypothetical question, but we're being asked to pass legislation that would create a regime that would involve timelines, and the effectiveness of that regime is dependent on what those timelines would be and whether they are reasonable, so I'd like you to do a bit better than that.

Ms. Jennifer Loten (Director General, Bureau for International Crime and Terrorism, Department of Foreign Affairs, Trade and Development): Let me say we share the interest in getting these things done quickly. Speaking from a Global Affairs perspective, our goal is to get as much assistance on the ground as quickly as possible, so—

• (1645)

Mr. Garnett Genuis: Yes, but I want you to quantify “quickly”. What would “quickly” look like, and what would “not quickly” look like?

Ms. Jennifer Loten: “Not quickly” would be six months; that's not quick.

Mr. Garnett Genuis: What would “quick” look like?

Ms. Jennifer Loten: “Quickly” is hard to say, because—again, I appreciate your indulgence, and I'm not trying to be evasive here—the legislation is not complete, and things may change.

Where we have low-hanging fruit—so the big organizations you refer to—I'd like to think that to a large degree, from a Global Affairs perspective, the work is already in the bag. We know these are organizations that can control their funds, and we know a lot about how they operate, so passing it along from Global Affairs will be a relatively easy thing.

I will also say that as we watch this move through the department—

Mr. Garnett Genuis: Again, though, you say “relatively easy”, so we're hoping that from the time this legislation comes into force, you could get a bunch of exemptions passed within a month.

Ms. Jennifer Loten: In order to do that, we're working on preapprovals—preapproval packages—so that when it does get passed, we're able to move very quickly to rubber-stamping them and saying, “Yes, move on to the next phase.” That happens at Public Safety.

Mr. Garnett Genuis: What about an organization that does development work, has charitable status, is recognized by CRA as a charitable organization, but has not or does not receive government funding because it's not at a scale to do that? What would be “quickly” or “not quickly” from the perspective of that smaller charitable organization?

Ms. Jennifer Loten: If we're starting from scratch, if this is an organization that the Government of Canada has not worked with before, we would require a lot of the same information that we gather from normal project approval processes. There's no additional requirement for this authorization regime than what an organization would normally provide for project approval, so they would provide that, and we would be looking at those conditions.

I will say that I appreciate the concern about smaller organizations, but we're talking about projects that will operate in parts of the world that those kinds of organizations are much less likely to be equipped to operate in.

Mr. Garnett Genuis: I don't know if that's always true. I think larger organizations—

Ms. Jennifer Loten: That's fair enough. It's not always true.

Mr. Garnett Genuis: —might be working everywhere in the world, but a small organization might have a particular geographic focus. You might have an Afghan Canadian organization that's working only on development in Afghanistan, so it's much smaller, but it's still working in Afghanistan, and it wants to work in Afghanistan.

You said that six months is “not quickly”, but that “quickly” depends. What would “not quickly” or “quickly” look like for that small organization? They have charitable status, so they're known to the government in that sense, but they are not a funding partner.

Ms. Jennifer Loten: Again, it's very difficult to provide a figure at this point. I'd like to be able to do that, but until we have the final product—what Parliament decides this legislation needs to look at—it's very difficult to say.

Mr. Garnett Genuis: What kinds of amendments could we propose that would make the final product facilitate a quicker turnaround time?

Ms. Jennifer Loten: Well, I think that's up to you. I don't pre-suppose to know where Parliament wants to go with this.

Mr. Garnett Genuis: No, no, tell us. If I want to propose the amendment that is going to make the legislation as quick as possible, what amendment should I propose?

Ms. Jennifer Loten: It depends on what the barrier is. We're looking at a wide range of applications, and I don't think there's a single amendment that's going to make this thing lightning fast. I will say that at this—

Mr. Garnett Genuis: Yes, this is frustrating, because you guys are the experts. Am I right? We're just lowly members of Parliament. We're asking you to provide us with some explanation of how this regime is going to work. You're telling us that it depends on all these factors, but you can't tell us which factors it depends on.

We're not getting much specific information here. We're going to be amending this legislation next week in some form, so we would like to know what we can put in the legislation that will guarantee rapid timelines for turnaround.

Ms. Jennifer Loten: I would like to see that, too: a rapid and efficient process. The reason I hesitate to provide an actual date—and I think my colleagues would agree—is that we're looking at different things from smaller organizations and bigger organizations. The kinds of things that would facilitate rapid approval are already in there. We're certainly not talking about a process that I expect will take a long time.

