



Irwin Cotler
MP, PC, OC

Summer Parliamentary Update

2013

*Included in this
issue:*

MEMBER OF PARLIAMENT MOUNT ROYAL

Dear Constituents,

I write as Parliament has risen at the end of a yet another busy Parliamentary session. Thus far, the 41st Parliament has been rather eventful. In addition to a myriad of Government bills being pushed through the Commons, Parliament itself as an institution has come under the microscope in relation to the expenses of Senators. While regrettably the focus on scandal detracts from the good work that happens in Parliament, I hope this Parliamentary Update—in a new format—may shed some light on the positive all-party efforts here, in particular as regards human rights in Iran. In addition, I've included some of my more recent interventions, including the announcement of my new bill, which would require an analysis of all legislation introduced in Parliament for compliance with the Constitution and *Charter*. I have also included statements made on the tabling of petitions presented on behalf of constituents and communities in Mount Royal.

I look forward to continuing my work as the voice of Mount Royal in Ottawa this coming fall, and invite you to share with me and my office your concerns and petitions as the legislative agenda forms for Parliament's return.

Wishing you and yours a happy and healthy summer.

This Spring In Parliament

A recent study ranked MPs by number of words spoken in the House in 2012, and placed Prof. Cotler 14th out of 308. In 2013, he has remained prolific, addressing his colleagues on a variety of important topics. He spoke among other things in support of Bill C-452, a private member's bill designed to facilitate prosecutions for human trafficking, and in support of Bill C-444, legislation intended to combat the impersonation of police officers by adjusting sentencing guidelines to allow for longer sentences in certain cases.

Both bills, however, raise concerns that only Prof. Cotler and his Liberal colleagues brought to the attention of the House. For example, C-452 includes provisions that create a presumption of guilt in particular circumstances, and that limit judicial discretion by making consecutive sentences mandatory; such exceptional measures may occasionally be acceptable, but they merit careful consideration. Moreover, with respect to C-444, a mere modification to the sentencing regime is unlikely to have a meaningful deterrent effect; instead, preventive measures such as limiting the availability of authentic-looking police attire and equipment would be far more likely to keep the crime of impersonation from being committed in the first place. Regrettably, neither the NDP nor the Conservatives addressed these important issues, either in the House or at committee.

The Justice Committee – of which Prof. Cotler is Vice-Chair – also undertook an examination of language rights in the justice system, focusing on whether Canadians across the country can access the courts in the official language of their choice. Justice Department officials reported that, while linguistic minorities are often unaware of their rights or reluctant to exercise them, there is a substantial number of bilingual lawyers and judges in most of the country. This should allay concerns that requiring Supreme Court justices to be bilingual would reduce the representation of certain provinces.

During the final weeks of the spring, the Justice Committee and the House of Commons were seized with Bill C-54, which would modify the way our criminal justice system deals with individuals found Not Criminally Responsible (NCR) on account of mental disorder. The first of the bill's two main components enhances the notification of victims about changes in the accused's status, and provides for no-contact orders between victim and accused when the latter is released. This part of the bill has enjoyed widespread support.

However, the second component of C-54 is far more controversial. It allows certain NCR accused to be designated "high-risk" on the basis of criteria that mental health and legal experts have largely denounced, and it subjects these "high-risk" individuals to greater restrictions and longer intervals between reviews of their condition. According to many professionals who work in the field, these changes are likely to have unintended consequences that would in fact be detrimental to public safety, notably by overburdening psychiatric facilities, increasing the number of mentally ill accused in prisons, and adding to the stigma that make many Canadians with mental health problems reluctant to seek treatment in the first place.

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Connect with
Irwin:

irwin.cotler@parl.gc.ca



Irwin Cotler



@IrwinCotler

316-4770 Kent Av
Montreal, QC H3W 1H2

6-17-2013—Hampstead Emerald Ash Borer

Hon. Irwin Cotler (Mount Royal, Lib.):
Mr. Speaker, I am pleased to table a petition on behalf of my constituents from the town of Hampstead calling upon the government to increase co-operation with and provide financial compensation to Canadian municipalities in order to combat and prevent the devastating economic and environmental effects of the emerald ash borer. The ash borer has proved to be highly destructive. Since its arrival, it has killed millions of ash trees with its significant impact on both the local and national economy and ecology.

I share the concerns of my constituents who understand the ruination that has resulted elsewhere to both urban and major wooded regions of the country and continent. Complete destruction of the affected resources typically results within six years of infestation, making the need for action in this regard of particular urgency to both my constituents and the region.

