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Chair

Mr. Kevin Sorenson

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• (1540)

[English]

The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)): Order, please.

Good afternoon, ladies and gentlemen. This is meeting number 30 of the Standing Committee on Foreign Affairs and International Development, Wednesday, August 26, 2009. I remind all members of our committee that we are televised today, so I would ask, members, that you turn off your cell phones. There will be much less chance then to be interrupted in our deliberations.

Today we're studying the treatment of Canadian citizens abroad. In our first hour we will hear from witnesses from the Department of Foreign Affairs: Leonard Edwards, Deputy Minister—welcome—and also Gerald Cossette, chief executive officer in the passport office. Also from the Department of Foreign Affairs and International Trade, we have Lillian Thomsen, director general of the executive services bureau. From the Canadian Border Services Agency, we have Luc Portelance, the executive vice-president.

We welcome you to our committee and we look forward to your comments.

We'll begin with Mr. Edwards.

Mr. Leonard Edwards (Deputy Minister of Foreign Affairs, Department of Foreign Affairs and International Trade): Thank you very much, Mr. Chairman. We appreciate the invitation to appear before the committee today to discuss the consular services provided to Canadians by the Government of Canada and, in my case certainly, by the Department of Foreign Affairs and International Trade.

[Translation]

Today I'm here with the department's Associate Deputy Minister, Mr. Gerald Cossette. He is not the Chief Executive Officer of the Passport Office, Mr. Chairman.

[English]

My problem. I apologize, Mr. Cossette.

[Translation]

I'm also here with Ms. Lillian Thomsen, Director General, Consular Policy and Advocacy.

Canada provides consular services around the world. The Government of Canada has an official presence in most independent states in the world and provides consular services at more than 260 locations around the planet.

[English]

In these places, we have 498 staff providing consular services abroad and in the department's consular services and emergency management branch at headquarters here in Ottawa. Our staff, who are made up of both locally engaged and Canadian-based people, are professionally trained and dedicated employees whose devotion to the service of their clients is exemplary.

We are supported by partners in providing consular services to Canadians. DFAIT is supported by other departments and agencies, including Passport Canada, which is within the department; the Canada Border Services Agency, represented here today by Mr. Portelance; the Department of National Defence; Citizenship and Immigration; the Public Health Agency of Canada; and the list goes on. It's through these partnerships, Mr. Chairman, that the Government of Canada provides support to Canadians abroad while working to protect citizens against potential security threats.

Our consular services are very busy. On an average day, we open 686 new consular cases, which may include distress situations such as medical emergencies, arrest and detention, child abduction, custody issues, and deaths abroad. Sadly, every day an average of six Canadians are arrested and two die abroad. In the implementation of our consular policies and the development of new policies, we compare notes frequently with a number of key western partners whose approach to issues of citizenship and so on are much the same as our own.

Consular services take many forms, but they belong essentially to two main categories. The first is prevention and education, and here the department helps Canadians to prepare for travel before they go. Second is assistance. The majority of trips go off without a hitch, but unfortunately, even with the best preparation, unforeseen events can occur and Canadians may need assistance from their government.

Canadians are travelling more and more. In 2007, which is the last year for which we have statistics from Statistics Canada, Canadians took close to 50 million international trips. That's about a trip and a half for every Canadian. In addition, an estimated 2.5 million of our fellow citizens live abroad, whether working, studying, or spending their retirement. At the same time, the world is becoming ever more complex, and for this reason, there's an increasing need for consular services. Over the last five years, Mr. Chairman, demand for our services has increased by 32%.

• (1545)

[Translation]

Since 9/11, concerns about security and terrorism have increased and governments around the world, including Canada, have imposed more stringent measures to protect their citizens and their national borders. Kidnappings have become much more common and identity theft has grown exponentially, both at home and abroad.

Canadians are increasingly travelling in a more dangerous world. The changing profile of Canadian travellers, increased travel to remote and dangerous destinations, the pursuit of business opportunities in areas of the world that are politically and economically of higher risk and the growing impact of extreme weather events and other natural disasters worldwide have had significant consequences for the consular program.

[English]

Canadians are undertaking types of travel that were virtually unheard of 10 years ago. These include exotic extreme adventure and ecotourism as well as voluntourism and, largely for an older demographic, medical tourism. More traditional forms of travelling, including all-inclusive vacations and cruises, have seen exponential growth. Young people are also travelling more than ever, studying, working, or touring abroad, often getting by on bare-bones budgets. If they run into difficulty in some remote outpost, they and their families may end up requiring consular help.

In a society built on immigration, a great number of our citizens maintain strong ties to the country of their birth and continue to visit regularly. However, as you know, in many countries the Canadian citizenship of dual nationals is not recognized, which may limit or completely prevent the ability of Canadian officials to provide consular services. Every globe-trotting Canadian is a potential consular client that the Government of Canada must have to serve efficiently and courteously.

Consular services begin before Canadians leave the country. The first rule of the department in providing consular services is to ensure that Canadians have all the information they need to make informed and responsible decisions. The role of Canadian travellers is to make sure that they use that information. We have a consular website, travel.gc.ca, and that's the first step to begin planning a trip. Our website, which receives more than 12,000 visits a day, offers country travel reports for over 200 countries. These reports give an overview of the security situation in a country, any official travel warnings advising against travel to the country or regions of that country, contact information for the nearest Canadian mission, and much more.

We work closely with the travel industry as well in Canada to ensure that our travel reports are used. The travel insurance industry, in fact, relies upon them to determine whether or not they will offer coverage to Canadian travellers.

We also distribute a wide variety of publications, including *Bon Voyage, But*, which is a primer on safe international travel that is included in every new passport mailed out. Our department, in partnership with the Public Health Agency of Canada, recently released an informative new travel health booklet entitled *Well on*

Your Way. On an average day, we distribute roughly 11,000 safe travel publications.

Information and help is only a phone call away. Canadians outside of Canada can call our emergency operations centre, which is staffed 24 hours a day, seven days a week, by trained, knowledgeable, and resourceful officers. In fact, Mr. Chairman, the United Kingdom is currently looking at this centre as something they are thinking of putting into their system. The centre handles more than 500 calls a day.

Canadians can inform us of their travel plans by registering online via our Registration of Canadians Abroad, our ROCA service, thereby enabling us to contact and assist them in an emergency or inform them of a family emergency at home. More than 100 Canadians register with us every day.

[Translation]

The department provides routine consular services abroad through consular officers and locally-engaged staff. Routine services include, among others: incidents of loss and theft, citizenship applications and inquiries on behalf of Citizenship and Immigration Canada and passport services on behalf of Passport Canada.

We are also faced increasingly with large-scale consular crises, be they acts of terrorism or natural disasters, such as hurricanes in the Caribbean, typhoons in Asia, and catastrophic fires in Athens, to name a few.

• (1550)

[English]

We provide emergency assistance and repatriation to Canadians whenever needed. In the past year, some 1,600 Canadians received assistance in more than 26 separate crises or emergency situations, including terrorists attacks in Mumbai, airport closures in Bangkok, and the evacuation of some 80 Canadians from Gaza.

Let me say, Mr. Chairman, for the purposes of the committee, that the list of services we provide is available to Canadians on our website. Members of the committee can consult the website if they wish to see the services that are on offer.

Last year, DFAIT spent \$76.6 million on consular services, an increase of 6% over the previous year. This growing demand for consular services was recognized by the government in budget 2008, which provided an additional \$18 million a year in funding to the department to better cope with this demand that I've been describing and to enable the government to reach out to more Canadians in order to ensure that they are well prepared before they leave Canada.

Mr. Chairman, in conclusion, of the hundreds of thousands of cases that we handle annually, a few are particularly complex. Some of these, but by no means all, come to receive widespread public attention through the media. Each of these cases is unique. I know that members of this committee are interested in them.

The government wishes to be as transparent as possible to ensure that all relevant information regarding these cases is made public. However, a number of considerations must be taken into account.

First of all, any personal information is subject to the provisions of the Privacy Act.

Secondly, in two cases of interest to this committee, Ms. Mohamud and Mr. Khadr have commenced a lawsuit against ministers of the crown and a number of public servants. It would therefore be inappropriate to comment on matters touching on the litigation now before the courts.

Finally, with respect to Mr. Abdelrazik, as the committee is aware, this matter has been referred to SIRC for review, and it would be equally inappropriate for the government to comment until such time as SIRC has been able to conduct its full review.

With these comments, Mr. Chairman, I thank you. I look forward to answering questions.

The Chair: Thank you, Mr. Edwards.

We'll move over to Mr. Portelance, executive vice-president of Canada Border Services Agency.

[*Translation*]

Mr. Luc Portelance (Executive Vice-President, Canada Border Services Agency): Good afternoon, Mr. Chairman. Good afternoon, everyone.

I'd like to thank the members of this committee for giving me the opportunity to speak today.

[*English*]

Before I begin, I would like to re-emphasize what my colleague Mr. Edwards has mentioned, that certainly the government wishes to be as transparent as possible to ensure that all relevant information regarding Ms. Suaad Mohamud's treatment by Canadian government officials in Kenya is made public. However, a number of considerations must be taken into account.

First of all, any personal information respecting Ms. Mohamud or other individuals is subject to the provisions of the Privacy Act. Moreover, Ms. Mohamud has commenced a lawsuit against three ministers of the crown and a number of public servants. It would therefore be inappropriate to comment on matters touching on the litigation before the courts.

[*Translation*]

Mr. Chairman, my goal today is to give the committee a sense of Canada's approach to border management and its reliance on overseas efforts. Let me stress at the outset that the majority of the CBSA's almost 15,000 resources are located in Canada and that less than 100 are situated abroad. Our role is very focused, but of growing significance, and I appreciate the opportunity to speak about our overseas activities.