Mr. Garnett Genuis: However, you can't tell us whether there is an estimated timeline. You have estimated timelines for immigration. You have them for passports. You don't always meet them, to be fair, but there are standards of service out there for other kinds of things.

From my perspective, you didn't have to create this red tape-intensive process. You could have put forward legislation that generally recognizes a humanitarian exemption without an authorization regime, but you chose to go this route and we have the legislation we have.

Can you bring forward, in writing, subsequently estimated timelines and proposals for amendments that will allow us to move things along more expeditiously? Can you have those in writing this week, prior to our amendment deadline?

• (1650)

Ms. Jennifer Loten: I don't think so—not from us.

What we have put in front of you is a package that says, “This is what the legislation looks like.” What we can do is work on regulations and ways to expedite this once we have the full package. The measures you mentioned before are based on legislation that's finalized and exists. We can then, as public servants, create a process to implement.

What we've proposed represents the best solution to provide an expedited solution. Again, I regret that it appears as if I'm hesitating to tell you a deadline, but I think I'd be providing false information if I were to say, “It's going to take 24 hours,” or, “It's going to take a week.” We're going to make this happen as quickly as we can, based on—

Mr. Garnett Genuis: I'm not looking for either false information or no information. I'm looking for the answers. I hope we can get some kind of follow-up before Thursday, when we need to submit amendments in writing. We're on a tight timeline. There's a—

The Chair: Mr. Genuis, you're well past a minute over.

Ms. Dhillon, it's over to you for six minutes.

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

I'll continue with Ms. Loten.

How does the proposed approach in the legislation differ from the approaches taken in other countries, like the U.S. and the U.K.?

Ms. Jennifer Loten: I can start that answer off, then defer to my colleagues from Justice.

The first thing to keep in mind is that this is based on Canadian legislation. Immediately, it's going to be different from what our allies do.

I would also say the legislation we're proposing is based on creating an enabling environment within Canadian law, so organizations can operate. Right now, they are prevented from doing so wherever there is a terrorist organization in control. This will allow that activity to take place. Again, it's based on Canadian law. It's not based on the legal frameworks at play among our allies, which have, for example, a different definition of “terrorism” or “terrorist organization” and a different means of controlling access by terrorist groups to financing within their legal frameworks.

Now, I'll defer to Justice. They may have more to say about how it's different.

Mr. Robert Brookfield (Director General and Senior General Counsel, Criminal Law Policy Section, Department of Justice):

I'll just say very briefly that other countries often have a conflation or difference between their sanctions and their criminal code regimes, so it's sometimes hard to compare. Notably, the United States Office of Foreign Assets Control, for many years, has had a lot of flexibility in interpreting its sanctions and criminal code provisions. For example, I understand Australia has interpreted its United Nations Act to implement its terrorism provisions. It therefore has flexibility, as we do under our United Nations Act.

I would say that the administrative and legal context in each country is different. The European Union has directives or regulations that then are implemented in member states' domestic law, all of which is to say that it's hard to do a direct comparison. Some countries have been more generous, sometimes to effectively do so through regulation that could be taken away, like the United States, which regularly issues and then removes regulations or directives related to its authorities. Other countries, such as New Zealand, have been a bit more crude, if you will, with just a general legislative carve-out.

Ms. Anju Dhillon: Thank you so much.

We've been speaking about terrorism as well. It's a huge concern. Could you tell the committee whether this would undermine our ability to combat terrorism in Canada and around the world?

The question is for anybody.

Mr. Sébastien Aubertin-Giguère: This legislation provides additional tools to allow us to better control the flow of money to potential terrorist organizations. It does not create new positive obligations, but it does create a regime—a mechanism by which these organizations can operate in complex situations across the world, where it is known there's a risk of money flowing to terrorist organizations. It's making sure we have better controls and oversight in order to know how the money is flowing, and also to help them by creating the right control mechanisms so they can operate in these regions.

Overall, it's a very positive impact on the fight against terrorism.

Ms. Anju Dhillon: Can you tell us that this proposed legislation won't cause unnecessary red tape? We need to help people around the world who are suffering. Can your department ensure that this does not become a burdensome process for these organizations? How can we ensure that there is expeditious processing of requests at the GAC and IRCC levels as well?

Mr. Sébastien Aubertin-Giguère: We're quite aware of the needs behind each and every application. The government has also provided funding in the budget to augment the resources and to dedicate to this new mechanism that's going to be in place. Obviously, the whole system will be geared up for an expedited process.

