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the Standing Committee on Foreign Affairs and
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Thursday, April 29, 2010

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Chair

Mr. Scott Reid

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

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• (1305)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): This is the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Today is April 29, 2010, and this is our 11th meeting.

[English]

We are currently pursuing a study of the Universal Periodic Review and have with us today two witnesses, who I'll introduce momentarily.

I want to remind all committee members, however, that today we're going to reserve the final 10 minutes of the meeting for committee business, as scheduled, unless there's objection to that. I'm drawing it to your attention because, of course, if you don't think it's appropriate, we can always adjust our schedule. The plan is to have the last 10 minutes of the meeting for committee business. What we're dealing with in terms of committee business are some issues relating to motions that have been put before us.

With that preamble, our witnesses today from the department are Tom Scrimger, assistant deputy minister, citizenship and heritage, and Liane Venasse, who is a manager of the human rights program at the citizenship and heritage sector.

I invite both of you to make your presentations, but I'll just ask you if you intend to present separately or will it be a single presentation?

Mr. Tom Scrimger (Assistant Deputy Minister, Citizenship and Heritage, Department of Canadian Heritage): Mr. Chair, it will simply be me speaking for a few moments and then answering your questions.

The Chair: You will both be available to answer questions.

Mr. Tom Scrimger: Yes, we will.

The Chair: Very good. Please begin.

Mr. Tom Scrimger: Thank you.

Merci, monsieur le président. I am pleased to have this opportunity to speak to you today about the follow-up to Canada's Universal Periodic Review. As you know, following Canada's appearance in February 2009 before the United Nations Human Rights Council Working Group on the Universal Periodic Review, a

report was issued by the United Nations that included 68 recommendations touching on a number of themes.

In our response to this working group report, which was submitted to the United Nations in June 2009, Canada indicated which of these 68 recommendations it accepted in full or in part.

[Translation]

Given the breadth of issues that were touched upon in the recommendations, the preparation of this response was a collaborative effort, involving many departments and provincial and territorial governments. It was also informed by what we heard through consultations with civil society and aboriginal organizations and from discussions with this committee as well as the Standing Senate Committee on Human Rights.

[English]

The submission of Canada's response to the United Nations was, of course, not the end of the process. We are now moving forward with follow-ups to the recommendations that were accepted and the additional commitments that were included in Canada's response.

Throughout the UPR process, the role of Canadian Heritage remains principally one of coordination and facilitation.

[Translation]

The issues addressed by the recommendations and commitments are varied and cut not only across many federal departments, but across jurisdictions.

We continue to facilitate and chair the federal interdepartmental committee that is looking at implementation of the recommendations and commitments. This committee, which meets on a monthly basis, is a forum for federal officials to discuss and share information on the recommendations and commitments and, when appropriate, develop options for consideration of senior officials and ministers, for example with respect to enhancing existing federal mechanisms related to international human rights obligations.

• (1310)

[English]

We will be debriefing the federal Deputy Ministers Committee on Human Rights in the coming months on progress being made in this respect. We are also having similar discussions with our provincial and territorial colleagues through the Continuing Committee of Officials on Human Rights.

I will come back to the role of the continuing committee shortly, but would note that there are many other intergovernmental fora that deal with very specific issues that are addressed by the recommendations and commitments—for example, federal-provincial-territorial committees on justice, the status of women, and social benefits.

[*Translation*]

Engagement with civil society and aboriginal organizations is an important aspect of the Universal Periodic Review, including the follow-up consideration of the UPR commitments and accepted recommendations.

We are in the process of identifying options for ongoing engagement. Last Tuesday, April 20, officials of Canadian Heritage, Justice, Foreign Affairs and Indian and Northern Affairs held a meeting with a small number of NGO representatives to hear their views and practical suggestions on how this engagement might unfold.

[*English*]

We are also planning a meeting between federal departments and a wider number of civil society and aboriginal organizations this coming June to discuss implementation of the accepted recommendations and Canada's commitments.

