

41st PARLIAMENT, 2nd SESSION

EDITED HANSARD • NUMBER 061

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Tuesday, March 25, 2014

ORAL QUESTIONS

[Oral Questions]

Russian Sanctions

Hon. Ralph Goodale (Wascana, Lib.):

Mr. Speaker, it is a different question of privilege. Further to the brief verbal notice I gave you, Mr. Speaker, and the House yesterday, I rise at this time on a question of privilege flowing from the actions taken by the government of the Russian Federation.

In the course of its aggression against Ukraine, Russia has purported to impose personal sanctions directed against certain specific Canadian citizens, 13 in total so far. They include Mr. Paul Grod, the distinguished national president of the Ukrainian Canadian Congress; Wayne Wouters, the Clerk of the Privy Council; Jean-Francois Tremblay, deputy secretary to the cabinet; Christine Hogan, an advisor to the Prime Minister; a cabinet minister; the government House leader; two Liberal members of Parliament, the members for Mount Royal and Toronto Centre; a New Democrat MP, the member for Ottawa Centre; three government members, the members for Niagara West—Glanbrook, Selkirk—Interlake, and Etobicoke Centre; a senator, Raynell Andreychuk from Saskatchewan; and the Speaker of the House of Commons.

These sanctions are obviously intended to be insulting and intimidating. They are designed to interfere with the normal and proper behaviour of the named individuals. Typically, those who have reacted, so far, to their being included on this Russian blacklist have worn their sanction status as a badge of honour for standing up for freedom, democracy, human rights, and the rule of law for defending the independence, integrity, and sovereignty of Ukraine. I am sure that all of us in this House endorse that principled Canadian attitude and reject the notion of these Russian sanctions.

It is bad enough that such sanctions are directed against a prominent Canadian citizen like Mr. Grod. It is bad enough that they are directed against several professional public servants. It is bad enough that the Russians are purporting to sanction Canadian members of Parliament to punish them, to interfere with their public and parliamentary duties, and to seek to intimidate them in their defence of freedom and rights. All that is bad enough.

However, it is worse still that a foreign power has attempted to insult and demean the Parliament of Canada as a whole by purporting to sanction the Speaker of the House of Commons. The Speaker represents the rights and privileges of all MPs, regardless of partisanship

or any other distinction, and through them, the Speaker represents the basic values of our democratic way of life. The Speaker reflects the fundamental dignity of the House of Commons. Sanctions by a foreign power against the Speaker of the House of Commons are a fundamental affront to Canada. They are, in my view, an unmistakable contempt of Parliament, and they should not go without a response.

I will not belabour the point. I believe it speaks quite eloquently for itself. I would simply refer to one short paragraph on page 82 of the second edition of O'Brien and Bosc's *House of Commons Procedure and Practice*. It reads as follows:

Any disregard of or attacks on the rights, powers and immunities of the House and its Members, either by an outside person or body, or by a Member of the House, is referred to as a "breach of privilege" and is punishable by the House. There are, however, other affronts against the dignity and authority of Parliament which may not fall within one of the specifically defined privileges. Thus, the House also claims the right to punish, as a contempt, any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or officer of the House in the discharge of their duties; or is an offence against the authority or dignity of the House....

I believe that a sufficient prima facie case of contempt exists in the circumstances of these Russian sanctions. If the Chair so finds, I would be prepared to present a motion, that, in summary, would first, reiterate the clear support of this House for freedom, democracy, human rights, and the rule of law in Ukraine and the independence, integrity, and sovereignty of Ukraine; second, express our united condemnation of the behaviour of the Russian Federation in relation to Ukraine and our rejection of Russian sanctions against Canadians; and, third, call upon the appropriate committee of this House to investigate the full meaning and consequences of a foreign power showing contempt against the Speaker of the House of Commons and the Parliament of Canada.

(1515)

In the alternative, given what I think is a strong common view in the House around these points, I would be happy to see the House leaders convene to discuss an appropriate all-party motion on this matter of contempt to deal with what is an unprecedented situation, and to give some guidance as to how we can and should respond, as a Parliament, in cases of foreign contempt.

