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

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Chair: Mr. Ali Ehsassi



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• (1835)

[English]

**The Chair (Mr. Ali Ehsassi (Willowdale, Lib.)):** Good evening, everyone.

Welcome to meeting number six of the Subcommittee on International Human Rights.

Today we'll be continuing our study of human rights in repressive states.

I'll provide everyone present here with a quick reminder to please follow the recommendations of the public health authorities, as well as the directives of the Board of Internal Economy, to remain healthy and safe.

As for everyone who is joining us virtually, you should know that the translation function can be found at the bottom of your screen where the globe icon is.

We're truly honoured today to welcome a stellar lineup of panelists.

**Hon. Robert Oliphant (Don Valley West, Lib.):** Mr. Chair, on a point of order before you begin, I just wanted to advise the committee and the witnesses that I am not feeling well. I am well enough to be at the meeting. I am isolated due to testing positive for COVID on Saturday. However, I am probably going to be turning my camera off during the meeting.

I wanted the witnesses to know this because I will be listening. I'm going to be taking notes, but I don't want it to be seen as any disrespect if my camera is off. I find that I go a little while and then I have to wrap myself up like a burrito and lie on the couch. Even if I'm wrapped up like a burrito, I am going to be listening intensely to really important witnesses that I care a lot about.

I just wanted to let you know that I put a tie on just to be able to say that.

**The Chair:** Thank you, Mr. Oliphant.

We'll return to introducing our stellar panelists for today.

First, we have a panel of three. This particular panel comprises three experts. Our first one is Nobel laureate Maria Ressa, who is well known to you all. She is currently the chief executive officer and president of Rappler. Then we have Ms. Nazanin Boniadi, renowned actress and ambassador for Amnesty International United Kingdom. Lastly, we have Mr. Matthew Leung, former reporter with the Ming Pao Daily of Hong Kong. I'm terribly sorry about all the technical challenges there, Mr. Leung.

Panelists, you will each have five minutes for your opening remarks. Approximately 30 seconds before you reach that, I will put up a sign. Obviously, if you go a few seconds over, that's perfectly fine. After you do your opening remarks, the members will be asking you questions.

Ms. Ressa, the floor is yours. You have five minutes for your opening remarks.

**Ms. Maria Ressa (Chief Executive Officer and President, Rappler):** Thank you so much for inviting me to speak to you today.

I'd like to share three points. The first is what we're living through in the Philippines as journalists and human rights defenders. The second is how technology for profit has become an insidious tool for tyranny globally. The third is what we're doing to help safeguard our election, which is happening in exactly 42 days in the Philippines right now—it's 41 days. They're just waking up. I would call this an "Avengers, assemble" moment in our nation's battle for facts.

I've been a journalist for more than 36 years. In 2016, we came under intense online attack, because we exposed the brutal drug war and the propaganda machine that was attacking journalists, news organizations, human rights defenders and opposition politicians. The weaponization of social media was followed by lawfare, twisting the law to breaking points to target those same groups. In 2018, the Philippine government tried to revoke Rappler's licence to operate. While we continue to fight it legally, within four months, we lost 49% of our advertising revenue.

In less than two years, my government filed 10 arrest warrants against me. In order to travel, I have to ask permission from the courts. Sometimes I get it, sometimes I don't. One of the times my travel was denied at the last minute was when my aging parents, who were both ill, had asked me to come to the United States because my mom was having an operation.

In past three months, we've had 22 new complaints—potential new legal cases—filed against us. Last Friday, we received eight in one day. Eight subpoenas is a record for us. We must be doing something right, because not only did a sitting cabinet secretary sue seven news organizations, including Rappler, but there is a petition at the Supreme Court by the solicitor general alleging unfounded conspiracy theories against us. The majority of these complaints are connected to President Duterte's pastor, Apollo Quiboloy, who is wanted by the FBI. His company is leading the attack against journalists and human rights activists and was recently awarded a television franchise. Last week, I testified in court in a case where the alleged tax we owed—200,000 pesos—was far less than the 1.2 million pesos I had already posted in that court in bail and bonds to stay free and working.

All told, I could go to jail for the rest of my life because I refuse to stop doing my job as a journalist. However, I'm lucky. Remember Senator Leila de Lima, former justice secretary and head of the Commission on Human Rights? Last month, she began her sixth year in prison. Amnesty International calls her “a prisoner of conscience”.

Remember young journalist, Frenchie Mae Cumpio? She spent her last two birthdays in prison.

Remember former colleague, Jess Malabanan? He was killed by a bullet to the head. He worked on the Reuters' drug wars series that won a Pulitzer Prize.

Remember ABS-CBN, the largest broadcaster in the Philippines? It was a newsroom I headed for six years. In 2020, it lost its franchise to operate. The last time that happened was when Ferdinand Marcos declared martial law in 1972.

For the people who defend us, there are also costs. More lawyers have been killed than journalists under the Duterte administration, and the toll for human rights activists as of August last year hit over 420 dead. Last year, on March 7, nine trade union leaders and human rights activists were killed in simultaneous morning police raids, which we now call “Bloody Sunday”. The numbers of those killed in our brutal drug war are from the thousands to tens of thousands. That's the first casualty in my nation's battle for facts.

That brings us to my second point, of how technology has degraded facts and broken our societies. Like the age of industrialization, there's a new economic model that brought new harms, a model Shoshana Zuboff called “surveillance capitalism”. This is when our atomized personal experiences are collected by machine learning and organized by artificial intelligence extracting our lives for outsized corporate gain. Highly profitable microtargeting operations are engineered to structurally undermine human will, creating a behaviour modification system in which we are Pavlov's dogs, experimented on in real time with disastrous consequences.

This is happening to you and to all of us around the world. These engagement-based metrics of American tech companies mean that the incentive structure of the algorithms, which is really just their opinion in code, implemented at a scale we could never have imagined is insidiously shaping our future by encouraging the worst of human behaviour.

• (1840)

Studies have shown that lies laced with anger and hate spread faster and further than facts. The next few sentences I have said in every speech in the last six years.

Without facts, you can't have truth. Without truth, you can't have trust. Without these, we have no shared reality, no rule of law and no democracy.

What are we going to do?

We can't solve the global existential problems if we don't win the battle for facts, and we cannot have integrity of elections if we don't have integrity of facts.

In 42 days, the Philippines will vote, in an existential moment for our democracy. The front-runner for president is Ferdinand Marcos, Junior. His family was ousted by a people-powered revolt 36 years ago. He's back partly because history was revised in plain view with networks of disinformation, which we at Rappler exposed, releasing the data publicly.

How do we find a solution to deal with the viral speed of lies and the preferential distribution of anger and hate?

We created a four-layer pyramid: what we call #FactsFirstPH. I submitted a copy for you who are listening today. It begins with our communities, with individuals reporting lies to our tip lines. That's the data layer that unites the pyramid. For the first time, at least 16 news groups are working together in that foundational layer.

Once the fact checks are done, it moves to the mesh layer: civil society groups, NGOs, schools, business groups, the church and religious groups joining together to mount their own campaigns for facts, creating a mesh of distribution.

That data then travels to the third layer—the disinformation research groups, finally working together—which releases weekly research to tell Filipinos exactly how we're being manipulated and by whom.

Finally, the fourth layer, that has long been needed, is the law. Legal groups across the spectrum focus on filing tactical and strategic litigation. As news groups in the Philippines now face renewed and expanded DDoS attacks against our site, meant to take us down, these exponential lies are like DDoS attacks on our brains, attacking our biology, leaving us defenceless. The platforms and the autocrats that exploit them must be held accountable and governments doing this must move at a faster pace.

In that sense, Russia's invasion of Ukraine has brought nations together and may bring solutions for the continued impunity of platforms for countries like the Philippines—consider the Magnitsky sanctions.

Democratic nations must stand together for democratic values. The solution is three-pronged and remains the core pillars of Rappeler: technology, journalism and community.

First, put guardrails around the tech and build better tech. Second, strengthen journalism and help fund independent news, which is part of the reason why I agreed to co-chair the International Fund for Public Interest Media. Third, build communities of action that stand by these democratic values.

I could go to jail for the rest of my life just because I'm a journalist, but what I do now will determine whether that will happen, so I pledge to hold the line. These times demand more, and journalists have met and will meet those demands.

Now it's up to you.

Thank you.

● (1845)

**The Chair:** Thank you, Ms. Ressa.

Now we turn to Ms. Boniadi.

You have five minutes for your opening remarks.

**Ms. Nazanin Boniadi (Actress and Ambassador, Amnesty International United Kingdom, As an Individual):** Mr. Chair and members of the committee, thanks for inviting me to speak.

Given that the Islamic Republic is ranked among the worst globally with respect to various human rights indices, the utter absence of a free media, the looming JCPOA agreement and the tragedies surrounding the downing of flight PS752, my focus today will be on my homeland, Iran.

Since the 1979 revolution, the denial of fair trials and due process have been symptoms of the Iranian authorities' disdain for the rule of law and those defending it, as well as tools for the monopolization of power and the persecution of those who challenge it. Sadly, it came as no surprise when security forces yet again unlawfully used lethal force and birdshot to crush mass protests over water shortages in Khuzestan and Lorestan provinces last year, killing at least 11 people and injuring scores more. As you may know, in 2019 that number, as Reuters reported, was well over 1,500.

Neither should we be surprised that Iran is suffering from an epidemic of torture. Amnesty International has documented that Iranian authorities have failed to provide accountability for at least 72 deaths in custody since January 2010, despite credible reports that they resulted from torture, ill-treatment or the lethal use of firearms and tear gas by officials. Leaked surveillance footage from Tehran's Evin prison in August 2021 showed prison guards beating, sexually harassing and otherwise torturing prisoners.

In the last year, several thousand men, women and children, including human rights defenders, protesters, bereaved relatives demanding accountability, lawyers, journalists, environmentalists, dissidents, artists, writers, teachers and dual and foreign nationals,

have been interrogated and unfairly detained simply for exercising their rights to freedom of expression, association and assembly. Hundreds remained wrongfully detained by the end of the year.

Hundreds of women human rights defenders remain unjustly imprisoned in Iran, including lengthy sentences for at least six women who peacefully campaigned against compulsory veiling. In a brave act of civil disobedience, renowned rights defender Narges Mohammadi, who spent the better part of the last 13 years behind bars for her peaceful advocacy, is resisting a prison summons she received on March 8, deeming it unjust.

The authorities have banned independent political parties, trade unions and civil society organizations; censored media; and jammed satellite television channels. In January the authorities added the messaging application Signal to the list of blocked social media platforms, a list that already includes Facebook, Twitter and YouTube.