The challenge, particularly since the beginning of this decade, is to facilitate the experience of international trade and travel, while mitigating threats to border integrity, if possible away from the physical border.

• (1555)

[*English*]

The structure and strategy of border management adhere to these principles. The Canada Border Services Agency's programs and policies reflect this modern way of approaching border security.

The small complement of our resources situated abroad is performing a valuable function of working with our domestic and international partners to ensure excellence in service to travellers and mitigation of risk. I'd like to take a moment to review the agency's approach to its responsibilities, with particular emphasis on our migration integrity officers, known as MIOs, who perform a key advisory role at points of departure overseas.

[*Translation*]

As I mentioned, the CBSA has a complex mandate that requires balanced focus to both security and facilitation at the border. This dual role is managed through the strategic placement of resources in Canada and abroad.

Because we understand that the vast majority of our travellers are legitimate and law-abiding citizens, the goals of security and efficiency at the border are often achieved at once, by making decisions about how and where we assess the risk.

The goal is to be able to assess and interdict risks away from Canada, prior to their materialization at the physical border, and provide service to travellers, traders and immigrants that facilitates their voyage to Canada by ensuring in advance that all requirements have been satisfied.

[*English*]

The CBSA has a number of such programs. We have pursued several initiatives to assess information related to inbound travellers, goods, and conveyances. These include our trusted traveller program; our container security initiative, which locates Canadian personnel at foreign ports in order to examine cargo prior to its departure; and the migration integrity officers, a growing network of offshore officers. I will explain this more fully in a moment.

These programs and the underlying policies are all examples of the agency's growing commitment to managing risk away from the border rather than at the ports of entry. This distribution of work means that the resources at our ports can more readily focus on the facilitation of legitimate travel and trade.

As I alluded to a moment ago, the CBSA already has a substantial international platform of officers who work abroad. The CBSA currently has 56 migration integrity officers located in 46 key embarkation, transit, and immigration points.

[Translation]

Migration integrity officers work closely with other Canadian departments, foreign mission representatives, airlines and host country officials and are involved in a range of activities including interdiction, airlines liaison, anti-fraud, intelligence gathering, training and removals.

In performing their duties, officers work closely with Citizenship and Immigration program managers, visa officers and consular staff. IATA's Code of Conduct for immigration liaison officers establishes the objectives for MIOs and governs their powers and responsibilities in foreign jurisdictions. Human trafficking, immigration fraud, terrorism, piracy and organized crime are international concerns. Their effects are universal. Canada is not alone in distributing its resources around the globe to meet these new challenges. Many other countries share this approach and more and more countries are following suit.

[English]

Working closely with airlines, our MIOs enhance service to travellers and immigrants by ensuring that documentary requirements are satisfied, and thereby reduce costs for airlines to return inadmissible persons and remove potential burdens on the Canadian refugee system. The MIO program is successful both in risk mitigation and from the service perspective.

There are approximately 20 million passengers arriving in Canada each year. Last year we interdicted approximately 5,000 people. At the same time, the CBSA facilitated, through direct intervention, approximately 3,000 individuals with travel document problems, the majority of whom were Canadians returning home.

In closing, I would like to reiterate the valuable role that MIOs play in ensuring that the agency meets its obligation to border integrity while safely and efficiently processing the vast number of legitimate goods and travellers entering Canada every day. CBSA's use of these important resources abroad are key to supporting a global effort to mitigate risks spanning terrorism, firearms, drugs, contraband, illegal immigration, and food and product safety.

• (1600)

[Translation]

Again, Mr. Chairman, my thanks to the committee for hearing me today.

I look forward to any questions you may have.

[English]

The Chair: Thank you to our guests from the departments for their comments.

We'll move into the first round. I remind all committee members that you have seven minutes. My intent is that this one-hour meeting be a one-hour meeting.

Mr. Volpe.

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Thank you, Mr. Chair.

I've submitted to the clerk some documentation I would like to be distributed—it's in both official languages—both to the witnesses and to committee members, if you don't mind. And if they could begin now, it would be great.

Gentlemen and lady, thank you very much.

I wonder if I could begin with Mr. Edwards, the deputy minister. I realize that he has already taken the cautionary step of saying that everything is *sub judice* so he can't discuss any specific cases, but he's here to discuss specific cases, so let me begin.

Mr. Edwards, you obviously, as a deputy minister, do your job and brief your minister. How often would that be? Once a day, twice a week, three times a week, every day?

Mr. Leonard Edwards: If I may, Mr. Chair, do you mean brief him on consular cases or brief him on anything?

Hon. Joseph Volpe: You sit with him and you brief him on the affairs of your department.

Mr. Leonard Edwards: Well, we meet—and it's a pretty common practice across government—formally at least a once a week to conduct departmental business.

Hon. Joseph Volpe: How often do you meet with some of your ADMs and directors general responsible for various parts of the world to get information on what's going on there? I mean you personally.

Mr. Leonard Edwards: Well, I meet almost all of them, I would say, at least once a week for one matter or another.

Hon. Joseph Volpe: You're here with a colleague from CBSA. Do you have a practice of exchanging information with the deputy for CBSA as well?

Mr. Leonard Edwards: Well, in fact, deputies contact each other a lot to conduct—

Hon. Joseph Volpe: Well, I mean on a case like this, on consular cases, where you've got three different types of officials at every post. You have immigration, CBSA, and your own people. Do you coordinate your information?

Mr. Leonard Edwards: Not always at the deputy level, no. I think a lot of the work is done at lower levels. It has to be done at lower levels.

Hon. Joseph Volpe: Do you do it when there are hot button issues?

Mr. Leonard Edwards: If the issue comes to the attention of the deputy as needing his attention. I mean, if an issue comes to me for my information, I may not engage on it, depending on the seriousness.

Hon. Joseph Volpe: But you meet with the Clerk of the Privy Council once a week as well, don't you?

Mr. Leonard Edwards: Well, I don't think I would say we brief the Clerk of the Privy Council on all matters. We brief as necessary. Part of the role of a public servant in dealing with superiors is to know what to brief, and if there is a matter that I think is—

Hon. Joseph Volpe: You're not suggesting that you thought this particular issue of Suaad Hagi Mohamud wasn't of sufficient significance to brief up or to brief across?

Mr. Leonard Edwards: Well, in this particular case I was on leave, so I can't answer this from a personal—

Hon. Joseph Volpe: But somebody took your place.

Mr. Leonard Edwards: Well, somebody did take my place—

Hon. Joseph Volpe: Your ADM.

Mr. Leonard Edwards: When these matters come forward, the deputy is briefed, and the deputy will then take a decision as to whether or not this is a matter that needs to be discussed with other deputies or with the Clerk of the Privy Council.

Hon. Joseph Volpe: So let me ask you something now. You have before you a letter from me. It's marked "Urgent". Have a look at it. It was just distributed to you.

When did you first see that letter? It's the one that's marked "Urgent", the June 18 letter. It's a letter to your minister.

Mr. Leonard Edwards: Well, this is the first time I've seen this letter.

Hon. Joseph Volpe: So you're not aware that this letter actually came into the system at all?

•(1605)

Mr. Leonard Edwards: I am not aware that this letter came into the system. I heard, subsequent to the news about the particular case, that you had written a letter.

Hon. Joseph Volpe: But you knew of its existence before—

The Chair: Mr. Volpe, try to keep your questions through the chair, and also, just give him the opportunity to finish answering his question.

Thank you, Mr. Volpe.

Hon. Joseph Volpe: Thank you.

The Chair: Go ahead.

Hon. Joseph Volpe: You're doing a good job. It's through you, but out of courtesy, I'm looking at him.

The Chair: Right.

Hon. Joseph Volpe: When this file was handed over to CBSA exclusively, did he or his replacement brief the minister on the fact that this file, which is now the subject of a lawsuit, had gone over to a colleague in cabinet?

Mr. Leonard Edwards: Since I wasn't here when all of this occurred, I'm not in a very good position to provide a briefing on it. As well, I do think we are beginning to enter into territory that could well be part of the litigation, and I'm reluctant to enter into it.

Hon. Joseph Volpe: I respect that, so what I'll do is to refer him to a letter he received—or had to have received—on May 28 from the

first secretary of consular services, which indicated that there were conclusive investigations.

Now, I can't give him that because it's not in both official languages, but it says, "Please be advised that we have carried out conclusive investigations"—plural—and have found that she is an imposter. Now, your department didn't conduct those, but his department, the CBSA, conducted those investigations.

Monsieur Portelance, how many reports did CBSA make available to your colleagues and his colleagues in Foreign Affairs?

The Chair: Thank you, Mr. Volpe.

I believe the question is to Mr. Portelance.

Mr. Luc Portelance: Mr. Chairman, going back to our opening comments, I think I have to agree with my colleague that it feels as if we're getting into precisely the territory we were proposing we should avoid.

Hon. Joseph Volpe: Mr. Chairman, I object to that, because we're not. I'm trying to get or establish an indication of which investigations were conducted, which reports were handed from one minister to another, and what the lines of communications were.

I haven't gone into the issue. I don't think that either Mr. Portelance or Mr. Edwards, in fairness to this committee, could come before this House committee and say, I'm sorry, I can't talk about something; I'm sorry, I didn't know.

The Chair: Mr. Volpe, I think in fairness to our witnesses today, these witnesses are not expected to comment on cases that are before the courts, specific individual cases on which litigation is proceeding.

So I appreciate your question, and we may be able to come back to it in a generalized way, but these are very specific cases, as the witnesses have suggested, which are before the courts.

Hon. Joseph Volpe: But let me respect your interpretation. Mine is a procedural question that has nothing to do with the substance of the matter at hand; it has to do with the process.

The Chair: Well, it's a very specific question dealing with a very specific case, and that is why you have the specific letter in regards to the Mohamud case.

