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# **Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development**

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**EVIDENCE**

**Thursday, February 12, 2009**

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**Chair**

**Mr. Scott Reid**

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•(1310)

[*English*]

**The Clerk of the Committee (Mr. Roger Préfontaine):** Order.

Honourable members, I see a quorum. Your first responsibility is to elect a chair. I am ready to receive motions to that effect.

Mr. Silva.

**Mr. Mario Silva (Davenport, Lib.):** I would like to nominate Scott Reid as chair of the committee—if he accepts.

**The Clerk:** It has been moved by Mr. Silva that Mr. Reid be elected chair of the committee.

There being no further motions, is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

**The Clerk:** Before we invite Mr. Reid to take the chair, we can now proceed to the election of vice-chairs, beginning with the first vice-chair of the committee.

Are there any motions to that effect?

[*Translation*]

**Mrs. Ève-Mary Thāi Thi Lac (Saint-Hyacinthe—Bagot, BQ):** I nominate Mr. Silva.

**The Clerk:** Moved by Mrs. Thāi Thi Lac that Mr. Silva be elected first vice-chair of the subcommittee.

[*English*]

Are there any other motions to that effect?

Is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

**The Clerk:** We will now proceed to the election of the second vice-chair of the committee.

Mr. Silva.

**Mr. Mario Silva:** I would like to propose Madam Thi Lac as the second vice-chair.

**The Clerk:** Mr. Silva proposes Madam Thi Lac as the second vice-chair of the committee.

Are there any other motions to that effect?

Is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

**The Clerk:** At this stage I would like to invite Mr. Reid to take the chair. I offer him my congratulations.

**The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)):** Thank you.

Welcome, everybody, to our subcommittee.

The normal procedure on a committee or a subcommittee is that we move immediately, as the first order of business, to the adoption of routine motions. There are two ways of going about it. One is to go through the standard list and discuss the motions. As an alternative, our clerk has anticipated that since the membership is very similar to what it was before, there might be a willingness to adopt the same motions we had last time.

The clerk is now circulating those routine motions. I'll give you a moment to review them, and we can see whether they are acceptable to members of the committee.

Mr. Marston.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Are there any changes in these over last year?

**The Chair:** The clerk can answer that.

**The Clerk:** Mr. Marston, these motions have been taken from our minutes of proceedings. They're the ones that the subcommittee adopted in the second session of the 39th Parliament, the last session.

**The Chair:** Mr. Silva.

**Mr. Mario Silva:** Mr. Chair, I would hope—I would encourage the committee, once again—that we continue in the same tradition we had in the past, to try always to work things out through consensus. Given the fact that the routine motions were adopted, I do believe, on consensus and without any problems, and if, as it looks like, they are exactly the same, then I would like to move that the routine motions be adopted.

**The Chair:** I'll just give a moment for everybody to review the motions and then I'll ask if that's acceptable. One of our members is new to the committee and therefore deserves, in all fairness, the right to review the motions in detail.

[*Translation*]

It looks like the subcommittee has accepted the routine motions.

(Motions agreed to.)

[English]

**The Chair:** The motions are adopted.

One of the motions involves the analysts, so I'd like to invite the analysts to join us at the table. I'm going to invite them to briefly introduce themselves to the members of the subcommittee.

**Mr. Robert Dufresne (Committee Researcher):** I was one of the analysts on the subcommittee in the last session of the 39th Parliament. I'll be the lead analyst with the committee this year.

My colleague is Melissa Radford.

•(1315)

**Ms. Melissa Radford (Committee Researcher):** I'm with the Library as well, assisting Robert as the analyst on this committee. I was previously on the Senate national defence committee and I moved over to the House side for the House foreign affairs committee and the House subcommittee on human rights.

It's nice to meet you.

**The Chair:** I'm going to invite participation from the committee members in a moment. I've been advised that at least one and possibly two of the members may have suggestions for agenda items or motions to be discussed.

Before I do that, I wonder if I could ask our clerk to update us on business relevant to this subcommittee, which is being dealt with by the parent committee.

**The Clerk:** Thank you, Chair. I was not expecting to do this.

This morning, as I was walking up to the Hill for another committee meeting, I was walking with the clerk of our parent committee, the foreign affairs committee. She informed me that yesterday the committee adopted a motion moved by the NDP member of the committee, Mr. Dewar, that the committee adopt three of their past reports. I think it is three, but I am not positively sure.

I know for a fact that one of those reports is our Omar Khadr report. There were possibly one or two others. I am not sure enough to relate to you what they were, but I can inform you that the committee readopted our report on Omar Khadr with the objective, of course, of tabling it in the House.

I would also like to inform the subcommittee members that in the report the subcommittee did not ask for a government response. According to the recent changes to the Standing Orders, this permits a member to move concurrence in the report in the House.

**The Chair:** Thank you. While you were talking, Roger, Melissa indicated that she also serves on the parent committee and can provide some additional illumination as to what has gone on in the parent committee.

**Ms. Melissa Radford:** In terms of the reports that are being retabled in the House, they are going to be the Canada and Afghanistan report, the Omar Khadr report, and also the report on social corporate responsibility. Those are the three reports that are going to be retabled to allow the government to respond to the recommendations.

**The Chair:** Okay. At this time, I invite any members who have anything to say to do so. It is a good time to pop in.

Mr. Cotler, in all fairness, I think I saw your hand earlier.