In order to inform the decisions that are ultimately made on the issue of consultations, Canadian Heritage is also doing research on model practices, both domestically and internationally, on civil society consultations. While many may have hoped that we would have progressed further to this point, we are making progress on our other commitments as well.

Canada committed to looking at gaps in available data in order to better report on our international human rights obligations. Researchers in Canadian Heritage are now assessing the available data and will work closely with Statistics Canada, as well as other departments, over the next few months to identify specific treaty data requirements.

[*Translation*]

The Department of Canadian Heritage is working closely with officials in the Department of Justice on Canada's commitment to raise awareness within the federal public service of Canada's international human rights obligations. We are in the process of identifying the appropriate tools for this task and hope to have a strategy in place by September. We are similarly working closely at identifying the appropriate products and means of enhancing information sharing with Canadians concerning ratification of international human rights treaties.

[*English*]

Canadian Heritage is currently working on the commitment to table the outcome of Canada's Universal Periodic Review in Parliament. We anticipate that the relevant documents will be tabled before the end of the current parliamentary session.

In light of the importance placed on this issue in the Universal Periodic Review recommendations and views expressed by civil society, officials are giving particular attention to developing options for consideration by ministers that would enhance existing

mechanisms and procedures related to the implementation of these obligations.

[*Translation*]

This commitment covers a wide spectrum of how we consult and collaborate within government and between governments and how we interact with civil society. There are many different players that must be involved in developing these options and many issues and mechanisms that must be considered.

Discussions are already underway with other federal departments as well as with representatives on the Continuing Committee of Officials on Human Rights. We are looking at how the different interdepartmental and intergovernmental mechanisms function, and whether they should and can be enhanced to ensure the appropriate links are being made across and between mechanisms.

[*English*]

The Continuing Committee of Officials on Human Rights is one of the principal federal-provincial-territorial mechanisms that specifically discuss and report to the UN on international human rights obligations. It is important to note what the committee does and does not do.

The continuing committee is a coordination mechanism through which the Government of Canada consults provincial and territorial governments on international human rights treaties. It is also a forum for governments to share information on measures being implemented in their jurisdictions that relate to Canada's international obligations.

The committee is not a decision-making body, nor can the committee direct any department or jurisdiction on measures it should adopt. Federal, provincial, and territorial representatives advise their respective colleagues and governments on the issues being discussed, and governments in turn make the decisions they deem appropriate and are accountable in this manner.

● (1315)

[*Translation*]

We believe that the Continuing Committee is effective at fulfilling its current mandate. The work of the committee has supported Canada in ratifying six international human rights treaties with provincial and territorial support. Governments have shared important information on implementation measures, which serves to keep attention on the treaty obligations and which can influence policy development across jurisdictions.

Canada has submitted comprehensive reports to the United Nations on measures being adopted by all governments.

[*English*]

What the committee is not presently mandated to do is consult with civil society or publicly report on its activities. We understand the desire on the part of civil society representatives and others to expand on the committee's present mandate or to create a new mechanism.

[Translation]

In follow-up to the Universal Periodic Review, the Continuing Committee is reviewing its role and operations. The views expressed in this regard by this committee and by civil society will inform the committee's discussions. Recommendations will be developed for considerations by federal, provincial and territorial ministers that are responsible for human rights.

[English]

In conclusion, Mr. Chair, much work has been done in the past few months, much more remains to be done, and officials at all levels are working diligently on their responsibilities.

At this point, we would be very pleased to respond to any questions you may have.

The Chair: Thank you very much.

We'll start with a question from Mr. Silva. We're only going to have time for one round of questions, but given the fact that you've wrapped things up very early, I think we can make them a bit longer. So you can take up to 10 minutes and divide your time, if you wish.

Mr. Mario Silva (Davenport, Lib.): Thank you very much.

Thank you very much for being here. This has been an issue that has been on our minds for quite some time. Certainly, since the report of the Universal Periodic Review came out, some of us had issues of concern we wanted to raise. It was Mr. Marston, in fact, who brought a motion before this committee that we hear from the department.