Mr. Peter Julian (Burnaby—New Westminster, NDP):

Mr. Speaker, I have four points I would like to make, but ultimately, as you know, this is something that is in your hands and for you to judge.

Mr. Speaker, I want to cite a number of items from *House of Commons Procedure and Practice* to help round off the decision that you will have to make in this. It is fair to say that all of us, all parties here, all members of Parliament, share the concern about the human rights abuses that are taking place in Russia, and an unprovoked military invasion of the **Crimea**. It is fair to say that we all have great concerns about the response from the Russian government, which was entirely inappropriate. Rather than wanting to sit down, discuss, and resolve the issues, it seems to be notching up hostilities.

As far as the question of privilege is concerned, as you know, Mr. Speaker, it is your responsibility to act as the guardian of the rights and privileges of the members, and the House as an institution. When we look at *House of Commons Procedure and Practice*, second edition, it is quite clear, on page 111, about the obstruction and intimidation of members of Parliament. I will quote this for your records, as part of your decision process:

A Member may also be obstructed or interfered with in the performance of his or her parliamentary functions by non-physical means. In ruling on such matters, the Speaker examines the effect the incident or event had on the Member's ability to fulfill his or her parliamentary responsibilities. If, in the Speaker's view, the Member was not obstructed in the performance of his or her parliamentary duties and functions, then a prima facie breach of privilege cannot be found.

Speakers have consistently upheld the right of the House to the services of its members free from intimidation, obstruction, and interference. Speaker Lamoureux, one of your predecessors, Mr. Speaker, stated in a 1973 ruling that he had “no hesitation in reaffirming the principle that parliamentary privilege includes the right of a member to discharge his responsibilities as a member of the House free from threats or attempts at intimidation”.

Speaker Bosley, another predecessor, noted the following in a ruling on May 1, 1986:

If an Hon. Member is impeded or obstructed in the performance of his or her parliamentary duties through threats, intimidation, bribery attempts or other improper behaviour, such a case would fall within the limits of parliamentary privilege. Should an Hon. Member be able to say that something has happened which prevented him or her from performing functions, that he or she has been threatened, intimidated, or in any way unduly influenced, there would be a case for the Chair to consider.

Ruling on another question of privilege, again, Speaker Bosley further stated, “the threat or attempt at intimidation cannot be hypothetical, but must be real or have occurred”.

If we agree that the motivation and intention behind the sanctions of the Russian Federation were indeed to intimidate all parliamentarians, then I believe this would be something that should be considered by the Speaker, but the link then needs to be made between the sanctions and the discharge of MPs' duties

Finally, a ruling was handed down earlier this year under your auspices, Mr. Speaker, on January 28, 2014, regarding the way in which Senator Dagenais rather maliciously lashed out against the member for Terrebonne—Blainville. The Speaker did not find a prima facie breach of privilege had occurred because the direct link could not be established between the disrespectful and hostile letter that Senator Dagenais had sent publicly to the member for Terrebonne—Blainville on her parliamentary functions.

You will recall, Mr. Speaker, that you referenced page 109 of *House of Commons Procedure and Practice*, second edition, which states:

In order to find a prima facie breach of privilege, the Speaker must be satisfied that there is evidence to support the Member's claim that he or she has been impeded in the performance of his or her parliamentary functions and that the matter is directly related to a proceeding in Parliament. In some cases where prima facie privilege has not been found, the rulings have focused on whether or not the parliamentary functions of the Member were directly involved.

In conclusion, we all are concerned about the actions of the Russian Federation. We support the members of Parliament and members of the civil society who are the targets of these sanctions. We give only cautious support to the notion that this is a question of privilege because that is in your hands, Mr. Speaker. You have heard from the various sides of the House as to whether this does indeed constitute a question of privilege.

(1525)

[Expand]

The Speaker:

I thank the hon. member for Wascana for raising this point, and the hon. government House leader and the House leader of the official opposition. As the Speaker, I appreciate the sentiments expressed, in terms of the Office of the Speaker and the dignity of this chamber. It does sound at this time that there are discussions underway for the caucuses to come together and perhaps have a discussion on how to best to handle it. At this point in time I will certainly take the question under advisement and see how the week progresses on that front, and then come back to the House if need be.

