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Chair: Mr. Sameer Zuberi

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• (1305)

[English]

The Chair (Mr. Sameer Zuberi (Pierrefonds—Dollard, Lib.)): I call this meeting to order.

[Translation]

Welcome to meeting No. 29 of the Subcommittee on International Human Rights.

[English]

This meeting is taking place in a hybrid format. Pursuant to the House order of June 23, 2022, members are attending in person in the room and remotely by Zoom.

I have a few comments before we start for witnesses and members. Please wait until I recognize you by name before taking the floor. All comments are made through the chair. For those of you here by video link, you have a little globe icon at the bottom of your screen that allows you to listen exclusively in French or English or in the original language on the floor. In accordance with the motion, we have made sure we've done the connection tests in advance.

Pursuant to Standing Order 108(2), this subcommittee is studying the human rights situation in Nigeria.

It's my pleasure to welcome two witnesses. From Jubilee Campaign, we have Hulda Fahmi, communications associate, and from Lawyers Without Borders France, we have Angela Uzoma-Iwuchukwu, whose head office is in Nigeria.

You will each been given five minutes. It's helpful if you time yourselves, but I'll also be timing you. At the five-minute mark, I'll lean in and ask you to conclude. We'll then enter into a series of rounds where members will be able to ask you questions, and you can continue elaborating on whatever point you want to elaborate on.

Without further ado, Ms. Fahmi, please start us off. You have five minutes.

Ms. Hulda Fahmi (Communications Associate, Jubilee Campaign): Thank you, Chairman.

Thank you to the subcommittee for this opportunity and for your continued concern and attention regarding the dire human rights situation in Nigeria and its implications for the wider Sahel region in Africa.

Jubilee Campaign works to promote the human rights and religious liberty of ethnic and faith minorities and the release of religious prisoners of conscience. Our remarks today will focus on that, on human rights violations of the freedoms of thought, conscience, religion and belief, and on how these violations are coupled with other violations, such as of the right to life, and instances of torture.

Since the turn of the millennium, the Islamist jihadist militant group Boko Haram has been terrorizing the citizens of Nigeria, in particular Christians and peaceful non-jihadist Muslims throughout northern and central Nigeria. In December 2015, following significant military operations, the President of Nigeria claimed the initiative had technically defeated Boko Haram. However, in the seven years since this declaration, militant violence has exponentially increased, and new actors, such as the Islamic State West Africa Province, ISWAP, and bands of Islamist Fulani militants, have taken on roles in the violence. This was flagged in the last meeting you held in November 2020. This has included executions and inhuman and degrading treatment of civilians, including the cutting of limbs, the burning of homes and places of worship, the kidnapping and enslavement of women and girls, and coerced conversions. Leah Sharibu is one notable case.

The UNHCR has recorded, as of November 2021, at least three million internally displaced Nigerians, with the majority being displaced in the northeast of Nigeria and the country's Middle Belt, areas where Fulani Islamist violence and other criminal gang attacks are concentrated. UNICEF also reports that over one million children are afraid of returning to school due to the violence and kidnapping by these criminal gangs.

In 2020, Jubilee Campaign submitted a report entitled "This Genocide is Loading" to the International Criminal Court. I recommend you review it. We argued that the jihadist Fulani militants have increasingly engaged in crimes against humanity and genocidal attacks in the Middle Belt of Nigeria.

Recent statistics from January 2023 by Open Doors reported that 5,014 Christians were killed by Islamists and other militant groups. They account for nearly 90% of the total number of Christians killed worldwide. Only just this week, on Wednesday, there was a new attack by Fulani militants that killed 18 people and wounded others in a predominantly Christian village in the Plateau state of Nigeria.

Crimes against humanity comprise any one of the following acts “when committed as part of a widespread or systematic attack directed against any civilian population”: murder; extermination; deportation or forcible transfer of population; torture; rape; persecution against a group on political, racial, national, ethnic, cultural, religious, gender or other grounds; enforced disappearance of persons; and other acts “intentionally causing great suffering, or serious injury to body or to mental or physical health.” Acts of genocide similarly include the killing of members of a group, the infliction of harm and additionally imposing “conditions of life calculated to bring about its physical destruction in whole or in part”. The commission of any one of these acts constitutes a crime against humanity. From what we’ve seen in Nigeria, every one of these acts has been committed.

In our recommendations—and also as a follow-up from the last meeting—we urge that an observation mission be sent to Nigeria to collect evidence of what is going on, and specifically to work on collecting evidence of the crimes that have been committed. As the International Criminal Court does not cover the crimes perpetrated by the Fulani militant gangs and other criminal gangs, such as the enslavement and coerced conversion of women and girls, there needs to be either an additional commission of inquiry or an observation mission.

The second recommendation is to work on the removal of anti-blasphemy laws, as 12 northern Nigerian states have the death penalty. We have the case of Yahaya Sharif-Aminu, who was sentenced to death. That case is being challenged in the Supreme Court based on the validity of applying sharia laws, which include the death penalty for blasphemy.

• (1310)

We also have several other notable cases, those of Rhoda Jatau and Muburak Bala, who—

The Chair: Thank you, Ms. Fahmi. That’s your five minutes. If you have a concluding remark you want to make, you can continue it afterwards during questions.

[*Translation*]

Mrs. Uzoma-Iwuchukwu, you have five minutes.

[*English*]

Ms. Angela Uzoma-Iwuchukwu (Head of Office, Nigeria, Lawyers Without Borders France): Thank you very much, Mr. Chair, and thank you to all the committee members.

I am the head of office of Avocats sans frontières France, working in Nigeria for close to two decades now to promote issues of human rights, particularly around the issues of torture, extrajudicial killings, arbitrary detention and the death penalty. My presentation today will focus on these issues, or at least two of them—torture and the death penalty, especially as perpetrated by state actors.

With regard to the work we have been doing in Nigeria, it is important to establish that human rights violations in Nigeria go way beyond the issues that I’m going to focus on, but because of time I will not dwell on that. In the speech I sent you, there is a link for human rights reports by Amnesty International and the U.S. State Department.