The authorities imposed Internet shutdowns during protests, hiding the scale of violations by security forces and preventing people from organizing. They continue to conceal the truth surrounding the January 2020 shooting down of flight PS752 by the Revolutionary Guards, which killed 176 people. It's important that you as Canadian legislators recognize that the bereaved relatives of the victims seeking justice in Iran continue to face intimidation, harassment, arbitrary detention, torture or other ill-treatment. It's imperative that Canada along with Ukraine, the U.K., Sweden and Afghanistan continue to collectively pursue full transparency, accountability and justice.

After a 43-year case study on the Islamic Republic and the rise to the presidency of Ebrahim Raisi, who has been a pillar of the oppressive state implicated in crimes against humanity, and whose leadership harkens back to 1980s Iran, it's become abundantly clear that a culture of impunity reigns supreme in the country and the system is impervious to reform. We should remember that there is no avenue for justice through domestic channels in Iran. Iranian victims of serious crimes committed by the Iranian authorities look to the international community to take meaningful action to ensure their rights.

This is why Amnesty International and other NGOs have been urging member states of the UN Human Rights Council to support the creation of an impartial mechanism to collect, analyze, consolidate and preserve evidence of the most serious crimes committed in Iran to facilitate future fair and independent criminal proceedings. We also urge member states to renew the mandate of the special rapporteur on the situation of human rights in Iran.

It's encouraging that Canada has been a lead sponsor of a UN resolution for the protection and promotion of human rights in Iran since 2003, when dual Iranian-Canadian citizen and freelance photojournalist Zahra Kazemi was killed while in custody. Her medical examiner later testified that she had sustained brutal torture and rape.

• (1850)

The support and promotion of such resolutions is the very least the people of Iran expect from the free world.

For far too long, we have have soft-pedalled human rights advocacy in our foreign policy, but human rights are intricately bound with respect for the rule of law, and there can be no good governance in the long run without the rule of law. Good and law-abiding governance not only makes for better regional neighbours, but also better members of the international community.

It's not just a moral imperative that we prioritize human rights in our foreign policy; it's to our advantage that we don't allow it to be overshadowed by our geopolitical, economic and other interests.

Thank you.

**The Chair:** Thank you, Ms. Boniadi.

Now we will go to Mr. Leung.

You have five minutes, Mr. Leung.

**Mr. Matthew Leung (Former Reporter, Ming Pao Daily, Hong Kong, As an Individual):** Thank you, Mr. Chairman. Thank you for inviting me.

My name is Matthew Leung. I was a full-time news journalist in Hong Kong for six years. I left Hong Kong and moved to the U.K. this January due to safety concerns. I'm now a contract traffic warden working for city council.

Since the close of Apple Daily and the prosecution of those chiefs in the company, journalists in Hong Kong are under turbulence. I'm not the only one who gave up the career I loved and feel proud of, leaving Hong Kong and working a rather meaningless job in order to survive in a free country.

I'm sure you know what that turbulence means, but allow me to give you some summaries and numbers.

The Hong Kong government has been attacking the independent media for some time, but the heaviest blow was using the national security law to freeze the assets of news outlets. That's what happened to Apple Daily last June and then The Standard in December.

Arresting top executives of media outlets and seizing computers would obviously affect the work of journalists, but not as much as freezing assets.

**The Chair:** Mr. Leung, apologies for interrupting you.... Could I ask that you keep your microphone closer to your mouth, because the translators are having a difficult time?

**Mr. Matthew Leung:** Is this okay, better now?

**The Chair:** Yes, absolutely, thank you.

**Mr. Matthew Leung:** I will continue.

Arresting top executives of media outlets and seizing computers would obviously affect the work of journalists, but not as much as freezing assets, as people cannot work if they're not paid.

After those two outlets were forcefully closed, the third outlet, Citizen News chose to cease operations, saying that they could not allow their youngest staff to face weeks of arrest when they can no longer tell what is risky and what's not.

For media outlets that are still running—the picture shown on screen two—many news shows were cancelled for their critical reporting, more than 300 episodes of an award-winning program—

• (1855)

**The Chair:** I'm sorry, Mr. Leung, I'm terribly sorry. We're hearing from the interpreters once again. Can you hold the mike closer to your mouth, if possible? Now it's too close.

**Mr. Matthew Leung:** —more than 300 episodes of an award-winning program [*Inaudible—Editor*] have moved online...

Can you hear me? Is it better?

**The Chair:** I'm terribly sorry about that, Mr. Leung, but some of the members require French. Could I ask that, in lieu of doing your remarks, you kindly and graciously send us your written submission? We will ensure that every member receives it.

Given these technical complications, we will just go to rounds of questioning now.

**Mr. Matthew Leung:** [*Technical difficulty—Editor*]

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

Our first round of questions consists of seven minutes for each member who is either here present or online, and our first member is Mr. Sameer Zuberi.

**Mr. Sameer Zuberi (Pierrefonds—Dollard, Lib.):** I want to thank all of the witnesses for being here, and for your courage. I fully recognize how challenging it is for each and every one of you to be advocating in the spaces you're in, knowing that for what you say, you're going to receive a lot of headwind. You're obviously going to be heavily critiqued. In many cases, your safety is in danger, even if you're outside of your country of origin.

For Ms. Ressa, strength to you. I know you're fighting a very important fight, and this is extremely challenging, but we wish you strength and courage. I'd like to start my questions with you. I heard you on CBC's *The House*. It's a radio program that's often listened to in Canada by most of us here, and those who follow what happens in Parliament.

I want to allow you to elaborate some more on the technology, the nexus of technology with human rights and your comments on our moving from our natural state to an agitated state, and how that's employed by those who undermine human rights.

**Ms. Maria Ressa:** I can talk about that on two fronts. First, so much of the debate on this is kind of further downstream, so how do we think about it? The very first part of fighting for human rights, or free expression, actually begins with having the facts.

Right now, the platforms all want you to debate content moderation, which is the furthest downstream. If you're stuck here, the platforms make more money out of surveillance capitalism. What we need to do is to really move further upstream to the operating system, the algorithmic amplification. That's incredibly important. That's what a great book, *Weapons of Math Destruction*, calls "opinions embedded in code".

Once you're there, you then move further upstream to the root cause. That's all the way here. We start from here, and that's surveillance capitalism, and that's where all of the problems connect that seemed to have been siloed. That includes safety, privacy, antitrust, and content moderation.

Part of our problem now is that these have been exploited by geopolitical power. These networks now form a global nervous system of what I call "toxic sludge", and that's fuelled by nations like China and Russia.

In 2018, we connected the information operations in the Philippines with Russian disinformation networks through websites in Canada. In 2020, Facebook took down information operations from China that were creating fake accounts for the U.S. elections. In the Philippines, those same accounts were polishing the image of the Marcos, campaigning for Duterte's daughter, and attacking Rappler.

In 2021, the U.S. and the EU called out China and Russia for COVID-19 disinformation. I guess I want to just emphasize how connected we all are.

I guess the upside here is that we're starting to see more legislation. Last week, the European Union hammered out the last details of the Digital Markets Act. That's to be followed by the digital services act. I know Canada has this also in play, but these two will take time.

I continue, as I did in the Nobel lecture, to appeal to U.S. legislators to reform or revoke section 230 of the Communications Decency Act, because we, at the front lines, need immediate help.

● (1900)

**Mr. Sameer Zuberi:** Do you think it's important that parliamentarians have the algorithms of social media companies' manifests, so we can actually do a deeper dive into this. Do you think that's appropriate? Must we do that quickly?

If you could answer that, I'd then like to shift the conversation to Iran.

**Ms. Maria Ressa:** Absolutely. You need to demand greater transparency in those algorithms of amplification. Think about it like this. You do this with drugs. We take that apart. We take it down to its ingredients. It's the same thing with algorithmic amplification. Why does it remain a black box? The sooner you do it, the better it will be for all of us.

**Mr. Sameer Zuberi:** Thank you so much.

I'd like to shift gears for a moment and go to Ms. Boniadi. You mentioned Narges Mohammadi. You just touched upon her lightly. I've heard about her. Can you please shed some light in terms of what her latest active civil disobedience was and anything else you'd like to share with this committee?

**Ms. Nazanin Boniadi:** Thank you very much. I'd just like to say how I am in awe of Ms. Ressa and Mr. Leung. Thank you so much for all you do.

Narges Mohammadi is equally brave putting her own life at risk inside Iran as a long-time human rights defender. I recently spoke to her. She is bravely defying a prison summons that she received a few weeks ago. She spent the better part of 13 years in prison for her peaceful human rights advocacy. She was in solitary confinement four times. The last time was for 64 days, 40 of which were spent completely incommunicado, with no access to a lawyer, nothing. And yet she's risking all of this again—her safety and her security.

She asks of you that when international lawmakers or anyone with any kind of connection to Iran is making an official visit to the country and meeting with someone inside the country—and I understand that Canada doesn't have those official ties—someone like the foreign minister, that they demand to first meet with someone like Narges so they can amplify the voices of civil society inside the country so that civil society dissidents know that those people, those officials as foreign officials, have not taken the side of their oppressors over them.

It is very important that we give those people platforms. Narges's request to all of you is that we give a platform to people like her, that we don't simply allow people like Zarif, the former foreign minister, to write op-eds in our western newspapers, that we give platforms and voice to dissidents inside Iran and strengthen civil society in that way. Narges is really a champion of that in so many ways. Uplifting people like her like Nasrin Sotoudeh, like Atena Daemi and countless other brave activists is very important.

I'd just like to add, on the subject of journalism inside Iran, that while the world was so focused, and rightfully so, on the atrocious death and tragedy of Jamal Khashoggi, it completely overlooked Rahul Azam who was lured to Iraq, abducted, taken to Iran and executed after a grossly unfair trial. So we're really not hearing enough about the struggles of civil society inside Iran.

● (1905)

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

We now turn to Mr. Cooper.

You have seven minutes, Mr. Cooper.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Thank you very much, Mr. Chair.

Thank you to the witnesses.

I was going to direct my questions to Mr. Leung, but obviously we weren't able to hear from him. I'm very much interested in the situation in Hong Kong, so I look very much forward to his brief. With his being unable to—

**The Chair:** Mr. Cooper, I think we can still try. Let's just give it a shot and we'll see what it's like and if the interpreters can pick it up.

**Mr. Michael Cooper:** Okay.

We have seen a systematic campaign to dismantle democratic institutions in Hong Kong since 2020, including a significant media crackdown including, as Mr. Leung pointed out, on Apple Daily in June 2021 followed by Stand News and then Citizen News. Citizen News shut down citing the closure of Stand News as the main reason. Ronson Chan, the head of the Hong Kong Journalism Association and a former editor of Stand News, said, with respect to the national security law, "There's very little room given by the law. If you are not in trouble yet, the authorities will get to you at some point".