Routine Proceedings

[Routine Proceedings]

Mr. Mark Adler (York Centre, CPC):

Mr. Speaker, I would like to begin by thanking the chair and the members of the Standing Committee on Foreign Affairs and International Development for their report on recognizing Jewish refugees from the Middle East and North Africa. I also want to thank those who appeared before the committee as witnesses.

The refugee experience holds a special place in the Canadian heart. Indeed, one of the primary roots of modern Canada lies in the mass northward movement of displaced United Empire Loyalists seeking refuge from the American Revolution.

It should come as no surprise that our country has had a long history and tradition of providing protection to those who need it. We were a haven for African Americans fleeing slavery before the American Civil War; for Poles, Jews, and **Ukrainians** fleeing oppression in the 1800s and the first decades of the 20th century; and for Hungarians, Czechs, Chinese, Tibetans, Vietnamese, Afghans, and others fleeing communist oppression in the middle of the last century. Later in the last century, and more recently, we have embraced refugees from South America, Africa, the Middle East and elsewhere.

These are just a few examples of the many noteworthy times we have seen Canada's long-standing commitment to protecting those most in need of refuge. In fact, since the Second World War, we have welcomed more than one million refugees.

Canada is among the world's most generous and fair countries in our treatment of vulnerable populations. The United Nations has described Canada's refugee system as "a model for other countries". We are that model for the world, and today Canada welcomes about one out of every ten of all resettled refugees globally, more than almost any other industrialized country in the world. Even in absolute terms, and according to the United Nations High Commissioner for Refugees' global trend analysis, Canada ranks number one for resettled refugees on a per capita basis. We are proud of that record and we are continuing that record.

Those who have found refuge on our shores, and their descendants, have shaped the country we live in today, as do those who selflessly sponsor refugees, help them settle, integrate, and succeed in their new home.

Canadians are very familiar with the dramatic, often tragic, and frequently inspiring stories of the waves of refugees who have come to this country. The dramatic and harrowing tales of their struggle to find refuge are an integral part of our story as a nation.

As Canadians, we never take our rights, freedoms, and peaceful coexistence for granted because we know all too well what it means to live without these things: persecution, tyranny, and violent oppression. We know this either through our own experience, through the experience of our ancestors, or through the experience of our neighbours.

There is no greater character trait of being Canadian than our compassion, and that is what compels our government to acknowledge the experience of Jewish refugees from the Middle East and North Africa. As a country that slammed its doors on Jewish refugees from Europe before

and during the Holocaust when the Jewish people needed us most, it is vitally important for us to acknowledge that dark period of history.

Whether born here or elsewhere, we all benefit from the shelter that this great country provides for us and from the troubles that plague too many parts of the world. As stewards of that shelter and of our regrettably mixed legacy of providing protection, our refugee policy now focuses on those most in need.

Since we started our resettlement efforts for Iraqi refugees, more than 16,000 have arrived in Canada, and we are on track to meet our commitment of 20,000 by 2015. This is in addition to our other notable recent initiatives, including the resettlement of up to 1,000 more Bhutanese refugees over the next two years, many of whom have family ties here in Canada. That means that, in total, Canada will resettle 6,500 Bhutanese refugees who have previously been living for years in refugee camps in Nepal.

We will also resettle up to 5,000 refugees who are now in Turkey, by 2018. These refugees will be mainly Iraqis and Iranians.

Canada has also committed to resettling up to 1,300 Syrians by the end of 2014. This includes up to 200 extremely vulnerable refugees, such as women at risk and minorities with urgent protection needs, through the government-assisted refugee program.

(1850)

Moreover, we have allocated up to 1,100 spaces for privately sponsored refugees and are promoting and supporting partnerships between experienced refugee sponsorship agreement holder organizations and Syrian-Canadian community organizations.

Furthermore, the reforms made to our asylum system just over a year ago are making it faster and fairer. Under the new system, asylum claimants receive a hearing much faster than they did previously, generally within two to three months, instead of a year and a half under the previous regime. I am happy to report that the new system is working and that we are providing faster protection to genuine refugees. In addition, the majority of refugee claimants now have access to a fact-based appeal for the first time ever.