On a side note, I've always found it odd—I don't necessarily need you to comment unless you want to—that it's Canadian Heritage that is mandated to look after the periodic review reporting as opposed to, let's say, the justice department or the Department of Foreign Affairs. I've never quite understood why that was the case, but that's of historical standing.

I guess what all of us want is to make sure there is a process in place that is both transparent and does involve civil society. We've been hearing from a lot of leaders in the community who have concerns about both the recommendation that came out and what steps are going to be followed by the government in terms of dealing with those issues.

I guess my question to you is this. Since the report, what has been the process in terms of what specifics the government has in fact taken action on, has implemented? What are they working on? What would you see coming out of this conference you spoke to, the June conference with civil society?

Mr. Tom Scrimger: Perhaps I'll try to answer the three parts of your question.

On the role of Canadian Heritage, one of the themes mentioned within its enabling legislation deals with human rights. I suspect that's one of the reasons that we have the coordinating role we do. I would point out that the role we do have is one of coordination and facilitation, and not necessarily, or very rarely, I would say, do we have the policy lead on the issues that are being dealt with in the 68 recommendations.

Mr. Mario Silva: Right.

Mr. Tom Scrimger: As it comes to the Universal Periodic Review, much of the work is done between three departments, the Ministry of Justice, obviously, Foreign Affairs and International Trade, and ourselves, given the role we have in coordinating between the federal and provincial and territorial governments. Hopefully that gives you some of the history.

With respect to the progress on the individual 68 recommendations, I'm not really in a position to give you a sense of where the lead departments may be on the recommendations they are dealing with.

I'm certainly able to talk about the engagements that Canadian Heritage has made with respect to its role as the chair of the continuing committee and with respect to the promotion of human rights to the general public and working with the justice department on finding a mechanism to make the federal family more aware of the rights. We're looking at data requirements for treaties. Also, we have accepted the responsibility to ensure that the documents are tabled in the House and will be done through our minister.

But if there are specific follow-up items, I would not feel competent to deal with the domain of another department. I'd be happy to take the item that it is and communicate it to my colleagues, if you wish.

On the question about the civil society engagement, we very clearly hear the message that civil society wants to have, is looking for, a larger role. What we, I think, are doing in our work now is developing options for ministers to consider on how we enlarge or how we potentially have a larger role.

The current continuing committee's mandate is one specifically given to us by all ministers involved in the process. It is something that our minister would have to bring back to all of his colleagues, because it is a federal, provincial, and territorial mechanism.

The question becomes, are there other mechanisms that are out there? Do we create a separate mechanism? It's not so much whether we have a process to have a better collaboration and consultation with civil society; it's choosing the one that's going to be the most efficient for all parties.

As I've said, we met with a smaller group of civil society representatives last week. We're looking for a larger consultation in June. We're meeting with our federal, provincial, and territorial colleagues in May. After that, I think we'll be able to move relatively quickly with the options for the consideration of ministers.

● (1320)

Mr. Mario Silva: On the Continuing Committee of Officials on Human Rights, does it act as a coordinating body from both provincial and federal governments? Is it chaired by Canadian Heritage? Does Heritage take the lead role? How does that work?

Mr. Tom Scrimger: The continuing committee is chaired by an official within the Department of Canadian Heritage, but each provincial and territorial government also—

Mr. Mario Silva: Is there a name for that individual? Is it confidential or...?

Mr. Tom Scrimger: Yes. She's actually sitting right behind me. Her name is Martha LaBarge and she's the director general of strategic policy and management inside my organization. So the person who is chairing the committee is one of the individuals who reports to me and has a small team inside the organization to help in the role of chairing that committee.

But the committee is still largely—almost completely—focused on the question of facilitating consultation and coordination between the 14 governments involved when we're dealing with treaties that impact the jurisdictional responsibilities of provinces and territories. It is solely a mechanism of consultation and coordination for the work that it's dealing with. Each jurisdiction has its own processes that we must respect in approving any treaty where we're looking for the approval of all jurisdictions.

Mr. Mario Silva: A lot of the criticism that Canada always seems to get when we go on the international stage is, of course, about the way we treat our aboriginal people.

