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# Standing Committee on Justice and Human Rights

EVIDENCE

**NUMBER 106**

Monday, May 27, 2024

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Chair: Ms. Lena Metlege Diab





## Standing Committee on Justice and Human Rights

Monday, May 27, 2024

• (1100)

[*Translation*]

**The Chair (Ms. Lena Metlege Diab (Halifax West, Lib.)):** Good morning, everyone.

I call today's meeting to order.

[*English*]

Welcome to meeting number 106 of the House of Commons Standing Committee on Justice and Human Rights.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on March 21, 2024, the committee is continuing its study on anti-Semitism.

Before we begin, I'd like to remind all members and other meeting participants in the room of some important preventative measures. To prevent disruptive and potentially harmful audio feedback incidents that can cause injuries, all in-person participants are reminded to keep their earpieces away from all microphones at all times.

As indicated in the communiqué from the Speaker to all members on Monday, April 29, measures have been taken to help prevent audio feedback incidents. All earpieces have been replaced. Please only use the black approved earpiece. All unused earpieces should be unplugged at the start of the meeting if you're not using them. When you're not using an earpiece, please place it face down on the middle of the sticker. Please consult the cards on the table for guidelines to prevent audio feedback incidents.

These measures are in place so that we can conduct our business without interruption and to protect the health and safety of all participants, including the interpreters.

[*Translation*]

I thank you in advance for your co-operation.

[*English*]

Today's meeting is taking place in a hybrid format.

[*Translation*]

I would like to inform you that all the sound checks have been done.

[*English*]

I realize there's a camera not working, but all the sound tests have been completed.

I want to make a few comments for the benefit of members and the witnesses.

One, please wait until I recognize you by name before speaking. Two, I remind you that all comments should be addressed through the chair. For the benefit of all attending and viewing the webcast, I remind you that all briefs can be sent to the committee until May 27, 2024, and they should not exceed three pages in total.

I now want to welcome our witnesses for the first session.

As an individual, we have Mr. Mark Sandler. Representing Secure Canada, we have Madam Sheryl Saperia, chief executive officer, by video conference. Representing Universities Canada, in person we welcome Mr. Gabriel Miller, president and chief executive officer. Representing the Toronto Police Service, by video conference we have Deputy Chief Robert Johnson and acting Detective Sergeant Kiran Bisla.

Each of the four witnesses will have five minutes for opening remarks, after which we will proceed with the round of questions. I will indicate by raising the card that there are only 30 seconds left. If you don't see it, I will probably end up needing to interrupt you when the time is up, and I will be fair with all witnesses alike, and all members, of course.

With that, we will commence, and I will ask Madam Gladu to please start with six minutes.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** The witnesses are going to testify.

**The Chair:** Yes, of course.

In the order that I have them on my piece of paper, Mr. Sandler is first, please, for five minutes.

• (1105)

**Mr. Mark Sandler (As an Individual):** Thank you. Good morning.

On October 7, life completely changed for Canadian Jews not simply because Israel had been the victim yet again of terrorist brutalities directed against helpless citizens, but because almost immediately and before a single Israeli soldier set foot in Gaza, on Canadian streets and campuses, faculty members and students, union leaders and known jihadists celebrated and glorified Hamas's barbarities.

The murdered included Israeli Canadian Vivian Silver, a well-respected peace activist involved, amongst other things, in ferrying children from Gaza to Israeli hospitals.

What perversity of ideology, human behaviour, and appalling ignorance explains the glorification and martyrdom of those who rape women, torture, behead and burn Jews alive—and in Canada—or of those who brag about how many Jews they've slaughtered?

Canadian Jews, I can tell you, are depressed, angry, frustrated and puzzled by the normalization of hatred directed against them.

Don't tell Canadian Jews that these are isolated instances of hate, when large numbers of protesters march behind a banner that says, "By any means necessary" with a picture of a weapon being brandished.

Don't tell Jews that there's a benign interpretation of "From the river to the sea, Palestine shall be free," language that mirrors that of a genocidal, Jew-hating, jihadist terrorist organization, especially when just two days ago, a large march on Toronto's streets included not only the responsive chanting of that phrase, but also "The only solution is intifada revolution"; "We don't want two states. Bring us back to 1948," and the chanting of Sinwar's name, Hamas's leading war criminal.

Don't tell Jews this isn't about anti-Semitism or that it's only about protected speech when students and radicalized faculty say that all Zionists are evil, that all Zionists are racist, that all Zionists are genocidal. The vast majority of Jews are Zionist and many of us are pro-Palestinian.

I believe without a trace of humility perhaps that I've done more as an advocate to advance the rights of Palestinians than any of the people who are protesting in the way that I've described.

Don't tell Jews that their children are safe in their schools and universities. Read, for example, the shocking brief of Ottawa Against Antisemitism. In public schools, teachers are erasing Israel from the map and replacing it with Palestine. Students are giving presentations praising Hitler's leadership, saying he only failed because he didn't finish the job. A student at a graduation ceremony changed the indigenous land acknowledgement by blaming Jews for killing all her people—the principal didn't feel this was problematic. Some students play "choke the Jew", while others are threatened with a knife, shoved to the muddy floor of a yellow school bus, told to taste what their grandparents tasted in the Holocaust and told by their teachers to just let it go.

Don't tell Jewish women that they are safe on campuses. Read the equally shocking brief of Canadian Women Against Antisemitism, who experienced the worst forms of misogynistic Jew hatred: "Zionist whore", "fucking child abuser for having Zionist babies", "Rich Jewish bitch, you ought to be raped." These are from TMU students.

Don't tell Canadian Jews that these are isolated instances. The data shows the opposite.

I'm speaking to you in my personal capacity as someone who has combatted anti-Semitism and other forms of hate, including anti-Black, anti-LGBTQ, anti-indigenous and, indeed, anti-Muslim hate, for almost 40 years. However, I also invited over 40 groups, organizations and individuals who are deeply concerned about anti-Semitism to come together in an alliance combatting campus anti-

Semitism to share their experience and expertise and recommendations with you. They all responded.

You'll read the perspectives of indigenous people, Muslims, Catholics, teachers, students at all levels, doctors, lawyers, faculty, academics, a media monitor, community NGOs, extremism experts and those who are working with me on a national respectful dialogue on campus between Muslims and Jews.

I'll conclude the oral comments by saying, I've identified for you, trying to draw together everything you've heard, 10 reasons overt anti-Semitism is so pervasive in Canada.

• (1110)

I hope those will be of assistance to you as well as 14 concrete recommendations to address that anti-Semitism.

**The Chair:** Thank you, Mr. Sandler. We'll get back to your recommendations.

**Mr. Mark Sandler:** Thank you.

**The Chair:** Madam Saperia, please, by video conference, you have up to five minutes.

**Ms. Sheryl Saperia (Chief Executive Officer, Secure Canada):** Good morning and thank you for inviting me here today.

My name is Sheryl Saperia, and I am the CEO of Secure Canada, a non-profit organization originally founded by Canadian victims of terror. Our mission is to combat terrorism, extremism and related threats to Canada's national security and democracy by creating innovative and transformative laws, policies and alliances. We are also a member of the informal coalition, the Alliance Against Campus Antisemitism in Canada.

Secure Canada is not a Jewish organization. Anti-Semitism is not referenced in our mandate, but it has become increasingly clear that anti-Semitism is evolving into a national and global security threat, thereby placing this issue squarely within our mandate.

Anti-Semitism is a key entry point for radicalizing, joining extremist groups and mobilizing to violence. Anti-Semitism underpins ideologically motivated violent extremism across the spectrum, from neo-Nazi and white nationalist extremism to far-left extremism, to Islamist extremism. The Jewish population may not always be the target, but anti-Semitism is used to leverage people's vulnerabilities and grievances and to bind a wide array of conspiratorial thinking.

There are different factors that can make someone more vulnerable to becoming an extremist. Sometimes there are mental health considerations, or someone may be socially disconnected, or maybe they have experienced some past domestic trauma. Then they start intersecting with the hateful ideology online, where they read that their lives are so unhappy because of the Jews. Here come the anti-Semitic conspiracy theories and an us-versus-them narrative. When they read it enough times in enough different places, they think, "Jewish people have taken over. I need to be part of a movement that is going to fight back."

For disenchanted young adults in particular, this is a template that makes their problems make sense. It has now been more than seven months since the October 7 attacks by Hamas, and there are some new radicalization trends emerging in Ontario. First, younger kids, as young as 12 and 13, are getting radicalized. Second, the extremist ideologies are fusing together, so you are now seeing Islamists who also love Hitler. Third, there is a new breed of extremist that hates five things: Jews, women, democracy, police and transgender people.

We are living in a globalized world, so it is hard to isolate homegrown Canadian variables from foreign variables that are inflaming today's anti-Semitism, but it is worth exploring both elements. A current notable area of research is the foreign funding of North American universities.

An organization called ISGAP has found that a massive influx of foreign donations to American colleges, much of it from authoritarian regimes, supports heightened levels of intolerance towards Jews, open inquiry and free expression.

One of Secure Canada's board members is the renowned UK-based counter-extremism expert, Haras Rafiq. Mr. Rafiq notes that Qatar has spent up to \$1 trillion to spread soft power influence and Islamist indoctrination, which, at its very core, is anti-Semitic and the bedrock of the ideology of terrorist entities such as Hamas, ISIS and al Qaeda. Russia and China, meanwhile, appear to be manipulating public opinion by promoting [*Technical difficulty—Editor*].

[*Translation*]

**Mr. Rhéal Éloi Fortin (Rivière-du-Nord, BQ):** Madam Chair, I have a point of order. I can no longer hear the witness.

**The Chair:** We're not hearing her here, either, Mr. Fortin.

**Mr. Rhéal Éloi Fortin:** Okay, thank you.

**The Chair:** Just a moment.

[*English*]

Madam Saperia, can you hear me?

**Ms. Sheryl Saperia:** Yes, I can hear you.

**The Chair:** I stopped the clock when you froze. You have one minute and 30 seconds left.

**Ms. Sheryl Saperia:** Thank you. Can you just let me know what you last heard in case I wasn't fully heard?

**The Chair:** Foreign funding for universities in the States.

**Ms. Sheryl Saperia:** Okay. That was quite a while ago. Gosh, okay.

• (1115)

**Mr. Tako Van Popta (Langley—Aldergrove, CPC):** Madam Chair, she said something about Islamism being at the heart of anti-Semitism. That is the last note that I have on my paper.

**Ms. Sheryl Saperia:** Thank you, I appreciate it.

Russia and China, meanwhile, appear to be manipulating public opinion by promoting anti-Israel messaging online. Whether foreign-funded or not, North American universities must find a way to start dismantling the pervasive and destructive academic paradigm

in which Jews and Israelis are portrayed as today's ultimate embodiment of evil: white, rich, privileged, racist colonizing oppressors.

There are also homegrown dimensions to Canada's anti-Semitism and extremism problem. It is worth researching whether a minimization of Canadian national identity and values, coupled with a high usage of identity politics, renders young people both on and off university campuses more vulnerable to charismatic recruiters looking to radicalize and recruit new members for their extremism cause. Put another way, a strong Canadian identity based in part on respect for liberal democratic values and a clear rejection of intolerant authoritarian values may help to create the resilience that is needed to inoculate against radicalization.

The government, through CRA, must take a robust stand against charities and non-profits that promote extremism or that have connections to terrorist groups. It is confounding that a group like Samidoun is a registered non-profit in Canada rather than a listed terrorist group. The IRGC may not have charitable status here, but the government's refusal to designate them as a terrorist group while members of the Iranian regime continue to be found in Canada creates a culture of impunity.

Speaking of impunity, a new group called Lawyers for Secure Immigration points out the absence of enforcement activity—

**The Chair:** Madam Saperia, thank you. We'll come back to you during questioning.

We will now continue with Mr. Miller, please, for five minutes.

**Mr. Gabriel Miller (President and Chief Executive Officer, Universities Canada):** Good morning, Madam Chair and honourable members of the committee.

[*Translation*]

My name is Gabriel Miller, and I am the president and CEO of Universities Canada. As an organization, we are the federal and international voice of Canadian universities.

[*English*]

Though it's only been two months since I joined Universities Canada, I can be certain that there will never be another issue more important than the one we're here to discuss today.

I want to begin by thanking the committee for undertaking this important and timely study. Even more important, I want to thank the Jewish students and scholars who have bravely shared their painful stories. I'm sorry for what you've endured. We hear you, and we take this very seriously.