However, Canada's welcome does not negate the experiences of refugees in their places of origin. On the contrary, when Canada offers asylum to someone, it is a recognition of that experience. As the committee stresses in its report, our recognition of what drove Jewish refugees from their home countries does not diminish or compete with the experience of Palestinian refugees. Through Palestinian immigration, their story has also become part of our story as Canadians. One of the main messages of the committee's report is that two refugee populations were created by the Arab Israeli conflict, one Palestinian and one Jewish. However, as Stanley Urman, executive vice-president of Justice for Jews from Arab Countries, told the committee, between 1949 and 2009 there were 172 United Nations resolutions dealing specifically with Palestinian refugees while none specifically mentioned Jewish refugees from Arab countries. As Shimon Fogel, chief executive officer of the Centre for Israel and Jewish Affairs, noted, "The inclusion of the issue of Jewish refugees is meant to complete, not revise, the historical record".

The experience of Jewish refugees has been undervalued because most Jewish refugees went from being a vulnerable minority in societies where they were perceived as "others", to fully integrated citizens of their new countries, while Palestinian refugees became part of a new diaspora that for the most part has not been fully embraced. Not surprisingly, most Jewish refugees do not wish to return to their country of origin, while some Palestinian refugees long for the places they or their ancestors left. This difference in outcomes does not, however, change

the fact that Jewish refugees left their homes as a result of discrimination, intimidation, and fear. When they left, individual and communal properties were seized or confiscated without any compensation.

Judaism is indigenous to the Middle East, with the biblical narrative unfolding from Mesopotamia to Egypt. Middle Eastern and North African Jewish communities, both inside and outside Israel, have, or had, deep historical roots. The most authoritative version of the Talmud was in fact compiled in Babylon.

However, communities outside Israel have for the most part been displaced since 1948. As Sylvain Abitbol, co-president of Justice for Jews from Arab Countries, told the committee, "...even in Morocco, despite its tolerant attitude, only 3,000 Jews remain there today out of a population of approximately 265,000 in 1948". Dr. Urman told the committee that under Muslim rule, Jews and Christians in the region had historically been considered "*dhimmi*, a privileged minority but still second-class citizens". And "The status of Jews worsened dramatically in 1948, as virtually all Arab countries declared war or backed the war against Israel. Jews were either uprooted from their countries of residence or became subjugated, political hostages in the Arab Israeli conflict". Dr. Urman estimates that Jewish refugees lost assets in the neighbourhood of \$6 billion.

The committee heard several personal and very tragic testimonies. Regina Bublil Waldman, president of Jews Indigenous to the Middle East and North Africa, who grew up in Libya in the 1950s, spoke of her family's experience: "Our Jewish community was forbidden to leave the country. We were denied citizenship. We were denied passports. We were denied the right to travel, yet we had to live in this very anti-Jewish environment". Then in the period following the 1967 war, Jews were expelled from Libya under order of the government and their property was confiscated. In Ms. Waldman's words, "We were being expelled from the country we had lived in for over 2,000 years".

(1855)

Her family was forced to leave with almost nothing, one suitcase per person and the equivalent of \$25 per person. At the time of Ms. Waldman's birth in 1948, the Jewish community of Tripoli constituted almost 30% of the total population of the city. Today, that entire community is gone. Gladys Daoud, a teenager in Baghdad when the 1967 Six Day War broke out, spoke of the Iraqi government of the time proceeding with "a plan of total isolation and economic strangulation" against the Jewish population. Ms. Daoud's acceptance to Baghdad University was retracted and she was refused a passport to study abroad. Her family's bank accounts were frozen and their property was confiscated. They were forbidden to leave Baghdad, but eventually escaped the country in 1971.

Another refugee from Iraq, now Canadian, Lisette Shashoua, also spoke of the retaliatory measures that were instituted against the Iraqi Jewish community following the 1967 war. She told the committee that, "In 1968 the random arrests intensified. [Jewish] Men were tortured and forced to say they were spies".