Would you concur that this is the environment journalists face in Hong Kong today? More broadly speaking, you have been a journalist in Hong Kong since 2013, so I think it would be helpful if you could perhaps walk through how the landscape in Hong Kong has changed over that period of time.

**Mr. Matthew Leung:** I absolutely go with Mr. Chan's comment.

Can you hear me okay?

**The Chair:** Yes, that's much better.

**Mr. Matthew Leung:** The point is that I think censorship is the reason that so many journalists chose to leave their careers and Hong Kong. If there were a red line that we know, then we could at least know where the red line is and then maybe we'll self-censor ourselves, but the problem is that we don't know where the red line is. For example, the authorities are charging media outlets for seditious comments, but, actually, that was a law that was in effect before 1997. It was the law for people who become seditious against the Queen. The problem is that if they cannot find the right law, they will find one that suits them, no matter if it is historical or what.

I've been a journalist since 2015, just right after the social movement that started in 2014, and in my experience the relationship between the authorities and journalists is quickly deteriorating. They don't talk anymore. We always argue that they make a request that—I'm sorry, when I'm nervous my English gets real bad—is unreasonable. We have to stand 100 metres from the scene so we cannot film what's happening.

I think it's going to get worse. Actually, I should not be one who appears in front of you today. The thing is the men and women who are still fighting to save what's left in Hong Kong they cannot speak for themselves without bearing the risk of breaching so-called national security. That is the reason why, as a former journalist, I'm speaking in front of you.

• (1910)

**Mr. Michael Cooper:** Thank you for that.

Can you speak to some of the tactics the police are using to suppress the free press and to attack journalists. We've certainly seen detentions for which, I believe, the maximum penalty is life in prison, under the national security law. But can you just elaborate on some of the other measures the regime is taking that are having

a chilling effect on the state of independent journalism in Hong Kong?

**Mr. Matthew Leung:** They jailed the top chiefs, such as Jimmy Lai, or the editors of Stand News. That's the top one. Like me, I worked on the front line during 2019 about the physical attack [*Inaudible—Editor*]

[*Translation*]

**Mr. Denis Trudel (Longueuil—Saint-Hubert, BQ):** On a point of order, Mr. Chair.

The interpretation stopped working 30 seconds ago. Unfortunately, I cannot hear Mr. Leung's answers.

[*English*]

**The Chair:** Mr. Leung, unfortunately we're having technical challenges again.

Could I just ask if you could kindly prepare a response to the question just posed to you and we will ensure that Mr. Cooper does receive it.

**Mr. Matthew Leung:** Yes. I'm sorry about that.

**The Chair:** I'm terribly sorry about this too.

**Mr. Michael Cooper:** How much time do I have?

**The Chair:** You have another minute.

**Mr. Michael Cooper:** I have another minute, okay.

I will, then, ask, and maybe I'll follow up with the witness, Madam Boniadi.

I do have some questions for you on the situation in Iran, but since we just have a very limited period of time, would you agree the human rights situation on the ground in Iran has deteriorated since Raisi was installed?

**Ms. Nazanin Boniadi:** Yes, I do think that Ebrahim Raisi....

The election last year, which had the lowest turnout in the past 43 years, is very telling. People are completely disgruntled.

As the logic goes, there's nothing wrong with a democracy that can't be fixed with what is right with a democracy. The opposite is true with a country like Iran, where the very pillars of the system prevent the wrongs from being made right.

Unfortunately, that's true, but whether people call themselves "hard-liners" or "reformists"...otherwise, after 43 years, reform would have happened.

Do I think it has deteriorated? Yes. It's like saying it's gone from an "F" to even worse than that. The system is completely broken. As the daughter of former president Rafsanjani said, there is a huge disillusionment with the system, because there's no way to fix it.

**The Chair:** Thank you, Mr. Cooper.

Now we will turn to Monsieur Trudel.

[*Translation*]

**Mr. Denis Trudel:** Thank you, Mr. Chair.

I thank our three witnesses. I'm sorry I couldn't hear Mr. Leung, because his opening remarks seemed very interesting.



Ms. Boniadi, during the pandemic, the Iranian state reportedly expelled the non-governmental organization Doctors Without Borders from its territory. You must be aware of this.

Do you have any idea what the Iranian state's motives were?

They expelled an organization that provides information to people, both in Iran and elsewhere, about the human rights situation there. What message does that send?

• (1915)

**Ms. Nazanin Boniadi:** Thank you very much.

[English]

I wish I could answer that question, but the truth of the matter is that the government, Iranian authorities, prioritize revolutionary ideology before the well-being of the people. That is what the Iranian people are facing. There is no real interest in protecting the Iranian people. The real interest of the Iranian authorities is protecting the revolutionary ideology, the revolution itself.

It's telling that the Islamic Revolutionary Guard Corps, the IRGC, is tasked with protecting the revolution. The words "Iran" or "Iranian" aren't even in the acronym. That should tell you everything about how these authorities, the Islamic Republic, feel about Iran and the Iranian people.

What I will say is that decisions made inside Iran have not benefited the people. Even when there was sanctions relief the first time around under President Obama, the money that went to Iran didn't reap any benefits for the Iranian people. Money was still going to Hamas and Hezbollah and Assad. Nothing really changed on the ground as far as human rights go in any tangible way. The people didn't reap the benefits.

For the same reason that U.S. vaccines, western vaccines, were banned from entering the country, these people are not interested in the well-being of the Iranian people.

[Translation]

**Mr. Denis Trudel:** Thank you, Ms. Boniadi.

Are you familiar with the case of Nasrin Sotoudeh, an Iranian human rights lawyer? Are you familiar with this case? Can you tell us a little bit about it?

[English]

**Ms. Nazanin Boniadi:** Nasrin Sotoudeh is an extraordinary human rights lawyer who has unjustly received 38 years simply because she has protected and defended her clients.

She tried to use the law as much as she can. The penal code isn't very friendly towards women in Iran. She's used to going with that and tries to find ways to defend her clients legally. Every time, the door has been closed in her face. She has been sent to jail, yet she keeps going. I know she's on temporary leave from prison, but she's still serving her 38-year sentence.

Of course, she's internationally renowned and celebrated. She's one of the biggest names as far as human rights defenders inside the country. She's always been a pillar of strength and a role model for everyone else.

At the heart of what she's saying is that women and men should be treated equally. The Iranian penal code simply doesn't offer that. It's still based on sharia law and women are seen as half the value of men before the law inside Iran.

Much like Narges and others, the injustice towards women far outweighs the injustice towards men inside the country as far as sentencing. For example, a woman who is campaigning against compulsory hijab can receive 18 years in prison, whereas a man who kills his daughter in an "honour killing" can receive just months or a few years.

There's no real justice for women. Nasrin has been at the forefront of the fight.

[Translation]

**Mr. Denis Trudel:** Thank you very much, Ms. Boniadi.

Ms. Ressa, you spoke briefly earlier about the case of the prisoner of conscience Leila de Lima.

Could you please tell us more about it?

[English]

**Ms. Maria Ressa:** Senator de Lima is now campaigning from prison. The charges against her when she was imprisoned in February 2017 were largely brought by convicts in prison who were given some kind of incentive by the government. Many of them have now disappeared.

She remains in prison. Part of the reason seems to be based on the actions of President Duterte and his words, which were that she had used her position in the senate to begin investigations into the brutal drug war. He had threatened her; she was arrested and is now in prison without bail.

It happened so early—in 2017—that even journalists were stunned by this. I thought that if a government is doing this, there must be something there. Then, of course, when the charges against me were just lies, I began to realize later on that this is a pattern and law has been weaponized.

• (1920)

[Translation]

**Mr. Denis Trudel:** Thank you.

The Anti-terrorism Act—

[English]

**The Chair:** You have 20 seconds, Mr. Trudel.

[Translation]

**Mr. Denis Trudel:** Oh, my God.

How has the Republic Act 11479, also known as the Anti-Terrorism Act, 2020, affected peace activists and human rights defenders?

Can you answer in 12 seconds, please? I'm sorry.

[English]

**Ms. Maria Ressa:** It's beyond a chilling effect. It is glacial.

It came about around the same time as Hong Kong's security law. It just meant that you could be arrested without a warrant. This is the impact on people: You could be arrested without a warrant and held in prison for up to 24 days. I'll have to double-check those numbers.

Beyond that, many petitions were filed at the supreme court to roll it back. The supreme court has rolled some elements back, but it still remains and it hangs like Damocles' sword on any human rights defender.

We've also seen that social media has been weaponized. The phrase in the Philippines is "red tag". It's essentially comparing a human rights defender to a terrorist and uses the same principles that you heard from Matthew against journalists and human rights defenders.

[Translation]

**Mr. Denis Trudel:** Thank you very much, Ms. Ressa.

[English]

**The Chair:** Thank you.

Now we turn to Ms. McPherson.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Thank you, Mr. Chair.

Thank you to all our witnesses for being here tonight. It is such an honour to hear from you. I know people have said this before this evening, but I recognize [*Technical difficulty—Editor*] to do the work that you do. Your bravery and your courageous commitment to truth and to journalism is recognized certainly by this committee.

I want to start with Ms. Ressa.

I've read the speech that you gave in October when you accepted the Nobel Peace Prize. It was incredibly moving, and very chilling, of course, in parts as well.

I want to quote from it. You put in your comments that:

Highly profitable micro-targeting operations are engineered to structurally undermine human will—a behaviour modification system in which we are Pavlov's dogs....

You went on to say:

These destructive corporations have siphoned money away from news groups and now pose a foundational threat to markets and elections.

It's obviously extremely terrifying and something that I think we can all recognize is not restricted to the Philippines. It is not restricted to any one democracy or non-democracy in the world. We are all implicated by this and this impacts all of us.

You spoke today in your comments about the need for legislation, and I know it is hopefully something that will be coming forward. The government has brought forward legislation in this country and there is a push-back that we see in terms of attacks on human rights. Many members of the opposition have stood in the House and said that these laws that would control social media are wrong.

How do you get around that? How do you counter that argument so that we actually can have legislation in place that holds social media to account?

**Ms. Maria Ressa:** Thank you so much for the question.

First of all, it's an old argument that isn't true. Again, freedom of speech is upheld as the most sacred right in the west, but right now, think about it, and human rights activists have said this: The right to freedom of speech of a few people is actually encroaching on the right to life of many more, and the right to safety and the right to dignity.

For example, look at genocide in Myanmar.

If we all agree that facts exist, that makes it objective, which leads to truth, which leads to trust.

I tried to show how the debate on content is all the way downstream. The legislation should come further upstream, at the algorithmic amplification and directly at the surveillance capitalism. Again, the basic question of data privacy is who owns the data? Should these large American companies own our private lives?