• (1655)

Ms. Anju Dhillon: I also understand that a Bill C-41 charter statement was tabled on March 21 and is available on the Department of Justice website. Can you please confirm that?

Mr. Robert Brookfield: I apologize. I should know that, but I will confirm that and get back to the committee. Yes, it should be there.

Ms. Anju Dhillon: Thank you so much.

I have another question, for Mr. Aubertin-Giguère. Can you tell us, please, the difference between a terrorist entity and a terrorist group, and the rationale for the distinction?

Mr. Sébastien Aubertin-Giguère: A listed entity is an organization that's been through a rigorous process of examination and has now met a certain legal threshold, whereas with a terrorist group organization, one of its activities is to support terrorist activities, which is also explained in the Criminal Code.

The reason for having both designations in the legislation is to allow us to have the flexibility to make sure that we are not reliant on only a master list but have the flexibility to evolve as the situation on the ground evolves and to make sure that we're adequately protecting against the risk of terrorist violence.

I don't know if Justice wants to add to that.

Mr. Robert Brookfield: As a technical point, I would note that at issue is 83.03(b), which prohibits providing information to a terrorist group. A terrorist group then includes both listed and unlisted terrorist groups.

The goal of Bill C-41 is to allow entities or organizations, if they wish to apply to be exempted from potential criminal liability from that provision, to seek an exemption. There is authorization, and that would apply to any group they are concerned that they might be dealing with, whether listed or unlisted.

Ms. Anju Dhillon: Thank you so much.

The Chair: Thank you, Ms. Dhillon.

We'll next go to Monsieur Brunelle-Duceppe for six minutes.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

I thank our witnesses.

This meeting is extremely important, today. We need answers. As my colleague was saying, we have to vote as parliamentarians on a piece of legislation. We need to have all the information we need to make amendments or not and to vote. Right now, the missing data that NGOs are most concerned about is how long it will take to get this permit.

We are not here to embarrass you or pressure you. That is absolutely not the case. We are here because we need to form an opinion and understand how we are going to have to work on this bill and

what amendments we will have to make. As I said, the main concern for NGOs is how it's going to work administratively and how long it's going to take. So that's very important to us.

Can you tell us how long it will take for an organization to get the ultimate approval from the Department of Public Safety to be able to work on the ground?

Mr. Sébastien Aubertin-Giguère: I think we've been over this a few times.

Mr. Alexis Brunelle-Duceppe: No, we have not received an answer.

Mr. Sébastien Aubertin-Giguère: I think we've given you all the possible answers to that question.

The bill is on the table, but we have not yet received all the amendments. So we don't have a clear picture of the entire bill yet. Furthermore, we have put on the table what we thought would make the bill most effective and adequate considering the reality. Therefore, we are not in a position to make amendments or propose things to put on the chopping block.

The other element will be administrative efficiency—that is, the ability of the government to organize an efficient administration regime. That's an element for which we have received specific funding. We're also going to make sure that we create the most efficient operational system possible. However, at this point, we are not able to quantify exactly—

Mr. Alexis Brunelle-Duceppe: So we're going to have to wrap our minds around it, but I understand. As I said, it's not at all a question to put anyone on the spot; rather, it's for us to gain some understanding.

I posed the question to all the ministers. They all said it was really complicated and complex, and that's why it took time to come up with Bill C-41. That means there were other options on the table. If this bill had been the only option, it would have been written a long time ago and we would not have waited all this time.

You participated in those conversations. What other options did different departments put on the table to tackle the problem?

Mr. Sébastien Aubertin-Giguère: I will let the Department of Justice describe all the options, but it's clear that we reviewed everything the allies did and the issue of exclusion. However, considering the current legal regime in Canada, the conclusion was that it was the most appropriate option.

• (1700)

Mr. Robert Brookfield: I'm obviously not in a position to speak to what Cabinet discussed, but parliamentary committees heard other options. Specifically, there was talk about a broader exception for humanitarian assistance and the subjects to cover. That idea was put on the table. There were several academics who argued that nothing was necessary and that there were other non-legislative options to put forward.

I can therefore say that there were several options, including those suggested to the government by the public. In the end, the government had to choose between the selected option and a very broad and flexible exception. However, there was no assurance for the individuals applying or for third parties, such as a financial institution, to know if they were exempt from the legislation or if they had to stay with what is currently in place. That means taking into account the risk of criminal prosecution, including whether or not there have been any prosecutions to date.