Universities Canada unequivocally condemns anti-Semitism and all forms of racism and discrimination. Hateful anti-Semitic acts have no place on our campuses or in our communities. They must be stopped.

Learning on a supportive campus free from harassment, intimidation or fear for one's safety is critical for students and for the integrity of our institutions. The academic environment should foster freedom of expression, and with that comes the freedom to confront opinions or statements we may find misguided or offensive. However, students must feel secure attending university to learn and to participate fully in campus life.

As a national organization, at Universities Canada, we've been acting recently in four main areas.

First, we've been working with public safety and the RCMP to help ensure the physical safety of students, staff and faculty.

Second, we've been preventing hate and anti-Semitic acts through campus codes of conduct, which should, by definition, help protect Jewish students.

Third, we've been sharing best practices and lessons among institutions and the community.

Fourth, we've been working with 27 universities to detail the specific actions they are taking to fight anti-Semitism in response to a December 13 request from MPs.

Universities Canada is working closely with Deboarah Lyons, the Department of Public Safety, the RCMP, local MPs and community-led organizations such as the Network of Engaged Canadian Academics, the Centre for Israel and Jewish Affairs and B'nai Brith Canada. We are also in close contact with our international counterparts like Universities UK and the American Council on Education.

We are listening carefully to Jewish students and scholars and to leaders in the fight against anti-Semitism. We welcome the practical, concrete solutions that have been presented to this committee, including proposals to ensure equal application of codes of conduct; EDI policies that fight anti-Semitism and protect Jewish students, faculty and staff; new education and training programs; more extensive data collection and reporting; and broadening the use of the non-binding IHRA definition as a valuable tool to help universities identify and address anti-Semitism.

We are committed to working with you, with governments and with Jewish partners to address these recommendations.

We know from police reports and annual audits that incidents of anti-Semitism have been steadily rising in Canada. As many who have appeared before the committee have rightly pointed out, if anti-Semitism is not stopped wherever it's found, it spreads; it grows. We cannot forget the lessons of history when it comes to how unchecked hateful language too easily progresses to more hateful actions.

These problems do not stop at the edge of campus. Anti-Semitism affects our whole society and demands a national whole-of-government response. It is not a partisan issue either, and I hope

members will continue to approach this study and the resulting report with a multipartisan approach.

• (1120)

[*Translation*]

Universities have a particular responsibility to be models for respectful dialogue and respectful conduct. This responsibility extends not only to our students, staff and faculty, but also to leaders in the broader Canadian community. It is incumbent on us to do everything in our purview to prevent antisemitism, just as it is incumbent on elected leaders and leaders from all sectors to do the same.

[*English*]

Thank you for undertaking this important work. I look forward to answering your questions.

[*Translation*]

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

We'll now go to questions from committee members.

[*English*]

I'm sorry. It took me 12 to 13 hours to come from Halifax this morning.

Now we have our last presenter.

I will ask Deputy Chief Johnson to please use his five minutes however he wishes, with his colleague.

**Deputy Chief Robert Johnson (Deputy Chief of Police, Toronto Police Service):** Detective Sergeant Kiran Bisla will start.

We had a little bit longer than five minutes. I will wrap up with the four recommendations.

Kiran, please go ahead.

**Detective Sergeant Kiran Bisla (Acting Detective Sergeant, Toronto Police Service):** Thank you, sir.

It's truly a privilege to speak before you today and share with you information relating to the service's hate crime unit and its mandate, how the service investigates and responds to hate crime, the significant 47% increase in hate crime reporting in 2023, and the extensive community outreach education efforts made by the service in an effort to address and combat hate crimes.

It is important to note that not all police services have a dedicated hate crime unit, and how police respond to hate-motivated crimes differs from service to service.

The hate crime unit was established in 1993 and is responsible for collecting statistical data and ensuring the thorough investigation of hate crime offences within the city of Toronto. Since its inception, the hate crime unit has been embedded with the security section of intelligence services. This placement is by design, as hate crimes can be precursors to violent extremism in the forms of criminal extremism and terrorism, two areas of investigation falling under the security section mandate. This enables mutually supportive actions in circumstances where investigations of hate crime and violent extremism overlap.

The investigation of hate crimes is a Toronto Police Service priority. Hate crime laws are complex because determining motivation of bias, prejudice or hate can be difficult, and context is key. An essential part of the hate crime unit's mandate is to provide internal training to its members and to assist in the development of public education programs in partnership with other members of the service and the community.

In 2023-24, the hate crime unit delivered training to new recruits, dispatchers, auxiliary officers and members of the public safety unit who are specially trained to respond at public protests and demonstrations. These efforts help to ensure that police officers and community members are able to recognize hate crimes and work collaboratively to ensure that these crimes do not go unreported.

The reporting of hate crimes is essential because it helps to identify trends and patterns across the city, which then inform service-wide strategies such as hate crime prevention, community outreach and public education. Other aspects of the hate crime unit mandate include conducting investigations, assisting and providing expertise to all hate crime and hate propaganda investigations and prosecutions, providing follow up and assistance in regard to all hate-related incidents to victims of hate crime and the affected communities, attending demonstrations and gathering evidence, and investigating any suspected hate crimes or hate speech or signage.

As you may be aware, a very high threshold must be met to lay hate propaganda charges, which require the consent of the Attorney General of Ontario. The hate crime unit liaises regularly with the Ministry of the Attorney General's specialized hate crimes working group in relation to hate crime investigations, and seeks AG consent in relation to hate propaganda charges, as required.

The hate crime unit also facilitates the exchange of information through its internal networks and with various law enforcement agencies at the provincial, national and international levels. This includes co-hosting weekly meetings with the province's hate crime and extremism investigative team, and continued partnership with the RCMP and the Canadian Race Relations Foundation. It also includes taking part in national and international summits, including last year's Eradicate Hate Global Summit in Pittsburgh to share ideas and build working relationships between subject matter experts and various government agencies, community leaders, academics and law enforcement members.

The hate crime unit is also responsible for reviewing, classifying and recording all reported hate-motivated occurrences. The classification of hate crimes is based on the criteria set in the Criminal Code and guidelines set by the Canadian Centre for Justice and Community Safety Statistics.

This coming Friday, the service will be presenting its "2023 Annual Hate Crime Statistical Report" to the Toronto Police Service Board.

With the exception of 2022, the number of reported hate crimes has been steadily increasing since 2018. There are multiple factors that can affect the fluctuation in the number of reported hate crimes and the different community groups that are victimized, including geopolitical events and heightened awareness stemming from community educational programs, hate crime training and increased media coverage.

In 2023, the service experienced a 47% increase in reported hate crimes compared to 2022, from 248 to 365. Over the past 10 years, between 2012 and 2022, the average number of reported hate crimes has been approximately 174 per year. The ongoing Middle East conflict that escalated after the events of October 7, 2023 is a significant contributing factor to the increase in reporting.

In 2023, there were increases in reported hate crime in the following victimized categories. Anti-Semitic occurrences increased from 65 in 2022 to 135 occurrences in 2023. Anti-Muslim, anti-Palestinian and anti-Arab occurrences increased from 12 in 2022 to 36 in 2023. Anti-2SLGBTQ+ reported hate crimes increased from 40 in 2022 to 65 occurrences in 2023.

• (1125)

There was a 32% increase in the number of reported hate crimes after October 7 during the months of October, November and December in 2023 compared to the same time period in 2022. Mischievous property offences were the highest reported—

**The Chair:** Detective Bisla, we'll come back to you. Thank you for the opening remarks.

**Ms. Melissa Lantsman (Thornhill, CPC):** I have point of order, Chair.

**The Chair:** Yes.

**Ms. Melissa Lantsman:** I think they believed they had more time.

Can I get unanimous consent from the committee to hear the four recommendations?

**Some hon. members:** Agreed.

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

Please continue.

**Det Sgt Kiran Bisla:** Thank you.

The number of arrests related to hate crimes in 2023 increased from 46 persons in 2022 to 59 persons in 2023.

**Hon. Marco Mendicino (Eglinton—Lawrence, Lib.):** Madam Chair, on a point of order—

**The Chair:** Please hold on, madam.

**Hon. Marco Mendicino:** —I think the consensus was just to hear the four recommendations. Am I correct?

**The Chair:** Yes, proceed to the four recommendations, please.

**D/Chief Robert Johnson:** One is obviously in the purview of the province, given that they're responsible for policing. The other three might be appropriate within this forum.

First, create dedicated hate crime units mandating a hate crime course for investigators and culturally sensitive training. This will provide service members with the foundational knowledge of the practice of religions such as Judaism and Islam, as well as enhanced understanding of the community impact of hate crimes, and it will ensure a consistent investigative approach.

Second, adopt a standardized definition of “hate crime”. Conducting community consultations to better understand the definition and controversial slogans is recommended. We know from speaking with the community and our officers that there is a sense of frustration around the lack of clarity as to what constitutes a hate incident as opposed to a hate crime or hate propaganda. A commitment to ongoing education and training for our officers will assist the public and the police in this regard.

Third, remove AG consent as a prerequisite for laying hate crime charges. The rationale is to unleash the power of the common law to evolve the rules around acceptable speech and conduct. Also, banning certain flags or symbols should be considered.

Fourth, the list of banned organizations, as they fund terror and hate, should be updated as many new groups have surfaced since October 7.

Thank you.

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

[*Translation*]

We will now begin the first round of questions, where every member will have six minutes.

Ms. Gladu, the floor is yours.

[*English*]

**Ms. Marilyn Gladu:** Thank you, Chair.

Thank you to the witnesses for being here to discuss this very serious and important topic.

In my role as the critic for civil liberties, I'm hearing from across the country concerns that the rule of law is not being enforced equally, especially when we consider anti-Semitic incidents that are happening.

I want to start with the Toronto Police Service.

I'm just going to go through a number of the incidents that have gone on so that you can give us a picture of what's really happening there.

At Christmastime in the Eaton Centre there was a pro-Palestinian demonstration where death threats were made to the police and shoppers were intimidated and harassed. Were there any arrests made as a result of that?

• (1130)

**D/Chief Robert Johnson:** Yes, there were.

**Ms. Marilyn Gladu:** Very good.

There was the Avenue Road blocking of the ramp where hundreds of people were gathered and the media had reported that Tim Hortons coffees were brought to the protesters.

It's illegal to block roads. How many of those hundreds of protesters were arrested?

**D/Chief Robert Johnson:** We did arrest a number of protesters. The exact number I don't have. Kiran may have it.

There were subsequent conditions that were placed on those individuals. As a result of the continued protests, we changed our response and footprint around that bridge.

Kiran, do you have any of the statistical information on that?

**Det Sgt Kiran Bisla:** I believe the number was six. I would have to confirm that, though.

**Ms. Marilyn Gladu:** No, that's great. You can send any of these things to the clerk afterwards if you don't have the information right with you.

How many arrests for hate crime have been made since October 7, 2023?

**D/Chief Robert Johnson:** Kiran.

**Det Sgt Kiran Bisla:** Yes, I do have those numbers in front of me.

I have 59 in total, and I can certainly provide the number of arrests that were made after October 7.

**Ms. Marilyn Gladu:** One of the concerns I hear is that, especially in incidents like the blocking of University Avenue in front of Mount Sinai Hospital, it's very difficult for the police with the resources they have to deal with the situation. Have there been any requests made for supplementary resources either from the province or from the federal government? If so, what was that response?

**D/Chief Robert Johnson:** I can tell you we do work with our partners. All the GTA services have helped us with policing personnel to police the protests that are both spontaneous and planned. The province as well has been very receptive to providing resources through the Ontario Provincial Police, so we have had help from our neighbouring police organizations.

**Ms. Marilyn Gladu:** We've seen a lot of intimidation, vandalism of small businesses and also incidents happening on university campuses. Are the Toronto Police able to take action when crimes are committed on university campuses or in front of small businesses?



**D/Chief Robert Johnson:** Yes, if it's a criminal offence, we do take action and investigate those occurrences.

With respect to the University of Toronto, we are working with the administration and the campus police there. When reports of criminal activity occur and they take an occurrence, if they send it to us, we will engage in the investigation. As well, if individual members who might have been the victim of a crime on the university campus come to us directly, we do take that report and investigate it.

**Ms. Marilyn Gladu:** Excellent. I think your role is critically important in making sure that people do know that the rule of law will be enforced and that violence, intimidation, harassment, these things will just not be tolerated.