Beyond that as well, thank you for bringing up something that I failed to mention but mentioned in the Nobel lecture: gendered disinformation. The other reason we need to do that is because human rights defenders, women journalists and women politicians, also deserve the right to free speech. Right now, freedom of speech is being used to stifle and pound women and vulnerable sectors to silence. It's information operations.

Canada, like the U.S., now has a serious problem with the way women in politics and journalism are being targeted. The same patterns of abuse that you see in repressive regimes are now made possible in your societies by these social media platforms.

I can also send a study, "#ShePersisted", a white paper that was done in Canada based on discussions with journalists and women in politics.

• (1925)

**Ms. Heather McPherson:** Thank you. That would be wonderful.

As a female politician, I have to say, I agree with you 100% that we are silenced in ways that are different. There are gendered impacts.

One of the things you also mentioned is the impacts on journalism. One of the things that I know we've looked at a lot as parliamentarians is how we protect journalism as a necessary pillar of democracy. When we look at social media being the place where people get their journalism, when we recognize that social media is a place where facts, news and media are not in fact valued, what are the things that a democracy such as Canada needs to do to protect the journalists who are doing the vital work?

I don't know if you know, but we had a "freedom convoy" in Canada that was very much calling out our media for being fake news, while they were trying to dismantle our democracy.

This was in Canada, in January. This is not ancient history or something happening somewhere else.

**Ms. Maria Ressa:** These are all symptoms of the same crucial problem, which is this supposed freedom of speech is being used to pound. When you pound something, when you say something a million times, a lie, it becomes a fact in the age of abundance, in the age of social media. I think that's a fundamental difference.

Again, I'm sorry to keep bringing it up but these lessons are so incredibly personal and macro. So, it's micro and macro. I will also send you a UNESCO study and the International Center for Journalists study on almost a half a million social media attacks against me. It's the first big data case study that was done, and you can see there how 60% of the attacks were meant to tear down my credibility. Forty per cent were meant to tear down my spirit, and I use that as an example. That is what is being done to women journalists, women politicians. That is what is being done to news organizations.

I actually say this to news organizations. We still feel we have the power. It's like a vestigial tail. The real power of distribution is with technology, and those do not have any guardrails at all right now. It is profit at all costs.

**Ms. Heather McPherson:** Yes, the guardrails are vital.

I know I'm running out of time, but I did want to ask Ms. Boniadi a very quick question. You spoke about the fact that we don't have those diplomatic ties. Canada does not have those diplomatic ties with Iran. I represent the riding where many of the victims of flight PS752 lived. It has changed the face of the university in my riding. I just wonder if it would be better for us to have those diplomatic ties so that we could promote the voices, or if it is better for us to ignore a government that is failing to meet human rights standards.

**Ms. Nazanin Boniadi:** I think it's really important that we don't have double standards in our foreign policy.

When we're calling for sanctioning Putin, who is terrorizing Ukraine, why would we then have diplomatic ties with Iranian authorities who are terrorizing their own people? I think we can't say that it's okay what you do to your own people, but just don't do it to other people. I think justice for the bereaved relatives of those loved ones lost on the flight can come in the form of following up on investigations and making sure that facts are found. Accountability and transparency are very important.

I just want to add, on the tail of Ms. Ressa's remarks, that dissidents inside Iran are not the only target; it's also dissidents abroad.

If we look at the case of Masih Alinejad, who is an incredibly brave female Iranian journalist, U.S.-based, whose brother has been imprisoned, sentenced to eight years in prison to silence her, we realize that these autocracies, these oppressive governments, don't stop at their own borders. They also are trying to silence everyone outside who is raising their voices, particularly women. They are particularly scared of women like Masih.

I think it's really important that even if we don't have ties with Iran, we collectively empower civil society not only inside Iran, by supporting independent media—which is so incredibly important, because, of course, it's state-owned media inside Iran—but also outside, by supporting people like Mehdi Yahyanejad, who has created the Toosheh app. When there is an Internet blackout, if you

have this app in Iran, you have access to real news, what's going on in the world and how to connect and organize.

These are all ways we can help the Iranian people.

• (1930)

**Ms. Heather McPherson:** Thank you so much. Thank you all for your work.

**The Chair:** Thank you.

Now, we're out of time on this round. There are four members remaining for the second round. My apologies, but we're way over the time. I will provide you each with one question, Ms. Vandenberg, Mr. Cooper and Mr. Trudel.

My apologies, Ms. McPherson, but you were way over the time in your segment, so it's just the three remaining members.

Ms. Vandenberg.

**Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.):** Thank you, Mr. Chair.

I don't know how to choose just one question.

I do want to say to all of the witnesses today that I think I speak for all parliamentarians when I say that we tremendously admire and respect your courage in the face of great personal cost.

My question is for Maria Ressa.

It's good to see you again. I note that it's the second time I've heard you testify before the Canadian Parliament. The last time was at the grand committee of the ethics, privacy and information committee about the “data-opolies” and the large social media platforms.

You've talked about the need to look at the algorithms and the transparency of what underlies the amplification on these social media platforms, which is a very different thing than the argument that's made back that you're somehow censoring content. Could you talk a bit about the way in which legislators can work across jurisdictions?

We know that the large social media platforms will move from jurisdiction to jurisdiction and, if regulations are different, it can be very difficult to regulate them. How can we, as the Canadian Parliament, ensure we're working in concert with other legislatures around the world to be able to truly have an impact when it comes to the proliferation of this undermining of truth that you've spoken about?

**Ms. Maria Ressa:** I'll quickly respond to that by saying that the biggest problem we face today is that the laws we have evolved in the physical world don't exist in the virtual world and, in many ways, we have all fallen for this idea that the virtual world is different from the real world, but it isn't—we only live in one reality.

There's something very simple that the platforms have done. After January 6 in the United States and that violence, Facebook did its "break glass" moment: It turned up something it called the "news ecosystem quality", which is news ecosystem quality for quality news—right?—and facts.

When they did that, CrowdTangle, which a tool that shows you which are the top 10, all of a sudden had NPR, The New York Times and news story organizations that are liable for their content come up in the top 10.

But that only stayed for a few weeks, because after it became safe again, they turned it back down. Then you have the toxic sludge coming back up again. Why? It made less money.

First, I think, insist that the laws of the real world are in the virtual world. That doesn't require new laws. It does require accountability. Sidestepping accountability for distribution is the wrong thing to do, and we have allowed that for too long.

• (1935)

**The Chair:** Next we go to Mr. Cooper.

**Mr. Michael Cooper:** Thank you, Mr. Chair.

I will direct my question to Ms. Boniadi.

In terms of holding the Iranian regime accountable for, among other things, the downing of Ukrainian airlines flight PS752, do you believe that the Government of Canada should designate the IRGC as a terrorist entity, just as it has with respect to the Quds Force?

**Ms. Nazanin Boniadi:** I do think that the IRGC has terrorized the Iranian people and the region. I think what's most important is that when we look at our foreign policy with Iran, things like the JCPOA should never overshadow the human rights inside Iran.

When I say that, we would be wise to remember the words of former U.S. ambassador to Russia, Michael McFaul, who said, "Arms controllers didn't end the Cold War with the Soviet Union; democrats inside Russia and other Soviet republics did." Karim Sadjadpour, who is an Iran scholar, wrote in *The Atlantic*, "Similarly, the U.S.-Iran cold war will likely be concluded not by American diplomats but by Iranian democrats."

What we have to do is make sure that we're empowering those democrats. I think that holding the IRGC accountable is a way to empower those democrats inside Iran to find freedom.

I hope that answers your question.

**Mr. Michael Cooper:** Thank you.

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

The last question goes to Monsieur Trudel.

[*Translation*]

**Mr. Denis Trudel:** Thank you, Mr. Chair.

Ms. Ressa, in December 2021, a few months ago, the International Criminal Court declared that crimes had been committed in the context of the war on drugs and that it would decide, in 2022, whether or not there would be an investigation.

First of all, has an investigation been launched?

Secondly, do you think that Canada could intervene to ask the International Criminal Court to open an investigation into these crimes?

[*English*]

**Ms. Maria Ressa:** Yes, absolutely. This is being closely watched in the Philippines, partly because it comes down to systems of accountability. Will anyone be responsible for these drug wars and the violence that continues today?

It's taken a bit of a back seat, but I think the most critical part of this is to also look at what is upcoming. We have our elections, but also look at the human rights. Please closely monitor the universal periodic review process at the UN Human Rights Council, which will be in October. The deadline for submissions from civil society is on March 31 and the UN Human Rights Council review is in October.

The more pressure that is put on this, the greater the chance that the deaths will stop.

[*Translation*]

**Mr. Denis Trudel:** Thank you, Ms. Ressa.

[*English*]

**The Chair:** On that particular note, allow me to thank all three of our panellists, Ms. Ressa, Ms. Boniadi and Mr. Leung. We are certainly very honoured to have had you. Your erudition, your insights and some of the sobering facts that you shared with us obviously very much elevated our understanding of troubled countries around the world. We're very grateful to have had you.

Mr. Leung, again, I just want to extend to you our apologies for the technical problems you had. If there is any issue that did arise in the questions that you would like to respond to, please kindly do so and we will make sure that it is distributed amongst the members here.

Thank you for this.

For the members, we will be suspending temporarily for five minutes.

• (1935)

(Pause)

• (1945)

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

Good evening, panellists. We're very honoured to have you all with us. I apologize for going over time with the first panel, but we're very much looking forward to hearing from you.

We have four experts on this panel, for the benefit of the members. We have Ms. Rachel Pulfer, executive director of Journalists for Human Rights; Ms. Judith Abitan, executive director of the Raoul Wallenberg Centre for Human Rights; Ms. Rachael Kay, deputy executive director of IFEX; and Mr. Mark Clifford, president of The Committee for Freedom in Hong Kong.

Each of the panellists will have five minutes for your opening remarks. Once that is done and we have heard from each of you, the members will be asking you questions.

The first speaker will be Ms. Pulfer. You have five minutes. The floor is yours.

Thank you.

**Ms. Rachel Pulfer (Executive Director, Journalists for Human Rights):** Thank you so much.

[*Translation*]

I also thank the other distinguished witnesses for their perspectives, and the members of the committee for this invitation.

I am really honoured to be here with you, to share some ideas and to tell you about the situations and the work of the journalists we work with at Journalists for Human Rights, or JHR. I also want to take a moment to thank all the officials who are currently working on some of the cases to help journalists at risk. It is a difficult and complicated job.

My name is Rachel Pulfer and I am the Executive Director of Journalists for Human Rights, an international NGO that supports media development to help journalists and promote respect for human rights around the world.

[*English*]

Journalists for Human Rights is a Canadian-based media development organization that works to promote access to human rights worldwide.