Mr. Alexis Brunelle-Duceppe: The committee is aware that, on a geopolitical level—we don't hope for it, but we see it all the same; we aren't out to lunch—there is an increasing chance that things won't go well, and that more and more territories will be controlled by terrorist entities all over the world. At the same time, it's all multiplied by the effects of climate change. Natural disasters will happen more and more often. So, x multiplied by y equals a lot of humanitarian crises.

Let's take an example that's hypothetical, but could happen in everyday life.

If there were an earthquake tomorrow morning in a territory controlled by a terrorist entity, it would be important for humanitarian aid organizations to get on the ground within the following hours. Does the current legislation in Canada allow them to obtain that kind of authorization? It's what the committee wants to know.

Ms. Jennifer Loten: I would like to say yes, and that is our intention.

It's also important to note that, during the months when the Taliban controlled Afghanistan, we did not stop Canadian humanitarian aid arriving on the ground. We worked through United Nations organizations and other international organizations. We continued to work with them.

I hope we will be able to do the same in emergencies that come up around the world.

Mr. Alexis Brunelle-Duceppe: With all due respect, there are currently Canadian organizations that may have more expertise in certain territories. I think that was rather clear. The same thing was said earlier.

We parliamentarians will be voting on this bill. We therefore have to make sure it meshes with our NGO friends, who know the field better than anyone else. As parliamentarians, we have a responsibility to ensure that they succeed in deploying quickly to the field.

That being said, I have asked this question of several ministers and I've never received an answer. I hope to get one from you. Since everyone knows the problem, how come it took over 15 months before coming up with this bill?

You were involved in those conversations. The Minister of Public Safety said there was a sense of urgency. Were there enough meetings? How often did you meet? Without revealing the content of those conversations, are you able to give me an answer?

[English]

The Chair: Be very brief.

[Translation]

Mr. Sébastien Aubertin-Giguère: I can assure you that government representatives worked very intensively throughout the entire process.

Mr. Alexis Brunelle-Duceppe: Can you give the committee the exact number of meetings you had on the subject since February 2022?

Mr. Sébastien Aubertin-Giguère: I don't have those details with me, but...

Mr. Alexis Brunelle-Duceppe: Is it possible to provide them to the committee after the meeting? Thank you.

Mr. Sébastien Aubertin-Giguère: We will do what we can to send you an answer on that.

[English]

The Chair: If you can provide that afterwards, that would be appreciated.

Next we'll go to Ms. McPherson for six minutes.

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

I thank you all for being here today and for answering our questions.

You have spoken about how this decision was made based on information that you received when you liaised with the humanitarian sector. Could you provide this committee with a list of the organizations that asked for this process instead of a humanitarian carve-out? If you could provide a list of the organizations that didn't want a humanitarian carve-out but wanted this onerous task instead, that would be great.

I also have some questions about timing. I understand that you can't answer the questions with exactness on this, but I just very quickly texted a friend I know who works in the sector. She put in a proposal for grant funding in May 2022 and has now been told that it will be many months before she receives a decision.

I don't blame anyone at Global Affairs Canada. They are underfunded. They are under-resourced and they are overworked. That has been happening for some time. The 15% cut to our ODA is not going to help that situation, but I will say that it does make me very concerned that we don't have the capacity within government to do this in a timely fashion. This is a problem.

Ms. Loten, you said in your testimony that you would be asking for no additional information from organizations, so why are we doing this? If you're not going to get any additional information, why on earth do we need to go through this process?

It's a rhetorical question, obviously, but you can hear from my tone that I don't really see why it makes much sense to take the exact information that you already gather and use it to process something.... I think, more importantly, one of the things I'm most concerned with is that humanitarian organizations, humanitarians and people working in the field of humanitarian care are already protected under international humanitarian law. We have a legal framework there, so we were already making them prove they weren't criminals with our anti-terrorism legislation. This is making them prove it again. It doesn't make any sense. This legislation doesn't make any sense.

When you add to the fact that it doesn't make sense the fact that you're not getting any more information than you already gather and that we're looking at a situation in which you're asking three ministers to be involved—a situation in which we can't get things through the door when there's one minister involved, and now there are going to be three ministers involved—how on earth would this even work? It's just not possible.

Listen. I'm going to be bringing forward some amendments. I'm not asking you questions, because I don't think I'm going to get an answer I'm going to like.