Speaking directly on the issue of torture, torture is commonly used by security agencies in Nigeria. It’s used not just by the police but also by other security agencies, particularly for interrogation. This is known to be one of the highest links to deaths in custody. It is one of the issues that led to the #EndSARS protests in October 2020. Youth from Nigeria took to the streets to protest against police brutality and extortion, basically demanding reform and respect for human rights. From the work we do in supporting victims of torture, we know that between 2020, when those protests were held, and now, little or nothing has changed. We’re aghast at the use of torture by security agencies.

This is particularly important because it cuts across various groups and targets particularly young men across different societies. Of course, we know that Nigeria has a teeming young population, but this is also leading to severe cases of extrajudicial killings and forced disappearance by the police and by the DSS, which is the secret police we have in the country. Between 2010 and today, Avocats sans frontières France has represented over 1,000 victims of torture in the country.

To move on very quickly here, I’d like to mention that the death penalty is still very commonly used. In Nigeria we have over 3,000 persons on death row. This accounts for the highest number of persons on death row in the continent. There is no official moratorium on the death penalty currently. The risk for Nigerians on death row is that the executions can occur at any time. They’re just a signature away.

Ms. Fahmi talked about the case of Yahaya Sharif-Aminu. This is one of the recent instances where the death penalty has been handed down for blasphemy. However, it’s not done just for cases of blasphemy; it is done for all the other crimes under sharia law, such as rape and adultery, but also under the common law for issues of armed robbery, murder and so on. It is very worrisome, because over 3,000 persons are at risk of imminent execution.

Very closely related to that is the issue of extrajudicial killings. We have a movement in the southeast of the country called the IPOB. They’re separatists for the agitation of Biafra. We have a massive number cases of extrajudicial killings going on, unchecked, undocumented and unreported. The latest report issued by Amnesty International gives the figure of 122. However, it is way beyond this.

In terms of recommendations, one of the key things we’re calling for is accountability for issues of torture. This can be achieved by the improvement of internal and external oversight mechanisms within, for example, the Nigeria Police Force itself, but also external oversight by civil society and the Police Service Commission.

• (1315)

In terms of the death penalty, we have just one recommendation. We'll be asking for an official moratorium on the death penalty.

Thank you very much.

The Chair: Thank you.

Now we'll go to our first round of seven minutes with Mr. Van Popta, please.

Mr. Tako Van Popta (Langley—Aldergrove, CPC): Thank you, Chair.

Thank you to the witnesses for being here with us today and sharing their insights.

It's indeed tragic what we hear happening in Nigeria. In the west, we hear stories concerning Boko Haram kidnapping schoolgirls.

Ms. Fahmi, could you give us some insight on the status of the young girls who were kidnapped some years ago? Also, I read a story about Leah Sharibu, a Christian schoolgirl abducted along with some of her school classmates. If you're familiar with that, could you give us an update?

• (1320)

Ms. Hulda Fahmi: Thank you.

Leah Sharibu is still in captivity. She is enslaved by Boko Haram—actually now ISWAP—and has given birth to two children. Someone who recently met her confirmed that she's alive but still enslaved. That was the latest update. Actually, on May 20, she'll be turning 20. It's concerning because it seems that they know where she is, but the Nigerian government hasn't been able to release her.

Regarding the Chibok girls, she was one of them and has still not been released, and—sorry, I need to get the other numbers—out of the 117 girls, two were executed at the time. I'll get back to the numbers regarding the Chibok girls, but we had a Commission on the Status of Women side event, a parallel event, and we know that, while these are known cases, there are still ongoing cases in the Middle Belt and these cases are not as reported on.

Mr. Tako Van Popta: That's very useful information. Thank you so much for that and for the work you do.

I'll go to Angela.

To what extent can organizations like yours rely on the civil government in Nigeria to support and aid the work you're doing with victims of crime?

Ms. Angela Uzoma-Iwuchukwu: In terms of support for the work we're doing, first of all, we represent victims of torture, persons who have been habitually detained and those facing the death penalty. One of the core kinds of support we could receive would be in different phases.

First of all, we sometimes require political support for the kind of work we do, especially on advocacy against the death penalty, because it's a highly sensitive issue. On the other hand, we provide direct legal assistance to victims, and this is one area where we could also be supported, because here most of the clients we represent are

persons without means who cannot afford the services of a lawyer. The Legal Aid Council in Nigeria is under-resourced and understaffed, so most victims rely on organizations like ours. There are some others as well that provide this sort of support in terms of legal remedy.

The kind of support we would require could be, first of all, direct support to have an enabling environment to be able to exist and do the work we do, but then also, of course, financial supports for direct legal assistance to victims. On the other hand—

Mr. Tako Van Popta: Thank you for that.

Would it be accurate to say the victims of crime you're working to defend and aid are victims of state-sanctioned torture, or are we dealing primarily with rebel groups?

Ms. Angela Uzoma-Iwuchukwu: My organization focuses on representing victims of state-sanctioned torture. We work in accordance with the definition of “torture” as given in the UN convention against torture in article 1, which talks about activities by state security agencies or done with the acquiescence or knowledge of the state.

• (1325)

Mr. Tako Van Popta: Thank you.

I see Ms. Fahmi is back. I believe I saw her.

There you are. Thank you very much.

You talked about acts of genocide. Just clarify that for me. Is this genocide against racial groups or religious groups?

Ms. Hulda Fahmi: I would say it's both, because ethnic and religious are often.... There are ethnic groups within Nigeria as well, but it's mainly on religious grounds. For example, you have Fulani Christians. They are also targeted, so it's not only ethnic.

It's not only us who are saying this. Genocide Watch also issued a warning that there are genocidal acts in the region. That's why we're calling for an investigation. Civil society should not bear the brunt of investigating what's happening in the Middle Belt and northern Nigeria.

Mr. Tako Van Popta: Thank you very much.

I believe my time is up.

The Chair: Thank you, Mr. Van Popta.

We'll now move to our next questioner, Ms. Vandenbeld, for seven minutes.

Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.): Thank you very much, Mr. Chair.

Thank you particularly to our witnesses for their testimony about what's happening in Nigeria.