There was no treaty to sign, but the fact that we were not favourable to the UN Declaration on the Rights of Indigenous Peoples was seen as very negative in that light. Have you heard from your officials whether the government will in fact be signing on to the declaration?

Mr. Tom Scrimger: It was my understanding, in the last Speech from the Throne, that the government indicated that it was going to reconsider or re-examine its position regarding that particular declaration. It's also my understanding that the lead for that is with the Department of Indian Affairs and Northern Development.

Our role, when we receive that direction, would be to coordinate and consult with provinces and territories about the adoption of the declaration regarding indigenous peoples. We're basically ready and waiting for that direction to come.

Mr. Mario Silva: Mr. Chair, I'll give the rest of my time to my colleague.

The Chair: Yes, you still have a little bit of time.

You have three minutes, Ms. Neville.

Hon. Anita Neville (Winnipeg South Centre, Lib.): I have a quick question.

You talked about your consultation with civil society. Are you, as part of this process, doing consultations with either first nations leadership, first nations organizations, or first nations or Métis aboriginal groups on the ground?

Mr. Tom Scrimger: I didn't mean to lead you astray. I guess the question is asked about...yes. The short answer is yes. As part of our consultations with civil society, we'll be including aboriginal groups as well.

Hon. Anita Neville: Thank you.

The Chair: That's it? Okay.

Thank you.

[Translation]

Mr. Dorion, please.

Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ): Mr. Scrimger, thank you for testifying before us today.

I understand from your presentation that several parties have been called upon to examine and follow up on the Universal Periodic Review report. There is a federal interdepartmental committee, there is also the Continuing Committee of Officials on Human Rights and finally, there is the intergovernmental committee, which represents federal, provincial and territorial officials. Ultimately, who makes the decision to accept or reject the Universal Periodic Review recommendations in Canada?

• (1325)

Mr. Tom Scrimger: It is the government of the day that decides whether it will accept or reject the Universal Periodic Review recommendations. Our role in the department is to prepare—as for all similar decisions—studies and recommendations as part of the cabinet process.

Mr. Jean Dorion: But the committee itself is still looking at the matter. Does it make recommendations to the government?

Mr. Tom Scrimger: It is not a policy committee; it does not have the power to make recommendations on a specific topic. The committee is rather there to coordinate, facilitate and communicate the various positions of the various governments on certain issues. This type of committee can certainly identify solutions from time to time, but it is always up to the ministers to decide what to do with the UN recommendations.

Mr. Jean Dorion: Suppose that one of the parties does not agree; for example, one of the provinces does not agree. Could the federal government decide to settle the issue when it comes under provincial jurisdiction, or not?

Mr. Tom Scrimger: I read the history of the committee, which has been in existence for two decades now. In my opinion, the objective of the committee is to always be able to reconcile those differences. It is clear that, according to a Supreme Court decision from 1937, I believe, the federal government is not in a position to implement something that is under provincial jurisdiction in an international treaty. The committee's role is to facilitate communication among the many governments in order to ensure that Canada—depending on the type of treaties, I know—is in a position to approve or accept the treaty.

Mr. Jean Dorion: Do I still have time?

The Vice-Chair (Mr. Mario Silva): Yes, you still have six minutes.

Mr. Jean Dorion: Canada will go through this process again in less than three years, I think. My question is quite general. What is the lesson learned from what just happened, from the review we were subjected to and from our answer about what we should do for the next review? In three years, will Canada act differently from the way it acted last time? What are we doing to prepare for the next Universal Periodic Review?

Mr. Tom Scrimger: To think about where Canada will be in three years would be entirely pure speculation on my part. It should certainly be the ministers answering this question.

I can clearly state what I want to achieve with the committee. I want us to make sure that we are in a position to provide all the parties involved with information about the progress made on the recommendations in the last review. I also want us to make sure that we find a way to keep everyone up to date on the steps taken to implement the recommendations, and that commitments are met in order for us to have, for example, a better mechanism for consulting with civil society and aboriginal groups. That would be really useful and I feel it would be an achievement if we could clearly show that those mechanisms were implemented.