The amendments that I'm going to be bringing forward are going to be to change the wording of “terrorist group” to “listed entity”. They are going to provide clarity to humanitarian organizations. There will be an amendment requiring the public safety minister to identify and publish the geographical areas that are controlled by listed entities, an amendment that changes the 180 days to 30 days or eliminates the period entirely, and an amendment to ensure that legislation applies to Canadian citizens, permanent residents and visa holders.

Are you open to these amendments? Will you support amendments like these, which would strengthen this legislation?

• (1705)

Ms. Jennifer Loten: I'd like to start by saying that you raised excellent points. You already know that; I don't have to say it. We share those concerns, and the way this has been designed so far, I hope, addresses a lot of these things.

I'll take one at a time. On the issue about publishing a list of terrorist-controlled organizations, obviously, from a diplomatic perspective, that's incredibly difficult to do. It's also very likely that the governments that are listed in a list like that would object, and it doesn't serve any useful purpose.

As far as listing—

Ms. Heather McPherson: Yet we're going to ask the organizations to—

Ms. Jennifer Loten: We're asking them to seek protection from criminal liability from the Canadian Criminal Code, and that's the other point that I'd like to raise.

You mentioned that there's already protection that exists under international law. As far as humanitarian assistance is concerned and as far as UN international law is concerned, the Canadian Criminal Code—and we can't get around this—criminalizes any activity that might provide a benefit to a terrorist organization—

Ms. Heather McPherson: Unless you did a humanitarian carve-out....

Ms. Jennifer Loten: We aren't able to do that, though, without limiting the kinds of activities that would be subject to that legal provision, so even if you're not doing.... For example, we did a lot of work on education in Afghanistan. That's not protected under the humanitarian carve-out, so if a Canadian organization were to continue to engage in that activity, it would still be liable—criminally liable—within Canadian law, and we want to avoid that.

We want to be able to continue to do things that exceed what would normally be considered humanitarian assistance, and we don't want to presuppose where this kind of situation may go 10 years down the line, so we're trying to make this broad and flexible. I know it seems like it's complicated and unnecessary, but as to the point about information that we already have, we have that for organizations that the Government of Canada already funds, but we don't have it for organizations that are operating on their own behalf.

It is not our intention, it is not our job, and it is not our mandate to control what Canadian organizations do, but as the Government of Canada we have to make sure that none of those activities contravene elements of the Canadian Criminal Code that have nothing to do with humanitarian assistance.

That's where I think we're trying to make this open-ended and broad. I totally understand that looking at this from the outside, it seems like we're adding layers of complication—

Ms. Heather McPherson: To be perfectly honest, I'm not looking at it from the outside; I'm speaking to the experts within the field who are doing this important work. In fact, I would say that perhaps you're looking at it from the outside.

Realistically, we see that other countries—and I know you've used the United States as an example—with very similar legal systems to ours have chosen a humanitarian carve-out. That is very, very possible for Canada to do, and we could carve out for development organizations as well.

It's a choice you have made, directing the government, to make this very, very onerous. I'm not certain it will adhere to international humanitarian law. There will be a point at which the government will have to defend itself, and I don't think it's defensible, which makes it very difficult for all of us, as parliamentarians, to vote for legislation.

It's the same situation that I was talking about to the minister. You've put us in a situation whereby, 18 months into a crisis, with millions of people's lives at risk, we either take broken legislation that won't do what we need it to do, or we let people continue to starve. That is an untenable place to put any parliamentarian. It's obscene.

• (1710)

Ms. Jennifer Loten: Well, right, and with all due respect, we have continued to provide humanitarian assistance throughout....

I will defer to my Justice colleagues on whether or not this matches international law. What this provides is an enabling function for Canadian organizations, to allow them to operate where otherwise they would violate the Canadian Criminal Code. There's no denying that. It's not an option. That's a piece of Canadian law, and we have to address it as a reality. What we collect from organizations is the information we will use. We need additional information from organizations that we don't fund.

Again, we are as committed as you are to making this as streamlined an operation as possible.

Ms. Heather McPherson: Then make it [*Inaudible—Editor*]

The Chair: Thank you, Ms. McPherson.

We'll next go to Mr. Van Popta for five minutes.

Mr. Tako Van Popta (Langley—Aldergrove, CPC): Thank you to all of the witnesses for being here—all experts in their field.

We're talking about Bill C-41, which would open the door for humanitarian aid by Canadian organizations that are otherwise prohibited from doing work in certain areas of the world on account of Canada's strict anti-terrorist laws.