I'm noting that the perpetrators of a lot of these human rights abuses you're outlining are in different groups. We've heard about Boko Haram, and you mentioned other jihadist militias. You also mentioned the police and things they are doing, the state in terms of blasphemy laws, the death penalty, torture in custody by police and secret police.

If we're looking at what we can do in terms of recommendations, to what extent can the state in Nigeria...? Does it have the capacity to actually prevent human rights abuses by these other actors from happening, and to what extent are they being directed by the state institutions themselves? How much willingness is there for the state to...? I know some of this is regional as well. Is there even a capacity in the Nigerian government to maintain law, order and justice in some parts of the country?

I know it's a long question, but I'd like both of you to answer, please.

We'll start with Ms. Fahmi.

Ms. Hulda Fahmi: I think it has to do with the priorities of the government. The UN special rapporteurs noted that the Nigerian government went into Kenya to take one of the IPOB leaders and bring him into Nigeria. At the same time, they haven't made efforts to retrieve Leah Sharibu and didn't take steps to protect Deborah at the university—to bring in the military to protect her when it was going on. There were witnesses who said the police just stayed outside and didn't intervene. That is very concerning.

As we mentioned, with the blasphemy laws and sanctioning the death penalty for blasphemy.... In a state like that, do you think there's an interest in protecting individuals being targeted for their freedom of expression? There are issues within the legal framework that give justification.

The ICC investigation was opened in 2010. It was a long time ago. We've always given Nigeria the benefit of the doubt, but there still haven't been any concrete actions. With regard to Deborah Yakubu, nobody has been arrested. These are concerning signs.

Ms. Anita Vandenberg: There's a lack of political will there.

Angela, would you like to answer that question?

Ms. Angela Uzoma-Iwuchukwu: The Nigerian government does have the capacity. It's a question of a lack of political will, as you correctly put it.

For example, Nigeria has a responsibility to protect citizens from attacks. It does have the means. We know the government will always.... We know, for example, that the northeast is dealing with insurgency and there's banditry in the northwest. In the southeast, you have the separatists.

However, the government can show that it can be a bit more decisive in taking concrete actions against the perpetrators. It's not doing that, whether it's being perpetrated by state actors on each side.... It has not taken any action. We have legal frameworks, like, for example, the Anti-Torture Act. No one—no police officer or any other security agent—has ever been prosecuted under the Anti-Torture Act, so it's a lack of will.

• (1330)

Ms. Anita Vandenberg: To what extent is this gendered? I heard you talk about the death penalty for blasphemy and adultery and the lack of will to protect women when women are the victims. To what extent is there systemic discrimination against women?

Ms. Hulda Fahmi: With regard to women, as you said, there's a death penalty for adultery, so that does make it difficult. With the abduction and forced marriage of women and girls, what makes it difficult in the northern states is that there is also the element of coerced conversion. This has meant that it's harder to retrieve the girls, because if the family is Christian, let's say, they don't have access to the judicial courts to get the daughter back, because you have to be Muslim to appeal to the Islamic courts. This is why it's very important to also have contacts with progressive Muslims, or Muslims who are against these laws. It adds a double vulnerability in getting justice. That's one aspect and it's an issue.

The laws are also targeting schools attended by girls. This is actually affecting generations of girls, and their right to work. It creates problems going forward, which is why it has to be addressed and why we have to try to investigate. As Angela said, the key thing is accountability. We haven't seen that.

Ms. Angela Uzoma-Iwuchukwu: On the issue of how the death penalty affects women, there was an interesting report by Cornell University in New York. I contributed to part of that report, at least to the research done on the Nigerian part. It is interesting to note the recent link, at least from my perspective, between issues regarding early forced marriage and the death penalty. We have many young girls who are forced into marriage.

That's a case my organization handled at the regional level. Maimuna Abdulmumini was alleged to have killed her husband at the age of 13. That's not the only case; it's not in isolation. You have several cases like that of people forced into marriage and abused, and when action is taken, the legal system does not take into consideration the abuse and hands down the death penalty.

You have mixed issues when a woman is an abuse survivor but also a minor on death row. Happily, we were able to get her off death row, because we won the case. Several other cases like that are ongoing.

The Chair: Thank you.

That concludes this round.

[*Translation*]

Mr. Brunelle-Duceppe, you have seven minutes.

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Thank you, Mr. Chair.

Thank you to the experts testifying here today and helping us to deliberate on what is happening in Nigeria. This is an extremely important study. The committee will have to follow up on the testimonies heard today.

In listening to your speeches and those of my colleagues, I had a question. When women are systematically victims of discrimination on a territory, we also need to think about the LGBTQ community. I was wondering if you had any reports indicating that this community is also targeted and facing terrible dangers in Nigeria.

Both witnesses can answer that question.

• (1335)

[English]

Ms. Angela Uzoma-Iwuchukwu: With regard to the LGBTQ community in Nigeria, first of all, in terms of legal framework, there is the Same Sex Marriage Prohibition Act, which has criminalized that and particularly targets the entire community.

In terms of action, related to the discussion on the death penalty, we had four persons who were arrested in Bauchi and were tried for being gay—they were actually men—and sentenced to death. That's just one of the kinds of attacks the community has been facing in the country.

Of course, I'm sure that Fahmi wants to answer that.

Ms. Hulda Fahmi: The Jubilee Campaign hasn't documented on LGBTQ people, but I would say that it's very similar to what ex-Muslims face. There's a similar taboo around being ex-Muslim. For instance, Mubarak Bala got 24 years in prison.

I would say it's very similar and concerning, especially in the northern states.

[Translation]

Mr. Alexis Brunelle-Duceppe: Food insecurity and poverty are on the rise in Nigeria. Are they caught in a vicious circle where the violence causes food insecurity and food insecurity makes people willing to do whatever it takes to feed their family? Are they in a vicious circle or is there still a way to address food insecurity in Nigeria?

What do you think, Mrs. Fahmi?

[English]

Ms. Hulda Fahmi: I think the issue is that many people being targeted are farmers, so that means the crops for the next season are going to be lacking. That's one of the issues causing food insecurity. The second is that three million people are internally displaced. They're not harvesting their own food; they're dependent on receiving food. That is also one of the pressure points. It's also difficult for them to have access to food.