As such, the petitioners call for both financial compensation from an increased coordination with the federal government to combat this threat.



5-31-2013—Rohingya Muslims in Burma

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I rise today to present a petition signed by over 200 residents throughout Montreal and Laval.

The petitioners are calling upon the government to address the ongoing human rights violations against Rohingya Muslims in Burma, including sending clear signals to the authorities in Burma that repression of the Rohingya and other minorities will not be tolerated, renewing sanctions, and helping in pressing the Burmese government to allow the special rapporteur to conduct an independent investigation into abuses and expand support for UN agencies and NGOs providing humanitarian assistance.

As vice-chair of the House Subcommittee on International Human Rights, we have heard appalling testimony regarding the situation of the Rohingya in Burma. I am pleased to stand in solidarity with these petitioners and encourage Parliament and appropriate government agencies to implement these actions with all deliberate speed.

For information on the petition process, please contact our office at 613 995 0121 or e-mail us: irwin.cotler@parl.gc.ca



5-24-2013—Bullying

Hon. Irwin Cotler (Mount Royal, Lib.):
Mr. Speaker, I am pleased to table a petition today, collected by constituent Meena Khan and signed by residents throughout the Mount Royal riding and beyond, calling on the government to undertake a set of comprehensive measures to address the serious problem of bullying. In particular, the petitioners are calling for a royal commission to study bullying and the victimization of students, including examining how the Criminal Code of Canada and the Youth Criminal Justice Act apply in the context of bullying, while co-operating with provincial, territorial and municipal partners to address this issue.

I share the constituents' concern that bullying is a grave and serious issue that must be addressed by this Parliament with all deliberate speed, and I eagerly await the government's response and detailed plan as to how it will address the scourge of bullying that impacts on so many Canadians.

Recent Interventions in Parliament

House of Commons Debates

OFFICIAL REPORT (HANSARD)

Monday, June 17, 2013

ORAL QUESTIONS

Foreign Affairs

Hon. Irwin Cotler (Mount Royal, Lib.):

Mr. Speaker, the United Nations recently released its horrific report on death, destruction and devastation in Syria: 93,000 dead, 5,000 killed monthly, war crimes and crimes against humanity committed daily, 4.5 million displaced internally and 7,000 new refugees each day.

While the government has increased aid to refugees in Jordan, will it increase aid to internally displaced persons in Syria, facilitate family reunification and resettlement for Syrian refugees, join the Swiss-led initiative to bring war criminals to justice and, finally, affirm and implement the responsibility to protect doctrine?

Monday, June 10, 2013

STATEMENTS BY MEMBERS Congregation Emanu-El

Hon. Irwin Cotler (Mount Royal, Lib.):

Mr. Speaker, I was privileged to participate in the 150th anniversary celebrations for Congregation Emanu-El, Canada's oldest, continuously operating synagogue, serving Victoria, B.C. and home to unprecedented Jewish firsts in Canada. In 1865, Victoria's Lumley Franklin became the first Jewish mayor in North America. In 1871, Henry Nathan became Canada's first Jewish MP when B.C. joined Confederation. The congregation's own vice-president, Samuel Davies, became Canada's first Jewish judge in 1914. Congregation member Samuel Schultz is believed to have pitched the first shutout game in the history of British Columbia baseball.

The history and legacy of Congregation Emanu-El and its partnership and support from Christian, Freemason and other faith and community groups, a model of a plural multicultural mosaic, are a source of pride and inspiration for us all.

To Congregation Emanu-El and the community it calls home:

[Member spoke Hebrew and provided the following translation:]

May you go from strength to strength.

Monday, June 17, 2013

ROUTINE PROCEEDINGS

Constitution Compliance Review Act

Hon. Irwin Cotler (Mount Royal, Lib.):

Moved for leave to introduce Bill C-537, an act to ensure legislative compliance with the Canadian Bill of Rights and the Constitution Acts, 1867 to 1982, including the Canadian Charter of Rights and Freedoms.

He said: Mr. Speaker, I am pleased to introduce the constitution compliance review act, legislation that would require, for the first time, constitutional examination of all bills introduced in Parliament, the tabling of a report of constitutional compliance and an independent non-partisan review and compliance mechanism.