We do this through strengthening the media's ability to cover human rights stories in places where the commitment to media freedoms and human rights is fragile. Currently, we do this work across 17 countries, including Mali, Iraq and Yemen.

Over the past six months, we have worked to evacuate journalists under threat from Afghanistan. This is the work I want to focus on in this discussion, but I wouldn't be a good journalist if I didn't start this talk with a story.

I am going to share with you the story of Katira Ahmadi, a female TV anchor with Zan TV.

Zan TV was an all-woman television station based in Kabul. It produced news and feature content in Afghanistan up until August 15 of last year. After the fall of Kabul, Katira and her colleagues went into hiding. They knew that as women who had a high public profile, they would have targets on their backs.

Journalists for Human Rights evacuated Katira and some of her colleagues from Kabul in October of 2021. Ever since then, she has been stuck in Islamabad. As an Afghan refugee, every door is closed to her save the one she went through to get to Pakistan.

When she arrived, Katira was pregnant. Within weeks she miscarried. Katira desperately needs a permanent place to settle, yet months of effort by a coalition of media freedoms organizations, including Journalists for Human Rights, have so far secured nothing. She is just one of 500 journalists, women leaders, human rights de-

fenders and their family members from Afghanistan whom Journalists for Human Rights has worked to help since August 15.

In recent weeks, JHR has been approached in a similar way in increasing numbers by Ukrainian, Russian and Belarusian journalists, all in the same desperate situation. The reporting work they did before Putin's invasion of Ukraine has put them in danger. They need options urgently.

Luckily you, the members of this committee, are in a position to help provide them with options, so I'd like to recommend that Canada take immediate concrete action for journalists fleeing conflict and persecution—journalists like Katira—by creating an ever-green program of emergency visas for journalists. This is in line with recommendations from both the high-level legal panel of experts advising the Media Freedom Coalition, of which Canada is co-chair, and also IFEX, from whom you are going to hear later in this discussion.

On media freedom and human rights, we're seeing a global erosion in the state of media freedom through COVID-19; and the rise of authoritarianism threatens democracies and human rights worldwide. As Freedom House put it in their most recent report, "The global order is nearing a tipping point, and if democracy's defenders do not work together to help guarantee freedom for all people, the authoritarian model will prevail."

What can we do to roll this situation back? Organizations such as Journalists for Human Rights intervene to strengthen independent journalists' ability to cover human rights. Since 2016, starting in South Sudan, Journalists for Human Rights partnered with Global Affairs Canada to strengthen the "enabling environment" in which journalists work. This means a very holistic form of media development work across government, media and civil society, ensuring and building on society-wide support for independent journalists covering human rights stories.

We also train journalists on how to safely call out and debunk the kinds of disinformation campaigns that Maria Ressa referenced earlier in this discussion. Never has this kind of work been more needed than right now. Earlier today, for example, Novaya Gazeta, the last independent newspaper in Russia, closed its doors under pressure from Russian state sensors.

We need to ensure, in the face of gross state oppression, that newspapers like Novaya Gazeta are not censored and silenced, but rather find ways to live on. We need to ensure in the face of gross manipulation of information that citizens in places like Russia, Belarus and Afghanistan have access to the facts and truth.

The best way to counter-attack trends of authoritarianism and decaying support for human rights and liberal democracy is through support for independent journalism covering human rights issues. The best way to fight the state-sponsored lies of regimes such as Vladimir Putin's is with facts and truth.

That brings me to my second ask. This is in line with IFEX's petition to the Media Freedom Coalition in February, calling on Canada to step up and put aside up to 1% of its international development support towards this kind of media development work. This level of support is necessary in order to fund the kind of holistic, sector-wide networking and capacity-building work that ensures those enduring conflicts have access to reliable information about what is happening through the conflict and beyond; in particular, information on human rights.

I'll leave it there. Thank you so much.

• (1950)

**The Chair:** Thank you very much, Ms. Pulfer.

We'll now turn to Ms. Abitan. You have five minutes. Approximately 30 seconds before we reach that five minutes I will be putting up a sign.

The floor is yours, Ms. Abitan.

**Ms. Judith Abitan (Executive Director, Raoul Wallenberg Centre for Human Rights):** Thank you, Mr. Chair.

Thank you, distinguished members of the subcommittee for inviting Professor Cotler to discuss the case and cause of Mr. Dawit Isaak.

Professor Cotler is unable to appear for medical reasons and has asked me to testify on his behalf as I am associated with him in these matters. He also asked that I convey his highest regard to this committee on which he served both as chair and vice-chair during his parliamentary experience and which he regards as reflective and representative of the pursuit of justice in a rules-based international order.

In 2001, the Eritrean government shut down the entire independent press in Eritrea. Mr. Isaak, a Swedish-Eritrean playwright, author, and courageous journalist with Setit, Eritrea's first independent newspaper, was arbitrarily detained, held incommunicado, denied access to family, consular assistance, the right to counsel and any semblance of constitutional rights and due process.

His crime? Setit had published an open letter criticizing the concentration of power and demanding democratic reform and human rights in Eritrea that was signed by 15 members of President Isaias Afwerki's government. No independent media has operated in Eritrea since Mr. Isaak's arrest. The World Press Freedom Index has ranked Eritrea last out of 180 countries for more than a decade, behind China and North Korea. In 2019 the committee to protect journalists designated Eritrea the most censored country in the world.

There is reason to believe that Mr. Isaak is being held in the Eiraciro prison camp, one of a network of secret prisons where thousands of political prisoners are held in what Amnesty International calls "unimaginably atrocious conditions". Indeed, Mr. Isaak has been denied any semblance of justice and human dignity and continues to be the victim of ongoing crimes against humanity.

This past September marked 20 years of detention for Mr. Isaak. He and his colleagues are the longest-detained journalists in the world today. Mr. Isaak's case is not only emblematic of the assault on the safety and security of journalists, but also the assault on a

rules-based international order. It is a case study of the global assault on media freedom by authoritarian regimes whose exculpatory immunity continues to intensify and whose perpetrators only continue to be emboldened by the global pandemic of impunity.

Mr. Isaak's dual Swedish and Eritrean citizenship also makes this a unique case and one that serves as a looking glass into the *raison d'être* for the Canadian-led Declaration Against Arbitrary Detention in State-to-State Relations. Accordingly, Sweden has a particular nexus to this case and related domestic and international responsibilities in this regard.

As the report on consular protection for journalists at risk abroad of the High Level Panel of Legal Experts on Media Freedom, on which Professor Cotler serves, states: Diplomatic protection is not a matter of discretion. It is an international legal obligation, an obligation that devolves on the country of the nationality of the imprisoned journalist and that devolves on the country that is detaining the journalist.

The Eritrean government has also repeatedly ignored every petition and relevant ruling for Mr. Isaak's release, including a petition for writs of habeas corpus before the Supreme Court of Eritrea in 2011 and a final and binding ruling by the African Commission on Human and Peoples' Rights in 2016.

In a word, this impunity has only been incentivized by the absence of concerted action by the community of democracies on behalf of Mr. Isaak.

What now follows is a summary of key policy recommendations and legal avenues.

First, Canada should engage the signatories of the Declaration Against Arbitrary Detention in State-to-State Relations to secure the implementation of this declaration. Indeed, the case of Mr. Isaak is a very *raison d'être* and the very case study of the adoption of such a declaration.

Second, Canada needs to impose target Magnitsky sanctions in a concerted fashion within a multilateral framework upon the senior Eritrean officials involved in acts of corruption and rights violations against Mr. Isaak and his colleagues, a move advocated last October by an international coalition of leading NGOs, human rights organizations, experts, advocates, and journalists, of which the Raoul Wallenberg Centre for Human Rights was one. Indeed, the importance of Magnitsky sanctions in response to the imprisonment of journalists was the first recommendation of the High-Level Panel of Legal Experts on Media Freedom.

Third, we should support the call of leading UN experts, those engaged in the UN Human Rights Council Special Procedures, who themselves called for the urgent and immediate release of Mr. Isaak.

Fourth, we need to implement the 2016 recommendations of the UN Commission of Inquiry on Human Rights in Eritrea and refer the case to the prosecutor of the International Criminal Court.

Fifth, Canada, which serves as co-chair of the Media Freedom Coalition, which has pledged itself to safeguard media freedom, the safety and security of journalists should engage the members of the coalition in the case of Mr. Isaak, an emblematic case study for the Media Freedom Coalition.

• (1955)

I will soon come to a close.

Sixth, Canada should lead an inquiry at the Human Rights Council regarding the case of Mr. Isaak.

Seventh, Canada should factor in Eritrea's assault on the rules-based international order in its bilateral Canadian-Eritrean relationship.

Finally, Sweden should be invited to exercise a panoply of legal remedies, which it could have taken and can still undertake, to secure justice for Mr. Isaak and his colleagues and accountability for the Eritrean perpetrators.

Thank you.

**The Chair:** Thank you very much, Ms. Abitan.

We now turn to Ms. Kay from IFEX.

You have five minutes.

**Ms. Rachael Kay (Deputy Executive Director, IFEX):** First of all, thank you, honourable members, for this opportunity.

I'm here tonight on behalf of IFEX, a global network of groups defending freedom of expression and information in all its forms. Our aim is to increasingly leverage this work in the form of press freedom, access to information, and safety and justice for journalists among other rights.

Like others who spoke tonight, we are seeing the expansion of authoritarianism in all its forms. Information is being weaponized in ways that have a profound impact on people and are creating a kind of information chaos. In our network alone, misuse of access to information legislation, Internet shutdowns, misinformation, attacks on media and, of course, the murder of journalists are becoming routine. As the previous session highlighted, when those targeted directly with online disinformation and smear campaigns are women, the form the attacks take is usually gendered and often results in self-censorship. The aim is to silence these voices and it is doing just that.

We can see this play out in the current context. Immediate action is required in the most urgent situations, like Afghanistan, Belarus, Ethiopia, Myanmar, Nicaragua, Sudan, Ukraine and Russia, just to name a few.

As my colleague, Rachel, recommended, it's imperative that a coordinated system of emergency support for journalists at risk and their families be created. We see Canada already moving in the right direction on this, but we must continue to increase our effectiveness. To be effective, these systems should include providing emergency visas that have simple and secure methods of submission. In the absence of such, they should expedite the processing of visas for journalists and their families, and ensure safe passage.

Key to this is effective coordination with local and international civil society organizations, like Journalists for Human Rights, that are working to protect and evacuate journalists.

We see that media freedom has never been more crucial. Democracies cannot survive and flourish without free, independent and pluralistic media. We need to reverse engineer the current branding of the media as fake news and the enemy of the people as normal. It is a lexicon that has been adopted around the world. It is language that is mimicked and acted upon and includes continued verbal and physical attacks on the media with total impunity.