Hon. Joseph Volpe: I haven't asked anybody to refer to the questions listed on page 2 of that first letter, but I am asking whether in fact officials briefed their ministers. That's a legitimate question that has nothing to do with what they said in a briefing. Now, if the officials didn't brief their ministers, then their ministers are right to say, "I didn't know." But then it's a different issue.

So we're trying, as a committee, to determine whether the officials did their duty. That's all, and nothing else.

The Chair: Okay, and we can continue to analyze that.

In the meantime, we'll move to Ms. Lalonde.

[Translation]

You have seven minutes.

Ms. Francine Lalonde: I'm going to share my time with Ms. Deschamps.

I listened to you, I would say, with a certain amount of disappointment. You aren't unaware that we are meeting today because there is a feeling of concern and anger among Canadians and Quebecers over a number of cases that can be called consular cases or that can be given other names. This public feeling has very definitely been exacerbated by court judgments that have determined that the rights of citizens have been abused.

You are high-level administrators. Do you believe that rights—such as those conferred by the Canadian Charter of Rights and Freedoms or by international treaties—should apply uniformly to all Canadian citizens, whatever their names may be? Do you believe that rights and freedoms are privileges that the government can distribute or that they are legal obligations?

I've come to the point where I've asked that question. I know it isn't easy for you to perform the duties of the job you hold, but you often hold in your hands the lives and futures of citizens who, in some instances, completely depend on you.

• (1610)

[English]

The Chair: Mr. Edwards.

[Translation]

Mr. Leonard Edwards: Perhaps I can start. I'm sure that we at the Department of Foreign Affairs and International Trade honour the rights of Canadian citizens. That's a rule and a way of working. We are always very much aware of Canadians' rights. We enforce our rules and provide our consular services in an equal manner.

Mr. Luc Portelance: Thank you, Mr. Chairman.

As I mentioned earlier, we have a twofold mandate at the Canada Border Services Agency. First, we focus on facilitating the entry of people to the country, whether they be Canadian, immigrants or refugees. We also have an obligation to enforce certain laws, including the Immigration and Refugee Protection Act, the Customs Act and so on. At the senior management level, we definitely expect all our employees to abide by Canada's laws, and we accept nothing less.

[English]

The Chair: Madame Deschamps.

[Translation]

Ms. Johanne Deschamps: Thank you very much.

Along the same lines, I would like to know whether the person who made the decision to withdraw Ms. Mohamud's passport from her did so after consulting superiors. From what we are told, that individual did not at least conduct an in-depth investigation. Ms. Mohamud's passport was withdrawn without anyone even taking the trouble to do what she asked and examine the many photo ID cards that she had with her or even to check her fingerprints.

Our migration integrity officers may well be under a great deal of pressure. As a result of this obsession with crime and rising terrorism, there are increasing numbers of new directives complicating the procedures so that we wind up with situations like that of Ms. Mohamud.

• (1615)

[English]

The Chair: *Merci, madame Deschamps.*

Are there any comments?

[Translation]

Mr. Luc Portelance: I'm going to answer, Mr. Chairman.

Perhaps it would be useful to clarify the role of our immigration officers outside Canada. Their primary role is to provide advice to the airlines. These details are not very well known. The job of our officers who work at airports outside Canada is to guide and advise the airlines. The airlines have an obligation under the act not to allow people with inadequate documentation to board airplanes. The decisions are not necessarily made by Border Services Agency officers. They are made by the airlines whose responsibility that is. Our officers are responsible for training the airlines and working with them in order to prepare them. Most of the time, they are there when flights leave various airports for Canadian destinations.

Our officers' decision-making and law enforcement powers are nevertheless very limited when they are outside Canada. These are decisions that are made by the airlines, which subsequently must be guided by the laws of the city or country in question.

[English]

The Chair: I think your time is up. Just a quick comment, please.

[Translation]

Ms. Johanne Deschamps: Mr. Edwards, I consulted the Foreign Affairs website concerning situations in which one finds oneself abroad. It's very well done; there's a lot of information. I invite my constituents to consult it as well. However, once I get there, I expect to receive services from the people who are there. Consequently, if I had had to go through the same situation as that lady, I would probably have done the same thing as she did, that is to say sue the ministers and senior officials.

[English]

The Chair: Thank you, Madame Deschamps.

We'll move to Mr. Obhrai.

Mr. Deepak Obhrai (Calgary East, CPC): Thank you very much, Mr. Chair.

I want to thank the officials for coming here today.

There are some questions that are really disturbing about what is happening here, specifically with the member for Pickering, who is having his coffee. Maybe if he would come to his seat, we could address some of our concerns.

As the deputy minister has stated, over 50 million trips are made abroad every year. There are a large number of Canadians travelling overseas, and as pointed out, there are unfortunate circumstances that require consular assistance—this year alone, 250,000 new cases, as the deputy minister said. Right now, there are 26,000 open cases being handled by consular people.

The members opposite were in the government and were responsible for the administration of government services. As you can see in their title, they write the word “Honourable”, which means they were members of the Privy Council and subject to the highest clearance available to see the operations of the Government of Canada. This then goes to the point very clearly that they know exactly how the Government of Canada works, because they were part of the Government of Canada.

But what is really disturbing is when they go out publicly and, for cheap political points, accuse the same department that they had been working with, insinuating that it is racist, that there's racism in the department and a two-tier system in the department.

I want to ask the member for Pickering, who was in charge of consular services at that time, what was he doing if he feels that this department that he's talking about—

The Chair: Mr. Obhrai, on that, we need your questions to be directed to the witnesses and not to the honourable member for Pickering.

Mr. Deepak Obhrai: All right.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): On a point of order, thank you, Mr. Chair, for doing that, but I'd be quite willing to put my record of accomplishments—

The Chair: Thank you. That's not really a point of order.

Hon. Dan McTeague: Mr. Chair, he has raised a question; it's an important one. Any time he wants to look at it...

No one here is questioning the officials of the department. They're questioning that member of Parliament's own incompetence.

The Chair: Thank you, Mr. McTeague.

Continue, Mr. Obhrai, and please direct your questions to the witnesses who are here from the department.

Mr. Deepak Obhrai: It is an amazing thing that a person who has the highest clearance and knows how the government works accuses the same officials of racism, implying that there is racism there, when, as a matter of fact, he knew how it worked. Many of the instances that this member has given—Omar Khadr, Mr. Abdelrazik, and others—were done when his party was in power, when he was officially a member of the Privy Council.

The question that really bothers everyone here in this regard is, why is this issue now coming out, accusations that there are second-class citizens? Yes, sometimes with all the massive work that you have pointed out, there may be cracks in the system that do happen, and in this case, I cannot talk about Ms. Mohamud as there is—

Hon. Dan McTeague: Mr. Chair—

Mr. Deepak Obhrai: Mr. Chair, can I have my time?

• (1620)

The Chair: Mr. Obhrai, just one moment.

Mr. McTeague, on a point of order.

Hon. Dan McTeague: Mr. Chair, if Mr. Obhrai has in fact any evidence of those allegations of racism against the department, I'd ask that he table it now; otherwise, that he withdraw them and apologize for those remarks.

The Chair: I think, Mr. McTeague, you misunderstood what he said. I think he said that you or members had alleged there was racism within the department, not that—

Hon. Dan McTeague: Mr. Chair, in fact you've just confirmed what he said. I'm asking for an apology or that he table those comments here and now or that he withdraw them immediately.

The Chair: Okay, but let's go back. Everyone here, let's just take a deep breath.

Mr. Obhrai, in fact all of us, make certain that our language—

Hon. Dan McTeague: Thank you, Chair.

The Chair: —is language that we would use in a committee in the Parliament of Canada. If there are allegations of the term that was used here, Mr. Obhrai, perhaps you should disclose that, or let's try to refrain from using such language.

Mr. Deepak Obhrai: Mr. Chair, there is enough evidence out there. I do not have to disclose anything. If he looks at what he has given in interviews, that will be stated.

But the point of the matter still remains here, which is very important to underline. The department officials are here. They have been working very diligently with thousands of cases that have come along. But not just that, in my case, where he has been accusing me of not working very diligently, I want to tell this member for Pickering—including Mr. Volpe, Ms. Lalonde, and Mr. Dewar—that over 30 MPs always contact my office to do that. We don't ask people their nationality or whatever; we ask how we can solve their problems. As a matter of fact, when somebody is accusing us of having people be second-class citizens, Mr. Chair... Even I have undertaken visits to—

Hon. Dan McTeague: I have a point of order, Mr. Chair.

Mr. Deepak Obhrai: Mr. Chair, will I be allowed to finish here or not?

The Chair: On a point of order, Mr. McTeague.

Now, we've had a couple—

Hon. Dan McTeague: This is the third insinuation, Mr. Chair, and if you're not prepared to ensure that the member can actually back up what he's saying... Those accusations require clarification at least, and you stand as an arbiter; that is your job as chair. I suggest you do that now and get the member to ask the question of departmental officials. If he has something to say that is scandalous or is an attempt to scandalize any member of Parliament on this committee or any other committee, I suggest, Mr. Chair, you ask him to provide the evidence forthwith. If not, then he has an obligation to apologize, and you have an obligation, Mr. Chair, to make sure that happens.

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

Mr. Obhrai, please continue. Point your questions to the witnesses. If you have an allegation to members of the other side, you need to make that public or not disclose it at this time. But in the meantime, let's continue with the witnesses.

Mr. Deepak Obhrai: Mr. Chair, yes, let's continue with the witnesses. The witnesses who have come here have expressed how the department works. I, as part of being in charge of the consular services, have explained that I work with all my colleagues across to see how we do that. Now, in the case...as I was mentioning about Ms. Mohamud, the department, as alluded to by the deputy minister, has said there is an inquiry, which will be made public. So the process is going on, which is the right and responsible way for any government to act. When there is a problem, we look at it and see how we can resolve it. So that is going on in this thing.

