



Canadian human rights organizations urgently call for Bill C-51 to be withdrawn

March 30, 2015 – For immediate release

Today, as the House of Commons’ Standing Committee on Public Safety and National Security commences its clause-by-clause review of Bill C-51, the Anti-Terrorism Act, 2015, seven of Canada’s leading human rights organizations reiterate their call for the Bill to be withdrawn.

Since the Committee began its hearings on March 9, 2015, it has heard concerns raised by expert witnesses representing a variety of perspectives. As Canadians learn more about Bill C-51, public concern and opposition to the Bill continues to grow, as reflected in the rapidly growing numbers of Canadians who have taken part in demonstrations and who have signed petitions and letters. Meanwhile, editorial boards from across the political spectrum continue to critique the Bill and the manner in which it is being deliberated in Parliament.

Amnesty International, the British Columbia Civil Liberties Association, the Canadian Civil Liberties Association, the Canadian Muslim Lawyers Association, the International Civil Liberties Monitoring Group, La Ligue des Droits et Libertés and the National Council of Canadian Muslims have, from the outset, stated that the human rights shortcomings in Bill C-51 are so numerous and inseparably interrelated, that the Bill should be pulled back. The organizations have said that any national security law reform should instead, first, be convincingly demonstrated to be necessary and should then proceed only in a manner that is wholly consistent with the Canadian Charter of Rights and Freedoms and the country’s international human rights obligations.

“Any legislation that takes as its starting point the premise that it is appropriate and acceptable to explicitly give legislated power to CSIS to violate the Charter of Rights when reducing threats to Canada’s security, and tries to offer that a sheen of legitimacy by giving judges the power to authorize those Charter breaches, irredeemably gets off to entirely the wrong start,” said Alex Neve, Secretary General,

Amnesty International Canada's English branch. "We do not uphold national security by inviting judges to become complicit in Charter violations. Bill C-51 does not understand the central importance of human rights in upholding national security. The Bill has to go."

"Bill C-51 deserves real, substantive and serious debate. Critics of the bill, however, have been repeatedly subject to rhetorical attacks on their commitment in keeping Canada safe from terrorism. This appears to be a troubling tendency to ignore substantive critique of the Bill in favour of going after the credibility of the critic," said Carmen Cheung, Senior Counsel, British Columbia Civil Liberties Association. "Freedom and security undoubtedly go hand-in-hand, but Bill C-51's effectiveness in keeping Canadians safe remains an open question. Given the serious problems it poses for civil liberties and human rights, the Bill has to go."

"The Committee hearings have been on the whole inadequate to allow Canadians – and members of the Committee – to properly understand the unprecedented powers proposed by Bill C-51 and the radical shift to our national security landscape" said Sukanya Pillay, General Counsel and Executive Director, Canadian Civil Liberties Association. "Canadians are being told to trust that the excessive powers and scope of the bill will not affect ordinary law abiding Canadians, even though its provisions are broad enough to do exactly that. The Bill doesn't include fundamental legal protections. It is up to our Members of Parliament to draft laws that are clear and precise, with proper accountability mechanisms in place, particularly when security and liberty are at stake. The Bill has to go."

"We have highlighted that Bill C-51 is replete with provisions that violate the Charter of Rights and other provisions in Canadian law. That has been repeated consistently by legal academics, former parliamentarians and numerous other expert witnesses who have appeared before the Committee. The government has refused to disclose the advice it has received from its own lawyers about the Bill's compliance with the Charter," noted Ziyaad Mia, Canadian Muslim Lawyers Association. "Why is the government determined to press on with legislation that will become snarled up in time-consuming litigation that will almost certainly overturn many of the provisions? Canadians deserve and expect better. The Bill has to go."

"Canadians initially expressed wide support for Bill C-51, legislation that was broadly described as equipping Canadian law enforcement and security agencies with the powers needed to prevent terrorism," said Roch Tassé, National Coordinator, International Civil Liberties Monitoring Group. "That has shifted rapidly and dramatically as women, men and young people across the country have gained a fuller understanding of the Bill itself. And that has happened even though the government has sought to fast-track the Bill and significantly restrict the time and opportunities for Canadian to fully appreciate what is at stake. Support for these unprecedented draconian measures continues to drop. The Bill has to go."

“Among the many serious problems highlighted during hearings was the concern shared by Indigenous peoples, environmental groups, the labour movement, human rights organizations and others that Bill C-51 imperils protest rights in Canada, by providing explicit protection only to those demonstrations considered to be ‘lawful’,” said Dominique Peschard, President, La Ligue des Droits et Libertés. “Anyone who raised that concern in front of the Committee was told by the government that they were misinformed and that the new powers would not be used in that way. These promises ring hollow given the government’s lack of willingness to implement a robust oversight and review mechanism to meaningfully assess the efficacy and legality of Canada’s national security activities. The Bill has to go.”

“Given the disproportionate impact that previous security measures and legislation have had on Canadian Muslims, it is not unreasonable that they fear becoming collateral victims in this web of unchecked power and unbridled information sharing, if not the direct targets of unfair scrutiny,” said Ihsaan Gardee, Executive Director, National Council of Canadian Muslims. “Instead of allaying these legitimate concerns, we have seen the marginalization and mischaracterization of Canadian Muslims and their institutions. In Committee hearings, in Parliament, in the media and in public events, elected officials and pundits have negatively tarred Canadian Muslims and their representative organizations. We have heard inflammatory, discriminatory, and false comments about who Canadian Muslims are, what they believe and support, and seen repeated attempts to conflate Islam and Muslims with terrorism. Their actions cynically exploit negative social forces for political gain by attempting to create fear and distrust among fellow Canadians. The Bill will only provide a false sense of security rather than actually provide a framework to engage with the very communities that are already working to help Canada remain strong and safe. The Bill has to go.”