This has had a profound impact on press freedom and journalists in particular. Be sure that no country, including Canada, is exempt from this trend. This narrative needs to be countered forcefully with words and actions.

Outside of intervening in urgent situations, the government must play a significant, ongoing role in reinforcing the importance of press freedom and respect for journalists in its own national context.

There is also a need for accountability. The criminalization of journalism and abuse of law by state actors has to end. We call on multilateral relationships and institutions to ensure that those who attack the media face real consequences for their actions. Otherwise, attacks against the press will continue to escalate and any standards championed by Canada will remain empty.

Within these relationships, Canada must be visible by being connected and committed to international mechanisms, engage in coalitions, fund and acknowledge the benefit of international institutions in upholding press freedom and be present and vocal in support of their efforts. Canada's leadership as co-chair of the Media Freedom Coalition, as current chair of the Freedom Online Coalition, as well as with the Community of Democracies working group on enabling and protecting civil society is already a very positive and welcome example of this.

At IFEX, our network of over 100 organizations based in more than 70 countries actively advocates for freedom of expression and information as a fundamental human right. Many do so in very dangerous circumstances. The targeted repression of press freedom advocates and journalists and the attack on communities and institutions see accepted norms being undermined and weakened.

We have been called on to do more direct support for our members across all regions who find themselves increasingly under attack by authoritarian states that are focused on shutting down the voices of civil society and threatening dissent at any price. Organizations whose offices and staff are targeted and harassed with no other aim but closure and erasure need to be supported, funded and engaged with because these are the voices that call for accountability. If these voices are shuttered, it will leave a vacuum for democracy.

We know these issues are complex. IFEX members and allies around the world have been working on them for years by doing grassroots advocacy, publishing reports and indexes, offering solutions, and campaigning. They are a rich pool of knowledge that could inform Canada's policies and discussions with nuance and a national and global perspective. As part of your efforts and your focus on media freedom, we would welcome being a conduit to these sources.

- (2000)

Governments and civil society groups need to continue to find ways to collaborate and to be at the table together.

Thank you.

**The Chair:** Thank you, Ms. Kay.

We now turn to Mr. Clifford from The Committee for Freedom in Hong Kong.

**Dr. Mark Clifford (President, The Committee for Freedom in Hong Kong):** Thank you very much.

Thank you, honourable members, for the opportunity to testify before the Subcommittee on International Human Rights.

I am here as a representative of The Committee for Freedom in Hong Kong, whose primary focus is the release of political prisoners in Hong Kong, which is quite remarkable, because who among us would have thought, even three years ago, that we'd be talking about political prisoners in Hong Kong, once a place that was known as one of the freest places in Asia.

However, thanks to the national security law that was imposed on Hong Kong in mid-2020 by the Chinese government, any criticism of the Chinese Communist Party or the Chinese state has essentially been criminalized. We have a situation where most pro-democracy newspapers have been closed and civil society has been destroyed.

I am particularly focused on.... I'd like to tell you a story in my five minutes about the Next Digital media group, where I was an independent non-executive director. It's a story, really, of seven of my former colleagues who are, as we speak, in jail. They're in jail mostly without trial, let alone conviction. They're just seven of the more than 10,000 people who have been arrested on political charges as a result of the anti-government activities of 2019 and 2020 in Hong Kong.

I'm a former independent non-executive director of Next Digital, a company that is or was listed on the stock exchange of Hong Kong. It had a market capitalization of about \$100 million when it was destroyed in mid-2021 as a result of government action taken under the national security law.

By focusing on my seven former colleagues, they can stand for the 10,000-plus people in Hong Kong, and really the 7,500,000 people who have been oppressed under the national security law. Their case demonstrates the way in which the Chinese Communist Party and its enablers in the Hong Kong government and private sector are engaging in lawfare, using the veneer of the legal system that underpins well-governed democracies, not for justice or to reach a fair verdict but in pursuit of a predetermined political end.

In this case, it was the silencing of the pro-democracy newspaper Apple Daily.

The national security law is a broad, all-encompassing law that effectively criminalizes any criticism of the Chinese Communist Party by anyone anywhere in the world. In fact, last week one of my colleagues in London, Benedict Rogers from Hong Kong Watch, was threatened with jail if he didn't shut down his website, a London-based website, run by a British citizen that was deemed criminal by the Hong Kong authorities.

In the case of Next Digital, first the shares of the founder and largest shareholder, Jimmy Lai, were frozen by the secretary for security, because he said he had reason to believe that Mr. Lai had violated the national security law. There was no court order. Mr. Lai was already in jail, and at the same time, the secretary for security froze three Singapore-based bank accounts held by Mr. Lai at OCBC and Citi.

I mention this because many people are still under the illusion that Hong Kong is a place that cares about rule of law and property rights, and that it still has something left of its old days as a rule of law and free market oriented society that would tolerate, even welcome, free press and free discussion.

It's important to note that the secretary for security provided no evidence to back his claim that Mr. Lai had violated the national security law, nor did he seek a court order, let alone take the case to trial, and prove Mr. Lai guilty before a jury.

One month later, in mid-June 2021, authorities took a further series of action. They sent 550 armed police to our newspaper headquarters. They arrested the chief executive officer, Cheung Kim-hung; the editor-in-chief, Ryan Law, and detained other staff. Mr. Cheung Kim-hung and Mr. Law have been held without bail since that time. They also await trial.

Four other former colleagues have been held without bail since the summer of 2021. I think it's important to say their names, because these are individuals. They are seven among hundreds of thousands of people who are facing political charges in Hong Kong. They are Chan Pui-man, Yeung Ching-kee, Fung Wai-kong, and Lam Man-chung.

- (2005)

The secretary for security then froze the bank accounts of our operating companies. We were unable to accept payments from our nearly 600,000 digital subscribers. Although our employees were afraid and some of them had notes, computers and documents seized, they continued to put out the newspaper until we were finally forced to close, printing on that last edition a record one million copies, which were quickly sold.

Starved of cash, we had no choice but to shut the newspaper, and the directors ended up resigning, yet the government is still pursuing us. There are four different investigations, we're told, that are going on against us, and the government seems determined to prove that this has nothing to do with freedom of the press, but everything to do with a mismanaged company.



My ask for Canada is not quite as dramatic or as far-reaching as some of the other panellists, but there are something like 300,000 Canadian passport holders in Hong Kong. I hope that you continue to advocate for them, journalists and non-journalists alike. I hope that, given the experience that Canada has unfortunately had with China's hostage-taking approach to diplomacy, you will put human rights front and centre in every conversation that your ambassadors, other diplomats and other officials have with Chinese officials and Hong Kong officials.

I would also recommend Magnitsky-style sanctions, not only for senior Hong Kong government officials—because they will be taken care of by the Chinese authorities—but also for middle-ranking officials, for judges and also for the enablers in the private sector, who have continued to pursue not only former directors of Next Digital but also other people. They are doing part of the government's dirty work in trying to destroy freedom in Hong Kong.

Hong Kong is—

• (2010)

**The Chair:** Mr. Clifford—

**Dr. Mark Clifford:** —one of the most remarkable cities in the world and I appreciate your support.

Thank you.

**The Chair:** Thank you for that, Mr. Clifford.

Now we will go to questions. In the interests of time and being equitable, I'm going to have to ask all members to only take up four minutes with each round of questions, please.

The first round of questions goes to Ms. Vandenberg.

**Ms. Anita Vandenberg:** Thank you, Mr. Chair.

My first question is for Ms. Abitan. Before I begin, I'd like to ask you to please pass on our best wishes for a speedy recovery to Professor Cotler.

Thank you very much for being here and, particularly, for raising the extremely troubling case of Dawit Isaak. You mentioned that this is a case study. He's one of the longest-held journalists in detention in the world.

Would you have particular lessons that you would draw from his particular case? How important is it that we, as parliamentarians, in a hearing like this and in other formats continue to raise his case and other cases like it?

**Ms. Judith Abitan:** Thank you very much, Ms. Vandenberg, for that very important question. I'm very delighted to be here this evening with this distinguished group of parliamentarians. I will happily relay your kind wishes to Professor Cotler.

To be expedient with time, I want to say that the fact that Mr. Isaak is, with his colleagues, the longest detained journalist in the world is really the emblematic case of media freedom and the global assault on rules-based international order.

Mr. Isaak's case happens to be an extremely egregious case. It is one that is deeply painful. He's been subjected to all sorts of horrific acts in detention, and he has had absolutely no access to consular protection. He's had absolutely no access to counsel or to

family. He hasn't seen anyone, let alone the light of day, for probably 20-plus years.

How can we make his case the case study for the global assault on media freedom? It's very simple. Canada can play a leadership role. As I mentioned earlier, this is one of my recommendations. Canada led the Declaration Against Arbitrary Detention in State-to-State Relations, so we can take this case, raise it within that context and make it the emblematic case for the discussion on the global assault on media freedom.

I hope that answers part of your question.

**Ms. Anita Vandenberg:** Yes. Thank you very much, and thank you for your ongoing advocacy.

My second question is for Ms. Pulfer. You mentioned in your presentation that Canada should have an evergreen visa program for journalists.

When we did our last study a few years ago in this committee on women human rights defenders, we recommended creating an immigration stream for human rights defenders. Since then, the Government of Canada has created such a stream. Right now, it's at about 250 human rights defenders.

Could you tell us how we could both expand and improve upon that particular immigration program?

**Ms. Rachel Pulfer:** It's a very good point. Thank you so much for the question.

Yes, it is true that there is a 250 per year visa program for human rights defenders. Journalists are one of eight categories that it is intended to serve. It's an excellent introduction to a world in which we have these kinds of designated streams of visas for people at risk.

The challenge is the scale of the need for journalists who are fleeing persecution as contrasted with the number of visas available. We were joking earlier today as I was preparing for these comments that we have managed to secure one and a half visas through that program for our Afghan cohort of journalists who are fleeing persecution at the hands of the Taliban. The half is because we're not entirely sure whether one of the journalists is going to be recommended, but we think so. The remaining 248 and a half spots were justifiably taken up by human rights defenders and their family members who were also escaping Afghanistan, as was true for the majority of cases this year.

What this tells us, working to protect journalists in these kinds of environments and to provide them with options for safe passage and asylum, is that there's an acute need for an evergreen program of the kind that the Dutch government is currently working to put up. The Dutch government is working on a 50-visa program plus provision for family members. This is something that has been recommended by their Parliament. Canada is currently co-chairing the Media Freedom Coalition with the Government of the Netherlands, which seems like a real opportunity for Canada to show leadership by working out a program of emergency visas specifically for journalists and their families and also encouraging other member states within the coalition to do the same, considering the acute situation that we face.

Thank you.

• (2015)

**The Chair:** Thank you, Ms. Pulfer.

We now go to Mr. Viersen.