I want to turn to Ms. Saperia from Secure Canada.

You were talking about the concern about foreign actors being involved in some of the activities of the protests. Do we have evidence in Canada of foreign actors that are influencing these pro-Palestinian demonstrations at Canadian universities?

**Ms. Sheryl Saperia:** That is a very good question, and it's a very salient one right now.

There's a lot of research being done to understand where the funding is coming from. There is a wide acceptance that the protests from the beginning were much too organized and much too well-funded to be these organic, spontaneous, local demonstrations. That is something that, hopefully, in the coming weeks and months we will have a great deal of research on.

**Ms. Marilyn Gladu:** Very good.

I noted that you mentioned some of the extremist groups and the IRGC that need to be added to the list of designated terrorists in Canada. I think the Toronto Police Service recommendation contained that as well. I would ask if both of you could submit to the clerk the list of those organizations that you believe should be added. That would be great.

I'm going to turn to Mr. Miller and talk about the universities in Canada.

It seems to me that all of them have codes of conduct and that students can be censured. Are they enforcing their codes of conduct or are the protests that happen on campuses actually not students but other actors?

**Mr. Gabriel Miller:** Through you, Madam Chair, thank you very much for the question.

To start, I think it's important to say that what we've been hearing in our conversations with Jewish students and leaders in the past several weeks is how important it is that these codes of conduct be enforced in a way that's equal to all groups and provides protection to all groups, including, of course, members of our Jewish community. That's the message that's being delivered by the community to our university leaders. Universities are using all of their policies, including codes of conduct, to ensure that the proper standards are upheld, but of course, there is a lot of work to do. We've seen examples, I think, where, clearly, we're letting our Jewish students and faculty down, and there's a great deal of work to do to improve our performance.

• (1135)

**The Chair:** We will continue with Mr. Mendicino for six minutes, please.

**Hon. Marco Mendicino:** Thank you to the witnesses for attending this morning.

This committee has heard disturbing evidence from Jewish Canadians from just about every generation going back to the post-Second World War period. Their testimony is clear and consistent: Jews are being targeted at every turn—students, professors, professionals, business owners, public servants, union members, faith leaders, families.

Just last weekend there was the shooting at Bias Chaya Mushka, a Jewish day school for girls in North York, in my hometown of Toronto. That is another horrifying incident to add to the record levels of anti-Semitic violence against Jews as documented by B'nai Brith.

Imagine having to send your daughter off to school this morning knowing there are people who want to attack her, and all you want to do is assure her she's going to be safe. How can Jews feel safe when laws aren't enforced? When encampments go on for weeks without consequence, or, as in the case of Adil Charkaoui in Montreal, who explicitly demonized Zionists and incited violence without facing charges, Jews can't feel safe. They don't feel safe, and the consequences are real. There are more unlawful protests, more violence, more Jew hatred. This study has to be a call to action for all Canadians to put on our gear, pick up a hose and extinguish the five-alarm fire that is anti-Semitism in this country.

This morning, I want to focus on a written submission from Canadian Women Against Antisemitism. This is a grassroots organization in Toronto. Their written submission explains in vivid detail the impacts of anti-Semitism on Jewish women. They make two key points: first, the word "Zionist" has been misappropriated and perverted as a racist trope against Jews; and second, sexual violence against women and girls is explicitly being coupled with Jewish hatred.

We see this specifically at university encampments, where there are repeated denials of the rape and torture of women by Hamas, along with chants like, "Long live October 7," glorifying terrorism, and, by extension, the violence done to women on that day. The submission even makes reference to a six-year-old girl who was told that she should be raped by Hitler and that all Jews should die.

Mr. Sandler, you're an expert in criminal law, but you don't have to be an expert to conclude these are prima facie examples of hate speech. Am I correct about that?

**Mr. Mark Sandler:** You're absolutely correct.

**Hon. Marco Mendicino:** Any student on any campus alleged to have uttered such hate speech warrants, at a minimum, an investigation by universities under their respective codes of conduct. Would you agree with that?

**Mr. Mark Sandler:** Absolutely.

**Hon. Marco Mendicino:** To your knowledge, has any student been the subject of a disciplinary investigation warranting their expulsion to date?

**Mr. Mark Sandler:** I'm unaware of very much activity on this front at all, frankly, and I'm aware of many instances where no action has been taken.

**Hon. Marco Mendicino:** Indeed, so am I, and we've heard it from Jewish students themselves.

My next question is for Mr. Miller.

On behalf of Universities Canada, can you inform members of this committee whether or not any disciplinary proceedings have been commenced on the grounds that students have committed some of the hate speech we've heard directly from Jewish students themselves?

**Mr. Gabriel Miller:** I want to start by echoing your message that the kind of language and behaviour you're describing is absolutely intolerable and offensive and needs to be eradicated. We need to work much harder to protect—

**Hon. Marco Mendicino:** I appreciate the expression of solidarity.

My question is whether or not any disciplinary proceedings have been commenced thus far.

**Mr. Gabriel Miller:** I would be happy to follow up with the committee with specific examples. I know universities are working with their codes of conduct. What they've heard from Jewish students and faculty is that these codes of conduct need to be applied more equally so that they protect all members of the community, and there's certainly more work to do there.

• (1140)

**Hon. Marco Mendicino:** Mr. Sandler, I see that you would like to come back.

**Mr. Mark Sandler:** I don't want to ignore the fact we have radicalized professors and faculty and would not simply focus on students. There's jurisprudence that makes it clear that, even in the absence of proof of a hate crime, we are to be able to deal in a disciplinary manner with faculty who are creating a poisoned environment in their classrooms.

**Hon. Marco Mendicino:** I wholeheartedly agree. We heard from Dr. Rosenberg just last week, who was previously a teacher at the University of British Columbia's faculty of medicine. He resigned despite the fact he had raised repeatedly his concerns around that kind of toxic indoctrination which we're seeing not only on his campus but right across the country.

In addition to that, Mr. Sandler, you also have experience, as I said, in the criminal justice system. There are many tools that are available to law enforcement. We heard from Toronto Police Service this morning that, as part of an action plan, we need to see more training of police, prosecutors and members of the judiciary.

Do you agree with that, and can you expand?

**Mr. Mark Sandler:** Not only do I agree with that, but what I am seeing is an inconsistent application of the law right across the country. I'm seeing underutilization of various sections of the Criminal Code that do exist and that I have identified. I've also seen the

absence of designated prosecutors to deal with these crimes so that you're actually having internal disagreement within Crown services about what is prosecutable and what is not. We need a national approach that understands anti-Semitism, understands the criminal law tools that are available to deal with it and applies across the country.

**Hon. Marco Mendicino:** Thank you. I have less than 10 seconds.

Is it concerning to you that, when individuals who have an interest in seeing these encampments taken down bring applications before the courts for injunctions, they are being denied?

**The Chair:** We will wait for that response at the next question.

[*Translation*]

Thank you very much.

We'll continue with Mr. Fortin for six minutes.

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair.

I thank the witnesses for being with us this morning. This is an important topic that everyone is concerned about, and their insights can only shed more light for us as we look for solutions.

My questions are for Deputy Chief Johnson, but Detective Sergeant Bisla will probably be able to answer them, as well.

You talked about four recommendations. I like that approach of trying to deal with the situation. There are some obvious things, such as training. Of course, I agree and I find it quite obvious. You also talked about the definition of "hate crime". I must say that this is a subject that concerns me. I don't know whether one of you could answer my question.

What suggestion would you have to develop a definition that would be useful, effective and clear? I'm sure you've given this some thought.

Mr. Johnson, would you like to answer the question?

[*English*]

**D/Chief Robert Johnson:** I'll start, and then maybe Kiran can jump in.

I think the issue is twofold. It's internally with police organizations and police officers, and then more importantly with community because of misinformation and lack of information. This is a complicated issue. In my recommendation I mentioned the importance of consultation with community because I think this is a bit of a moving target and may be addressed through some regulation so it can be more easily changed as things evolve.

Kiran, would you like to speak to specifics?

**Det Sgt Kiran Bisla:** Yes. I know there are discussions and Toronto Police Service is part of those discussions with respect to creating a standardized definition that all police services can refer to. It's not standardized at this point, but as part of our work with the RCMP and the Canadian Race Relations Foundation, we are working together with police services to ensure that we have a standard definition.

At this time, the definition of a hate crime is a criminal offence committed against a person or property motivated in whole or in part by the offender's real or perceived bias, prejudice or hate. The key is the intentional selection of the victim based on their identifiable crew.

[Translation]

**Mr. Rhéal Éloi Fortin:** Thank you, Ms. Bisla.

In your opinion, should all forms of hate be treated equally, or should more special consideration be given to antisemitism or Islamophobia, for example? Should specific treatment be reserved for these forms of hate, or should any hate speech or any form of hatred be dealt with in the same way?

• (1145)

[English]

**Det Sgt Kiran Bisla:** The law addresses hate in a number of ways in the Criminal Code. There are provisions that speak to anti-Semitism specifically under the hate propaganda legislation.

[Translation]

**Mr. Rhéal Éloi Fortin:** I'm sorry to stop you there, Ms. Bisla, but time is running out. I apologize for being rude.

I understand that the Criminal Code contains definitions. I'll be more specific if that's okay with you.

The Criminal Code currently contains a provision, in section 319, which states that “[no] person shall be convicted of an offence” of antisemitism “if, in good faith, they expressed or attempted to establish by an argument an opinion on a religious subject or an opinion based on a belief in a religious text”.

In your opinion, should an exception of this nature—that is to say that hate can be promoted based on a religious text—be maintained or should it be reviewed?

[English]

**Det Sgt Kiran Bisla:** There are defences available in the Criminal Code. I am familiar with those defences, and they are considered. It's always done on a case-by-case basis.

If you're asking me if those need to be revisited, I think they're appropriate. That might be a question better suited for a lawyer as opposed to me.

[Translation]

**Mr. Rhéal Éloi Fortin:** My colleague Mr. Mendicino was just talking about situations such as that of Mr. Charkaoui, who made public statements this winter or last fall, statements whose exact content I don't remember, but which were tantamount to asking Allah to kill all Jews, without forgetting any of them. We were somewhat shocked by that and we wondered whether Mr. Charkaoui could have been prosecuted and found guilty without this defence under section 319 of the Criminal Code.

I understand that you don't have a particular opinion on whether this type of exception encourages hate speech.

Can you hear the interpretation, Ms. Bisla? I'm speaking to you.

[English]

**Det Sgt Kiran Bisla:** I heard. Thank you very much.

There is a provision in the Criminal Code that prohibits advocating genocide.

In terms of my opinion regarding a specific situation, I would have to look at all of the facts of a case, because these are based on context. I'm not in a position to comment about a general statement.

[Translation]

**Mr. Rhéal Éloi Fortin:** I may ask Mr. Johnson to answer that question, in a few seconds.

[English]

**The Chair:** We'll come back to that, Chief. Thank you very much.

[Translation]

**Mr. Rhéal Éloi Fortin:** Madam Chair, I have a point of order.

A lot of time is lost because of the interpretation in my case. I understand that, but, to be fairer, we could add 30 seconds to my six minutes, given the time I lose waiting for answers that would come immediately if I asked my questions in English.

So I appeal to your sense of fairness, Madam Chair.

Thank you.

**The Chair:** Yes. I'm very fair.

**Mr. Rhéal Éloi Fortin:** Yes, I know.

**The Chair:** I will now give the floor to Mr. Garrison for six minutes.

[English]

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Thank you, Madam Chair.

I want to start by thanking all of the witnesses for being with us on this study. I do believe it's one of the most important things on which we've embarked.

In particular, I want to thank Mr. Sandler for being very forthright in placing the situation Canadian Jews face before this committee in a forceful manner.

One of the things you didn't get to was the discussion about the 10 reasons why anti-Semitism is so pervasive. It's important we understand where it's coming from if we're going to make recommendations on how to combat it. I'd like to give you as much of my time as you need to talk about that.

**Mr. Mark Sandler:** Thank you. I appreciate that very much.

I've identified the following factors, and I'm happy to elaborate on them as might be necessary.

We see the active involvement of extremists and extremist organizations in Canada, which are operating with impunity here.

We see foreign money infused into Canada. We've seen one expert describe Canada as a major hub for extremist financing and money laundering worldwide.

We see the misuse of social media by circulating misinformation, anti-Semitic tropes and historical distortions. This misuse is orchestrated in many instances by extremists and foreign governments.