But it is absolutely impossible to say what the contents of the report will be in three years. I know we have a lot of work to do to make sure that the commitments have already been made, that everyone is aware of that, and that we have a way of communicating to governments and ministers what stage we really are at.

• (1330)

Mr. Jean Dorion: I would imagine that you also participated in the initial consultations with the civil society organizations.

Mr. Tom Scrimger: I personally did not. I am not completely new to this position, since I started last year. I will be participating in the consultations in June and I will be attending my first meeting of the Continuing Committee in May. But I can say that my team was always in attendance and it was they who coordinated and led the consultations with the civil society groups.

Mr. Jean Dorion: So I will ask you the question again. Perhaps Ms. Venasse could answer. During the information session for the civil society groups, is it correct that there was no mention of financial compensation or of funding the travel of the organizations consulted? Is that correct?

Mrs. Liane Venasse (Manager, Human Rights Program, Citizenship and Heritage, Department of Canadian Heritage): Could you clarify that? Are you talking about the consultation we held in January, last year?

Mr. Jean Dorion: Yes.

Mrs. Liane Venasse: On that occasion, yes, we did offer money to some of the participants who came from outside the region we were in—because we held consultations across the country. We subsidized civil society members from outside the city we were in so that they would come.

Mr. Jean Dorion: So you covered the travel costs of people from outside the city.

Mrs. Liane Venasse: Yes.

Mr. Jean Dorion: Thank you, Mr. Scrimger and Ms. Venasse.

[English]

The Chair: Mr. Marston, would you like to go ahead, please?

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Certainly.

Thank you very much for appearing here today. We certainly appreciate it.

We've had a number of witnesses from civil society. I was the person who moved the motion to examine the UPR and the continuing committee and the process, because of a fairly large number of concerns that were brought to us, with words like

“secretive”. It was clear that we had to get the process out onto the table so that people would understand, number one, the process: who had what responsibilities and where.

But there was another concern that we heard regularly. We had concerns raised over time about Canada's human rights record and about how, if anything was done—and they felt little was done—there wasn't a process to report that back to Canadians. There was concern about how there was no process to hold us accountable, in some way, for those things we agreed to do something about. It became an issue of follow-up, in the sense that they weren't included.

Now, obviously, this is a committee within a department of mostly bureaucratic people. It doesn't sound like it was initially designed to consult civil society, and it seems to me that in your comments at the beginning you said that you didn't have a mandate, actually, in the beginning, to consult civil society. It sounds good to hear you say things like how you are looking at a process, a way, to include civil society.

One of the things that was said to us before today was that there is a concern out there, again among civil society groups, that the reports they hear about don't contain the actual analysis portion to the degree that would help them understand the reports. Of course, part of what I as an MP am concerned about is that I understand and my constituents understand what's necessary for them to fulfill their own obligations under human rights. Is there any change coming in the reports that might address that perceived lack of analysis?

Mr. Tom Scrimger: There are a number of aspects to the questions you've just put down.

If I can come back to it, one is that I think in any public policy area I have worked in, civil society today has been seeking everywhere a more active and integrated role. I think we recognize and respect that.

I would point out that the continuing committee is not simply an organism of the Department of Canadian Heritage. It is a federal-provincial-territorial instrument that federal, provincial, and territorial ministers have provided a mandate to. That's why I want to be very careful in saying that it's not a simple matter—and I'm not suggesting it's a simple matter—to get mandates changed, but it's perhaps more complicated because we have to find something that will please all 14 jurisdictions around the table: that they view that as being the right role for the continuing committee.

I would expect that wherever we go with the role of the continuing committee, there will still be some aspects of federal-provincial-territorial work that will be done in camera or in confidence, because it's simply the nature of the business. The question is whether that same instrument is a usable instrument for the other objectives as well, and how do you want to ensure when it's just governments and, then, when civil society is part of that process? It's a delicate balance to find. I'm not saying that it's an impossible balance to find, but it's a delicate balance to find, and we need to kind of do that.