**Hon. Irwin Cotler (Mount Royal, Lib.):** I was only going to nominate each of the two vice-chairs who were otherwise nominated. That was what my hand was up for earlier. Now I can just congratulate them.

What I put up my hand for now is that I was wondering about the status before the foreign affairs committee of other resolutions or reports that we had adopted. In other words, what is the status with respect to our report on China? Also, we had hearings and adopted a resolution with regard to Iran, so I was wondering if we could have some understanding of that.

**The Clerk:** What I would say to that, Mr. Cotler, is that all business was dissolved with the dissolution of the 39th Parliament. In other words, if the report was not acted upon in the 39th Parliament, it will not be acted upon unless the standing committee makes it its own, adduces it as evidence, in this Parliament, which is what they did with the three other reports. They take it from the last Parliament and adopt it in this Parliament, but our work in the 39th Parliament is dissolved.

**Hon. Irwin Cotler:** But they can do with those two other reports what they did with that?

**The Clerk:** Yes, sir.

**Hon. Irwin Cotler:** Okay.

**The Chair:** However, Melissa, to your knowledge, they haven't done anything with those. As I mentioned, they weren't even discussed. Is that correct?

**Ms. Melissa Radford:** No, they haven't been discussed.

**The Chair:** Okay. All right.

**Hon. Irwin Cotler:** Just a point of clarification, Mr. Chair. In order for the foreign affairs committee to make it part of their record, and since they have not done that so far, is this something they do through their own motion or is it something we would have to ask them to do?

**The Chair:** They weren't advised by us, obviously, because we hadn't met yet on the Omar Khadr thing, so I think the answer is that they can do it on their own. Perhaps something you're not exactly asking but are implying is that we could do the same kind of re-adoption as evidence and then resubmit it. Would that be correct? Procedurally we could do that.

**The Clerk:** Again we would report to the main committee.

**The Chair:** So we could in fact initiate that if that was the will of the committee.

**Hon. Irwin Cotler:** It might be a good idea to re-adopt what we did adopt and refer it to the foreign affairs committee for their adoption. The other thing is that we could informally inquire whether they were prepared to do it, and if they were, we wouldn't have to go that route. If they were not, then we could go that route.

•(1320)

**The Chair:** Do you have a preference as to how to handle it?

**Hon. Irwin Cotler:** I think it might go more quickly if we informally asked them to do it, and then if we saw that it was not forthcoming, which we could ascertain quickly, we could then more formally move to that effect.

**The Chair:** I suppose, given the fact that it is essentially advice to us all... We all have members of our party on that committee.

**Hon. Irwin Cotler:** Right.

**The Chair:** Okay.

Mr. Marston, you've been very patient, as you always are.

**Mr. Wayne Marston:** I'm not always, but most times.

It's good to be back with everybody. I'm looking forward to this session.

I had a motion prepared. I was going to bring it to this meeting, and the time was under the 48 hours, and I tried to respect that.

Regarding the United Nations Human Rights Council periodic review of Canada's human rights record, I think this committee should look at it, study what is asked of Canada by our allies, and make recommendations to the main committee.

If I need to bring that forward as another motion, I certainly can do that. I'd ask the clerk if he could get a copy of this report and distribute it to the members. I could forward it to him. I do have an electronic copy, if that's easier. Just give me your e-mail address afterwards and I'll have my staff do that.

I wouldn't call it a condemning report, but it's certainly a report that has a lot of concerns around OPCAT, indigenous rights, and a number of things we certainly should deal with as a committee, seeing as human rights is our main focus.

**The Chair:** Mr. Marston, I have a question. This is on international human rights, so has our parent committee—to make sure this is within our jurisdiction—authorized us or ever studied similar things such as international reports on Canadian human rights situations? I just want to make sure that's—

**Mr. Wayne Marston:** I can't answer that. The clerk would probably have a better idea of that. I don't recall, and my time here is brief compared to some of the experience around the table.

**The Chair:** Okay. Maybe we'll just check on that. If you have the motion, and we've been informed of the substance of the motion, and you bring it to us, it will be before us at our next meeting.

**Mr. Wayne Marston:** I'll just bring it for the next meeting. It's not something that's absolutely pressing, but if the clerk could distribute that, then when people see the motion, they'll have an idea of what we're trying to do here.

**The Chair:** Okay.

Mr. Cotler.

**Hon. Irwin Cotler:** I welcome Mr. Marston's suggestion. I think we should be looking at this. I also wanted to mention that it might be useful for us to look at the operation of the United Nations council on human rights as a whole. There have been some problems with its operations, not with regard to the Canadian report—that's the better part of their work—but with some of their other approaches. In fact there have been breaches of their own principles and procedures as a UN body, and I think it would behoove us to have a hearing on the work of the UN Human Rights Council. We are, after all, a subcommittee on international human rights, and we could perhaps make some recommendations with regard to the improvement of the work of that body.

**The Chair:** All right.

I have two potential agenda items now, and I saw Mr. Marston's hand again.

**Mr. Wayne Marston:** Just speaking to what my friend has just said, one of the things that shows a differentiation in this report is that when Iran spoke, they didn't mention Israel's name, which is a pleasant surprise, when you compare that to other things that have come out of there. But I agree that looking at those things from our perspective is the purview of this committee.

**The Chair:** Our clerk is reminding me that normally we go in camera to discuss future business. I've been neglectful about that.

If we're on the train of discussing future business, why don't we go in camera? I think that's where we're heading anyway. Let's go in camera and continue this discussion.

*[Proceedings continue in camera]*





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