We see radicalized faculty members who seek to indoctrinate students rather than engage in a discussion where controversial topics are discussed.

We see in many classrooms a culture that does not promote respectful dialogue on controversial issues, and that does not encourage critical thinking and active listening.

We see the confusion and often deliberate obfuscation of the distinction between protected speech and hate speech designed to immunize those who engage in hate speech or hate activities from accountability.

We see the underuse and inconsistent use by law enforcement and prosecution services of existing criminal law tools. From my perspective, the issue is less about defining a hate crime and more about training through case scenarios, so police officers actually understand what you do in a specific case situation. I've worked with the Toronto Police on case scenarios pre-October 7, and I think it's of critical importance, especially now.

We see the failure by many school administrations to enforce their own codes of conduct to protect students from harm.

We see the use of slogans that incite violence, promote hatred and mirror unequivocal jihadist language and activities.

Finally, we see mainstream media stories. I don't bash the media generally, but what I see here are mainstream media stories that often minimize or ignore pro-Israel perspectives, subject Hamas's assertions to a lower level of scrutiny than Israeli assertions, treat unsupported assertions of fact and repeatedly fail to correct or give appropriate attention to the disproof or undermining of inflammatory assertions about Israel.

• (1150)

**Mr. Randall Garrison:** Thank you, Mr. Sandler.

Mr. Miller, how frequently do codes of conduct at the university specifically mention anti-Semitism, and how frequently is anti-Semitism a part of diversity initiatives?

**Mr. Gabriel Miller:** Through you, Madam Chair, thank you for the question.

These are two points that have been raised with us in all of our discussions with Jewish students and leaders.

On the first point, we helped collect answers to a question in a letter from MPs sent to 27 universities that asked this very question. All respondents—I believe Mr. Housefather might correct me—said that their existing policies would prohibit anti-Semitism. However, what we're hearing from students and faculty is that it's in the enforcement of those codes of conduct in an equal way where they see institutions falling down. There's work to do there. I think better training—picking up on some of Mr. Sandler's points—and better tools for identifying and addressing anti-Semitism will help very much.

On EDI, it's clear there's quite a bit of work to do here to make sure EDI frameworks, policies and administrators are protecting all students, specifically Jewish students and faculty. We have seen examples where changes have already been made, as well as a commitment from all of our universities to continue making changes to reflect the fact that there is now, I think, a growing realization that these policies need to do more to protect Jewish Canadians.

**Mr. Randall Garrison:** Without reinterpreting what you just said to me, what I hear is that you haven't said anything about whether policies explicitly mention anti-Semitism and specifically protect Jewish students as part of diversity. You haven't really answered that. You said that universities say their policies would prohibit anti-Semitic acts.

Do they specifically address it? I think that's a problem with enforcement. If something is not explicitly addressed, it creates a vacuum.

**Mr. Gabriel Miller:** Let me be clear. I think those policies....

We will be working with our members to make sure we are explicitly not just documenting what needs to be the case in policy but also communicating it so that Jewish students and faculty know these systems are there for them, and that they can access them to protect themselves and feel secure on their campus.

**Mr. Randall Garrison:** Mr. Sandler, would you like to add to that briefly?

**Mr. Mark Sandler:** Yes. There are codes of conduct that don't address this issue adequately or at all.

I want to make a point. If one doesn't adopt the IHRA definition of anti-Semitism, codes of conduct that prohibit anti-Semitism are worthless, because it's defined away. People will describe it as not anti-Semitic and, therefore, define it out of existence.

• (1155)

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

We will now go to our second round, with five minutes to Mr. Van Popta.

**Mr. Tako Van Popta:** Thank you, Madam Chair.

Thank you to all the witnesses for being with us today on this very important study on anti-Semitism.

Detective Sergeant Bisla, my first question will be for you.

You said the Toronto Police Service takes anti-Semitism very seriously, and I know that you do. You said that, in your opinion, hate speech is a precursor to ideologically motivated violent extremism.

In your opinion, is what's happening on the University of Toronto campus today a precursor to what you would think of as ideologically motivated violent extremism?

**Det Sgt Kiran Bisla:** When I'm talking about those types of examples, I'm talking more about some of the mischief investigations the Toronto Police Service has been involved in, such as flyers being posted and displayed in various areas within Toronto.

I'm not speaking specifically about the University of Toronto.

**Mr. Tako Van Popta:** Thank you.

I read in The Globe and Mail this morning that the University of Toronto is seeking an injunction to remove the encampment on the university grounds. Are you aware of that? Perhaps you could give us a bit of background.

**Det Sgt Kiran Bisla:** I am aware of it, but perhaps the deputy might be able to speak a bit further on this.

**D/Chief Robert Johnson:** Thank you, Kiran.

Yes, we are aware of it. We have been working with the University of Toronto for the last couple of weeks on this issue. We were notified this morning that they are seeking an injunction.

**Mr. Tako Van Popta:** Thank you.

I'm going to move on to Mr. Miller from Universities Canada.

You mentioned in your opening testimony, and Mr. Sandler has also referred to it, the importance of a code of conduct and adopting the IHRA definition of what anti-Semitism is. Is that a universally accepted statement across all your universities?

I ask that question in the context of something I read in The New York Times, where the authorities at Columbia University are saying that it is not their job to define anti-Semitism, that it is their job to listen to students.

In that context, what are your comments?

**Mr. Gabriel Miller:** First, it's very clear that being able to define anti-Semitism is critical to being able to identify and address it. We've heard very clearly from Jewish leaders, students and faculty that our universities need to have the tools to clearly define and identify anti-Semitism, so we can be more effective in addressing it.

The question around IHRA is one of the most important topics that have been discussed by this group. There are two things that I think are very encouraging in this area.

First is the work by Deborah Lyons, the special envoy who is working on resources to address questions about how to use IHRA, because there are some important questions we have to answer so that we can bring everyone along in the use of this very valuable tool.

Second is the work of the Network of Engaged Canadian Academics, who appeared before this committee and have done very good work in demonstrating the value of that tool, underlining the fact that it is non-binding and that it can be very useful to institutions in academia and outside of academia in fighting anti-Semitism.

**Mr. Tako Van Popta:** Why is the IHRA definition important as opposed to some of the other competing definitions, which maybe don't tie anti-Zionism to anti-Semitism?

**Mr. Gabriel Miller:** Let's let Mr. Sandler answer that.

**Mr. Mark Sandler:** The reason it is of critical importance is that anti-Semitism is a cancer and it metastasizes in different ways through IHRA. What are we dealing with now? We are dealing with anti-Semitism in the form of anti-Zionism.

I won't give the whole history lesson, but there's a well-documented history of Zionism as racism, which started in Russia and was propagandized. We've been fighting that for years, because it involves a distortion of Zionism.

Zionism is nothing more or less than the right of Jews to have a homeland. It has nothing more to say about that, other than our right of self-determination. Also, it's not inconsistent with Palestinian self-determination, for example, in a two-state solution.

• (1200)

**The Chair:** Thank you.

**Mr. Mark Sandler:** I'm sorry I went on too long, but to answer your question, if that definition is not utilized and we exclude anti-Zionism as part of the anti-Semitic picture, then we're not addressing the current form of anti-Semitism that's prevailing on campuses and at schools.

**The Chair:** It's over to you, Madam Dabrusin, please, for five minutes.

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Thank you to all the witnesses.

I'll start with you, Mr. Miller.

I have to say that one of the challenges I'm facing today is that there's a gap between what the students told us at the press conference, what the students told us here in their testimony and what you're saying, which are very nice words. They're very reassuring. However, there seems to be a disconnect between what they're experiencing and what you're saying on behalf of universities.

Maybe I'll start with this point. When the special envoy, Deborah Lyons, came to speak here, she said, "we have not had our brains shrunk, either by COVID or by social media. We are capable of holding two thoughts in our [brain].... It is possible to be pro-Israeli and pro-Palestinian at the same time. Canadians have that capacity."

As universities, you are there to help foster respectful dialogue and disagreement.

What are the universities doing to actually broach that problem? Right now, we're hearing that it's not respectful on campuses.

**Mr. Gabriel Miller:** Through you, Madam Chair, I appreciate the question.

There's no question there's a huge amount of work here to do. I do want to address your point about any kind of gap between what you're hearing from me and what students have said, because that's certainly unintentional.

My message to the students who have appeared here is, "We hear you, and we understand that the experiences you've had are very real and that we have a lot of work to do to address this situation and improve things."

Universities are committed to doing that work. Every day on university campuses, people engage in constructive, respectful dialogue around very difficult issues, but we are seeing some very important examples of us falling short—

**Ms. Julie Dabrusin:** I'm sorry, but I don't have much time.

What we're hearing is that it's not respectful. People can have very strongly held positions and disagree, but the expression of it... I would think the universities' main role should be in helping model how we have these conversations.

**Mr. Gabriel Miller:** I agree. We have a special and particular responsibility in our society to be a place where respectful, open dialogue occurs.

Picking up on some of what Mr. Sandler said, perhaps in a different context, we're seeing universities' ability to do that challenged, and we need to up our game. We need to educate ourselves and to do a better job of modelling that in a new world where anti-Semitism has morphed into new forms.

**Ms. Julie Dabrusin:** Thank you.

Anti-Semitism isn't new—we've been hearing that—and the history of anti-Semitism at universities isn't new. In fact, in our next panel, we will have several universities sitting here who had quotas on the number of Jewish people who could attend certain programs or be in their universities.

Do you have an inventory of which universities had that systemic anti-Semitism baked into their policies? Is that not something that needs to be addressed going forward?

**Mr. Gabriel Miller:** It's an excellent suggestion.

What we have is a very good picture of the general situation that existed in Canada.

Your point is one that I think has been under-discussed, which is that this country was saturated in anti-Semitism right up until the 1960s. One of the contributions that universities had to make first was confronting their own anti-Semitism, which was deep and severe, but also opening the doors to scholars like Irving Abella, who helped document that anti-Semitism and its causes. That's a huge part of the contribution our institutions need to make going forward.

• (1205)

**Ms. Julie Dabrusin:** I don't have much time.

You talked about sharing best practices and conversations with universities in the U.K. and the United States. Can you submit to us what those best practices might be? That would be helpful.

Mr. Sandler, I'm not giving you much time, but I know you put in a letter trying to foster that respectful dialogue. Can you tell us a bit about that work and how we can do better?

**Mr. Mark Sandler:** Sure. This was built upon an initiative that was started by the University of Ottawa faculty of law's Muslim and Jewish law associations.

I built on that, and we've created a national respectful dialogue initiative that 2,500 members of the legal community have signed on to. The idea is that we're now operationalizing that, so we will have respectful dialogues on our campuses.

**The Chair:** You have seven seconds.

**Ms. Julie Dabrusin:** You said you were having future conversations as part of that respectful dialogue. Can you please submit anything that you're doing so that we can also—

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

[*Translation*]

Mr. Fortin, you have the floor for two and a half minutes.

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair.

Mr. Miller, I'll turn to you.

Of course, we understand the intention to combat antisemitism. Hate speech is unacceptable in Canada. But we also know that there are values we hold dear, such as freedom of opinion and expression. These values are in conflict in situations like the one we are discussing now.

How can we strike a balance between freedom of opinion and expression and the fight against hate speech in the public arena?

**Mr. Gabriel Miller:** Thank you very much for that important question.

[*English*]

The point I would make on this is that we often talk about academic freedom and freedom of expression as being in balance with the need for respect and for preventing discrimination, but I think it's also important to see how much these complement each other.

The message we've been hearing in talking to Jewish students and scholars is that one of the consequences of not equally applying codes of conduct and other policies is that it deprives them of their academic freedom and their proper freedom of expression. That's when a university in our society begins to really experience difficulties, because it's premised on all people having those freedoms.

[*Translation*]

**Mr. Rhéal Éloi Fortin:** Thank you.

Mr. Sandler, what would be your answer to that question, in about 20 seconds?

[English]

**Mr. Mark Sandler:** I've provided you an article that I wrote on the distinction between protected speech and hate speech.

I want to say simply that there are clear demarcations between the two. The example that I usually give is that, if someone wants to criticize Israel's policies, its practices, the conduct of its government and so on and so forth, that's contemplated by the IHRA definition as not being anti-Semitic. A democracy should welcome that.