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** I think Mr. Cooper is going to take it.

**Mr. Michael Cooper:** Thank you, Mr. Chair.

I'll direct my questions to Mr. Clifford.

First of all, I share your concern for the 300,000 Canadians in Hong Kong and I agree with you that the government should move forward in expanding Magnitsky sanctions against individuals in Hong Kong who are responsible at a mid-level or are otherwise connected to the dismantling of democracy in Hong Kong.

You spoke about the authorities using lawfare to attack journalists and stifle an independent press, primarily using the national security law but also using other colonial-era laws such as sedition laws.

Could you speak to some of the other tactics that the regime is using, whether those be content removal, blocking websites, economic pressure, physical attacks on journalists and so on? Could you elaborate on that?

**Dr. Mark Clifford:** Thank you for the excellent question. The honourable member is clearly very well informed about Hong Kong and the use of sedition laws and other threats.

It's a broad-based attack on civil society. We've seen scores of civil society organizations disband. The legal tactics are the most effective because they tend to focus the minds of the heads of organizations with the threat of prison or the threat of bankruptcy of the organizations. Banks, notably HSBC, have been very active in freezing accounts when asked to by the government, but I also think we have to look at the role of the Hong Kong elite and of the pro-Beijing media. I am among many people who have been attacked by Wen Wei Po which, along with Ta Kung Pao, is one of the two communist-dominated newspapers in Hong Kong. We're seeing a pattern with these media often quoting mainland Chinese experts, who will start attacking an individual or an organization, and if that individual or organization doesn't cease, desist or flee the territory, then the lawfare starts.

It's a broad and remarkably effective, from the communist perspective, attack on civil society organizations, education, and obviously the legal system and the media. For example, anyone who wanted to commemorate the June 4 Tiananmen Square killings in 1989 was effectively threatened with jail, bankruptcy or other punishment.

I would say the area that honourable members should also be looking at going forward is religion, because religion is one of the last independent institutions in Hong Kong. The Catholic and Protestant churches in particular are a source of education and a source of free thinking, and I think it will be interesting to see if these tactics are extended to them as well.

I thank the members for their interest.

• (2020)

**Mr. Michael Cooper:** Thank you for that.

You spoke about the Beijing-based media. I'd also be curious to hear your comments on the impact of what has been effectively a takeover of RTHK. It was established in 1928 and modelled after the BBC. It was a well-respected news source with diverse viewpoints up until very recently.

**The Chair:** You have 20 seconds.

**Dr. Mark Clifford:** That's another excellent question.

To clarify the honourable member's comment, the two newspapers I mentioned are actually Hong Kong newspapers. They're either controlled or owned by the Chinese Communist Party.

RTHK, as the member correctly pointed out, has long had a tradition of independence in its broadcasting. In the last year or so, it has seen a political appointee put in who literally erased history by ordering much of the archives to be deleted; so actually, Hong Kong's history is being erased. Again, that is a typical communist tactic to control history. One of the star reporters who did a great job reporting was then prosecuted for her reporting. Other staff have been fired or have had their contracts not renewed.

RTHK, which was up there with CBC and BBC, and really was an extraordinary news organization, is now more like Pravda or Xinhua or People's Daily.

**The Chair:** Thank you, Mr. Clifford.

[*Translation*]

Mr. Trudel, you have four minutes.

**Mr. Denis Trudel:** Thank you, Mr. Chair.

My first questions will be addressed to Ms. Abitan.

I would like to come back to the case of Mr. Isaak, which is emblematic, as you said. There is an element that I find important with regard to people who are imprisoned in repressive countries. It is the issue of dual citizenship not being recognized. You said that Mr. Isaak had not been visited in 20 years.

Did the Eritrean government deny Mr. Isaak's Swedish citizenship? Does it not recognize Mr. Isaak's Swedish passport?

**Ms. Judith Abitan:** Thank you for your very pertinent and important question.

I would like to start by saying that it is certain that the Eritrean government has completely denied Mr. Isaak's Swedish citizenship. Secondly, I would like to go a step further and say that Mr. Isaak's dual Swedish and Eritrean citizenship also makes him a unique case. As Mr. Isaak is a European national, of course, Sweden has a special status and special national and international legal responsibilities in this respect.

As I said earlier in my speech, according to Professor Cotler's report on consular protection for journalists at risk abroad in the context of the High Level Panel of Legal Experts on Media Freedom, diplomatic protection is not a matter of discretion, it is an international legal obligation. This obligation devolves on the country of the nationality of the imprisoned journalist and on the country that is detaining the journalist. In this case, it is Sweden, as the country of nationality of the detained journalist, and Eritrea, as the country holding the journalist. I would add that Eritrea, which is responsible for Mr. Isaak's enforced disappearance, has been holding him arbitrarily for 20 years.

So there is indeed a very important responsibility on both sides. I could go much further, if I had the time, and talk to you about the Swedish aspect.

**Mr. Denis Trudel:** That is precisely the subject of my next question.

What has the Swedish government done over the past 20 years, in concrete terms, to intervene in this issue?

**Ms. Judith Abitan:** That is an excellent question as well.

On the Swedish side, there have been five complaints imploring the Swedish prosecuting authority to open an investigation in Mr. Isaak's case and they have all been rejected, despite the principle of universal jurisdiction and the fact that the Swedish prosecuting authority has already determined, in a judgment, that "there is reason to assume that at least crimes against humanity have been committed against Dawit Isaak."

On the domestic legal front, there have therefore been five complaints. Furthermore, on the diplomatic front, nine Swedish foreign ministers have failed to secure the release of Mr. Isaak, unfortunately. The Swedish Parliament is due to present the long-awaited conclusions of an independent parliamentary commission of inquiry that has been set up to examine and evaluate the government's efforts to secure Mr. Isaak's release. This will take place on October 31, 2022.

• (2025)

**Mr. Denis Trudel:** If nine Swedish foreign ministers have not managed to do something for Mr. Isaak, how could Canada intervene in this matter?

Earlier, you said that Canada should push for the implementation of the Declaration Against Arbitrary Detention in State-to-State Relations. So what can we, who are not involved in this issue, do to force a sovereign country like Eritrea to react in such a case?

What tools do we have?

**Ms. Judith Abitan:** I've mentioned several recommendations before, and I'd be happy to repeat some of them.

Canada could, relatively quickly, impose targeted sanctions, in a concerted way within a multilateral framework, on senior Eritrean officials involved in corruption and human rights violations against Mr. Isaak and his colleagues. This is something we could do quite effectively and quickly.

This move was advocated in this case by an international coalition of NGOs, as I mentioned earlier, of human rights organizations, of experts, of advocates and of journalists.

So there are many recommendations. Canada could also support the call of key UN experts who are engaged in special procedures of the UN Human Rights Council, who have themselves already called for the urgent and immediate release of Mr. Isaak.

For example, Canada, as co-chair of the Media Freedom Coalition, is committed to protecting media freedom and the safety of journalists. It can engage Coalition members in Mr. Isaak's case and make it an iconic case study. There are many other things we could do, but here are some ideas and recommendations for Canada.

**Mr. Denis Trudel:** Thank you very much, Ms. Abitan.

[English]

**The Chair:** Thank you.

We will now go to Ms. McPherson, please.

You have four minutes.

**Ms. Heather McPherson:** Thank you, Mr. Chair. I'll try to be quick.

First of all, I want to thank all of our witnesses for being here today and sharing this testimony with us.

It's very, very important to hear from you. One thing I am reflecting on is the fact that with all of the stories you're telling us, I recognize that we very clearly have journalists with us, because there is a component of storytelling that I think has seized our imagination.

In my thinking of how we go forward with this, my colleague, Mr. Trudel, just brought up the fact that there's very little that Canada can do sometimes, or there are limits to what Canada can do. Of course, it is always better to be in the situation where we are able to prevent something from happening then condemning it once it has already occurred.

I was thinking a little bit about how we work with our media in Canada and around the world, and the model of how we pay for media—the model of advertising.

In the previous panel, Maria Ressa talked about how she worked for the International Fund for Public Interest Media and the way we can turn that on its head.

I'd love to get some information, so perhaps I can start with you, Ms. Pulfer.

How could we fund media? How can we ensure that media are able to continue without that advertising model which, with Facebook and other social media, makes our journalists so vulnerable.

**Ms. Rachel Pulfer:** That's a great question. Thank you so much for posing it. It gets right at the heart of the key core issue of the financial sustainability of independent news.

I've spent quite a lot of time, both thinking on this question and working on it with philanthropists and fellow civil society actors—people like Ed Greenspon, Kevin Chan of Facebook—to try to figure out the best way to ensure we can create mechanisms through which independent media can be funded. The best that I have come across is an idea that goes back to “The Shattered Mirror”, looking at the opportunity to set up an entrepreneurship fund for independent media in Canada, which would be co-funded by philanthropy, by government and by individual private donors who care about independent news, and would be co-managed by a consortium of industry experts: journalists managing funds in the interest of improving journalism.

The challenge with all of this, not to put too fine a point on it, is getting journalists to work together so that we can—

**Ms. Heather McPherson:** It's maybe like politicians in that way.

• (2030)

**Ms. Rachel Pulfer:** Perhaps.

Essentially, I do see that there's an opportunity. I've spoken with many, many large philanthropists in this country, who care deeply about this issue and want to do something material about it. I know that there's interest, certainly by the Liberal government, but also I think amongst other parties who are seized with the issue of how we ensure we can sustain independent media. Most definitely there are individuals and major donors in the general public who want to feed in and support a fund of that kind.

That, to my mind, is the most logical, sensible and straightforward way to square that particular circle.

**Ms. Heather McPherson:** I only have a few seconds left, but I did want to get it on record. I believe it was you, Ms. Kay, who brought up the fact that the Dutch government has put forward legislation on that evergreen visa process for journalists. Is that correct? If we can just get that on the record one more time, I think that would be helpful.

**Ms. Rachael Kay:** It was the other Rachel actually.

**Ms. Heather McPherson:** Oh, sorry.

**Ms. Rachael Kay:** No, that's okay. I'll leave it to her to make that point.

**Ms. Rachel Pulfer:** We get that quite a bit. There are two Rachels in this world. It's pretty great, actually.

Yes, the Dutch government is working to stand up a program of emergency visas specifically for journalists. They are doing this in consultation with a number of experts, including our Dutch counterpart, Free Press Unlimited, and they're quite a ways along in this process. It seems like an opportunity for Canada to match what they're doing or do something that is uniquely Canadian, but also to show leadership in this coalition of 50 states that we currently co-chair, the Media Freedom Coalition. Yes, there's not always a lot that states can do, but allowing safe access within their borders is something useful and concrete that governments could do in this situation. We strongly encourage Canada and other governments in

the Media Freedom Coalition to step up, as the Dutch are doing, in order to provide these kinds of opportunities.