The violence is creating problems in receiving food, and more people are dependent on receiving food and are not able to cultivate or produce their own crops.

[Translation]

Mr. Alexis Brunelle-Duceppe: Are displaced persons more affected by the violence?

As we know, there are many different ethnic groups in Nigeria. In some provinces, there is a power relationship between certain ethnicities. We are currently seeing the displacement of people.

Are people who are forced to migrate more susceptible to being victims of violence?

[English]

Ms. Hulda Fahmi: Yes, definitely. I think it's been seen in all situations that when they're internally displaced, they don't have a home. They're also going into other communities, which can cause a bit of.... A community that's already vulnerable is probably struggling because it doesn't have means and then has to receive all of these IDPs. Sometimes they're in camps, but many times they're just in the communities, so yes, they're vulnerable to violence. This is also where the trafficking, the risk for trafficking and the vulnerability of girls occur. You just highlighted a very important issue.

I think the Stephanos Foundation just released a report that goes through all of the different challenges that IDPs face. It's limited, because it's often civil society that is providing the aid for these individuals. We know that in one state, the local governor was telling IDPs to disperse and not to congregate together, because they want to deny that there are even IDPs in the area.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you. All these questions and answers are extremely important for the analysts who are writing our report. Obviously, it is important to understand why people end up in certain situations.

There was an election recently. What is your assessment of that election?

If memory serves me correctly, barely 27% of registered voters exercised their right to vote. Can we say that this election unfolded democratically? To what extent was what happened in February, during the election, potentially an agent of change, whether positive or negative?

I would like your opinion on that.

• (1340)

[English]

Ms. Angela Uzoma-Iwuchukwu: Yes, in February 2020, general elections were held in the country. To give you feedback on what the general process is, first, on the part of civil society and the general populace, there was great disenchantment. People believed that the elections were not transparent and were not free and fair. This is because in the months and weeks leading up to the elections, the body in charge of conducting elections, the Independent National Electoral Commission, INEC, had deployed a technological intervention.

They had massive communications campaigns assuring Nigerians and civil society that elections would be transparent because they used BVAS, which would enable electronic identification and registration but also direct transmission of election results from the polling units straight to a server that could be viewed publicly.

This did not happen, as least for the presidential election, and this has created great distrust among every cadre of society, of course, except for those who won.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: I was going to ask if the situation was the same for the governors election in mid-March, but my time is up.

I will leave it to my colleagues to continue.

Thank you very much.

The Chair: The witnesses could keep that in mind for the next responses.

Mr. Angus, you have seven minutes.

[*English*]

Welcome to the committee.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you so much, Chair.

The testimony today has been very concerning, and the situation we are looking at is certainly very concerning.

Ms. Uzoma-Iwuchukwu, I'd like to start with you.

The story of what happened with the kidnapping of 276 girls by Boko Haram shocked the world. I think we would all agree that the protection of children and the protection of girls are the most fundamental obligations of family, community and nation, yet there's this kidnapping, this violence against these girls. It's almost without precedent for us to have learned of it.

I'd like to ask you why you think this kind of targeting of young girls is happening and what kind of trauma support there is for the survivors. What is the situation now, with the Nigerian government's committing to protect the right of girls to education?

Ms. Angela Uzoma-Iwuchukwu: The kidnapping of the Chibok girls shocked the world. Unfortunately, many of them are still in captivity today, and other kidnappings have occurred, the majority in schools where girls were being educated.

This has created setbacks for the statistics of girl children who access education, particularly in the north, and this creates other chains of vulnerabilities affecting their future. As a family mentioned, it's going to go generations, because, indeed, it took generations to get a girl child to have some level of education in Nigeria.

The government is not doing enough. It's not doing enough to reassure parents that they can send their girls to school, and it's not doing enough to protect the children who are in school or those who are travelling to school.

This is one key area where the government has failed the people. The government has failed the children, particularly girls. It should be a priority for the nation, for the government and for the entire society.

We have very weak security structures around schools, obviously, because schools are being targeted. The fact that it happened the

first time, the second time and the third time shows that the government has clearly failed in this regard.

● (1345)

Mr. Charlie Angus: What is concerning to me is that we're not dealing with Nigeria being a failed state. We see their use of enormous levels of state power and violence. For example, you talked about how many people are on death row. It shows that there are priorities in where the state applies its security measures.

What does that say to the families of the children who have been kidnapped? What does it say to society in general that the priority is not the protection of these young girls and their right to education?

Ms. Angela Uzoma-Iwuchukwu: Priorities have always been misplaced, in my point of view, when it comes to budgeting, and this is why we continue to have scenarios like this in the country.

For example, there's the issue of torture that I spoke about, leading to extrajudicial killings and a high number of individuals on death row. It clearly shows that they would rather resort to torture than equip the police with the tools to be able to do their work.

On the other side, you have the police arguing that they don't have equipment and they have very poor budgets. This includes the military, which is on the front lines. They are, for example, supposed to protect girls from such abductions. They have come up to say they are not well equipped and they don't have the right tools.

Yes, it's a problem of priorities. The government needs to redirect its priorities to ensure that vulnerable groups, especially children, are protected and that we have a security force—particularly the police—that is well equipped and able to carry out its work of protection in society.

Mr. Charlie Angus: Thank you.

Ms. Fahmi, you mentioned the issue of trafficking. We know that in destabilized situations or with issues where there are levels of violence in gangs, once again, young women and girls are targeted.

Last year, I was part of the parliamentary investigation into MindGeek, the giant international porn company. I was contacted by a number of feminists from the global south who wanted to focus on how places like Nigeria and other countries are being used as much larger trafficking rings.

Has your organization looked into this? What is the situation for human trafficking and the targeting and exploitation of young women and girls?

Ms. Hulda Fahmi: Jubilee Campaign released a report with the UN special rapporteur on slavery, and there is a report on the role of criminal gangs in slavery. I would refer to that, because I don't have the details with me. My colleague will be able to explain it much better.

I'm sorry. Your question was whether....

Mr. Charlie Angus: What is the picture? You're referring to slavery. I asked about human trafficking.