Now, generally we agree with that. However, as you heard from a number of the questioners, there is deep concern about the government's apparent slow reaction to a crisis, particularly in Afghanistan.

I'm looking at the report of the special Afghan committee, which was issued some time in June 2022, and particularly at evidence by Michael Messenger on March 31, 2021. More than a year ago, this is what he had to say: "Based on external legal advice, our understanding is that the Minister of Public Safety could provide an exemption to the restrictive provisions through section 83.09 of the Criminal Code." That's existing legislation. He went on to say, "In fact, we believe he and his department have an urgent obligation to do so."

My question is, why wasn't section 83.09 used? Would it have been sufficient? Did World Vision even make an application for exemption at that time?

Mr. Robert Brookfield: Well, the short answer is that I'm not sure where that information came from, but it's not correct, unfortunately. The power in section 83.09, as my colleague can elaborate on if you'd like, is dealing with.... I'm just looking at it now to make sure I cite it correctly:

to carry out a specified activity or transaction that is prohibited by section 83.08

Section 83.08 is not the provision that is at issue with activities that are involved here. This is subsection 83.03(b), which is the area of concern. There is no power in the legislation presently to do that.

Mr. Glenn Gilmour (Counsel, Criminal Law Policy Section, Department of Justice): To add to what my colleague said—and, in fact, what my boss said—section 83.08 essentially freezes property owned or controlled by a terrorist group. It makes it essentially a crime for someone to deal in property that's owned or controlled by a terrorist group. Section 83.09 allows for the Minister of Public

Safety to authorize the release of property that has been frozen, subject to terms and conditions that the minister wishes to impose.

Here you're talking about a different situation. At this point in time, the property is not owned or controlled by the terrorist group; you're providing property that could go or would go to the terrorist group. Section 83.09 would simply have no application to the offense in what is currently subsection 83.03(b), which makes it a crime to provide property directly or indirectly, knowing that it will be used by or will benefit a terrorist group. It's a completely different situation.

Mr. Tako Van Popta: Thank you. That's a good answer.

There has been quite a bit of evidence about the process that has been proposed under Bill C-41. If my understanding is correct, it is that an applicant for an exemption would have to go first to the Minister of Foreign Affairs and/or the Minister of Immigration.

I'm not quite clear on what the process is. Why does it have to be that process, if ultimately the decision is going to be in the hands of the Minister of Public Safety? Why not go to the Minister of Public Safety immediately, to speed up the application process?

● (1715)

Ms. Jennifer Loten: In the application process, applications are presented to the Government of Canada. Depending on the nature of the activity that they're requesting an authorization for, it would be deferred to Global Affairs in the first instance, or to IRCC if it is about safe passage.

The reason is that Global Affairs and IRCC are better able to assess the preparedness of the organization and the validity of the application. It's entirely separate from the assessment that Public Safety will lead on, which has to do with national security.

It's a question of using the right tools within the Government of Canada's tool box to respond to the request that's being made by the entity in question. Hopefully, we can provide that answer very quickly for organizations that we know very well.

Ms. Selena Beattie (Director General, Policy and Outreach Branch, Afghanistan Sector, Department of Citizenship and Immigration): I would add also that this is a measure to streamline.

You would imagine that there would be a consultation by the Minister of Public Safety with the ministers of GAC and IRCC to get their perspectives. Having the application go first to those ministers eliminates one of the ping-pongs and is part of the streamlining in order to have a more efficient system.

Mr. Tako Van Popta: My next question would take a few minutes.

The Chair: Thank you, Mr. Van Popta. You're always very timely and efficient.

Next is Ms. Diab for five minutes.

Ms. Lena Metlege Diab (Halifax West, Lib.): Thank you very much, Mr. Chair.

Thank you to our witnesses for being here. It's not every day that we have such experts from so many different departments from the Government of Canada. We really value the expertise that you bring to the table.

This is quite complicated. We know from what the minister said that the bill is crucial to bring aid to the humanitarian crisis in Afghanistan. We also know that it's not just Afghanistan. There are many parts of the world that could and do require humanitarian aid.

We also know that we have to balance. Canada, in my opinion, is known very much for its international development and aid for countries around the world. We have to balance and mitigate the risk of potential terrorist groups—known and unknown. We know they exist everywhere.

This is all new to me. I didn't sit on any of the other committees that predated this.

There's been a lot of talk of the bill that is proposed before us versus another alternative that Ms. McPherson and perhaps others have talked about.