Thank you.

**Ms. Heather McPherson:** Thank you very much.

**The Chair:** We now go to Mr. Zuberi. You have three minutes.

**Mr. Sameer Zuberi:** I'd like to thank all of the witnesses again for being here and for promoting journalism and human rights.

I was wondering if you see any hope in the world when it comes to media, any rising stars as opposed to the negatives we've heard thus far. Can you guys highlight that situation?

**Ms. Rachael Kay:** It's difficult these days to find some positive stories, but I think it's a fair question.

I think definitely there's one example I would point to that we've seen at IFEX. The Media Foundation for West Africa, an IFEX member, has been very involved in work in Gambia with the change in government there. A lot of work has been done on issues of media freedom at the legislative level, and also in terms of reparations in cases of media freedom violations that had been incurred by the former government, which was a very authoritarian regime. I think there we've seen how decisions taken by the people to put in place a government that really is working in their favour and to make that change have been positive moves, for sure.

**Mr. Sameer Zuberi:** Unless others have a burning contribution to make, I'd like to shift the focus to Mr. Clifford.

We heard a previous witness, a former journalist in Hong Kong, telling us about red lines that are not clear when it comes to journalism in Hong Kong. Have you been able to identify any red lines that would help us understand what they are—if they at all exist? If they don't, perhaps you could confirm what he said earlier. That would be kind of you.

**Dr. Mark Clifford:** Thank you for that very provocative and incisive question. I'm sorry I did not hear the previous witness, but the red lines are expanding or narrowing, depending on one's perspective. They tend to include Tibet and the Dalai Lama, of course; Taiwan and any semblance of belief that it is an independent nation; increasingly, Xinjiang and the treatment of the Uighur Muslim majority there; Hong Kong itself; and the South China Sea.

These are what China regards as its core interest, but I think as the Ukraine invasion by Russia has gone on, we're seeing pressure in new areas. For example, three people get together with a Ukrainian flag, and they're arrested because they've violated the social distancing rules, which under the COVID regulations only allow two people to get together. Of course, hundreds of people can line up for a new watch, and that's no problem. We're seeing a narrowing of the “Hong Kong” mind and a broadening of these red lines.

I think that your previous witness, if I understood correctly, was quite perceptive in pointing out that the whole point of red lines is that they're not really red. They're up to you as the journalist to essentially self-censor and try to outguess the censor. Naturally, in avoiding trouble, people tend to be more and more cautious. There's effectively no pro-democracy newspaper in Hong Kong anymore, and the leading English language newspaper, the South China Morning Post, for which I was previously editor-in-chief, I think has become increasingly timid. It takes a huge toll on Hong Kong, and, of course, it takes a big toll on the journalists, so many of whom are in jail.

● (2035)

**Mr. Sameer Zuberi:** Thanks so much, Mr. Clifford.

**The Chair:** Thank you, Mr. Clifford.

We'll now go to Mr. Viersen for three minutes.

**Mr. Arnold Viersen:** Thank you, Mr. Chair.

Ms. Abitan, you were telling us about the case of Mr. Isaak. I'm wondering a little bit about what Sweden's response has been so far, given the fact that he's a dual national. Is there some way Canada can help Sweden in this regard?

**Ms. Judith Abitan:** As I mentioned earlier in response to one of your colleagues, there were five complaints filed to the Swedish Prosecution Authority on behalf of Mr. Isaak by his Swedish lawyers. All were rejected, very sadly.

On the legal front, the complaints that were put forward to the Swedish Prosecution Authority were not opened. They were not in agreement to open an investigation into his case, very regrettably. On the diplomatic/minister of foreign affairs side, we understand that nine foreign ministers over a number of years tried to secure his release. Unfortunately, they were not successful.

Perhaps you could repeat your precise question. I've explained what the juridical and government contexts have been in Sweden with regard to the case, which have been, sadly, very disappointing. I might add quickly that there is an independent commission of inquiry that is being held right now. The findings are to be rendered on October 31, 2022. They will be assessing the government's actions with regard to their efforts in releasing Mr. Isaak.

I hope that provides some kind of context on the domestic front.

**Mr. Arnold Viersen:** Okay, but I'm not quite clear on what was "disappointing", as you put it. What was disappointing—the actions of the Eritrean government or the actions of the Swedish government?

**Ms. Judith Abitan:** Both.

**Mr. Arnold Viersen:** It was both. Okay.

**Ms. Judith Abitan:** Yes. It was very much both.

First, on the Swedish side, in the case of Mr. Isaak, very clearly, again, Mr. Isaak's Swedish lawyers tried to have an investigation conducted by the Swedish Prosecution Authority. Five complaints over the course of seven years were presented to the Swedish Prosecution Authority. All of them were rejected, appealed, and rejected again.

**Mr. Arnold Viersen:** Okay.

**Ms. Judith Abitan:** That's the first part. The second part is that on the foreign affairs side, nine foreign ministers were unable to secure his release.

On the Eritrean side, as I mentioned earlier as well, Mr. Isaak's lawyers presented a petition for habeas corpus to the Eritrean Supreme Court. It was rejected. They also presented a complaint before the African commission. A final and binding ruling judgment, rendered in 2016, was completely ignored by the Eritrean government.

So we have complete rejection and ignoring on the Eritrean side, and complete inaction, regrettably, on the Swedish side.

**Mr. Arnold Viersen:** Thank you.

**The Chair:** Monsieur Trudel.

[Translation]

**Mr. Denis Trudel:** My question is for Ms. Kay, Mr. Clifford and Ms. Abitan, since Ms. Pulfer somewhat answered it earlier.

As you must know, UNESCO recently published a report on the issue of media funding. It says that Google and Facebook now soak up approximately half of all global digital advertising spending. We talked about this last week with other witnesses.

Here's what the report says:

Google and Meta/Facebook now soak up approximately half of all global digital advertising spending, while global newspaper advertising revenue has fallen by half in the last five years.

In September of 2020, over 1 million posts circulated on Twitter with inaccurate, unreliable, or misleading information related to the pandemic [...]

The problem is that the big platforms are sucking up a lot of money and there's a lack of funding for independent journalism, for real journalism, because you don't know what's coming out of these media. Everyone knows that now.

What do we do about it? This problem will not disappear tomorrow morning.

Ms. Pulfer mentioned possible solutions. I would like to hear Ms. Kay on this issue of media funding.

● (2040)

[English]

**Ms. Rachael Kay:** I think it goes back to something I spoke about earlier, which is really changing the dialogue that's out there and looking at the fact that the media is being purported to be fake news or the enemy of the people. I think it's changing the way in which that lexicon is used.

I think it is important from the government's perspective to ensure that it is promoting a narrative of press freedom and support for journalism, in terms of both the international and regional institutions it engages in and also the funding it provides, as Rachel spoke about earlier, for media development. I think it's important to reinforce the importance of press freedom and respect for journalism both at home and abroad.

[*Translation*]

**Mr. Denis Trudel:** Mr. Clifford, can you answer the same question?

[*English*]

**Dr. Mark Clifford:** I think these are very real issues and I was struck by Maria Ressa's comment in the previous session about the way the algorithm can be dialed up and down. There clearly is a role for the state to play in regulating social media companies and the kinds of vitriol they encourage.

Quickly on the subject of Hong Kong, perhaps this is in the "good news" category that was asked about earlier. We had at Apple Daily almost 600,000 paying subscribers in a city of 7.5 million people. That would be equivalent to about three million people subscribing to one newspaper in Canada.

There are models that can work. On the other hand, our bank accounts were frozen, we weren't allowed to take that money and now the government wants to put a fake news law in place, which is exactly the opposite of what my other panellists have talked about and what we all need.

I'll leave it at that. Thank you.

[*Translation*]

**Mr. Denis Trudel:** Thank you.

Ms. Abitan, we don't have much time left, maybe 30 seconds. Can you answer my question?

[*English*]

**The Chair:** Mr. Trudel, you're way over.

[*Translation*]

**Mr. Denis Trudel:** It's over, I'm sorry.

[*English*]

**The Chair:** Our last three minutes goes to Ms. McPherson, please.

**Ms. Heather McPherson:** Thank you, Mr. Chair. Clearly the witnesses have given us so much to think about that we are not very good at keeping track of our time.

Ms. Abitan, if you had anything that you'd like to answer in response to my colleague, I certainly wouldn't want to take that opportunity away from you. I'll pass it over to you.

**Ms. Judith Abitan:** I just want to say that I agree with all my co-panellists. They're excellent recommendations. We just need to look at ways to perhaps regulate social media in a way that strikes the appropriate balance between non-censoring and ensuring that the proper regulations are in place. The essential aspect is that you're striking that crucial balance when you regulate.

**Ms. Heather McPherson:** Ms. Abitan, a lot of what you spoke about and a lot of what I know Irwin Cotler has worked on has been

around the suppression of journalists in non-democratic countries, and countries where the democracies are not strong or they're fragile if in existence at all.

We heard from Mr. Clifford today that these things are starting to happen. In regard to Hong Kong, we would never have imagined that we would be in a situation where media freedom in Hong Kong is, for all intents and purposes, gone.

What do we do? What is our role in protecting journalists when we see the behaviours of democracies acting incorrectly?

We heard last week of journalists being surveilled in Israel. We have seen examples where journalists have been hung out to dry in different countries that are democracies. How do we deal with that?

• (2045)

**Ms. Judith Abitan:** I would say one word: accountability.

Accountability is applicable in democratic states, as it is in autocratic regimes. Through accountability we reinforce our rule of law, our international legal obligations and our domestic obligations. Accountability is crucial in holding those responsible to account for whatever it is they are committing, whatever human rights violations they are committing.

**Ms. Heather McPherson:** Mr. Clifford, can I ask you the same question?

**Dr. Mark Clifford:** I think you do what you, panellists, are doing so well. It's not easy. It's a lot of blocking and tackling, as we say in the United States. I really commend all of you for your interest. There's no magic bullet, particularly when we're up against demagogues and people who we've seen can swing the other side, so thank you for your work. The kind of work you're doing is exactly what we need more of.

**Ms. Heather McPherson:** Thank you.

Mr. Chair, we're at three minutes, so I'll end there. That sounded like a nice final word to end on.

**The Chair:** Thank you very much for that, Ms. McPherson.

Thank you very much to the panellists. You have certainly given us a lot to think about and ruminate over. This has been truly exceptional, and we're very, very grateful to you. We also obviously apologize for having gone overtime.

Thank you very much to Ms. Pulfer, Ms. Kay, Mr. Clifford and Ms. Abitan.

Again, I speak on behalf of every member of this committee when I ask you to please pass on our regards to Mr. Cotler, and we certainly wish him a speedy recovery.

Thank you.









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