Is that what we're looking at? Is it enslavement, abuse, physical violence, sexual violence and the trafficking of young girls in destabilized areas, either by gangs or by terrorist groups?

Ms. Hulda Fahmi: Yes, we are seeing that. During COVID, it increased, of course, with the role of digital.... I would say that during COVID, we also saw an increase because of the lack of documentation and because of the increase in web pornography. There was a greater—

Mr. Charlie Angus: You saw a direct correlation between the isolation of people, online pornography and the abuse of young girls and women in the context of Nigeria. You saw that connection.

Ms. Hulda Fahmi: There were some trends in that, but I can't speak specifically to that.

Mr. Charlie Angus: Thank you, Chair.

The Chair: Thank you, Mr. Angus.

Now we'll continue to a series of five-minute rounds, starting with Mr. Ehsassi, please.

• (1350)

Mr. Ali Ehsassi (Willowdale, Lib.): Thank you, Mr. Chair.

Thank you also to our witnesses.

I have to say, having listened to you and having read about the situation in Nigeria, that it's pretty obviously it's a very bleak situation. There is a crisis of legitimacy insofar as the government is concerned. There are various militia groups throughout the country. There's food insecurity. There's displacement of individuals. There is a refugee flow.

Our mandate is to come up with recommendations, as opposed to just focusing on all the challenges that currently exist.

I understand, from listening to Angela, that your recommendation was about the need for accountability and oversight. I can presume that would deal only with organs of the state and would not cover militia groups throughout the country. However, that being said, insofar as accountability is concerned, is there a specific model you have in mind that has been used in other countries and in other similar contexts as well?

Ms. Angela Uzoma-Iwuchukwu: In regard to accountability, the model that I would recommend is one with a robust internal accountability mechanism. This is important because it would help to build trust and transparency in the system. It's a mechanism that is able to provide feedback and communicates to not just those who are going to engage with it, but also society at large.

Mr. Ali Ehsassi: I completely appreciate and agree with your recommendation—the need for accountability—but what organ do you want to see actually implement this accountability? Is it international institutions? In your opinion, who should do it?

Are there other models that have been attempted in other countries that you think would be useful in this particular context?

Ms. Angela Uzoma-Iwuchukwu: There can be multiple layers.

First, there needs to be an independent mechanism at the national level that is able to carry this out. You could also have that at the international level, but first there needs to be an in-country, independent mechanism that is able to carry out this oversight. That would be my primary recommendation.

Mr. Ali Ehsassi: Thank you.

Now, Ms. Fahmi, you were talking about the need for fact-finding and for investigations. I completely agree with you there, especially given the fact that it not only would entail keeping an eye on developments regarding what the government is doing or not doing, but would also look into what militias are doing throughout the country.

So far there have been UN special rapporteurs. Has Nigeria allowed them access to the country? Have they been allowed to actually do their job thoroughly?

Ms. Hulda Fahmi: If I remember correctly, the special rapporteur on extrajudicial executions was one of the most recent visits. That was in 2019. She did a very thorough investigation. She put out a warning—that was mentioned in the last hearing as well—that if nothing is done, things will get much worse.

The problem is that Nigeria may allow them to come into the country, but then it completely disregards them and actually calls those investigations false and faulty. It said that what she said had no value at all and then just condemned it. It's done that with several other reports.

The U.K. All Party Parliamentary Group for International Freedom of Religion or Belief released a report on the genocide unfolding in Nigeria. Similarly, the press secretary released a statement on that.

There's more pushing and then it stays at that. There's no investigation, which is concerning because what you want is action after that, not just a statement that avoids it.

• (1355)

Mr. Ali Ehsassi: Given all of the impediments that Nigeria is putting in their way, is there another type of investigative mechanism that, in your opinion, could do a more thorough job?

The Chair: Give a quick response.

Ms. Hulda Fahmi: What we've mentioned is a commission of inquiry, similar to what you had in South Sudan.

You need people on the ground to investigate. Also, you need protection for the ones who are doing the investigating.

Mr. Ali Ehsassi: Thank you.

The Chair: Thank you.

We'll continue to our next round with Mr. Viersen for five minutes.

Mr. Arnold Viersen (Peace River—Westlock, CPC): Thank you, Mr. Chair.

I want to thank the witnesses for being here today.

To the last witness who was speaking, I want to ask about the claims of genocide. Has this been recognized by any other governments anywhere in the world?

Ms. Hulda Fahmi: That is a good question.

There are states that have put up the warning sign. Hungary has given a lot of aid to affected communities, so they have noted this. I know that Hungary doesn't have the best reputation within the EU, but with regard to individuals who are affected by violence, they have been very clear.

This is not a state, but the Sovereign Order of Malta sponsored an event regarding the sale and exploitation of women and girls in Nigeria.

Those are the two countries that come to mind. I think there are probably additional countries.

What we've seen from Genocide Watch, which also released a report, is that they're recognizing Boko Haram but not the increasing use of other militant groups and the violence they're perpetrating. It is concerning that they're taking the Nigerian government's stance on these issues.

Mr. Arnold Viersen: This is for either witness. What is the interplay with China and Russia in Nigeria? Are they an influence in the persecution happening in the region?

Ms. Fahmi, go ahead.

Ms. Hulda Fahmi: I can't speak super clearly on this. It would just be speculation, but where there's a void in engagement by the international community, other groups come in. There have been reports, for example, of the Wagner Group sponsoring some of the militant groups. We do know that weapons were dropped—but this was regarding Turkey—and were brought to militant groups within Nigeria. However, I can't speak to Nigeria; I'm not the right person.

Mr. Arnold Viersen: Okay.

Angela, do you have any comments on that?

Ms. Angela Uzoma-Iwuchukwu: Apart from what Ms. Fahmi has mentioned, there are also—again, this is just speculation—economic interests fuelling banditry in the northwest. It's not very clear at what level the Chinese are involved. We're not sure whether it's the government, but of course, there are some illegal mining activities that are fuelling banditry. There are also reports of sponsoring some of the armed groups, particularly in the northwest.