I can tell you as a member of the Jewish community that I've been sharply critical of the Israeli government where it's appropriate. The difference is when one says that all Zionists are racist, all Zionists are evil, and Israel should be wiped off the map. That transcends protected speech, and now we're in the realm of hate speech.

[Translation]

**Mr. Rhéal Éloi Fortin:** Thank you, Mr. Sandler.

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

[English]

The final two and a half minutes go to Mr. Garrison, please.

**Mr. Randall Garrison:** Thank you, Madam Chair.

I had some different ideas about where I was going to go this morning, but I want to go back to Mr. Sandler.

Stepping away from the narrow university context, what we see is a failure to prosecute hate crimes generally when it comes to anti-Semitic hate crimes. I wonder whether you would speculate—it's not the right word—about why we see that failure. Is there a fault in the law, or is it something more pervasive than a fault in the law where we don't see prosecutions that we might see if another group were involved?

**Mr. Mark Sandler:** It's a great question, and I thank you for it.

For me, there's a multifactor answer to it.

The first is that I think people genuinely don't understand anti-Semitism. I think with the lack of understanding of anti-Semitism comes a lack of understanding of where the boundaries have been crossed and a criminal offence has been committed.

For me, it's back to the training and education that we've talked about. It's back to having dedicated prosecutors who are dealing with these issues every day. It's back to having a national strategy so that people understand what this is all about.

Part of it, unfortunately, is latent anti-Semitism. I'm not suggesting that I would lightly attribute decisions on not to prosecute to someone being anti-Semitic, because I think ignorance is the bigger problem here when it comes to prosecutions and police, but that definitely does exist.

The third thing that I think is of critical importance is that freedom of speech is now being weaponized and deliberately distorted in a way that inhibits prosecution. For example, when I say here that the celebration of barbarity by Hamas is not protected speech or when I say here that "by any means necessary" is not protected speech, then I will be accused of Islamophobia. I will be accused of

propagating hatred, completely misunderstanding or distorting where those boundaries are.

As I said, I've worked with members of the Muslim community. I've been involved in Muslim-Jewish dialogue. That distortion is contributing to the inhibition to prosecute legitimate cases.

• (1210)

**The Chair:** Thank you very much to our witnesses.

As the chair, I have one quick question for the police.

You talked in your recommendation about hate crime. The online harms act that's been introduced, Bill C-63, attempts to enshrine the definition of hatred in the Criminal Code. I'd like to know if you support that or if you have any recommendations on it.

Before you answer that, I will say to all our witnesses, please submit anything in writing that you feel that you did not get a chance to get out here this morning.

We have 30 seconds for to the police specifically on the hate crime definition.

**D/Chief Robert Johnson:** I've recently reviewed Bill C-63, the online harms act, and I do support it.

**The Chair:** Okay, thank you very much.

We will now say thank you for coming this morning.

We will now go to the second panel.

I've just been informed by the clerk that we are expecting votes. I will ask, when the time comes for unanimous consent, to continue with the second panel until it is time to vote.

You folks can think about that and let me know if you are willing to give consent.

With that, I will suspend for a few minutes to ensure that the next witnesses are ready.

• (1210)

(Pause)

• (1215)

**The Chair:** Welcome back to our meeting.

I want to welcome our witnesses for the second panel.

We have witnesses by video conference and witnesses here in the room.

Again, I'll remind you to please wait until I recognize you by name before speaking, and that all comments are to be addressed through the chair.

Witnesses will have five minutes each. We have four witnesses on the second panel.

We will start with Dr. Graham Carr, president and vice-chancellor of Concordia University, for the first five minutes, please.

**Dr. Graham Carr (President and Vice-Chancellor, Concordia University):** Madam Chair and members of the committee, thank you for the opportunity to speak on behalf of Concordia University.

Concordia has 50,000 students and staff, and our downtown campus is on two of the busiest streets in Montreal.

[*Translation*]

We welcome students from all over the world. This diversity is an asset for us. We are proud of our Jewish community, which has shaped Concordia's identity and achievements throughout its history. We are also proud of our Palestinian, Arab and Muslim communities. They also contribute to Concordia's character and its many successes.

[*English*]

The horrific attacks by Hamas on Israel and the subsequent war in Gaza have exposed divisions in Canadian society, which are also reflected at Concordia. Many members of our community have suffered profound anguish, trauma and loss. In circumstances like these, our first responsibility is to show empathy and support for all, but given the level of fear and anger the conflict is causing, empathy and compassion can only accomplish so much.

I don't pretend to have perfect answers or actions to share with you. Everyone is struggling with the polarized environment and the complexity of the challenges we face. What I can say categorically is that there's no place for hate at Concordia. We're all disgusted by the rise of anti-Semitism, the spread of Islamophobia and the proliferation of identity-based hatred and violence.

Canadian universities embody academic freedom, freedom of expression and freedom of assembly. They should be places of civil and evidence-informed reflection and debate. They also need to be places where people—above all, our students—feel safe and where everyone can participate in campus life without fear of intimidation and harassment.

Sadly, the lived experience of some members of our community has been tarnished by real and perceived acts of contempt, intolerance and hate. A stark example occurred on November 8, when there was an altercation between students and external individuals in one of our buildings downtown. Campus safety personnel tried to defuse the situation, but ultimately had to call the police. Two individuals were arrested. Disciplinary processes followed and continue even now.

That incident gave Concordia a black eye. It raised legitimate questions about how we both uphold our values and ensure a safe environment for everyone.

• (1220)

[*Translation*]

Since then, we have adapted and expanded our approach to dialogue and conflict resolution. We work with student groups on a regular basis. We have met with our union leaders. We have refused or cancelled certain events that we considered likely to lead to a climate of intimidation. These events were planned by both pro-Palestinian and pro-Israeli organizations. I have also spoken directly to

the community on several occasions and, each time, I have emphasized our collective role in finding solutions.

[*English*]

Have our responses to every situation been perfect? No, but our actions have been rooted in careful consideration and an attempt to balance the different rights at play, and our community has largely responded in kind.

Following the November incident, both pro-Israel and pro-Palestinian groups regularly held information tables and events throughout the remainder of the academic year. On one occasion in January, those tables were next to each other. Were we nervous about that event? Yes, but we had all learned from the bad experience in November. The mood was civil. There were no incidents.

However, in March, there was a disgraceful attack by a small number of individuals on the Hillel club. Campus safety intervened quickly, but it was another painful event for our community.

I share these examples, both positive and negative, to be transparent. Yes, tensions exist at Concordia, but there has also been a remarkable calm. This does not mean all is well. That's why our commitment to combatting anti-Semitism and all forms of hate is ongoing.

In April, we launched a task force against racism and identity-based violence, involving faculty, staff, students and alumni. Our goal is to develop actionable recommendations to improve policies, training and complaint processes.

At Concordia, we will continue to make every effort to ensure everyone can participate fully, openly and, yes, proudly in our campus life.

**The Chair:** Dr. Carr, thank you very much. We will come back to you in the questioning.

We will now go to Professor Deep Saini, McGill University president and vice-chancellor, for five minutes.

[*Translation*]

**Professor Deep Saini (President and Vice-Chancellor, McGill University):** Thank you, Madam Chair.

I thank the members of the committee.

[*English*]

I would like to begin by commending this committee for taking on this important study. As we have been experiencing and have heard from your recent hearings, anti-Semitism is real. It is happening across our country, and we all have a role to play in confronting it.



[Translation]

The conflict in the Middle East has sparked intense debate and protests on Canadian campuses. We are committed to freedom of expression, association and peaceful protest. These are basic democratic rights.

[English]

Let me be very clear. We do not tolerate behaviours that violate university policies or the law. The safety and well-being of McGill students, staff and faculty remain our top priority.

[Translation]

If protests concern freedom of expression and assembly, it is our responsibility to ensure that they do not cross lines. They have to abide by the law and by the university's policies.

So as soon as the situation on our campus started to worsen, we took action.

[English]

Our team has been on the front line, following McGill's operating procedures to de-escalate matters and request police intervention whenever the de-escalation was unsuccessful.

[Translation]

We will never hesitate to take the necessary steps to maintain an environment where everyone's rights are respected.

[English]

My commitment to ensuring that the Jewish members of our campus community feel welcomed and supported at McGill is unwavering.

• (1225)

[Translation]

Our colleagues and students felt intimidated by what happened on campuses across the country.

[English]

This is simply unacceptable.

Over the years, McGill has been working in close partnership with Jewish students, staff, faculty, alumni and external community members to put in place measures to promote inclusion and provide avenues and resources to support the community.

Less than two years ago, we developed McGill's initiative against Islamophobia and anti-Semitism. This was done through meaningful consultations with McGill's Jewish and Muslim communities over several months. This resulted in 21 action items, all of which are either fully implemented or are in the process of being implemented. The aim is to help address, prevent and raise awareness on anti-Semitism and Islamophobia.

We created a Jewish student affairs liaison, providing the Jewish community at McGill with a direct channel to the university's senior administration to request support, report incidents or provide resources.

[Translation]

We have established specialized support services for Jewish students, as well as workshops for senior staff to enable them to support their colleagues and students and to maintain an environment that fosters respectful dialogue and an inclusive work and learning environment.

[English]

We know there is more to do.

While our EDI policies are established in accordance with the laws of Quebec and Canada, we are actively reviewing our internal mechanisms to provide avenues and support for our students and colleagues, including members of the Jewish and other targeted communities that face harassment and intimidation.

Just a few months ago, we launched a new reporting portal to ensure any member of the McGill community can anonymously and safely report incidents of harassment, intimidation and doxing.

Now, the protesters setting up encampments and interfering with university activities is a new challenge. It is unacceptable to intimidate staff, students or faculty. Freedom of expression must be exercised with respect. In this regard, we've seen behaviours that have repeatedly crossed the line and breached our policies. That's why we followed our internal protocols to address the matter. We also engaged legal counsel to pursue court-ordered injunctions, and we have requested police intervention and assistance.

[Translation]

We will continue to do whatever it takes to ensure the well-being of our students, staff and teachers. It is imperative that the Jewish community feel safe and included on our campuses.

[English]

Let me finish by again thanking the committee for initiating this important dialogue.

I would be very pleased to take your questions.

[Translation]

Thank you very much.

**The Chair:** Thank you.

I now give the floor to Benoit-Antoine Bacon, from the University of British Columbia.

**Dr. Benoit-Antoine Bacon (President and Vice-Chancellor, University of British Columbia):** Good afternoon, everyone.

[English]

Thank you for the opportunity to speak before the committee today.

The issue of anti-Semitism is so important, and this discussion is timely.

I began my term as president of UBC on November 1, 2023, three weeks after the tragic and horrific events of October 7. My first message to the university community five days later was on the conflict in Israel, and we have remained vigilant and engaged since.

Today, I state unequivocally that anti-Semitism is completely unacceptable at UBC and anywhere, and I will speak to our commitments and actions in support of this.

I also refer you to my letter of January 19, 2024, to MP Housefather and others, in response to the legitimate questions they raised about anti-Semitism at universities.

We are facing difficult and distressing times around the world. We see individuals and communities deeply affected by the war and violence in Israel and Gaza.

UBC is part of a global society with a diverse community of almost 90,000 people. Every global event affects some members of our community. They evoke trauma, loss and a wide range of complex emotions.

I am grateful that the overwhelming majority of our community—no, not everyone, sadly—has remained respectful and compassionate towards one another as the conflict has unfolded.

Universities are also places of debate, sometimes protests, often sparked by global events. Recently, UBC students began to take part in a broader movement that started in the United States and has now spread to Canada and all around the world. It's a very challenging situation.

UBC supports freedom of expression and the right to demonstrate. However, we do not condone behaviours that affect the safety and security of our university community or threaten or interfere with our operations.

We are doing all we can. It's extremely challenging. It's a truly difficult situation, but let me assure everyone that anti-Semitism and any form of harassment and discrimination have no place at UBC.

We have a responsibility and a shared obligation to create a learning and working environment where divergent and conflicting viewpoints can peacefully coexist. This is our mission.

There are a number of policies and measures that UBC has put in place to support and strengthen a safe and respectful environment.

First and foremost is UBC's discrimination policy, which governs our approach to discrimination on the basis of religion, race or place of origin, and is implemented in a manner consistent with how B.C.'s courts and human rights tribunal implement B.C.'s human rights code.

The university reviews all reported incidents of discrimination. Complaints of criminal hate speech can be directed to the RCMP for criminal investigation and potential prosecution. The UBC student code of conduct sets out the standards that are expected of students and holds individuals and groups responsible for the conse-

quences of their actions. Where a breach of these codes occurs, there's a range of potential disciplinary outcomes.