But most importantly, I want to say—and I want to say it to my colleagues across—be very careful when you are accusing a department or public officials of saying.... And let me quote you, since their motives...as he has quoted in this article that he's talking about. Be very careful. Our officials have a reputation of being excellent officials. Our public service is very highly respected around the world, and we must maintain that. They were members of the government; they know that. They should stand behind public officials, respecting what has been done and that we have one of the best professional services. However, when these things happen.... That is why this committee is very willing to look at what happened with Ms. Mohamud, to continue doing that, and the departments are here to see. And if there are any problems—a report is being done—then it is our responsibility to correct them.

But at the end of the day, please respect the public service. Do not start insinuating the sinister motives that you are talking about.

• (1625)

The Chair: Thank you very much, Mr. Obhrai. Your time is up, unfortunately.

Mr. Volpe, on a point of order.

Hon. Joseph Volpe: Just trying to be helpful, I think that Mr. Obhrai has just given an indication that his government is prepared to make public the results of the inquiry that they've launched. In that spirit, is he prepared or is the government prepared to table the results of the investigation that has already been done?

The Chair: That's not necessarily a point of order. We'll move to Mr. Dewar.

Mr. Dewar, please.

Mr. Paul Dewar (Ottawa Centre, NDP): Thank you to our guests for being here today, and I hope they're going to be focused on the issues that we were to be discussing today.

I understand the rider you had at the beginning of your presentation that you can't discuss certain matters in a couple of cases. But there are perhaps some questions you could help us with in regard to how we conduct ourselves overseas.

To Mr. Edwards first, when our officials overseas are working with other officials, I take it that we train officials from other countries on how we would like to see our citizens, or people who present Canadian passports, dealt with. So Canadian officials, in fact, train officials from other countries. Is that the case?

Mr. Leonard Edwards: Well, we don't have training programs... or do you mean consular?

Mr. Paul Dewar: Let me be very specific. In the case of Kenya, do our officials brief their officials on our standards of passports and what to look for?

Mr. Leonard Edwards: I can't answer that specifically in that particular case—

Mr. Paul Dewar: My understanding is that we do. Perhaps you can provide that information to us, and maybe Mr. Portelance can help with that.

My understanding is that our officials do in fact train—and I can understand why—on what the other officials should look for. To my understanding, we have officials who are training, in this case, Kenyan officials on what is a bona fide passport and what is not a bona fide passport.

Is that the case, Mr. Portelance?

Mr. Leonard Edwards: Yes, I think Mr. Portelance should answer that.

Mr. Paul Dewar: Thank you. Yes, I'd misdirected the question.

Mr. Luc Portelance: Mr. Chairman, we don't train officials of the Canadian government. The responsibility we have is to train the staff of airlines that are operating in that country and that are flying into Canada.

Mr. Paul Dewar: So there's no training of our Canadian officials to officials from, say, Kenya or other jurisdictions on what our passports are, what to look for, and what to notify us upon?

Mr. Luc Portelance: I'm not aware of training. Now, there might be discussions, certainly, but I'm not aware of training. The only training I'm aware of is what the MIOs provide to various airlines so that they can respect their obligations under IRPA.

Mr. Paul Dewar: Okay, thank you.

Mr. Edwards—I think this one is for you—if a Canadian has come to a consular official with allegations of torture based on an experience they've had in another country, is there any code or any obligation for the consular official to report that to their superiors? Are their superiors to report it to you and to the minister? So if I'm in a jail, or if I've been incarcerated and I've been tortured, is there any obligation for Canadian consular officials to report that up the chain?

Mr. Leonard Edwards: I don't know if you'd call it an obligation. There's certainly a duty.

Mr. Paul Dewar: Okay. But there's no written law that says you must.

Mr. Leonard Edwards: No, but I know from my long history in the department that—

Mr. Paul Dewar: It would be a normal thing for someone to do.

Mr. Leonard Edwards: It would be a normal thing, right.

Mr. Paul Dewar: It's a practice, but it's not something that's codified.

Mr. Leonard Edwards: It is not codified.

Mr. Paul Dewar: Do you think it would be a good idea to codify that? Would it hurt the official to have that...?

Mr. Leonard Edwards: Mr. Chair, in terms of answering the question—I suppose it has to do with your recent proposal, of today in fact—I can't answer whether it would make a difference or not.

Mr. Paul Dewar: That's fair.

Mr. Leonard Edwards: I know it's being done already. Whether codifying it would make a difference, I'm not sure. It might provide some assurances to Canadians that it in fact is happening, but I can assure Canadians that it is happening.

Mr. Paul Dewar: And I've seen that. We'll get to that when we look at Mr. Abdelrazik. Obviously I'll wait until we get to that to discuss that particular case.

Perhaps I can ask you about a particular case that is not to do with the courts. If you can't immediately brief us, perhaps you can at least tell us the status as soon as you can. I'm referring to Abdihakim Mohamed. Do you, any of the officials here, have any news on that, on what the status is?

This of course is a case that has been outstanding. It has been prominent in the press and, in fact, is a concern to many. I would like to know if there's any update on his case.

•(1630)

Mr. Leonard Edwards: Mr. Chair, perhaps I could ask Mr. Cossette to respond to that one.

The Chair: Thank you, Mr. Edwards.

Mr. Cossette.

Mr. Gerald Cossette (Associate Deputy Minister, Department of Foreign Affairs and International Trade): In fact, we are in the process of facilitating his return to Canada.

Mr. Paul Dewar: So he'll be home...?

Mr. Gerald Cossette: We need to confirm the flights and all the other arrangements that are necessary.

Mr. Paul Dewar: So the necessary documents have been provided so that he can return back to Canada, back to Ottawa in fact.

Mr. Gerald Cossette: We are in the process of bringing him back. We're looking at flights and everything else.

Mr. Paul Dewar: Okay. Thank you very much for that. I didn't have that information. I appreciate it.

Right now every Canadian pays a stipend of, I believe, \$25 on every passport for consular services. Can you give us a rough estimation of what that amount of money would be right now, based on how many passports have been issued and how much revenue has been generated from that \$25 stipend for every passport issued?

Mr. Gerald Cossette: We do have these numbers. Of course, the annual revenue related to the consular fee is based on the number of passports issued, obviously. Last year, in fact, we collected \$96.7 million in consular fees.

Mr. Paul Dewar: Thank you for that.

My understanding is that the fee was put in place quite a while ago. Or when was that put in place?

Mr. Gerald Cossette: In the mid-nineties.

Mr. Paul Dewar: Yes. It was in 1996, I believe.

Mr. Gerald Cossette: In 1996 or 1995.

Mr. Paul Dewar: So the idea was that those revenues would be there for consular services.

Mr. Gerald Cossette: Basically, the revenues from the consular fee go straight to the CRF and come back to the department in the form of an appropriation. So it's not segregated in terms of saying, this is your share, etc.

Mr. Paul Dewar: Right.

If I could put this into "plainspeak" for people—and take no offence at this—the \$25 goes into general revenue and then there are other revenues that come back to help you do your job.

Mr. Gerald Cossette: Yes.

Mr. Paul Dewar: So in fact the \$25 doesn't go directly to consular services, but that's a decision made at the budget level. Would that be correct?

Mr. Gerald Cossette: Yes.

Mr. Paul Dewar: Thank you.

I think that's an important point, because I think you have laid out some of the challenges for Canadians abroad and the need for consular services. I think most Canadians would want to know that the \$25 they put down on the table when they get their passport goes directly to consular affairs. That's not your issue; I'm bringing it up because I think it's an important point of fact that people should know.

I would like to finish by noting the fact that other jurisdictions, when it comes to the rights and responsibilities and obligations of governments to protect their citizens, have actually codified that.

As you mentioned, Mr. Edwards, I have put forward a proposal that we do just that. I would simply note that both Germany and the United States have done that in the past, and I would hope we could look to do that and have someone who would actually oversee that, such as an ombudsperson. I look forward to working with my colleagues on that, and I think it would help you do your job. I'm not one who believes you're the problem. I think it's because this has become politicized that we have a problem, and I think we can sort it out.

I think my time is up. I thank you for being here today.

The Chair: Thank you, Mr. Dewar.

I guess, folks, our hour is up for the first round. If we were to go for the full hour, we'd go for another five minutes approximately. Are you wanting to proceed for another five minutes?

Some hon. members: Agreed.

The Chair: All right.

Mr. Goldring, a very quick question, please.

Mr. Peter Goldring (Edmonton East, CPC): Thank you very much, Mr. Chairman.

Understandably, the discussion of the specifics of the particular cases cannot be held at this time, but my understanding is that there has been a call by ministers Van Loan and Cannon for a full accounting—a request that a full accounting be prepared by officials regarding the Mohamud case. Of course, the public is understandably very interested in this case and we're all interested in the maximum amount of transparency possible.

What difficulty will there be in making public this full accounting once it is completed, and are there concerns, once again, under the Privacy Act about that? What can be done to make this accounting fully public?

The Chair: Go ahead, Mr. Portelance.

Mr. Luc Portelance: Thank you, Mr. Chairman.

CBSA is leading the accounting that Minister Van Loan and Minister Cannon asked for. We've been asked to do it in an expeditious fashion; so we are proceeding.

In the accounting, there will be personal information about Ms. Mohamud, certainly. There will be limits under the Privacy Act on releasing all of that information. Certainly we want to be transparent, but Ms. Mohamud would have the opportunity to consent to the release of that information. Were she to do so, it would certainly make the release of the report more feasible.

• (1635)

Mr. Peter Goldring: So her specific consent will be required for any possible release of any of the information from that accounting?

Mr. Luc Portelance: Certainly with respect to her personal information, it will.