Mr. Arnold Viersen: Ms. Fahmi, you mentioned the Wagner Group. Where should we look or who should we look to to get a little more intel on their activities in the region?

Ms. Hulda Fahmi: There are a lot of independent individuals looking at the connections. There are investigative journalists. I know there's a round table in D.C. with an Africa working group. Chair Scott Morgan works on these issues. Militant Wire reports on this as well, so I would recommend reaching out to them.

Mr. Arnold Viersen: If you had a recommendation for Canada's engagement on this issue, is there one thing Canada could do that you recommend we attempt? What's a top priority for you, Ms. Fahmi?

• (1400)

Ms. Hulda Fahmi: The initial one is to introduce a commission of inquiry for Nigeria through the UN mechanism. You have all the examples of Nigeria not responding to UN communications on multiple issues. That's one place Canada can step in as a valued voice in the international space.

Mr. Arnold Viersen: Thank you.

The Chair: Thank you, Mr. Viersen.

We'll continue now with five minutes for Mr. Brunelle-Duceppe.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

We spoke about mining. As you know, Canada is likely one of the countries with the most registered mining companies because of our laws.

Is Canada not putting itself in a rather blatant contradictory situation when it gives free rein to the activities of mining companies in Nigeria that are likely violating human and environmental rights? Isn't there something that Canada could do by way of a due diligence law, for example?

I would like to hear from Ms. Fahmi or from Ms. Uzoma-Iwuchukwu, as a lawyer. Would it be worthwhile for Canada to take action in that regard to make real changes on the ground?

[*English*]

Ms. Hulda Fahmi: I would agree that, yes, they should do something. Do due diligence, know who the actors are and put sanctions on individuals. Also, look at where they are. Are they in conflict areas? Oftentimes, that is the case. There was an event, actually, at the Africa leadership summit, saying that in the mining areas, violence is used to displace the populations. There does need to be due diligence.

I will give this to Angela.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Do you have anything to add, Ms. Uzoma-Iwuchukwu?

[*English*]

Ms. Angela Uzoma-Iwuchukwu: Yes, that is a very sensitive issue.

One of the first things could be to push for transparency around the issue of mining, because, of course, the mining in this context is illegal mining, so there needs to be transparency. There also needs to be due diligence. There is lots of speculation as to who is given the rights of entry to these companies, and there are lots of interests involved. It's really about due diligence but also transparency. Transparency is important.

It's going on particularly in the crisis areas, in the conflict areas, and the government is not speaking up. Also, the media is being stifled from communicating very much on those issues, so a lot of transparency is required.

[Translation]

Mr. Alexis Brunelle-Duceppe: Ms. Fahmi, you spoke about the importance of setting up an observation mission on the ground led by the UN. We would like to see Canada take a leadership position with the UN in organizing such a mission.

However, as I just mentioned, Canada is not taking action when mining companies registered here violate laws and human rights. What is more, in its most recent budget, Canada just cut \$1.3 billion in funding for humanitarian aid and international development.

In that context and given its reputation, do you think Canada will be able to demonstrate its leadership skills on the international stage?

How do the people of Nigeria see Canada? Does Canada still have a good enough reputation to organize or lead such a mission?

[English]

Ms. Hulda Fahmi: I'll give the last question to Angela because she is sitting in Nigeria, and I think she has a better idea about that.

However, I would say that it's the actions. You have to judge people on their actions, and it's never too late to start good actions. Otherwise, what is the point in living if you can't start afresh and work? Once we know, we are responsible for acting.

All of you parliamentarians have now heard what's going on in Nigeria. We know it and you know it, and now it's your responsibility to take this further. It doesn't matter if it's today. Now you know, so now you can go ahead.

• (1405)

The Chair: You have 30 seconds.

Ms. Angela Uzoma-Iwuchukwu: In terms of how Nigerians view Canada and where you can act, yes, I would say you can act. Of course you will have the political side that will always have a negative view, but you will have the support of the people, on whose behalf you are doing this, so do what is in the interest of justice.

The Chair: Thank you.

[Translation]

Mr. Alexis Brunelle-Duceppe: That's great. Thank you for your answers.

The Chair: We'll continue on with Mr. Angus for five minutes.

[English]

Mr. Charlie Angus: Thank you.

My colleague asked about mining interests. I am interested in the issue of oil, because Nigeria is a very large petroleum state and there have been many allegations over the years about environmental abuse and the dislocation of people.

A report was done in the last decade on how Royal Dutch Shell was arming gangs in Nigeria that were targeting, torturing and

killing people living in the creeks and swamplands of the Niger delta. It was paying, according to one report, over \$159,000 to a group linked to militia violence.

We've been talking about the religious fundamentalists, the terror gangs and the criminal gangs targeting the people. Ms. Uzoma-Iwuchukwu, what about the allegations that companies benefiting from the massive oil wealth are engaged in targeting and human rights abuses?

Ms. Angela Uzoma-Iwuchukwu: Yes, it's true that a lot of focus has been on the northeast and northwest because of Boko Haram, but the environmental rights violations by the big oil companies continue to go on, particularly in the Niger delta region of Nigeria. You have entire communities still dealing with issues of oil spillage, and the companies are not taking responsibility.

There have also been fewer media reports about the activities of the armed groups working in the creeks. Sometimes, the companies try to project that they're arming the groups to protect their facilities. You also have the Nigerian government adopting such an approach by paying one of the notorious commanders in the creeks. These are non-state actors who protect the oil facilities. It is a strategy that has created a problem. If the government can do it, the companies can argue, "Why can't we also adopt the same strategy?"

Of course, these issues are affecting those in the communities and their livelihoods. It's going on. It's been downplayed because of the various issues with Boko Haram in the north. It's still going on in the Niger delta. It's still a very big issue that needs attention.

Mr. Charlie Angus: You're saying these aren't historical allegations; this is what is going on today. The hiring of so-called security to defend facilities.... It's these armed gangs.

If that's the case, are they defending the facilities, or are they being used as the front lines to push people off their lands, cover it up and silence people dealing with the environmental devastation of the oil production?

Ms. Angela Uzoma-Iwuchukwu: I would say it's both. You have organizations on the ground covering these issues. Lots of efforts have been made to silence the people and push them off their properties because of oil. They're carrying out tests and trying to pass on their pipes. It is ongoing. It's true that it's been long.