When it comes to whether there have been any changes in reporting, I'll let Liane answer that question.

• (1335)

Mrs. Liane Venasse: Thank you.

It's actually a very interesting question, because one of the commitments Canada has made under the UPR is to look at existing mechanisms and whether there are methods to enhance those mechanisms. One of the things that we have started looking at, and will continue to look at, is Canada's reporting to the United Nations under the different international human rights treaties that we are party to, to see if there are ways of enhancing that process as well.

In how we do the reports, is there a possibility of a role for input from civil society? What about the information that's actually in the reports? How do we improve on that? That also goes back to the commitment that Canada made to look at the available data. What is required under the different treaties? What is already out there? Where might there be gaps in that data so that we can improve the reporting over a period of time, so we can look at and improve how Canada actually reports to the United Nations under these different treaties?

Mr. Wayne Marston: Again, coming back to the assessment of Canada, I believe you referred to 68 comments made about Canada. As I've pointed out at this committee before, many of those comments came from historic allies of Canada.

There has been a move by some people to portray the UPR as being out there—by countries that are predisposed not to look kindly on Canada in the first place—but when we look at those concerns that were raised, I would say they were reasonable in the way they assess Canada. Very troubling, I think, to everybody in this room is the fact that the commentary had a thread about aboriginal communities, so in your presentation I heard you speaking of that.

But there's a critical piece here that may have left the continuing committee hung out to dry, so to speak, because of that distance: you're removed from the flow of our community at the civil level. As soon as that happens, it opens the door to suspicions, questions, and problems.

We have to find a way to open the door to allow civil society a place at the table in the process, to try to help the government as we move forward to address these concerns, particularly when they're legitimate, when they have a certain legitimacy. I understand the 14 governments that you have to deal with, and I've heard some of the reasons why they don't want certain things addressed, but still, we're talking process here.

One of the aspects of process that I suggested before was that perhaps that report, instead of being tabled to Parliament, should be tabled here to this committee, to look at and pass on to Parliament. What would you think of that?

Mr. Tom Scrimger: It's a procedural question that I don't feel particularly competent to answer. I think what is important for us is that whatever procedure follows—following ministerial approval and assuming the minister's acceptance of the procedure—is the one that we will go with.

I would like to point out, though, that the continuing committee is not the only body at all levels of government that is addressing these issues. Lead departments across town have their own processes for engaging civil society on the policy matters and the policy instruments they are responsible for. We happen to be a point of coordination.

I accept your comments that what we're doing might appear somewhat arcane to people. I think we will take some very strong measures to make it an awful lot less arcane, with simple words saying what we are and what we can and can't do, and that we're completely willing to examine the role and develop options for the consideration of ministers, but it will be those ministers who will decide what they want that committee to do.

That's simply one instrument available to us. We recognize the need to engage civil society in the consultations, and if that isn't the instrument, then we'll have to find another one.

• (1340)

Mr. Wayne Marston: Going beyond that just a little bit further, when departments are considering their obligations under economic and social rights agreements and that kind of thing, does this committee advise? Is there a role for this committee in that process?

Again, I guess if we're dealing with the different jurisdictions, you have a problem right there, which is to try to find a way to get us on the same page, so to speak.

Mr. Tom Scrimger: I think the role of the committee is to make sure that all members of the federal family and our colleagues in the provinces and territories are aware of the obligations they have all agreed to as part of the treaty, and that there's a way of communicating the progress made where recommendations have action items attached to them, and a way to make folks aware of where there are issues or where we're not making the progress we would want.

The new role or the additional role you're speaking of is that we would also be a mechanism to inform them of where civil society and aboriginal groups may be and to keep the federal family and the larger federal-provincial-territorial table aware of those issues as well. That's certainly an option, but again, the individual recommendations dealing with policy responsibilities that belong to a particular minister are for that minister and his or her department to pursue, and not for the committee.

Mr. Wayne Marston: Is there a facility of any kind at present to act like a traffic cop, so to speak, and to say that we've had these concerns raised, we're proceeding on this, this is how far we got, and did we or did we not meet our goals, and that kind of thing?