Mr. Peter Goldring: And when might that be forthcoming?

Mr. Luc Portelance: I don't have a precise date. We've been asked to do this quickly and we are moving very quickly. There is some pressure on us to deliver that to the ministers very soon.

Mr. Peter Goldring: Thank you.

Can I share my time?

The Chair: You have one minute left.

Madam Brown.

Ms. Lois Brown (Newmarket—Aurora, CPC): Thanks, Mr. Chair.

My concern here, first of all, is that we are being accused of not providing services, and I take that with great consideration.

I know that in my office when people come in to see me, regardless of whether it is a municipal or provincial issue, we always try to connect people with whoever can solve the problem for them. I have one specific case that came into my office from a neighbouring riding; the member for Markham refused service to these individuals. They came looking for assistance, and our office did solve the problem. It was a consular issue. We did get the problem resolved. So we never turn people away.

My question to you as the consular services is whether someone who is looking for assistance overseas is ever turned away.

The Chair: Thank you, Ms. Brown. That has to be the last question.

Mr. Edwards.

Mr. Leonard Edwards: Our normal practice is that if a Canadian comes looking for assistance we do not turn them away.

And to go back to a couple of the earlier questions, indeed, I would say that the strong default of the consular service is to assist. I have seen it on very many occasions personally. I'm aware of many occasions where we have helped people. All they need to do is identify themselves as Canadians, and we have the services we provide and we provide them.

The Chair: Thank you very much.

Our time is used up in the first hour. We thank the department for coming.

We will suspend for one moment and invite our witnesses for the second hour to take their places, please.

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_____ (Pause) _____

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• (1640)

The Chair: All right, committee, we'll call this meeting back to order.

In our second hour of our study of the treatment of Canadians abroad, we will hear from two individuals, Ms. Suaad Hagi Mohamud, who is accompanied by her legal counsel today; and also appearing as a witness, Ms. Johanne Durocher.

I sincerely welcome each of you to our committee and would invite you to make a statement before our committee. Then we would, hopefully, proceed into one, or perhaps even two, rounds of questioning this afternoon.

I would like to proceed with Ms. Mohamud, if she would give her opening statement.

Mr. Julian Falconer (Falconer Charney LLP, As an Individual): Mr. Chair, you've already introduced me as counsel. My name is Julian Falconer, and I have no intention of making submissions or a presentation. I appreciate my role in this proceeding, and you want to hear from Ms. Mohamud.

I simply wanted to indicate to you that Ms. Mohamud will be reading from an opening statement that will include, as appendices, a document, being a letter from the first secretary dated May 28, and a second document, being a list entitled, "High Commission/High-Handed Conduct". Those two documents, which are appendices, she will not be reading from, but they are included in her opening statement. I simply wish to clarify that for the committee.

I thank you for your indulgence in allowing me to do that.

The Chair: Thank you.

Thank you, Mr. Falconer.

Ms. Mohamud.

Mrs. Suaad Hagi Mohamud (As an Individual): Mr. Chair and honourable members of the committee, thank you for having me and my adviser, Julian Falconer, speak to you.

I have had a simple life. All I have is my son, my family, and my friends. I work hard to support my son. I try to keep him on the right path.

As politicians, you are responsible for making sure that Canadians are safe. You are responsible for Canadian citizens. You have to stand up for Canadians wherever they are. But your officials took away my rights and my freedom.

I'm telling you my story because I want to make sure that what happened to me does not happen to any other Canadian.

On April 30, I crossed into Nairobi to visit my family. I showed them my passport to get on the plane in Toronto, and I showed it again at a stopover in Amsterdam. I showed it to Kenyan authorities when I landed in Nairobi. No one stopped me or questioned me as to whether my passport really belonged to me.

Three weeks later, I started my trip home. I was looking forward to seeing my son again. I arrived at the airport on May 21. I had no idea that it would be three months before I came home again. Two KLM workers stopped me. They said I did not look like my passport picture, that my lips were not the same. I had been told by many people that they had been forced to pay a bribe to airport employees, to put money in their passports. I refused to do it, so they kept me there.

They held me at the airport overnight. I was allowed to call the Canadian High Commission and I spoke with someone there. I told them who I was, where I worked, and where I lived. I thought they would help me. The next morning, two officials from the Canadian High Commission came to see me at the airport. They put a picture of my son on the table. I picked it up right away. I told them that it was my son's photo, but they did not believe me. I begged them to call my family in Canada to tell them, but they did not begin to call my family in Canada. I told them to call my workplace, but they did not. They just told me, "You are not Suaad."

They left me there at the airport, where I was kept for four days. Instead of helping me, they told the Kenyans that I was an impostor. They gave the Kenyans my passport to help them to charge me as a criminal.

On May 25, the Kenyans let me go, on a bond. They told me I had two weeks to prove who I was. They took me to the High Commission, where I showed the Canadians everything in my wallet, all my ID, everything in my bag. I showed them my travel documents, my driver's licence, my Canadian citizenship, my social insurance card, my insurance card, even a dry cleaning receipt, my Bell Canada calling card, my OHIP card, my son's social insurance card, my Visa card, and my health card. I also showed them Canadian Tire money. They did not believe me. Again, they told me that I was not Suaad. I asked them to call people who knew me in Canada, but they didn't.

•(1645)

After two weeks, when the Canadian High Commission still did not accept my identity, I had to go to jail. The commission told the Kenyans that I was not a Canadian. I was charged for possessing and using a passport issued to another person and being unlawfully present in Kenya. I was in that jail from June 3 to June 11 before my

mother could get me out on bail. I went through a horrible time, and I never want another Canadian to go through such a troubling thing.

I was locked in a prison with murderers, and one lady had blood on her hand. They told me that she killed her boyfriend. I was so afraid that I could not sleep. There were too many people in there, and we slept on the floor. There were even small children with their mothers who were locked up.

I have never been in a jail, I've never been in trouble, and I've never been guilty of anything. I got sick and I thought I was going to die. All I could think of was that I promised my son I would come back soon, but I could never see him again. Even when I got out of the prison, the Canadian government fought against me. It was only because of the pressure from people in Canada that they finally started to look at my case.

On July 9, I gave them my fingerprints. Later they told me that they did not keep my fingerprints from when I became a Canadian citizen in 2003. I don't know if that's true.

On July 15, my employer at ATS, Andromeier Transportation Services Inc., confirmed in writing with the second secretary of the High Commission in Nairobi, Mr. Huard, that I was employed with the company and that I was on approved vacation.

•(1650)

The Chair: Ms. Mohamud, you're doing a very good job. Don't be frustrated by that. Just take your time and listen to your counsel on that. We appreciate your testimony.

Mrs. Suaad Hagi Mohamud: On July 22 Mr. Andrew Jenkins, intelligence officer with the Canada Border Services Agency, physically attended at the ATS office in Canada. My workers identified the photo of me. Even though a federal investigator had already confirmed who I was, Minister Lawrence Cannon told the country on July 24 that there was no proof; he made the country believe I was an impostor.

Even with the photo identification, they wanted more. My lawyer had to go to court to force them to check my DNA. Even then they fought me. They had promised to take my DNA sample by July 25. They did not do it until July 27. Then they waited two days to send the DNA to the lab in Canada. They did not send the package with the DNA by a quick route. It did not arrive in Canada until August 4. Finally, on August 10, my son's DNA proved that I was me, Suaad.

I told my son I was just going away for a short time. I was gone for three and a half months. Now he is afraid when I leave him.

What would have happened if my son had come with me to Kenya? How could I have proved who I was? What would have happened if I did not have a child?

When they called those people and the Kenyan immigration people said I did not look like my passport photo, I did not give up. I told them I was a Canadian. So I called my government. I thought my government would back me up. But I was alone when my government let me down.

I ended up in jail in Kenya because of the Canadian officials. They took away my rights. They took away my identity and my freedom. And they told the Kenyans that I was a criminal. They thought I was an imposter. I was separated from my son because of the Canadian government. From the beginning, they presumed I was guilty.

I'm very happy to be back in Canada. I'm back with my son. I've always believed that being a Canadian meant I had rights and freedom, and I still believe that.

I want to thank so many people who supported me and got my story out: my family, my friends, all the journalists, and my lawyer, Raoul Boulakia. They are the people who brought me back to Canada. They stood up for me when the Canadian officials turned their backs on me. Not everyone would have been lucky enough to have so much help. How many people are out there standing like I was? I would never have believed that I would go to jail for saying I'm a Canadian citizen.

• (1655)

You are the ones who are responsible for protecting Canadian citizens and making sure that we have our rights and freedom. You must stand up for us wherever we are.

The Chair: Thank you, Ms. Mohamud.

We'll go now to Ms. Durocher.

[*Translation*]

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Pardon me, Mr. Chairman, but during the discussion we had before the meeting, I told you that Mr. Beaulac had agreed not to speak, but that he would be acting as an advisor. Mr. Beaulac should therefore be seated beside Ms. Durocher, as is the case of Ms. Mohamud and her lawyer.

[*English*]

The Chair: All right. If her adviser wants to sit beside her, he can take a seat.

Ms. Durocher, please continue.

[*Translation*]

Mrs. Johanne Durocher (As an Individual): Good afternoon. My name is Johanne Durocher, Nathalie Morin's mother.

Thank you for the privilege you are granting me today of being here together with my counsel, Mr. Stéphane Beaulac, who is a professor of international law at the University of Montreal.