The only difference now is that there's a lot more awareness. A lot of civil society organizations are creating awareness among the people. There's also a coordinated effort to get the people's voice out. That's unlike what we had, for example, in the last decade or two decades ago. Now we also have judgments at the ECOWAS court, at the regional level, against some of the big companies, such as Shell. They're mandating them to clean up, but it's not necessarily addressing the issue of physical violence and attacks against the people and communities. This is another area where focus needs to be put.

Yes, it's ongoing. It's current.

• (1410)

Mr. Charlie Angus: Thank you very much for that.

I will say, in my closing time, that we are seeing right now around the world—as a result of the war in Ukraine—huge levels of inflation, growing insecurity and food insecurity. It's compounded in Nigeria by attacks on farmers and communities. There's violence. There are real questions that have been raised. We've heard about issues—basic things, such as malnutrition.

You have an opportunity here to tell legislators in Canada what role we can play. What do you think Canada can do in a practical way to help people try to stabilize the situation and keep people safe at this time in Nigeria?

The Chair: Give a brief response, please, but feel free to fully answer the question.

Ms. Hulda Fahmi: There needs to be an end to the violence. The violence continues because they enjoy impunity. Nigeria has had a lot of time to work on this. We've seen they've been either unwilling or unable to, but we see that, largely, they're more unwilling.

The key thing is holding Nigeria accountable. It's about investigating the crimes, holding perpetrators accountable and bringing an end to the violence. I think that is the key. Nigerians are smart enough to work out their country.

It's also about the implementation of the good laws that already exist in the country, and the repealing of anti-blasphemy and similar laws.

The Chair: Thank you.

We'll continue to the next round of four minutes with Liberal member Mr. McKinnon.

Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.): Thank you, Chair.

Thank you to our witnesses for appearing here today and giving us your good information. I have a bunch of questions, but none of them seem to be substantial enough to match the testimony you've given.

We see a great deal of violence, as you say, continuing in a context of deep poverty, malnutrition, high inflation and so forth, and it seems that there's a fundamental breakdown of society. The civil authorities are not able to maintain order. In fact, they seem to be part of the problem. They seem to be part of the violence. I think

nothing says a breakdown of civil authority more clearly than extrajudicial executions.

While I support all of my colleagues' interests in getting help from the United Nations and other external resources, I think we've seen, over the 20th century and even into the 21st century, that solutions cannot be imposed from without. They have to have a competent, strong and willing partner within the country.

Do you see some aspect of the government that is strong enough to work with, that is strong enough to build out a more stable, peaceful society from? I see we have new elections and a new government coming into play. I'm wondering if you see hope there, as a way forward in addressing these problems.

I'll throw it open to both witnesses to answer as you please.

Ms. Hulda Fahmi: I'll try to keep it brief so Angela has time.

I think one of the things people have raised is being in touch with the governors who are working among the communities affected and come from displaced communities. Several governors have been trying to make changes. I think connecting with them is important.

One of the recommendations that people on the ground have made is to have local security or local police for their areas. This is one key thing. Now we hear, for example, that the U.S. is giving more military aid to Nigeria. We've seen what the military has done, so giving more military aid is not going to solve the situation.

With regard to the new government, I have not heard much positive about it, that it's going to change. The only thing people are hopeful about is that, in the transition, there might be some release of religious prisoners of conscience.

Go ahead, Angela.

• (1415)

The Chair: You have 50 seconds.

Ms. Angela Uzoma-Iwuchukwu: With regard to accountability, I think there are some opportunities with the national preventive mechanism. It could play a real role, if empowered and truly independent, to check excesses by the police and security agents with regard to torture and extrajudicial killings.

With regard to the new government, while it is important to be hopeful that perhaps when the cabinet is inaugurated it will have credible persons who are committed to pushing some change, right now the government, given the elections, does not give us that hope, because there was a lot of violence sponsored by the government and the party that won the election.

Mr. Ron McKinnon: Thank you.

I believe that is my time.

The Chair: Yes. Thank you for joining us today, Mr. McKinnon, and filling in for one of our colleagues at the committee.

We're going to welcome Ms. Falk.

Thank you for joining us. Welcome to the committee. You have four minutes, please.

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Thank you very much, Chair.

I just want to take a moment to thank the witnesses for being here today. I commend each of them for the important work they and their organizations are doing to protect and promote human rights in Nigeria.

I'm just wondering—this is for both of the witnesses—if you could touch on any specific challenges or obstacles that your organizations in particular face with the work you're doing in Nigeria.

Ms. Hulda Fahmi: I think one of the main issues we face is that not enough attention is on the situation. We are receiving a lot of harrowing reports, and we are trying in different ways to get the message out. We have had several events at the Commission on the Status of Women. As parallel events, we've had UN Human Rights Council side events and have tried to get states to sponsor them to raise the issue.

I think the issue is that we feel that's where it ends. Even if special rapporteurs have supported and spoken out, I think the inaction on the government side has been the biggest challenge. Nigerians have even come to the U.S. to different hearings and shared about the situation, but still there has not been movement or political will outside of Nigeria to address it.

Ms. Angela Uzoma-Iwuchukwu: On our own part, the key challenges that *Avocats sans frontières France* is facing in the country are in regard to, again, inaction on the part of the government and a lack of response to advocacy—for example, to have the right policy and the right will to implement legislation that will bring about change.

There is also the ever-changing context, the regulatory framework, for non-governmental organizations, particularly the international NGOs. That's one key challenge we are facing in the work we do.

There is always the fear, of course, of reprisal or push-back by the government because of the sensitive issues we're working on, such as the death penalty and extrajudicial killings.

These are some of the concerns and challenges that we experience.

Mrs. Rosemarie Falk: Thank you.

Another question I have is, how are your organizations and international organizations in general received by persecuted Nigerians? Do the organizations find that there's a trust and openness to organizations like yours or other international organizations?

• (1420)

The Chair: Please give a brief response.

Ms. Angela Uzoma-Iwuchukwu: I would say again that it depends on the side.