In as simple, non-legalese language as possible, can you explain the difference and explain how you believe you've arrived at the right mix?

I don't know who to ask. Perhaps I'll go to Public Safety first.

Mr. Sébastien Aubertin-Giguère: In very broad terms, what we're offering is a regime that offers the best balance between the need to protect against known terrorist financing and the degree of humanitarian assistance in development aid.

If we were to simplify to the extreme, having a humanitarian carve-out would not provide the full flexibility that this regime will offer, because it also includes developmental assistance and safe passage. To build all of these elements into a carve-out would be a risk for the Government of Canada that would be difficult to manage.

The balance of that is having the right controls in place, making sure that the organizations operating in that environment have the right protection against the potential criminal liability under the Criminal Code that exists right now, and making sure the government has the right assurance that the money will not be flowing to terrorist organizations.

Ms. Lena Metlege Diab: I'm going to ask about the marrying or the bringing together of the three departments here—IRCC, Global Affairs/Foreign Affairs and Public Safety—because it's not simply humanitarian aid. It could be allowing people to come. We've just welcomed 30,000 refugees from Afghanistan. We'll certainly welcome many others from other countries in the years ahead.

How do you intend to have these departments work together in order to facilitate that? Can you help us out in trying to understand that it's not really complicating the system by having all these departments intertwined in each other's business?

• (1720)

Ms. Jennifer Loten: I guess my quick answer to that would be that we work together all the time. The Government of Canada operates through a series of interdepartmental committees. They help

us to bring the expertise that we need to the table, when necessary, and to provide evidence-based and informed information up to ministers, who make decisions. It's not a new development at all. I can think of three within my own area, in counter-terrorism and crime, that depend entirely on interdepartmental collaboration. It works very smoothly.

Ms. Lena Metlege Diab: In deciding to grant an authorization, we heard that the Minister of Public Safety must consider any mitigating measures to minimize the risk of benefiting a terrorist group. Can you give me some examples, or terms or conditions of how that risk can be minimized?

Mr. Sébastien Aubertin-Giguère: There's a broad spectrum of mitigation. One of them could be the frequency of controls. Another one could be some transparency in the flow of monies. It could be limiting the operational area where they will be deployed. There is actually quite a long list.

Ms. Lena Metlege Diab: Would anyone else from any of the other departments like to add anything on any of the questions I've asked to help shape a bit more this discussion around the table, as we come near to our hour?

We're actually out of time. Thank you very much. It's much appreciated.

The Chair: Thank you, Ms. Diab.

We'll next go, for our last round of two and a half minutes, to Monsieur Brunelle-Duceppe, and then Ms. McPherson.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

As I don't have a great deal of time available to me, I will ask more technical questions.

Under Bill C-41, it's up to the Department of Foreign Affairs or the Department of Citizenship and Immigration to determine if "that activity responds to a real and important need in that geographic area" under the control of a terrorist group. It will also be up to them to determine if "the applicant is capable of administering funds, and reporting on that administration, in a manner that is transparent and accountable".

Personally, I want to know which criteria will be used to determine if objectives are being met.

Ms. Jennifer Loten: I want to say that, first of all, that's completely normal. All projects supported by Global Affairs Canada must meet those criteria. The capacity to administer funds and report on them is a completely normal criteria. Nothing has changed.

In the case of other criteria, Public Safety Canada will conduct a follow-up.

Mr. Alexis Brunelle-Duceppe: That's what I wanted to raise. Indeed, it's normal, except that in the bill, the government also noted that any other requirement outlined in the regulations could be imposed on NGOs.

Which additional requirements do you think will be outlined in the regulations?

It's not clear right now. It's important for NGOs to know what they are, but we don't have them, for the time being.

Mr. Sébastien Aubertin-Giguère: Yes, but the regulatory process will follow passage of the bill and be established in collaboration with organizations that work on the ground. The goal is to make sure that the content of the regulations line up with real situations experienced by the organizations.

We don't yet have all the details on what we're going to include in the regulations, but work is being done in that respect. In any case, the regulatory process will happen in collaboration with the organizations.

Mr. Alexis Brunelle-Duceppe: Do you mean the NGOs you consulted during drafting of the bill?

Mr. Sébastien Aubertin-Giguère: It will include those organizations.

Mr. Alexis Brunelle-Duceppe: Are you able to tell us if the bigger NGOs are being consulted right now?

Mr. Sébastien Aubertin-Giguère: No, we will have to send you the potential list of NGOs.