Since March 2005, Nathalie and her son, Samir Morin, have been detained in Saudi Arabia by Saeed Al-Shahrani, alias Al-Bishi. Since February 2008, they have been held captive in their apartment. Under coercion and violence, Nathalie has given birth to two other children on Saudi soil: Abdullah, who is three years old, and Sarah, who is nine months. There are now four Canadians being held in civil detention, as hostages in Saudi Arabia, again by Saeed Al-Shahrani, alias Al-Bishi. All four are being mistreated and are

malnourished. They have no access to any medical monitoring. Three of them are minors. They are unable to challenge their living conditions or detention in a court of law. They are isolated and have no contact with their family. They have no access to neutral and impartial legal counsel. Having exhausted all available local resources, seeing no other solutions and considering that their fundamental rights under the Canadian Charter of Rights and Freedoms are being abused, I am asking the Canadian government, on behalf of my daughter Nathalie, to repatriate her with her three children.

To date, Foreign Affairs as cited the Hague Convention as the reason preventing their repatriation. However, Saudi Arabia is not a signatory to the Hague Convention and, under article 7—unless I am mistaken because I'm not sure—where there is mistreatment or violence, one may make an exception to the Hague Convention.

That's really what I am asking the Canadian government today for Nathalie.

Thank you.

[*English*]

The Chair: Thank you, Ms. Durocher.

We'll move into the first round.

Mr. McTeague, please, for seven minutes.

Hon. Dan McTeague: Thank you very much, Mr. Chair.

[*Translation*]

Thank you, Ms. Durocher.

We've spoken a number of times. Obviously, there are other cases that, like yours, trouble and concern us as members of Parliament. That feeling is also shared by individuals who have worked on these cases.

[*English*]

Madame Suaad Hagi Mohamud, thank you for your very, very intimate and distressing revelation of what happened to you while so many of us were trying to get answers. I can safely say that if it were ours to give, we would deeply regret and apologize. While the government may not do that, this is not a partisan issue; this is an issue of how we treat Canadians abroad. So on my own behalf and on behalf of my colleagues, I want to offer to you personally our sincere regrets on what has happened. Let your testimony here serve as a reminder to all of us that this will never happen again.

Madame Mohamud, I have a couple of questions for you on what you've put in your handout here regarding High Commission high-handed conduct, so that you can acknowledge these things.

You believe there was a failure to intervene quickly. Is that correct?

• (1700)

The Chair: I should also draw attention to the fact that Ms. Mohamud does have interpretation. I won't deduct it from your time.

Continue.

Mrs. Suaad Hagi Mohamud: Yes.

The Chair: Thank you.

Hon. Dan McTeague: Do you believe you were presumed guilty, when in fact you protested that you were innocent?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: Do you believe the federal government took deliberate steps and failed to confirm your identity?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: As far as instigating prosecution and imprisonment in Kenya is concerned, can you verify that in fact Canadian officials did render documents bringing into question your identity and submitted those to Kenyan officials for prosecution? Can you attest to that?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: On the question of fingerprinting, it would appear that they were taken on July 9. Did officials explain to you that they had already destroyed the fingerprints on which to match them?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: Regarding the delay in contacting the employer—your employer vouched for you, as you've suggested here—how long did it take? If we look at the timelines here, we're talking about May 21 all the way to, if I'm not mistaken, July 9. Is that correct?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: The question of ignoring—

Mr. Julian Falconer: Just as a correction for the record, Mr. McTeague, it actually took officials until July 13 to make inquiries.

Hon. Dan McTeague: Thank you for your clarification.

In regard to ignoring identification evidence, you've suggested the evidence that you provided was completely and utterly ignored, notwithstanding the fact that you provided abundant pieces of information?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: Okay.

You were aware of the fact that they insisted on DNA. I can tell you, from in my time in charge of consular services—2003 to 2007—that I find this both a bizarre and unusual circumstance. They were very much insistent on taking DNA from you. Is that correct?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: Then my question comes very simply to what happened in the timelines that you've proposed here in your statement.

You suggest here that ATS, Andromeier Transportation Services, on July 15 confirmed in writing with the second secretary at the High Commission, Mr. Huard, in Nairobi that you were employed with the company and that you were on approved vacation. In other words, Immigration had taken the steps of confirming, and in fact that was confirmed?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: So we now know the timelines. The government made the request, found out on July 15.

The second is that on July 22 Mr. Andrew Jenkins, intelligence officer with the Canada Border Services Agency, physically attended the ATS office in Canada and positively identified who you were, confirmed who you were, corroborated who you were.

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: So those are two government agencies, Immigration and Canada Border Services, that came together and validated the things you said, said your story matched, even though it took several weeks; yet on July 24, 2009, the Minister of Foreign Affairs, presumably referring to you specifically, said, "The individual has to be straightforward, has to let us know whether or not she is a Canadian citizen. She's saying so, but there is no tangible proof to the effect."

Ms. Mohamud, I'm not sure if even I could have satisfied that request. If you had the Canadian departments and various agencies speaking with each other, confirming who you were, why do you think Mr. Cannon made those remarks?

Mrs. Suaad Hagi Mohamud: Well, this is what I really want to know too.

Hon. Dan McTeague: Yes. We'd like to know that too, Ms. Mohamud, and that's why we're asking why the minister has failed to show up here. In 2006, when they had a problem in Lebanon, we at least had the Minister of Foreign Affairs come. Now, I understand the minister is a busy man, but considering the fact that you'd been literally left to fend for yourself, with no help of your own, notwithstanding the fact that they had all the information, the minister still continues to make that statement.

Have you ever received an apology for that statement from the minister or from the Prime Minister, who alleges that he knew about this case only a week or two ago?

Mrs. Suaad Hagi Mohamud: No.

Hon. Dan McTeague: Do you believe you're entitled to one, Ms. Mohamud? Do you believe you're entitled to an apology, given what has happened?

Mrs. Suaad Hagi Mohamud: I do.

Hon. Dan McTeague: Then I have one simple comment, and perhaps a question.

Ms. Mohamud, when you were in Nairobi and the officials refused to accept who you were, were you immediately put into detention and left in detention after the refusal to have you enter the airline, and were you asked to somehow proffer any money in order to put this matter aside?

● (1705)

Mr. Julian Falconer: To be fair to Ms. Mohamud, the facts are set out in her statement. What the facts set out is that she was told by KLM officials that her lips looked different, and she felt she was in essence being approached for a bribe. The facts don't go beyond that; I just want to be clear. It was her feeling that that was the idea.

She went to the Canadian High Commission for help in circumstances where they made her miss her flight. But no Canadian official came to see her until the next day, when they told her they didn't believe her and then left her for four days.

The Chair: Very quickly, perhaps you could summarize your points, as your time is ending.

Hon. Dan McTeague: Thank you, Mr. Chair.

Madam Mohamud, do you believe that Canadian officials contributed to your three months being there, and the fact that the minister appears not to have been aware of the information, or knew the information and, of course, did not respond positively about your identification? Do you believe that's the reason you spent so much time in prison away from your country?

Mrs. Suaad Hagi Mohamud: Yes.

Hon. Dan McTeague: Thank you, Chair.

The Chair: Madame Lalonde.

[*Translation*]

Ms. Francine Lalonde: Ms. Mohamud, your case is extremely disturbing, but you will understand that I'm going to use what little time I am allotted to talk about Nathalie Morin and her three children.

Johanne, I know you well. Together we've been trying for more than a year—and you've been trying for longer than that—to convince the Canadian government to do what it takes to bring Nathalie and her three children back here. I want to emphasize that the situation in which Nathalie finds herself is exceptional. A man probably could not wind up this kind of situation. Nathalie is a woman who's being subjugated. She is not subjugated as a woman, but because she is being confined, malnourished, poorly cared for and often poorly housed. She was forced to have her last two children because she was not allowed to have any contraception. She is only rarely able to communicate with the outside. She can do it when she temporarily steals her husband's telephone. She is living in extremely cruel isolation alone with her three children, who are not receiving the education to which they are entitled so that they can have a future.

So Johanne, I am outlining what has been lacking to date. Canada says it wants to offer Nathalie diplomatic protection. It should take up her case, and not by saying she is overstating it and so on, and it should negotiate with Saudi Arabia for her return with her three children. Is that in fact what you want? Could you give us more details, please?

Mrs. Johanne Durocher: That's exactly what I want and what I'm seeking. To date, I believe the Canadian government or the embassy there has spent a lot of time explaining itself or trying to convince us that it didn't need to help Nathalie because she wasn't that badly off. However, I looked at the case notes, which contain nearly 2,000 pages. Even in those notes, you can see the contradictions. The embassy is entirely aware of the fact that Nathalie is locked up without a key and that she has access to a telephone only when her spouse allows her to do so. He dials the number, holds the device to her ear and tells her to speak.

Last weekend, I needed the telephone number of a person responsible for human rights over there. I asked Nathalie to give it to

me because I thought I had lost it. Nathalie told me she didn't know it. She told me that when Saeed handed her the telephone, it was he who dialed the number. So even if she has access to the telephone, she can't reach those people. So I'm asking the Canadian government to take a position in favour of Nathalie and to accept the fact that she is in this situation. She is a hostage.

Two weeks after she arrived there, Saeed Al-Shahrani warned her that, if she tried to leave Saudi Arabia, she would have to find someone to get him out as well. Obviously, to increase the pressure on Nathalie and me, he had children with Nathalie by having sexual relations with her against her will. At first, it might have been a little less violent, but now it's increasingly violent. Nathalie is tied up during sexual relations. That's what I call violent relations imposed on a non-consenting person.

• (1710)

[*English*]

The Chair: Thank you.

Madame Deschamps.

[*Translation*]

Ms. Johanne Deschamps: What conditions are the children living in over there?

Mrs. Johanne Durocher: Nathalie has three children. I'm their grandmother, not a doctor, but I would say that Samir, the eldest, is the one most affected. Samir is seven years old. He doesn't speak well in French, English or Arabic. He understands a bit of everything, but he doesn't speak a lot. He doesn't go to school. Theoretically, he should be going into grade 2. His father hasn't registered him for school this fall. In the past, he said Samir was too stupid to go to school. So he didn't send him. Last year, after I exercised some pressure, the Saudi government paid kindergarten costs for Samir. Now he has come out of kindergarten. This year, the Saudi government doesn't want to pay for Samir. They rarely pay pay for children. There's no room in the public school. School isn't mandatory over there, and it's the father who decides.