For the government, on the one hand, yes, there's openness and a willingness to partner with international organizations to bring about policy change. In other parts of society, there is openness but at the same time doubts as to whether the international NGOs and organizations are doing enough to push the government and hold the government accountable.

Mrs. Rosemarie Falk: That's wonderful.

Thank you both.

[*Translation*]

The Chair: Thank you, Ms. Falk.

Mr. Brunelle-Duceppe, you have four minutes.

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

We know that the Canadian government is capable of imposing sanctions. We have seen it in other conflicts, such as the war between Russia and Ukraine, even though some people think that such sanctions are not always effective.

Couldn't Canada impose sanctions on those who are violating human rights in Nigeria or who are profiting directly or indirectly from the violation of human rights? Isn't that an example of measures that the Canadian government could take?

Once again, I will let the witnesses decide who will answer.

[*English*]

Ms. Hulda Fahmi: I would say to target the individuals who have not condemned the anti-blasphemy laws or who supported the murder of Deborah. I think that's also one way to sanction individuals who call for the death of somebody for expressing or exercising freedom of religion or belief. Also, I suggest visa bans, or similar sanctions, for individuals so they feel the pressure they're putting on their own civilians.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you for the answer.

Did you have anything you wanted to add, Ms. Uzoma-Iwuchukwu?

[*English*]

Ms. Angela Uzoma-Iwuchukwu: Yes, I would like to answer that.

I'd like to say very quickly that Canada can perhaps put out an open statement to support, for example, the use of universal jurisdiction against the particular individuals who are perpetrating torture in the country, since they're not being held accountable in the country. It could put pressure on the government to know that Canada is.... When Canada puts out that statement, other countries could also find ways to support such a stance.

[Translation]

Mr. Alexis Brunelle-Duceppe: Our committee has done many studies on the human rights situations in various countries around the world. I do not know whether you feel the same way in Nigeria, but last year, we heard that the war between Russia and Ukraine was overshadowing situations in the rest of the world and that this was causing some resentment among populations that are suffering. No one is saying that we should not help Ukraine. However, most of the efforts and aid are focused on that country right now. There may be other countries that are seeing that and that would like to remind us that they exist too, because, unfortunately, they feel as though they are less important than the Ukrainians right now.

Is that the impression that you get, Ms. Fahmi?

[English]

Ms. Hulda Fahmi: Yes, that's always the case with Africa. It's similar with Sudan where the tension was very.... The need in southern Nigeria for the people to.... They're also sometimes oblivious to what's going on in the north, so that's one area where civil society is trying to get engagement within the country.

There is a lot of engagement now, and greater engagement in the diaspora. One reason is that those who do speak out face reprisals. That makes it very difficult to get a loud voice from within Nigeria, but they are speaking out. There are incredible lawyers and others who are really advocating for freedom.

The Chair: Thank you.

[Translation]

Mr. Alexis Brunelle-Duceppe: Since that was my last turn to speak, I just want to sincerely thank the two witnesses who came to share their insight with us.

[English]

The Chair: We'll continue to our final questioner.

Mr. Angus, you have four minutes.

• (1425)

Mr. Charlie Angus: Thank you.

At the beginning of the meeting today, Lawyers Without Borders talked about the number of people on death row, facing execution. I'm trying to remember what the number was, but it seemed to be extraordinarily large.

Can you break this down for us, to make sense of this application of state violence? Is it arbitrary detention, the targeting of religious minorities, a response to criminal gangs or terror threats, or just a general breakdown of peace and security that requires such massive levels of detention and the use of something as extreme as the death penalty? Can you walk us through that?

Ms. Angela Uzoma-Iwuchukwu: The sad thing to note about the death penalty in Nigeria is that we have what we call the mandatory death penalty. This means that for certain offences, the court has no discretion. The judge cannot exercise any discretion, but must hand down the death penalty. Once there's a conviction, there's no room for an appeal to ask for a lighter sentence.

Against this background, unfortunately, this is not only applicable to the most serious crimes, for example, genocide, but it is for offences such as kidnapping, armed robbery, adultery under sharia law and blasphemy. These are being handed down on a daily basis.

It's not as though it is targeting any particular group. It is across the country. It is used widely, because it's hinged on the constitution. Sadly, this is the background, and that's why you have that number. The statistics are that over 3,200 people are on death row, and the number is growing every day.

Mr. Charlie Angus: Adultery is sufficient for a judge to bring down the death penalty without any ability to mediate the sentence. That would suggest to me a legal system that is heavily stacked against the rights of women to be heard. Would that be fair to say?

Ms. Angela Uzoma-Iwuchukwu: I would like to highlight that adultery, in this context, is only applicable under sharia law, which is applicable in the northern parts of the country. At least 19 states, in the northern part of the country, apply sharia law.

Yes, of course, it is heavily skewed against women. The case that brought *Avocats sans frontières France* to Nigeria was actually one of such cases, that of a woman who was sentenced to death by stoning for adultery, so yes, that's the reality.

Mr. Charlie Angus: In Uganda, we've heard the laws have just been changed to bring the death penalty against LGBTQ people.

Is state violence or sharia law being used to threaten death to people who are of a gay background?

Ms. Angela Uzoma-Iwuchukwu: Yes. As I mentioned earlier, we currently have a case in Bauchi involving gay men who have been sentenced to death. They're currently in Bauchi state.

It's also being used to target members of the LGBTQ community, particularly in the north, again, under sharia law.

Mr. Charlie Angus: Thank you. That ends of my questioning.

Thank you, Chair, for inviting me and letting me sit in on this committee.

The Chair: Thank you for being here today, Mr. Angus and everybody else—all the members.

I'd like, in particular, to thank the witnesses for their testimony and for being here to share their knowledge with all of us for the last hour and a half.

Hulda Fahmi, from Jubilee Campaign, and Angela Uzoma-Iwuchukwu, from Lawyers Without Borders France, thank you for sharing. Please continue your advocacy. It's very important for us.

We are now going to go to the in camera session for the members. We will continue on with committee business. For those of you on Zoom, please follow those links that were sent to you already.

Thank you, everybody.

[Proceedings continue in camera]

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