Mr. Tom Scrimger: I think when it comes to the actual government, to the progress, we would be the clearing house that would gather the information from federal departments about where they are vis-à-vis specific recommendations. We would integrate that for the consideration of our federal deputy ministers committee, which has a specific role horizontally across the government, and of course, for the consideration our own ministers, to brief them. And again, the possibility of including new roles is there.

Mr. Wayne Marston: In your view, is there a role for civil society someplace in that part of the process? I guess that would be the accountability side of the equation.

Mr. Tom Scrimger: I think we need to be transparent at a point where we can let all Canadians, including civil society, know what progress is being made against the recommendations and the engagements that have been made. That may lean toward having perhaps either a more formal or a stronger consultation process with civil society. Whether it's part of a continuing committee process or a separate one are two options.

Mr. Wayne Marston: That could be a consideration of your next recommendations to go to the government.

Mr. Tom Scrimger: It could well be. Yes.

The Chair: Unfortunately, that will have to conclude this line of questioning. We've gone about a minute and a half over.

Mr. Sweet, please.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Mr. Chairman.

I don't have a lot of questions, but I do want to make a comment. I just want to commend the public servants who are involved in this and thank the witnesses.

As Upper and Lower Canada and the eastern provinces marched toward Confederation, one of the main principles they were concerned with was keeping the nomenclature unique, the cultural and social ethos of the areas, which of course in that time was a human rights issue. The construction of a great federation like Canada accomplishes many positive things, but it also creates some challenges between the federal government and the 10 provincial governments, the three territorial governments, and a whole host of municipalities as well, and all of these kind of overlap each other. I just want to thank you for your Herculean efforts in coordinating all of this.

I did have one specific question regarding the 68 recommendations, and it's a bit akin to what Mr. Marston said. He was talking about a traffic cop. Is there a place where an individual can go to determine who is responsible for what recommendation? I understand that some of them may even be shared among departments or even between levels of government. Is there a database like that? Is this something that has been considered?

• (1345)

Mr. Tom Scrimger: The short answer—and I'm just confirming—is no. There is not a place where you will see on a departmental website right now the recommendations and the current status, I guess, of progress against the recommendations.

I think that has to be one of the mechanisms we would have to look at as part of our engagement to strengthen the reporting and the follow-up to the periodic review. Departments are required to provide progress reports on their service standards and other aspects. Looking at options for a mechanism that might accomplish this could be part of the work we're doing in the upcoming months.

Mr. David Sweet: Right, because ultimately, just from your comments, I think I've understood that the engagement with civil society happens at the area of the department that's responsible for the recommendation, that's going to move forward on that. That's where the public inquiry would happen. Is that correct?

Mr. Tom Scrimger: Well, I think it's happening both ways. As part of the Universal Periodic Review process, specific consultations were held with civil society and aboriginal groups. Then, I would suggest, any department that has leadership around a certain policy domain has its own processes about how it engages its stakeholders in those policy consultations and discussions. So yes, in many cases, I suspect, our colleagues in civil society have a number of doors right now that they have to knock on to present their views and make their recommendations around where the policy is going to go.

The role varies. As I said, it's very rare that Canadian Heritage is going to have a policy lead on the areas that are usually covered in the Universal Periodic Review. You will note that most of our leads are dealing with process, not content. There may be a way to enlarge the discussions through the consultation we want to have around the process. Without a change in mandate from ministers, the continuing committee is not a policy body and it won't be acting as one, that's for sure.

Mr. David Sweet: Thank you, Mr. Scrimger.

Thank you, Mr. Chair.

The Chair: Thank you very much.

I thank both our witnesses. You do have the appreciation of the committee.

I'm going to have to suspend temporarily. We'll come back in a moment in camera. We'll just give our witnesses and anybody else who's not on the staff of one of the members a chance to leave.

Thank you.

Mr. Tom Scrimger: Thank you, Mr. Chairman.

The Chair: Thank you, sir.

[*Proceedings continue in camera*]

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