Over the past year, we have also enhanced campus security. We conduct ongoing risk assessments and situational reports to make sure we take appropriate measures to keep everyone in our community safe.

Over the months, I've met with Jewish students, faculty members and community members, as has my senior administration, to understand their concerns and consider how the university can best address them.

We have engaged over that time with Hillel BC, which is on campus, the Jewish Federation of Greater Vancouver, the Centre for Israel and Jewish Affairs, the special envoy on preserving Holocaust remembrance and combatting anti-Semitism, the Jewish Faculty Network, the Jewish Medical Association of BC, and the Jewish Academic Alliance of British Columbia.

We also work closely with UBC student organizations to emphasize that our shared mission must include the protection of space for respectful debate and compassionate dialogue. It's not easy.

UBC also provides community members with a range of supports, including academic and workplace accommodations, emergency funds, safety planning and professional support services, including counselling.

The university also works very closely with Hillel BC and with individual Jewish students to address concerns that are raised and through initiatives to improve the experience of Jewish students on campus. This, of course, includes responding to reported incidents of anti-Semitism.

We have also increased efforts to disseminate resources for faculty and staff on fostering respect, inclusion, safety and critical constructive dialogue in the classroom and workplace.

Everybody, this is a challenging time globally, and we fully recognize the concerns around anti-Semitism that the committee is studying. It was important for me to be here.

Anti-Semitism has a long and terrible history, and we must always remain vigilant. Again, anti-Semitism has no place at UBC. It's our collective responsibility to do better and to find solutions.

[*Translation*]

Thank you very much.

[*English*]

Thank you for the opportunity to speak today.

• (1230)

[*Translation*]

**The Chair:** Thank you.

[*English*]

We will now go to the president of the University of Toronto, Professor Meric Gertler, please.

**Professor Meric Gertler (President, University of Toronto):** Thank you, Madam Chair, for this opportunity to meet with you and your committee. I apologize for not being there in person, but I am required to be in Toronto today.

Given the focus of your deliberations, my remarks will outline what the University of Toronto is doing to combat anti-Semitism. However, I realize there are other matters currently unfolding on the U of T campus that may be of interest to you, and I'm happy to discuss those in the question period.

It is painful but necessary to recognize that anti-Semitism has been a scourge in our society for generations, if not centuries. It's particularly painful for me, as president of the University of Toronto, to acknowledge our role in this sorry history.

Even more discouraging is the fact that anti-Semitic incidents and hate-based crimes are on the rise in Canada, and that anti-Semitism has been a growing presence recently in our university. In recognition of this, the University of Toronto has taken a comprehensive set of actions to combat anti-Semitism and ensure our campuses are places where Jewish members of our community feel safe, included and respected.

This work is rooted in our long-standing opposition to all forms of racism and discrimination, but we have intensified our efforts since October 7. Let me describe several actions we have taken.

In 2020, we convened an anti-Semitism working group consisting of colleagues with specialized expertise to examine the challenge of anti-Semitism. We accepted all recommendations from the working group's report.

The university's equity office has broadened its mandate explicitly to recognize anti-Semitism as a form of discrimination requiring concerted action. We require all equity staff at the university to undergo anti-Semitism training. We're working to improve the process of reporting hate-related incidents by enhancing clarity, accountability and timeliness of response, when such incidents are reported.

We've appointed our first ever assistant director for faith and anti-racism to strengthen our ability to combat anti-Semitism and other forms of discrimination. She has a mandate to improve our pro-

cesses for responding to such incidents, to foster dialogue, mutual understanding and respect, and to advance other measures to combat anti-Semitism.

Our chief legal officer is helping leaders across the university to understand the ambit and limits to freedom of speech. The identification of hate speech is set forth in Canadian jurisprudence and our collective obligations under university and government statutes, regulations, codes and policies.

In addition, in 2022, the Temerty faculty of medicine and leaders of our affiliated hospitals apologized for their practice of imposing quotas for Jewish medical students and hospital trainees from the 1940s to the 1960s, sponsoring a research project that shed light on this shameful historical practice. The faculty of medicine introduced a new unit on anti-Semitism and anti-racism as part of its professional training and now consults regularly with Jewish learners to ensure they are properly supported.

Since October 7, my senior team has met multiple times with Jewish faculty, staff and students to hear their concerns, direct them to helpful resources and seek their advice on how we can better support them. We ensure that student organizations operate in an open, accessible and democratic manner. Our policy has been put to the test and has proven effective in holding student organizations to account.

In January, we announced a new lab for the study of global anti-Semitism at the Anne Tanenbaum Centre for Jewish Studies. Its inaugural director is Ron Levi, a distinguished professor at the Munk School of Global Affairs and Public Policy. We also announced a new university-wide initiative to promote civil discourse on our campuses. It's led by provostial adviser Randy Boyagoda.

Our efforts to combat anti-Semitism are comprehensive and multifaceted. Are they enough? Until there are no further instances of anti-Semitism, the answer for us and for society at large must be no.

However, I hope you will acknowledge the diligent efforts the University of Toronto has made to address this scourge and to atone for its role in the past, while acknowledging the work that remains to be done.

• (1235)

Ultimately, we believe the most effective way to respond to this challenge is to focus on our core mission of education and research.

Thank you.

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

Colleagues, the bells have started. It looks like there are 28 minutes left until the vote. Can I ask for unanimous consent to continue for 15 minutes, to give people 10 minutes to go to the vote?

**Some hon. members:** Agreed.

**The Chair:** Okay.

We will start the first six minutes with MP Lantsman.

**Ms. Melissa Lantsman:** Thank you.

Thanks for joining us at committee today.

Throughout all of your statements, you've said things like a university is no place for hate, there's zero tolerance and it's unacceptable.

It has absolutely become a place for hate. You can see that in the testimony from students, faculty and anybody who has dealt with the administration. It has absolutely become a tolerant place for that hate. It has absolutely become acceptable on campuses and in the front courtyards.

President Gertler, it's nice to see you in this environment.

Have you gone to the encampment?

**Prof. Meric Gertler:** I have. It's right outside my window, so I see it frequently.

• (1240)

**Ms. Melissa Lantsman:** Have you verified that all of the people who are there protesting—and I have a reason for this question—are part of the university community as student, faculty or administration?

**Prof. Meric Gertler:** We know many of our students are there. We know they are visited by faculty, but we also believe there are people from outside the university community who are present in the encampment at various different times.

**Ms. Melissa Lantsman:** The reason I bring this up is that U of T has over 60,000 students. Let's say there are 300 people at those encampments. The university is now negotiating with less than half a per cent of potential students—or not even students—who are, frankly, holding the university hostage in its decisions on how it goes about its business.

What do you say to those watching, the faculty, the alumni and the parents who are deciding where their kids might want to go to school? What do you say to those people who see 300 people holding the university to account for a student body of 60,000?

**Prof. Meric Gertler:** Actually, our student body is closer to 97,000. Yes, it's grown a bit since your time on our campus.

I should say, through the chair, that we have been meeting with student representatives in our discussions about how to end the encampment peacefully. They claim to represent all of the interests within the encampment. At this point, we must take that statement at face value.

I can assure you, though, that I have gone public as recently as late last week with a set of proposals that the university has been putting across the table to the students. We have not compromised on the issues that are clearly of importance to us. We have a very

clearly articulated policy for considering divestment proposals, which we have used in the past. We are saying to the protest group that the policy is there. It lays out the steps and they are free to use it.

We hope they will, because that is the only way we can actually address this.

**Ms. Melissa Lantsman:** I think the point is that you are engaging in a negotiation with the 300 people who have illegally set up camp on the front lawn. Do you believe the university is adequately enforcing its code of conduct?

I'll show you what's at the front of the encampment. That's a symbol that glorifies terrorism by Hamas. I think you've probably seen this in the past. You've probably seen it in various places around campus, but that sits at the front of the encampment.

Don't you think the university's code of conduct would suggest that something like this is against the code of conduct?

**Prof. Meric Gertler:** Madam Chair, in responding to the member's question, first of all, we asked the student organizers of the encampment to remove signage and language that is offensive. They have complied on occasion, but not in every instance.

In other instances, we have reported hateful acts and speech to the Toronto Police Service. You heard from the deputy chief in the previous hour. Something like 38 incidents have been reported as of the end of last week, half a dozen of which we believe may qualify as hate speech or hateful acts. We are working closely with TPS to help them investigate these incidents. As you heard from the deputy chief, they are indeed taking these allegations very seriously.

**Ms. Melissa Lantsman:** President Gertler, have any students been suspended or expelled for any of these actions?

**Prof. Meric Gertler:** We have indeed had violations of our code of conduct, which have resulted in suspension and, on occasion, expulsion. Some of these have been related to recent actions and the protests around the conflict in the Middle East, so the answer is yes.

**Ms. Melissa Lantsman:** Were they related to the encampment specifically? When were these people suspended or expelled and how many?

**Prof. Meric Gertler:** The encampment has been in place for three and a half weeks. We have not yet had any—

**Ms. Melissa Lantsman:** Has anybody been expelled or suspended because of the encampment?

**Prof. Meric Gertler:** Those processes are under way. None have been expelled—

**Ms. Melissa Lantsman:** Nobody has been suspended or expelled despite having graphics like this. They've just been asked to take them down.

• (1245)

**Prof. Meric Gertler:** Actions are under way, but it does take some time to follow due process so that whatever conclusions are reached and whatever sanctions are recommended have proper purchase. That is our goal.

**The Chair:** Thank you.

For the information of members and witnesses, I will go to Mr. Housefather and then to Mr. Fortin for six minutes each, and then we will break.

We have resources to come back after the vote, but I will need the witnesses and the members to agree to that. We can come back until 1:50 or 1:55. Think about it, and I'll need a response.

Mr. Housefather, please go ahead.

**Mr. Anthony Housefather (Mount Royal, Lib.):** Thank you very much, Madam Chair.

Thank you very much for being here today. I cannot believe that, in my lifetime, we are having university presidents testify before a parliamentary committee about anti-Semitism on campus.

President Carr, respectfully, I don't believe empathy should be the number one goal; it should be protecting our kids and keeping our campuses safe from intimidation and harassment. That should be the number one goal here.

I have some yes-or-no questions. I'd like to ask everybody to say yes or no. If you can't answer yes or no, say, "I can't answer," but no more than that or I'll reclaim my time.

I'm going to start with President Saini, followed by President Gertler, President Bacon and President Carr.

Do you acknowledge that anti-Semitism is a significant problem on your campus, President Saini?

**Prof. Deep Saini:** Yes.

**Mr. Anthony Housefather:** President Gertler.

**Prof. Meric Gertler:** Yes.

**Mr. Anthony Housefather:** President Bacon.

**Dr. Benoit-Antoine Bacon:** Everywhere.

**Mr. Anthony Housefather:** President Carr.

**Dr. Graham Carr:** Yes.

**Mr. Anthony Housefather:** Do you believe that all DEI programs on your campus must include the Jewish community and must include Jews, President Saini?

**Prof. Deep Saini:** Yes.

**Mr. Anthony Housefather:** President Gertler.

**Prof. Meric Gertler:** Yes.

**Mr. Anthony Housefather:** President Bacon.

**Dr. Benoit-Antoine Bacon:** Indeed, yes.

**Mr. Anthony Housefather:** President Carr.

**Dr. Graham Carr:** Yes.

**Mr. Anthony Housefather:** Do you support the International Holocaust Remembrance Alliance's definition of anti-Semitism,

which has been adopted by the Government of Canada, the Government of Ontario, the Government of Quebec and the governments of a number of provinces, and will you support its application on your campus when the handbook from Ms. Lyons comes out on the implementation of IHRA, President Saini?

**Prof. Deep Saini:** If this comes forward, I will give my support for starting the process.

**Mr. Anthony Housefather:** Thank you, President Saini.

President Gertler.

**Prof. Meric Gertler:** Our working group looked at this issue and concluded that the IHRA definition was problematic for application—

**Mr. Anthony Housefather:** Your answer is no.

**Prof. Meric Gertler:** My answer is that the individual who authored the definition, Kenneth Stern, was very clear in noting it is not appropriate for use in a university environment.

The answer is no for those reasons.

**Mr. Anthony Housefather:** I'm just asking for a yes-or-no answer or "I can't answer."

President Bacon.