It is imperative that parliamentarians be informed of the constitutionality of bills, given our obligation to uphold the Constitution and to oversee the public purse. This bill would thus seek to improve transparency in the parliamentary process by ensuring that all parliamentarians are given an independent analysis of the constitutionality of all bills, regardless of whether they are introduced by the government or opposition, in the House or in the Senate.

(Motions deemed adopted, bill read the first time and printed)

From the Desk of Howard Liebman Chief of Staff



Howard Liebman (left) addressing a Canada Day gathering at Kent Park in Côte-des-Neiges

For the past ten years I have had the privilege and pleasure of serving as Chief of Staff to our MP, Irwin Cotler. I could not ask for a more fulfilling and challenging role and mentorship than working alongside one of Canada's finest Parliamentarians.



Saluting new Canadians and addressing the Canada Day crowd at Côte St-Luc's citizenship ceremony

From our office in the heart of the constituency, my colleagues and I are engaged directly with the communities, groups, businesses and individuals that make up our riding. Our door is always open to you, and we are at your service in your dealings with the federal level of government. Indeed, our team in Montreal assists hundreds of people each year with concerns ranging from immigration to veterans' affairs, taxation to transport.

The diversity of our "rainbow riding" defines much of my work and helps make our riding so unique. I was privileged to collaborate with so many of you in the campaign to maintain our historic riding – its name and boundaries – before the Federal Electoral Boundary Commission, and hope this success will endure when boundaries are again considered in ten years' time.

My work for MP Cotler also involves serving local businesses – the engines of our economy – and I am pleased to support the work of the newly merged Mount Royal – Saint-Laurent Chamber of Commerce.

The spring and summer have provided me with the wonderful opportunity to join so many of you at your annual meetings, galas and gatherings. I was delighted to participate in dozens of events over the past few months across the riding – including incredible Canada Day celebrations in TMR, Côte-des-Neiges and Côte-Saint-Luc – and numerous cultural events.

As always, let our office know of events upcoming in the community or if we can be of service to you.

Wishing you and yours the best for the remainder of summer,

Howard Liebman

@HowardLiebman



Celebrating Pista sa Nasyon with the Filipino community in Côte-des-Neiges



Canada Day in TMR with Mayor Roy, Councillors and MNA Pierre Arcand.



Visiting MultiCaf with Roger Côté (centre) and Corporation de développement économique communautaire (CDEC) Côte-des-Neiges director Claude Lauzon (right), on local economic development tour

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These are precisely the kinds of concerns that could and should have been addressed early in the legislative process in the course of routine consultations. Instead, the Government only consulted with people whose views it already shared, and treated mental health and legal groups as adversaries instead of allies. Most egregiously, the Conservatives hid the results of a study they commissioned for three months, rather than confront empirical evidence that contradicts their approach.

On an issue as serious as this, legislators must take all available evidence into account, including the views of mental health and legal experts, and the experiences of victims. The Government did not do so, and its bill was flawed as a result. The NDP criticized C-54 profusely, but voted for it nevertheless. Prof. Cotler and his Liberal colleagues opposed it, taking a stand in favour of policy based on evidence and consultation.

Iran Accountability Week in Ottawa

Prof. Cotler organized and lead Iran Accountability Week in the Canadian Parliament, a series of events designed to highlight the Iranian four-fold threat and, in particular, Iran's massive domestic repression. The week coincided with the 5th anniversary of the imprisonment of the Bahá'í leadership; the 25th anniversary of the 1988 massacre of Iranian political dissidents; and the recent report of 2,600 political prisoners in Iran, including imprisoned women, ethnic and religious leaders, journalists, bloggers, artists, students and trade union leaders. As part of the events, Canadian parliamentarians also launched the Iranian

Political Prisoner Global Advocacy Project, pairing parliamentarians with Iranian political prisoners on whose behalf they will advocate.

Prof. Cotler explained his involvement in the project, stating "I will be advocating on behalf of Nasrin Sotoudeh with Senator Andreychuk, as well as on behalf of the seven imprisoned leaders of the Iranian Bahá'í community. As a lawyer, Ms. Sotoudeh represented political prisoners including women, lawyers, and children sentenced to death, before her arrest in 2010 while visiting one of her clients in prison. Nasrin embodies the struggle for human rights in Iran and symbolizes the Iranian regime's massive domestic repression."