Ms. Johanne Deschamps: Are the children experiencing any violence?

Mrs. Johanne Durocher: Yes, definitely. Abdullah is regularly whipped by his father, for example, when he doesn't listen to instructions about electrical outlets. The father burns them with a candle and bites them. Samir has a scar on one arm and a number that are a result of bites by his father. I have pictures that Nathalie was able to send me. When Samir doesn't listen, his father takes him by the neck and smothers him until he is out of breath. He stops when his son can't breathe.

Ms. Johanne Deschamps: Is there a doctor on site who can attest to this abuse?

Mrs. Johanne Durocher: I already have a medical certificate. I handed it over to Foreign Affairs on March 12. That medical certificate dated back to January. I believe it was the 6th or 9th. There was just one visit. Samir had an intestinal problem. The fear was that sexual abuse was involved. The physician said there were no obvious signs of sexual abuse, to the extent that his sphincters were normal, but that Samir had a scar around the anus. Consequently, he could not say with any certainty that there had not been any sexual abuse in the past. The physician recommended psychological counselling, but that did not take place.

The physician also mentioned that, in a physical examination, when he wanted to examine the child, he became abnormally aggressive. He also noted that Samir was suffering from encopresis. I don't know why, but he retains his stools until they come out on their own. That's not practical at all in public. The problem requires psychological counselling.

Ms. Johanne Deschamps: Are you still in touch with the high commission in that country?

[English]

The Chair: Very quickly.

[Translation]

Ms. Johanne Deschamps: Were you given any hope following the letter that was given to you? Is there any follow-up?

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

[English]

Conclude very quickly, Ms. Durocher.

[Translation]

Mrs. Johanne Durocher: They respond to my calls and I'm told that nothing can be done since Nathalie is in Saudi Arabia and that country, which is sovereign, makes all the decisions.

[English]

The Chair: Thank you.

We'll move to Mr. Obhrai.

Mr. Deepak Obhrai: Thank you, Mr. Chair.

As has been stated already, the government has initiated an inquiry into the circumstances of Ms. Mohamud, and so we'll await that report coming out. I cannot say anything more than that.

What I want to say is this: I'm from the same region as you are, east Africa, and I did grow up there—in Nairobi as well. So I'm well aware of the challenges in that part of the region that we all face when we go there.

I had a meeting with the Somali community last Friday, a round table conference, and many of the issues coming out here about what Somalis face in Kenya, and all of these things, were brought to my attention. We had some very frank discussions about these issues and how to address them. I can assure you that I have taken note of these very serious concerns and am working to ensure they are brought forward.

What I do want to say—and then I'll hand it over to my colleague Peter Goldring—is that I, like you, am highly concerned that there should never, never be two classes of citizens in Canada. A Canadian

is a Canadian; you should be treated with full and due respect. If there are two tiers or classes of Canadians, it is absolutely unacceptable today. My government is very strong and I am very strong, coming from a visible minority background, that there should never be a two-tier system.

So we will get to the bottom of this issue. This is what I assured the Somali community, and it's what I just wanted to say to you. Thank you very much.

I'll hand it over to my colleague Peter Goldring.

• (1715)

The Chair: Mr. Goldring.

Mr. Peter Goldring: Thank you very much, Mr. Chairman.

I wish to thank you very much for appearing here today and relating your story to us. Even with 50 million Canadians travelling internationally in the past year, it's still not good enough. We certainly want to get to the bottom of this issue.

I understand we can't talk about specifics of the issue. That will be handled by the investigation. Certainly we are all interested in having a very open and transparent process here as much as we possibly can. As I said, it's just not acceptable; it certainly must be investigated. It must be looked into.

I understand the ministers are doing that. Ministers Van Loan and Cannon have requested that a full accounting be prepared by the officials in regard to your case. I'm sure we'll all be looking forward to that full accounting and full reporting.

There are, however, the difficulties that have to be addressed first, too. One of the most important issues is that it still comes under the Privacy Act, which protects your privacy. It's for your benefit.

So my question would be, when this report comes forward, are you going to be prepared immediately to waive the Privacy Act in order for the report to come through?

The Chair: Ms. Mohamud.

Mr. Julian Falconer: Mr. Goldring, I'm a little bit concerned. You're asking if she's seeking to assert privacy over something she hasn't seen. Is that the general idea?

Mr. Peter Goldring: That's the question, because the issue here is that this is one of the concerns when the report does come forward.

Mr. Julian Falconer: Fair enough. I can indicate to you that Ms. Mohamud has absolutely nothing to hide, but in exchange for her agreeing to give everything about herself, she expects a full accounting on all the records that so far haven't been produced. So as long as everybody is clean and everybody produces all the papers, she'll do that, but to ask her before she gets a shred of paper whether she's prepared to consent to give all that paper is simply unfair.

The Chair: Mr. Falconer, I would remind you that you're sitting here as counsel to the witness.

Mr. Julian Falconer: I'm sorry, Mr. Chair.

The Chair: Your interventions are to be to Ms. Mohamud. We invited her to come and testify. So that is your responsibility.

Mr. Julian Falconer: Fair enough.

The Chair: Mr. Goldring, you still have another minute.

Mr. Peter Goldring: Perhaps I'll rephrase that. I'm simply drawing attention to the fact that this is another process that will have to be addressed and will have to be approached. We, on our own, or the department or whoever, when the report is released, will still not have the authorization to release that report without participation from Ms. Mohamud in the way of a privacy release. That's part of the rules and part of what the process must entail, too, for that report to have a full and complete airing. It has to have full and complete releases by all parties concerned.

The Chair: Thank you, Mr. Goldring.

We'll move to Mr. Dewar for the second round.

Mr. Paul Dewar: Thank you, Chair.

And thank you to our witnesses for their testimony.

I too would be of the point of view that all of us, as members of Parliament here to represent citizens, wherever they come from in the country and wherever they are in the world, want to offer our apologies in terms of what happened to you. It should never have happened. Ms. Mohamud, I say very sincerely to you that we did fail.

Let's just put it aside for a second. What often happens here is that people will try to put forward their arguments and people will try to position themselves, and it's a game at times that just shouldn't be played. And when it's something as serious as citizenship—and I say this without prejudice to anyone around this table—it should be clear that these things shouldn't happen. So my sincere apology on behalf of myself and my colleagues, and I would hope others will join at the appropriate time.

But to get to the issues, I think your testimony—and I'm sure I share this with everyone here—shakes us to the soul about what can happen to someone. But you also said in your comments that you hope this doesn't happen to another Canadian and that's why you chose to do the brave thing you did today and present your story. But I could have in this chair Mr. Arar, and I could have in this chair Mr. Abdelrazik, and I could have in this chair Bashir Makhtal, who is still in an Ethiopian jail. I could go down the list, and I'm sad to say that's what they said. And in the case of Mr. Makhtal, he isn't able to say that yet. It angers me. It gives me absolute certainty that we have to do something. I don't want to hear another story come before us, because it means we've failed entirely. We are failing right now. That's not a game to be played, a partisan chip to be played, but it's about the fact that Canadian citizens abroad aren't being served, and you have just told us yet another story of what happens.

I know that in the case of Saudi Arabia we have diplomatic relations. If we can't do something for a Canadian citizen in this situation, then we have to question what we're doing.

Ms. Mohamud, you said it was the KLM officials who questioned you on your passport. It's interesting to note that when I asked the government officials whether we train officials from other governments, they said, no, we train airline officials. So it's your belief that they're the ones who called you on your passport and said, "We don't believe you are who this represents", which I would connect directly to our training. I'm saying that, and I've heard evidence from officials that in fact we do train people from airlines. You would have heard

that just in the testimony before. So then you end up in jail and in circumstances no one should be under.

In terms of the response from the Canadian government—and I want to be clear here—you said that instead of going to your aid to help you, they questioned you further as to whether you were who you were?

• (1720)

Mrs. Suaad Hagi Mohamud: Yes, they did.

Mr. Paul Dewar: In fact, when you bought your passport, you paid at least \$25 to get consular services. I'm not sure that anyone would say you were provided the services you paid for. In fact what you got, as we've seen with others, was that when you asked for help you got the opposite.

How many Canadian officials did you actually talk to during the time you were in jail and during the time you were in Kenya?

Mrs. Suaad Hagi Mohamud: About five.

Mr. Paul Dewar: Five Canadian officials? And each one of them questioned who you were and didn't believe who you were?

Mrs. Suaad Hagi Mohamud: Yes.

Mr. Paul Dewar: Do you think that if we had...? Obviously we need to change things, don't we?

Mrs. Suaad Hagi Mohamud: What I really want done is... Someone can change as much as they thought. I changed my look, and they said I didn't look enough like my passport document. I gave them a lot of opportunities to take my fingerprints and to prove who I am, to call my uncle and my aunt and my son, which they didn't. I asked them to go to my workplace and speak to the workers where I work, which they didn't. What else could I do until there was the DNA? What else could I do?

People can change. I may not have answered all the questions they asked. I may not look like my photo. They said I didn't look like my passport photo. But if I was an impostor, I wouldn't have gone through all these things and asked them to check my fingerprints.

• (1725)

Mr. Paul Dewar: You had more ID in your wallet than I've ever had.

Mrs. Suaad Hagi Mohamud: I had everything in my wallet, everything, even Canadian Tire money.

Mr. Paul Dewar: Yes, the Canadian Tire money was something that should have sealed the deal.