**Dr. Benoit-Antoine Bacon:** My understanding is this is one of the tools we'd consider when going forward on any cases of anti-Semitism.

**Mr. Anthony Housefather:** You'll consider it going forward.

President Carr.

**Dr. Graham Carr:** Yes, we'll consider it going forward. In fact, my team has already had a meeting with Ms. Lyons' team.

**Mr. Anthony Housefather:** Thank you.

In 2016, the Canadian House of Commons adopted a motion by a vote of 229 to 51 rejecting the BDS movement, which promotes the demonization and delegitimization of the State of Israel, and called on the government to condemn any and all attempts by Canadian organizations, groups and individuals to promote the BDS.

Does your administration oppose BDS on your campus, President Saini?

**Prof. Deep Saini:** I personally find many of the demands of this movement offensive. Should the matter come up in front of our governing bodies, we will consider it.

**Mr. Anthony Housefather:** Thank you.

Will you consider saying no, or will you consider it?

**Prof. Deep Saini:** This is subject to our governance processes, just like Parliament has its governance processes, and as president, my role is to uphold our processes—

**Mr. Anthony Housefather:** Personally, are you against BDS?

**Prof. Deep Saini:** As I said, I find it very offensive.

**Mr. Anthony Housefather:** Thank you very much.

President Gertler, personally, are you against BDS?

**Prof. Meric Gertler:** We have rejected it consistently across the university for many years, as we have all academic boycotts.

**Mr. Anthony Housefather:** Thank you very much.

President Bacon.

**Dr. Benoit-Antoine Bacon:** Yes, UBC has long rejected [*Inaudible—Editor*].

**Mr. Anthony Housefather:** On the motion before your senate, will the UBC administration come out against it?

**Dr. Benoit-Antoine Bacon:** Yes.

**Mr. Anthony Housefather:** Thank you. Excellent.

President Carr.

**Dr. Graham Carr:** Yes, the university's position since 2014 has been in opposition to BDS.

**Mr. Anthony Housefather:** Thank you very much.

When you have chants at these encampments that say, “Go back to Poland”, “Say it loud, say it clear, we don't want no Zionists here!”, “Intifada revolution”, and “From the river to the sea,” do you consider these chants to be hateful and anti-Semitic, President Saini?

• (1250)

**Prof. Deep Saini:** The way I hear them used right now on our campuses, including at McGill, I find it to be anti-Semitic.

**Mr. Anthony Housefather:** Thank you, President Saini.

Thank you for clarifying in your statements that you do.

President Gertler.

**Prof. Meric Gertler:** In the current context, they are certainly experienced as anti-Semitic. It's for that reason we have reported certain incidents to the Toronto Police Service. I would say that the proper place is—

**Mr. Anthony Housefather:** Thank you.

I'm sorry. I have to reclaim my time because I have two more to answer.

President Bacon.

**Dr. Benoit-Antoine Bacon:** They are unfortunate, awful and can be considered anti-Semitic.

**Mr. Anthony Housefather:** Thank you so much.

President Carr.

**Dr. Graham Carr:** Yes, they're reprehensible and intimidating when chanted on campuses.

**Mr. Anthony Housefather:** Thank you very much.

President Carr, I want to ask you a question about your STRIVE task force that you referred to in your testimony.

One of the three co-chairs you appointed to this task force has a long record of supporting BDS and opposing IHRA, which leaves a

lack of confidence in the process amongst many of your Jewish students.

Why did you appoint this person, and will you consider removing them as a co-chair?

**Dr. Graham Carr:** Mr. Housefather, one thing that I find very unfortunate in terms of the public discussion that has happened since October is that there has been a very intense personalization of issues. We've seen that in terms of individual students being targeted and individual faculty members being targeted, etc. I think that's extremely unfortunate.

I'm concerned that this—

**Mr. Anthony Housefather:** My question is on the confidence question, sir. You have the task force that's tackling anti-Semitism.

**The Chair:** You have 30 seconds.

**Mr. Anthony Housefather:** You've acknowledged you're against BDS. You've acknowledged you're considering IHRA. One of three co-chairs of the task force rejects what you've just said. How do the Jewish students feel comfortable then?

I only have a second left, but let me ask you what you have done about Concordia SPHR.

This is a group on campus that on October 11 held Israel responsible for the events of October 7 and was a co-signer to a statement on social media where it gave full-throated support to Palestinian terrorism, writing, “We emphasize that a population living under siege and occupation has no option but to resist.”

McGill removed McGill's name from this organization. What has Concordia done?

**The Chair:** Thank you.

Unfortunately, the time is up. I have no choice but to uphold that because we're getting close.

We'll go to Monsieur Fortin for six minutes, but only for six minutes.

[*Translation*]

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair.

I want to thank the four witnesses for joining us today.

What's happening on campuses right now is very concerning. I think you are experiencing somewhat similar situations across Canada, including in Quebec.

You have been talking about this since the beginning of your remarks, but I would like to hear you talk more about the challenge that arises when it comes to respecting freedom of expression while avoiding hate speech or outbursts of that nature.

In my view, a university has always been a hotbed for exchanges, even heated exchanges, among students and professors on various subjects, including the thorniest ones. I'm always a little troubled when we talk about limiting freedom of expression, especially at a university.

That said, we believe that hate speech is unacceptable. However, it is difficult to define what is hate and what is not. As we said earlier, Bill C-63 proposes provisions in this regard.

Another thing I find problematic is what is called the religious exception in the Criminal Code, which allows hate speech or anti-semitic speech based on a religious text.

All these things are problematic. I will try to summarize by asking the witnesses my questions in the order in which their names appear on the notice of meeting.

Mr. Carr, at Concordia University, how do you plan to combat the problem of hate speech while respecting freedom of expression? Do encampments actually play an important role in terms of hate speech and freedom of expression?

**Dr. Graham Carr:** I won't talk about the encampments, but I can answer the question by giving you some figures.

Following the events that occurred on our campus on November 8, which I already alluded to, there have been 70 university events led by pro-Palestine and pro-Israel students on campus. I think that shows all the efforts made not only by the university administration, but by our entire community, to ensure that it is always possible to protest and present issues in a respectful and civilized manner.

The university also cancelled or rejected five events, as we had determined that they posed a risk to the community's safety and to the achievement of our university mission, which—

• (1255)

**Mr. Rhéal Éloi Fortin:** I apologize for being rude in interrupting you, Mr. Carr, but my time is limited.

Can you tell us which five events you decided to reject?

**Dr. Graham Carr:** It was four pro-Palestine events and one pro-Israel event. The events involved people from outside the university who had been invited to give a speech, among other things.

**Mr. Rhéal Éloi Fortin:** In your opinion, should people who are not clients of the university—that is to say those who are neither students nor professors of the university—have the right to protest on the university grounds, or should only people who attend the university, either as students or as professors, be able to express themselves there?

**Dr. Graham Carr:** As I said, Concordia University is really located in the heart of Montreal. We are a physical university. A subway station is connected to three of our buildings. In the past, the university has always been open to the public. In the current situation, we want to make sure that public institutions like ours remain open to the citizens of Quebec and Canada, but we have to take into consideration events where people from outside the country come in, as happened on October 8. In that case, the events led to the arrest of two people, and they were not from our community.

**Mr. Rhéal Éloi Fortin:** In your opinion, should those people be denied access to the university grounds?

**Dr. Graham Carr:** That's a very difficult question to answer.

We're a university; we're not security officers. Concordia University welcomes nearly 30,000 people a day on its campuses. We

have 12 security and prevention officers on the downtown campus, and normally that's enough. As my colleagues have said, the vast majority of our staff and students are respectful.

The challenge is to determine how universities can respond to all of this while maintaining the right to freedom of expression and academic freedom. As you know, Quebec has a piece of legislation on academic freedom. It is not easy to find a balance.

**Mr. Rhéal Éloi Fortin:** You're absolutely right.

I don't know how much time I have left, but perhaps Mr. Saini—

**The Chair:** Your time is up, Mr. Fortin.

Thank you very much.

**Mr. Rhéal Éloi Fortin:** Thank you.

[English]

**The Chair:** We will suspend until after the vote. We still have some time left, so we will come back.

We are suspended.

• (1255)

(Pause)

• (1325)

**The Chair:** I call the meeting back to order.

This is what I propose we do. It's 1:26 p.m. We will complete the first round of six minutes with Mr. Garrison. I will go to the second round of five minutes, five minutes, two and half minutes and two and a half minutes and then conclude for the afternoon.

Thank you very much for bearing with us.

We will continue where we left off with six minutes for Mr. Garrison.

**Mr. Randall Garrison:** Thank you, Madam Chair.

I thank the witnesses for being here today, but I have to say I find it a bit distressing that your testimony doesn't seem to match the reality that I hear from students on campus. They're not just at your institutions, but at institutions in my own riding and across the country.

One of the problems is that while it's great to say anti-Semitism is unacceptable and a Jew should be included in diversity, I don't actually see that in the policies I've been able to access.

I'm going to start with Professor Gertler from U of T. Where in your anti-harassment policies or anywhere else in your policies does it explicitly say anti-Semitism is not acceptable on campus?

**Prof. Meric Gertler:** Madam Chair, I want to thank the member for his question. I can answer it in a couple of ways.

First of all, our code of student conduct indeed notes that vexatious conduct directed at one or more specific individuals is potentially evidence of discriminatory conduct or harassment. It names race, ancestry, ethnic origin, colour, religion and these kinds of traits, which are straight out of the Ontario Human Rights Code. It takes that approach, rather than naming individual faiths, religions or cultures, so it's meant to be all inclusive.

Another way of answering the member's question would be to note that directly as a result of the work of our anti-Semitism working group, we have reviewed and overhauled our EDI process to make sure that our equity policies explicitly recognize anti-Semitism as a form of discrimination, harassment or hate. We have trained all of our equity officers expressly to address these issues.

I could say more, but I think that directly answers the member's question.

**Mr. Randall Garrison:** Thank you for that answer.

As a gay man of a certain age who used to be told there was no need to list the LGBT community and things because discrimination was illegal, I found things improved once there was an explicit reference.

What I would encourage the U of T to do is make more explicit statements rather than simply say all forms of discrimination are prohibited, because the one that has an epidemic of discrimination going on right now is anti-Semitism. Given the connection—

**Prof. Meric Gertler:** We have indeed made such statements and will continue to do so if and as necessary.

**Mr. Randall Garrison:** In terms of equity programs on campus, are Jews explicitly included as groups within diversity and equity?

**Prof. Meric Gertler:** Yes.

**Mr. Randall Garrison:** There's a specific reference, not just a general reference.

**Prof. Meric Gertler:** Yes. It's specific. Absolutely.

**Mr. Randall Garrison:** Okay. Thank you.

I'll now go to Professor Saini from McGill.

I have the same kinds of questions. Where in McGill's policies, if at all, does it specifically say that anti-Semitism is not acceptable as a form of harassment or discrimination on campus?

**Prof. Deep Saini:** Madam Chair, I'll answer the member's question through you.

We apply our student code with respect to discrimination, hate, bullying, harassment or any other offensive behaviour that is targeted at specific groups based on their race, religion, background or circumstance, etc. It's much like how my colleague at the University of Toronto described it. Our policies fully cover all forms of hate against all communities.

Lately, as anti-Semitism has become much more obvious and explicit in our society, including on our campuses, we have been calling it out specifically. We will certainly look, going forward, at whether any changes are needed and where we need to explicitly enshrine any particular groups within our EDI policies or discrimination policies.

• (1330)

**Mr. Randall Garrison:** In terms of policies on equity, diversity and inclusion, are Jews specifically included in those policies as they exist right now?

**Prof. Deep Saini:** I believe they are, but I will have to verify it one more time to make sure that my personal understanding of it is correct. I can get back to the committee.

**Mr. Randall Garrison:** The focus has always been on students here, but we know that many faculty have been engaged in the encampments and in other anti-Semitic activities on campus.

Because I have you here right now, Professor Saini, are there policies that would apply to faculty which are explicit in banning anti-Semitism or not?

**Prof. Deep Saini:** Madam Chair, answering through you, the answer is yes. If any faculty are found to be violating any of our policies with regard to hate and discrimination, including anti-Semitism, our policies are adequate to account for that, and proceedings will be taken against those individuals.

**Mr. Randall Garrison:** Thank you.

I'll turn to those in the room.

For Dr. Bacon from my alma mater, UBC, I have the same kind of question. Are things actually made explicit when it comes to anti-Semitism and harassment and discrimination policies?