In January 1969, following mock trials, 10 Jewish men were publicly hanged and accused of being Israeli spies. The next day was made a public holiday with people invited to come and dance in celebration underneath the dangling corpses. Ms. Shashoua said, "You can just imagine the sheer terror that dominated our daily existence after that horrid day". Ms. Daoud reports still having nightmares about being back in Baghdad and reliving the anguish of those days.

The overall result of the ongoing Arab-Israeli conflict and discrimination and intimidation practised against Jews in various countries in the region was summarized by Dr. Bensoussan in

his testimony. He said, "...Jews who had been present in Arab Muslim countries for a thousand years were squeezed out in the span of one generation..."

Dr. Urman informed the committee that nearly 650,000 Jews immigrated to Israel, while more than 200,000 Jews found safe haven in countries other than Israel, including Canada.

Raising awareness of the experience of Jewish refugees from the region can also shed light on broader issues of inclusion and diversity in the Middle East and North Africa. On that topic, I am very pleased that, last year, our government officially opened the Office of Religious Freedom within the Department of Foreign Affairs, Trade and Development. This office was created to advocate on behalf of religious communities under threat, oppose religious hatred, and promote Canadian values of pluralism and tolerance.

Freedom of religion is a fundamental human right under increasing threat around the world, including in Egypt, where Coptic Orthodox Christians continue to face daily, violent persecution at the hands of extremists, and in Syria, where extremists seek power by trying to pit faith communities against each other.

These extremists ultimately reject a pluralist view of their societies based on the universal principles of freedom, democracy, human rights, and the rule of law, in which all communities have a right to freedom of religion. They reject a vision of society in which all communities have a right to participate based on the principles of social cohesion, where all can contribute to society and can openly, freely, and in assurance of their peace and security publicly profess their religious faith.

The threat to freedom of religion is increasing around the world. The Pew Forum on Religion and Public Life indicates that one-third of the countries in the world have high or very high restrictions on freedom of religion. As some of the restrictive countries are very populous, roughly 75% of the world's population live in countries with high restrictions.

Christians are targeted in terms of both social hostilities and government harassment, more than any other faith, in countries including Iran, Pakistan, and Vietnam. In addition to Coptic Orthodox Christians, Ahmadiyya Muslims, Baha'is, Chaldean Catholics, Tibetan Buddhists, Jews, and Shia Muslims are experiencing difficulty in their ability to worship and practise their faith in peace.

Acknowledging the experience of Jewish refugees from the Middle East and North Africa is an act of peacemaking because it helps us understand the world more holistically and with greater integrity. It speaks to who we are as Canadians and to the aspirations of others to live in societies that celebrate human diversity.

With respect to the committee's second recommendation, "...that the Government of Canada encourage the direct negotiating parties to take into account all refugee populations as part of any just and comprehensive resolution to the Israeli-Palestinian and Arab-Israeli conflicts", we must respect the integrity of the Middle East peace process as it is currently structured.

(1900)

The ongoing Israeli-Palestinian negotiations take place in the context of the Arab Peace Initiative, which offers Israel peace with the broader Arab world if it reaches an agreement with the Palestinians. There are currently no direct negotiations on the subject of Jewish refugees between Israel and the refugee countries of origin in the Middle East and North Africa.

The government understands the positive intent underlying the second recommendation, but it would be imprudent to attempt to implement it at this delicate time in the peace process.

Canada continues to advocate for a comprehensive two-state solution, reached through a negotiated agreement between the two parties, that guarantees Israel's right to live in peace and

security with its neighbours and leads to the establishment of a viable and independent Palestinian state. We welcome the relaunch of direct talks between Israelis and Palestinians, and we congratulate both sides on taking this courageous and necessary step. We commend U.S. Secretary of State John Kerry for the leadership he has shown in the peace process, and we support him in this endeavour.

Canada stands ready to assist the peace process in any way it can. When Secretary of State Kerry undertook a \$100-million initiative to contribute to economic development in the West Bank, Canada was the first country to respond, contributing \$5 million toward that effort. Our ongoing support for the Palestinian people to promote security and the rule of law, stimulate sustainable economic growth, and deliver humanitarian assistance continues unabated.

Indeed, it is the Conservative government's profound support for the peace process that compels it not to take up the second recommendation at this time. The current peace process is, and should be, our number one priority.