As part of the events, the Subcommittee on International Human Rights heard expert testimony from Mark Dubowitz, Executive Director of the Foundation for Defense of Democracies; Matthew Levitt of the Washington



From left to right, MPs Bob Rae (Liberal), David Sweet (Conservative), Irwin Cotler, Wayne Marston (NDP) and Paul Dewar (NDP) co-host a press conference as part of Iran Accountability Week in the Canadian Parliament.

Institute for Near East Policy; Susanne Tamás of the Bahá'í Community of Canada; and Iran expert and McGill University Law Professor Payam Akhavan. In addition, some of these individuals participated in evening panel sessions to inform MPs outside of the committee setting about their area of expertise vis-à-vis Iran. Joining them as well for the evening panels were Harvard Law Graduate and Iranian Human Rights Activist Kaveh Shahrooz, and Marina Nemat, author and survivor of the notorious Evin Prison in Tehran; her memoir, *The Prisoner of Tehran*, was a finalist on CBC Canada Reads 2012.

Canada's Parliament also became the first in the world to recognize the 1988 prison

massacre in Iran, adopting unanimously the following motion:

That this House condemn the mass murder of political prisoners in Iran in the summer of 1988 as a crime against humanity, honours the memory of the victims buried in the mass graves at Khavaran cemetery and other locations in Iran, and establishes September 1 as a day of solidarity with political prisoners in Iran.

As for the purpose of the week, as Prof. Cotler explained, "This week of accountability will not only shine a spotlight on the massive violations committed by the Iranian regime, but will serve to send a powerful message to thousands of prisoners languishing in the regime's prisons that they are not alone and that the entire world stands in solidarity with them in their effort to resist this violent oppression". Prof. Cotler looks forward to continuing his Iran advocacy in the fall session of Parliament.

Engaging with the Community

MP Cotler holds regular open meetings with constituents to engage on the issues that matter to you. In addition, MP Cotler meets with your municipal elected officials and with groups and associations from across our riding on a regular basis.

Following past Town Hall meetings at the Ruby Foo's Hotel on Décarie and in the TMR Town Centre, MP Cotler held a June open meeting in Côte-des-Neiges as the spring session of Parliament came to a close.

Pictured here is MP Cotler with Chief of Staff Howard Liebman at Pushap on Mountain Sights, entering the June meeting.

OPPORTUNITIES FOR YOUTH AT PARLIAMENT:

Parliamentary Page Program — www.parl.gc.ca/hocpage

Parliamentary Guide Program — www.parl.gc.ca/guides

Parliamentary Internship Program — www.pip-psp.org



Accountability for Canadian mining operations

This spring, the House began debating Bill C-474, a Private Member's Bill sponsored by the Liberal MP for Scarborough-Guildwood, John McKay. The bill would compel Canadian mining, oil, and gas companies operating abroad to disclose all payments made to foreign governments after having been reviewed by a qualified independent auditor.

While much of Canada's extractive sector demonstrates exemplary corporate citizenship, certain companies engage in the practice of making illicit payments to foreign governments with poor human rights records in order to gain access to resource reserves. Greater transparency and accountability would discourage such activity. As Pierre Gratton, President of the Mining Association of Canada, has stated with respect to payment disclosures: "I think by and large it's not only seen as the right thing to do, but it's starting to be seen as actually good business to have these payments to government published."

Throughout this parliamentary session, the House Subcommittee on International Human Rights – of which Prof. Cotler is Vice-Chair – has heard from witnesses about the activities of Canadian extractive companies around the world. Much of the testimony has been deeply troubling.

For example, Philippine Parliamentarian and human rights activist Neri

Colmenares testified that a Canadian mining company, Toronto Ventures Incorporated, is among several operating in the Philippines that have hired paramilitary groups for security. One such group hired by the company recently detained local media and held them hostage.

In another case, the Canadian company Nevsun co-owns a mine with the government of Eritrea, the most closed society in Africa and an egregious violator of human rights. According to witness testimony, Nevsun does not know whether conscripted labour is being used at the mine, has been repeatedly denied the right to investigate, and has responded with "quiet acceptance". Indeed, in what appears to be a blatant instance of willful blindness, Nevsun CEO Cliff Davis told the Subcommittee that he was unaware of human rights violations in Eritrea. Regrettably, the Conservatives have signalled their intention to oppose C-474, allowing Canadian extractive companies to continue making illicit payments to foreign governments that violate human rights. Over the coming months, Prof. Cotler will continue to urge his colleagues on all sides of the House to support the bill in order to counter corruption, curtail bribery, combat the culture of impunity abroad, and ensure corporate accountability at home.