**Dr. Benoit-Antoine Bacon:** Yes. Indeed, our discrimination policy outlines the mechanisms to address any discrimination that is protected under the human rights code, very much including race, religion and place of origin, and the policy is interpreted in a manner consistent with how B.C.'s courts and the human rights tribunal interpret—

**The Chair:** I'm sorry. The time is up for this one.

Now I will go to the second round.

You have five minutes, please, MP Lantsman.

**Ms. Melissa Lantsman:** Thank you, Madam Chair.

I'm going to continue with President Carr.

Are you aware of the demand letter sent by Neil Oberman to the university speaking about hatred on campus?



**Dr. Graham Carr:** Yes, I am.

**Ms. Melissa Lantsman:** We have established that you are aware that anti-Semitism is a problem on Concordia's campus and that there have been incidents of violence. You called them "a black eye" for Concordia. I would call it absolutely abhorrent and unacceptable and an abdication of responsibility to keep Jewish students safe, but I think that's just a disagreement.

Are you aware that there are groups on campus that promote hatred against Jews?

**Dr. Graham Carr:** Which groups are you referring to?

**Ms. Melissa Lantsman:** I can name one, SPHR.

**Dr. Graham Carr:** SPHR is a group on campus. It's important to understand that under the Quebec law, student associations act independently of the university.

**Ms. Melissa Lantsman:** If any of those groups are causing chaos on campus, which you referred to in your opening statements as a blemish on Concordia, is there no responsibility for a university president or the administration on any of that?

**Dr. Graham Carr:** I did not say that. In fact, what I said in my opening statement is that we've worked very hard to keep channels of communication open with all student groups, including with SPHR. Our goal has been to work to prevent episodes from happening on campus and to work to the extent possible to de-escalate episodes when they do happen.

**Ms. Melissa Lantsman:** Let me ask you about the November 8 incident that you talked about in your opening statement. There's a student there. He's in his eighth year of his undergrad. Has that student been expelled or suspended based on, frankly, being arrested twice since October 7?

**Dr. Graham Carr:** I'm not going to comment on the case of any individual student, and I'm not going to comment on any cases that are currently under investigation, as per our processes.

**Ms. Melissa Lantsman:** Have there been any students that have been expelled or suspended?

The reason I'm asking is that I think there are a lot of people watching who are looking at this testimony, which is the exact opposite of what students and faculty have told this committee about their experience, frankly, and are watching university presidents abdicate their responsibility for keeping Jewish students safe on campus.

• (1335)

**Dr. Graham Carr:** This is the justice committee. The justice committee also, I think, understands the importance of institutions abiding by their practices. That is what we are doing in our application of our code of conduct on behavioural cases and processes which have been launched following complaints that are evidence founded.

**Ms. Melissa Lantsman:** I am very happy that you explained to me what the justice committee is, but I have asked you a question. The question is, has anybody been suspended or expelled for their conduct on your university campuses, which has put Jewish students, students that are part of Jewish student groups and allies of those groups in danger? Answer yes or a no.

**Dr. Graham Carr:** At this point no one has been suspended, because processes are ongoing.

**Ms. Melissa Lantsman:** We hear from presidents, we've now heard from U of T, and we've now heard from Concordia that processes are ongoing, but nobody has had any consequences for any of these actions. This has been going on for seven months on campus. We've had students here tell us stories about not feeling safe going to school, going to the library or going to class. There are faculty members on university campuses across this country who have not been let into various parts of their campuses. Yet, nobody, not a single person, has been expelled or suspended for any of the conduct?

**Dr. Graham Carr:** If I go back to the events of November 8, three individuals were banned from our campus as a result of that activity.

**Ms. Melissa Lantsman:** The students of your university who have participated in this were, again, not suspended. It's the same case at the U of T.

I find the testimony here today that you're working on it and everything will be fine, to be divorced from reality, frankly. The reality is that students who are actually sitting behind you in this room have come to this committee and testified about being afraid of going onto your campuses.

I'll ask you this one more time. What do you say to the parents who are watching and who will be deciding whether their children will attend places like Concordia or U of T, about whether their kids will feel safe on campus if there is no deterrent and there are no consequences for those who have acted in contravention of that?

**Dr. Graham Carr:** I would go back to something I said earlier. Despite the events of November 8, we at Concordia have had 70 events on campus with respect to the Middle East, the majority of which were organized by students, and—

**The Chair:** Thank you very much, President Carr. We appreciate that.

We will now go to MP Dabrusin for five minutes.

**Ms. Julie Dabrusin:** Thank you.

I'd like to begin around the conversation I was having with Universities Canada, which is that anti-Semitism at universities isn't a new thing. In fact, there's a long history.

I appreciate that President Gertler made specific reference to the quota system that had applied to Jewish prospective students.

I'm wondering if we could go around to each of the presidents, starting with McGill, on whether your university did have a formal or informal quota system for Jewish students.

**Prof. Deep Saini:** Yes. I am aware that McGill had a quota system until I believe the 1960s. It is a part of our history that we are absolutely not proud of. It is a part of Canadian history that I think we as Canadians should all be very concerned about.

Going forward, we have been working since the 1960s to make McGill a much more inclusive place. That is a work in progress, and we continue to do that.

**Ms. Julie Dabrusin:** I apologize, President Saini. I have to jump in. My question was about the quotas.

I'll turn to Concordia next.

**Dr. Graham Carr:** One of Concordia's founding institutions, Sir George Williams University, was one of the first universities in Quebec to admit Jewish students without any quota. That was going on in the 1950s and 1960s, when quotas existed elsewhere.

We are also a university that has an academic program in Canadian Jewish studies, which is one of the oldest in the country. Today we are also, I think, one of the very few universities in the country that has an institute for Israeli studies.

**Ms. Julie Dabrusin:** Just to be clear, though, am I misunderstanding things to believe that Concordia also had an informal or formal quota for Jewish students?

• (1340)

**Dr. Graham Carr:** No, there was no quota.

**Ms. Julie Dabrusin:** There was no quota at Concordia. All right.

What about UBC?

**Dr. Benoit-Antoine Bacon:** I'm still new to UBC, but when it was raised in the previous session, I endeavoured to find out the answer. My understanding is that there was no such thing at UBC, but I will do more profound research and get back to you if that's not the case.

**Ms. Julie Dabrusin:** Thank you.

We've been talking a lot about the policies of equity and whether it includes anti-Semitism. For the universities here who have acknowledged that they had quota systems, is that included in part of the learning for staff, students and other people who are participating in the DEI?

I'll start with McGill.

**Prof. Deep Saini:** Yes, it is part of our EDI policies to ensure that all disadvantaged groups who have faced disadvantage or exclusion in the past have—

**Ms. Julie Dabrusin:** I'm talking about Jewish students and anti-Semitism right now. I'm asking about quotas for Jewish students.

**Prof. Deep Saini:** I've answered the question regarding quotas already. With regard to going forward, our EDI policies are totally inclusive.

**Ms. Julie Dabrusin:** I'm sorry; it's just that I'm really short on time, President Saini. I just wanted to know if there's a specific reference in the EDI content about the quotas on Jewish students. That's what I'm asking.

**Prof. Deep Saini:** I cannot answer if there is a specific reference to past quotas. I can answer that there is no such provision at this point, that there is no quota for any given community.

**Ms. Julie Dabrusin:** President Gertler, can I ask you the same question?

**Prof. Meric Gertler:** The answer is yes. I mentioned that the incident from the history was in the Temerty faculty of medicine, and their training now includes a module exactly on this very issue.

**Ms. Julie Dabrusin:** Thanks.

Going to that, can I ask you to please table with the committee Dr. Kuper's study about anti-Semitism in medical school prior to the most recent October 7 events?

I have less than a minute, but I'm passing it over to Mr. Mendicino.

**Hon. Marco Mendicino:** Thanks very much.

I want to highlight a concern around foreign funding and foreign influence, and indeed, foreign interference in the post-secondary sector.

A number of groups have written me and my colleagues to express their concerns around this. I'm wondering if I can get a commitment from all of the universities that are represented in today's hearing to raise the bar when it comes to transparency around private funding of your institutions to ensure that the funding is in alignment with Canadian values, including the values that have been espoused today, academic freedom and certainly not hate and anti-Semitism.

I'll start with those online. Yes or no?

**The Chair:** Time is up, but I think you've heard Mr. Mendicino's question.

**Prof. Deep Saini:** My answer is yes.

**Prof. Meric Gertler:** Mine is as well.

[*Translation*]

**The Chair:** Mr. Fortin, you have the floor for two and a half minutes.

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair.

My question is for Mr. Saini, from McGill University.

We are obviously talking about antisemitism, since that is the topic of the study the Standing Committee on Justice and Human Rights is currently conducting, but there are other forms of hate.

At McGill University, aside from the cases of antisemitism we are talking about, are there also cases of Islamophobia, racism or homophobia, for example? Are there other forms of hate that currently exist on McGill University's campus?

**Prof. Deep Saini:** In 2022, we implemented an initiative on Islamophobia and antisemitism. To do that, we engaged in extensive consultations, especially with our Muslim and Jewish communities. Based on those consultations, we made a number of recommendations, which have already been implemented. Of course, we did that study because we recognized that Islamophobia and antisemitism existed in our community.

**Mr. Rhéal Éloi Fortin:** Thank you, Mr. Saini. I apologize for rushing you a little, but time is running out. I have about a minute left.

In your opinion, should all forms of hate be treated the same, or should the responses be tailored to the type of hate in question?

• (1345)

**Prof. Deep Saini:** As part of our policies, we look at all forms of hate on a case-by-case basis. All forms of hate, exclusion and harassment are included in our policies.

**Mr. Rhéal Éloi Fortin:** Thank you, Mr. Saini.

Mr. Carr, I have about 30 seconds left to ask you the same questions.

Are there other forms of hate at Concordia University? Should they be treated differently, or is there a panacea that could apply to all of these situations?

**Dr. Graham Carr:** Unfortunately, all forms of hate exist throughout society, and some are obviously also found on our campuses.

As I mentioned earlier, Concordia University has set up a task force that is looking at a number of different forms of hate. I am waiting for recommendations from the various sub-task forces, including those on antisemitism and Islamophobia, in order to better understand what their recommendations are for the future.

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

**Mr. Rhéal Éloi Fortin:** Thank you.

[*English*]

**The Chair:** For the final two and a half minutes, we'll go to Mr. Garrison, please.

**Mr. Randall Garrison:** Thank you very much, Madam Chair.

I'm going to address one other thing that's been bothering me in this session, and that is the emphasis on due process. I'm going to direct my question to Dr. Carr to start with.

When you say that there are processes under way, I have a certain amount of sympathy with that. Do your processes not require that those who are accused of anti-Semitism, harassment or other offences cease the behaviour while those processes are taking place? In other words, if we were talking in a public context, if someone continued the behaviour, that wouldn't be acceptable. They may not be found guilty of an offence yet, but they have to cease the behaviour while the process is going on.

Is there no way in any of your processes to require ceasing anti-Semitic, hateful and harassing behaviour?

**Dr. Graham Carr:** It is part of our code, indeed, that with individuals for whom we have evidence-based complaints, the processes are launched. Clearly, if the behaviour continues or is manifested in some further way, an actionable response needs to happen.

**Mr. Randall Garrison:** What does "an actionable response" actually mean in the real world?

**Dr. Graham Carr:** As I said, we are very committed to upholding our process. If someone continually behaves in a way that is not acceptable according to our codes, we apply our codes.

**Mr. Randall Garrison:** I know we're going to run out of time here. I will ask the same question of Professor Gertler at the U of T.

Do the processes not require people to cease abusive, harassing behaviour while those processes take place?

**Prof. Meric Gertler:** They absolutely do.

**Mr. Randall Garrison:** How are these behaviours continuing if you say, at the same time, the processes are under way?

**Prof. Meric Gertler:** I can't comment on individual cases, but I can tell you that when individuals have demonstrated repeated behaviour that we believe to be in violation of our code, we follow up directly with them, and we have done so.

**Mr. Randall Garrison:** Thank you, Madam Chair. That concludes my questions.

**The Chair:** Thank you very much to the witnesses for coming.

Members, thank you all for bearing with us through our processes here.

To the witnesses, if there's anything that you believe you needed to bring out that you didn't have the time to, please send something in.

Thank you very much.

That concludes our meeting for today.

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