Mr. Alexis Brunelle-Duceppe: Will Doctors Without Borders be included in consultations? We got the impression that this organization was somewhat forgotten during drafting of the bill.

• (1725)

Ms. Jennifer Loten: Yes, that organization plays a role in it and will be consulted.

Furthermore, I'd like to highlight that regulations are not normally part of the bill.

[English]

It's another layer of activity.

[Translation]

It is therefore completely normal for it to be worked out after passage of the bill.

Mr. Alexis Brunelle-Duceppe: That said, you must already have some potential solutions.

Ms. Jennifer Loten: We are working on it.

[English]

The Chair: Unfortunately, Mr. Brunelle-Duceppe, your time is up.

We have Ms. McPherson for two and a half minutes.

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

I said to Minister Mendicino and I'll say to this group as well that I recognize the job you're trying to do and the balance you're trying to strike, and it is my belief that the balance you've struck is wrong. I say this knowing that all opposition parties believe it, so of course we will be bringing forward amendments to try to fix this legislation. As you've heard from colleagues from all three opposition parties, we feel that this balance is wrong. You've brought forward leg-

islation that will in fact hurt our humanitarian actors, the actors that I think all of us should be doing everything we can to support.

If we bring forward an amendment for a humanitarian carve-out for those organizations that are strictly working in the humanitarian sector, that are strictly under the IHL, would you recommend that the government accept that amendment?

Ms. Jennifer Loten: My view is that it would limit the legislation. A humanitarian carve-out prevents different kinds of activities that we want to make sure would be covered, so I think it would be unlikely, but again, that's not my decision. My view is that the shape we've given to the proposal in front of you provides the most flexibility and prevents us from having to come back to this table a few years down the line when the situation evolves to redo the amendment. We want it to be as broad and inclusive as possible, and that's why an exclusive carve-out, to me, speaking entirely personally, isn't the best way forward.

Ms. Heather McPherson: The humanitarian carve-out would ensure that organizations that are just doing humanitarian work would be able to work faster and be more efficient in a system where we know—because experience has shown us time and time again—the government is not good at moving quickly. We don't have trust in the government to do those things, for very good reasons, I think we can all agree.

That humanitarian carve-out would let our humanitarian organizations get on the ground and help people in the minutes, hours and days after a humanitarian crisis, where it's necessary, and the legislation would still be in place to meet the balance that you seem to think is necessary with regard to international development activities like education and longer-term projects. One would think that this would meet both your needs and the needs of the humanitarian organizations.

Ms. Jennifer Loten: I guess that speed being provided to humanitarian organizations is what we hope is already contained. It does not change anything if we include broader categories.

Ms. Heather McPherson: Then why would we have it?

Ms. Jennifer Loten: I would ask, why not have the other categories?

The Chair: I want to thank everyone. That concludes our round of questions.

Thank you to all the witnesses.

I have just two items of business left.

There is a motion for a deadline to submit amendments for the purpose of the clause-by-clause study of Bill C-41, an act to amend the Criminal Code and make consequential amendments to other acts. It is "that...the deadline to submit amendments be Thursday, April 20, at 5 p.m."

Is there someone proposing the motion?

Mr. Garnett Genuis: Chair, can I just confirm? Obviously it makes sense for us to give notice of amendments as much as possible, but my understanding of the rules is that if there are discussions that happen over the weekend, we're still able to bring amendments of which notice has not been given or to propose some amendments on the floor as well.

The Chair: Well, I think that by Thursday, April 20, that's sufficient—

Mr. Garnett Genuis: My understanding of the rules, though, is that it's required for getting into the amendment package for distribution, but that we will still have the opportunity to move amendments on the floor.

The Chair: Yes, of course.

Mr. Garnett Genuis: We're going to get in all our amendments in advance if we can, but there may be discussions that happen among parties over the weekend, and we're on a tight timeline here.

The Chair: That's fine.

Mr. Garnett Genuis: Okay. With that understanding, then, that's great.

The Chair: Is everyone okay with the motion?

Some hon. members: Agreed.

The Chair: The next motion is:

That in relation with the committee's study of Bill C-41, an act to amend the Criminal Code and to make consequential amendments to other acts, the draft budget to the amount of \$2,750 be adopted.

Is anyone proposing the motion?

An hon. member: I so move.

The Chair: Thank you. Are you all okay with it?

Some hon. members: Agreed.

The Chair: Thank you. That concludes the meeting. Have a good evening. See you all on Wednesday.

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