But if you look at what can be done, I would like to see legislation, I would like to see an ombudsman, and I don't think you should have to go to court to have your rights recognized.

Finally, I would say that there was a motto in Foreign Affairs and consular services for the longest time—and Mr. Obhrai mentioned it—that a Canadian is a Canadian is a Canadian. I'm sad to say that this has not been the case for you and it hasn't been the case for Ms. Durocher and her daughter. We need to change that. We are going to focus on how to change that so that we don't have another person sitting in your chair saying, "I hope this doesn't happen to another Canadian."

I want to thank you very much for being so brave and coming here today, and that you have the trust of us and that you still have trust in your country. For that, I thank you very much.

The Chair: Thank you, Mr. Dewar.

We'll go to Monsieur Galipeau.

[*Translation*]

You have five minutes.

[*English*]

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Frankly, Mr. Chairman, I'm quite distressed with the testimony we've heard today, and I should hope that collectively we've all learned some lessons.

[*Translation*]

However, Statistics Canada informs me that every year Canadians make more than 50 million visits outside Canada. It's also estimated that 2.5 million Canadians are currently living abroad. Every minute of every day, professionals in the Public Service of Canada receive three requests for help at one of our points of service. In 2008-2009, more than 1.35 million Canadians received assistance abroad. So sometimes there are incidents, and, because these are very serious human issues, these incidents hurt.

[*English*]

Mrs. Mohamud, I really want to thank you for sharing your story with me. It's a story of courage. It may not offer you much consolation, but the last time I looked at my passport photo, it didn't look like me either. Unfortunately, it didn't make me look more handsome. It was not flattering.

[*Translation*]

I have focused particularly on the issue concerning Ms. Durocher, that is to say her daughter's well-being. I inquired and observed that the professionals of the Public Service of Canada have put a lot of time and effort into this case. They say they have contacted her and her family approximately 300 times in the past 12 months. Is that correct?

Mrs. Johanne Durocher: I haven't counted the number of times, but they definitely haven't communicated often with me. However, I have communicated with them. Saeed has communicated with them and Nathalie has communicated with them through Saeed.

Mr. Royal Galipeau: Being concerned with the situation involving your daughter and her children, the parliamentary secretary himself has travelled to Saudi Arabia to discuss their case with Saudi senior officials and the head of the Saudi human rights commission. The parliamentary secretary personally met with Ms. Morin, I believe.

I believe that, under the 1980 Convention, which was signed at the time by the Trudeau government, the consent of both parents is required in order to remove the children. Is that correct?

• (1730)

Mrs. Johanne Durocher: Normally, yes, but there are exceptions.

Mr. Royal Galipeau: I must tell you, Ms. Durocher—

[*English*]

and to you the same, Mrs. Mohamud, that you have our strongest feelings of sympathy. I still keep the sense that the members of the Canadian public service do their jobs in a professional way. Unfortunately, sometimes things do slip between stools. Particularly in the case of Mrs. Mohamud, I look forward to the reports that have been requested and I hope you will find those reports satisfactory.

[*Translation*]

As regards the other case, the practice of law in Saudi Arabia is obviously entirely different from Canadian practice. Is it true that Ms. Morin returned to that country after coming back to Canada?

Mrs. Johanne Durocher: In fact, Nathalie came to Canada without her children, and she returned to get her children. We are really convinced that the children are as much in danger as Nathalie is and that they are being mistreated by the father.

As regards Mr. Deepak Obhrai's visit to my daughter, which took place on December 22, 2008, I believe that, on arrival, Mr. Obhrai told Nathalie that it was unnecessary to talk to him because he already knew her story. So he talked to Saeed and to other individuals there. In other words, he didn't hear Nathalie's account on site. In addition, he remained seated in Saeed's living room. He didn't visit the rest of the apartment to verify the situation, among other things.

As regards the numerous communications going through Foreign Affairs or the embassy, it seems to me they are still wondering whether or not Nathalie needs... They say she says she doesn't have a telephone, and they wonder how she was able to speak to her mother. I repeat to you today, and I will say it again often, that Nathalie spoke to me when Saeed gave her the telephone. So don't be surprised; she spoke to me, and I know I'm going to speak to her again.

Mr. Royal Galipeau: Thank you, Mr. Chairman.

I thank Ms. Durocher for her testimony.

[*English*]

The Chair: Mr. Galipeau, you're out of time.

We'll move to Mr. Volpe.

Hon. Joseph Volpe: Thank you, Mr. Chairman. I'm going to be splitting my time with Mr. McTeague.

I guess what we've seen happen to Ms. Mohamud could probably happen to any Canadian, and that really distresses me. I've just witnessed something very remarkable in this meeting, that a Conservative member is equally distressed about what happens to a Canadian citizen abroad who is at the mercy of the government. I find that remarkable, and I share that distress, because I'm a member of Parliament who attempted to do something for Ms. Mohamud, and it took a lawyer to force the government, in a court of law, to eventually get her back here. I think that speaks to the obduracy of government when it comes to effecting the civil rights of its own citizens.

But I'm even more distressed—and I'm going to ask Ms. Mohamud to consult with her lawyer in answering this question—because I thought I just heard Mr. Goldring address an issue, and implicit in his issue of asking Ms. Mohamud whether she would waive her privacy rights are two very important things.

I hope I'll get your indication from this.

First of all, Mr. Goldring implied in his question that, with regard to Mr. Obhrai's offer to make public the results of the investigation, in your case it will not be made public and that he's stepping away from it; and secondly, there is a veiled attempt to indicate to this committee that there might be something in the initial investigations, of which there were at least two done on you, that might make you feel very uncomfortable, or that you did something wrong and illegal and it will come out in public.

Are you aware of anything that might be contained in those investigations that would suggest that you did something wrong?

• (1735)

The Chair: Order.

Mr. Volpe, first of all, when we start trying to understand what may have been an implication.... I think that was the word you used, that Mr. Goldring may have been implying, or there may have been an implication, that—

Mr. Peter Goldring: Can I respond, Mr. Chair?

The Chair: Go ahead, Mr. Goldring.

Hon. Joseph Volpe: Well, it was implicit.

Mr. Peter Goldring: In no uncertain terms was there an intention; as I explained to the gentleman afterwards, it was merely pointing out the fact that what is specifically coming through on the report will be under the Privacy Act, and that any information that is released from that will have to have the consent of Ms. Mohamud. There is nothing being implied in that. That's just strictly a matter of fact and a matter of process.

An hon. member: Mr. Chair—

The Chair: No, I've dealt with this. We'll go back to Ms. Mohamud's answer to Mr. Volpe's question.

It's Ms. Mohamud's answer; you can advise her—

Mr. Julian Falconer: Ms. Mohamud was encouraged to consult with her counsel. She's indicated to me that she doesn't need to consult with her counsel. She just has nothing to hide—end of story.

The Chair: All right. Thank you very much.

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Chair, can I—

The Chair: Is it on the point of order?

Mr. Brian Jean: It's on the same point of order. It deals with the parliamentary privilege that, of course, Ms. Mohamud has in relation to these proceedings.

As the clerk—

The Chair: Actually, Mr. Jean, the answer has already been given. Mr. Volpe's question has been answered. So we aren't dealing with that point of order right now.

Mr. McTeague, you actually have one minute.

Hon. Dan McTeague: Privacy rights are well known to people like Brenda Martin, whose privacy rights were of course violated. We're still trying to seek remedy for this.

But I want to assure you, Ms. Mohamud, that in the time in which the Liberals were in government, when Mr. Graham was minister, the article of the...and the use, the ruse, of *sub judice*, not appearing and not wanting to comment, was never something that entered our minister's ideas. He came before the committee and was fully accountable.

We fully expect that in the next few days the Minister of Foreign Affairs himself, Mr. Cannon, who made those incriminating statements about you, notwithstanding the evidence you put forward...were in fact going to be there.

We want to know who's in charge. We will pursue other cases with the minister: Amanda Lindhout, Mohamed Kohail, Pavel Kulisek, Huseyin Celil. In those cases, in terms of your testimony here, you can be assured that you've opened the path to helping others. We thank you for that.

We look forward to seeing you again.

The Chair: Thank you.

Mr. Jean, on the same point?

Mr. Brian Jean: Yes.

Mr. Chair, with respect, I haven't interfered up until now, but we have not heard a direct answer on whether or not Ms. Mohamud will release the findings of the report to this committee and in fact is protected by parliamentary privilege in these proceedings. We still haven't heard that.

We've heard that she wants to be forthright and honest, but she is asking for \$2.5 million of taxpayers' money, and we have not heard whether or not she would release the findings to this committee.

The Chair: I'm not certain it's the responsibility of the committee to find out today. That may not be our committee's responsibility. If she didn't disclose it, then I don't think we have the—

Hon. Dan McTeague: On a point of order, Mr. Chair, these are matters of debate.

The Chair: That's correct.

Hon. Dan McTeague: I think, quite clearly, in terms of review, if the government had done its job in the first place, we would have been okay.

Thank you, Chair.

The Chair: Thank you very much, Mr. McTeague, for that commentary.

I want to thank you both for attending today.

Let me again underscore what you've heard from all parties today. We are distressed, as you are, where it appears that there have been some real issues. That's what this committee wants to get to. We want to get down and find out how we can make this system better.

I like what Mr. Obhrai said, that there are no two-tier Canadians. Certainly we need to do what we can to make certain that the system is clear.

I want to answer Mr. McTeague's comment as well about the minister not being able to be present today. We were called together by the opposition as an emergency meeting. Two people from the Liberal Party who made application, as much as it may have been an emergency, didn't show up here today. Our ministers have been more than willing to appear before committee every time that we've called them. But again, Parliament is not sitting. In fairness to the ministers, we have had very good response, and they are on record many times as being here.

Again, I want to thank you for being here.

We are adjourned.

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