

Election 2015: Information card on the positions of the federal political parties on national security issues

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Conservative Party of Canada	New Democratic Party of Canada	Liberal Party of Canada	Bloc Québécois	Green Party of Canada
Oversight mechanisms - Powers				
2004: All party committee parliamentarians and senators participated in a report about the creation of Parliamentary Intelligence Committee				
Peter Mackey, Kevin Sorenson and Michael Forrestall	Participation in the report of Joe Comartin	Participation in the report of Colin Kenny, Tommy Banks, Wayne Easter and Marlene Jennings	Participation in the report of Serge Menard	There was no MP elected at that time
2005: C-81 introduced by the Liberal government as an Act to establish a National Security Committee of Parliamentarians. It is considered as a first attempt after the “Maher Arar case” to create an oversight body.				
This legislation was introduced on October 24, 2005 but it died when the Parliament was dissolved on October 29, 2005 and general elections were called.				
2007: Minority report to repeal the Anti-terrorism Act, 2001				
	Report prepared jointly by NDP and BQ		Report prepared jointly by NDP and BQ	
2009: Review of the findings and recommendations arising from the Iacobucci and O’Connor inquiries				
Recommendations of the O’Connor report never implemented	Support of the recommendations of the O’Connor report	Support of the recommendations of the O’Connor report	Support of the recommendations of the O’Connor report	There was no MP elected at that time
2009: Motion by Don Davies (NDP) to implement recommendations contained in the report by the parliamentary Public Safety committee. Actions suggested: 1. Apology and compensation to Almalki, Al-Maati and Nurredin. 2. Implement Justice O’Connor recommendations about review mechanisms and oversight.				
Against the motion	Support of the motion	Support of the motion	Support of the motion	There was no MP elected at that time
2012: C-38 Decision to abolish the office of the Inspector General of CSIS included in the omnibus bill. <i>The bill passed with 158 Yes & 135 No</i>				
Vote: Yes	Vote: No	Vote: No	Vote: No	Vote: No

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<p>2013: C-42: Enhancing RCMP Accountability Act. This law opened the door for violations of the <i>International Convention Against Torture</i> and it won't allow Mounties to question intelligence information that has been obtained illegally. <i>This bill passed with 187 Yes and 101 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: No	Vote: No
<p>2013: Private member bill C-551 introduced by Wayne Easter (Lib.) The proposed legislation was to establish a parliamentary committee to oversee all national securities activities.</p>				
<p>The bill stopped at the First Reading in the House. Private member bills rarely become law especially under majority government.</p>				
<p>2014: Private member bill C-622 introduced by Joyce Murray (Lib.) with the intent to impose greater judicial and parliamentary scrutiny on CSEC. <i>The vote failed at Second Reading with 120 Yes and 142 No</i></p>				
Vote: No	Vote: Yes	Vote: Yes	Vote: Yes	Vote: Yes
<p>2014: S-220: introduced by Hugh Segal (Cons.) and supported by Roméo Dallaire (Lib.) and Grant Mitchell (Lib.) The intent of the bill was to create a committee of all parties parliamentarians on national security and intelligence oversight. <i>The bill stopped at Second Reading in the Senate.</i></p>				
Vote: No	No presence of NDP in the Senate	Vote: Yes	No presence of BQ in the Senate	No presence of the Green Party in the Senate
<p>Revocation of citizenship</p>				
<p>2014: C-24: Strengthening Canadian Citizenship Act. This legislation gives US officials final say on who may board a plane in Canada if they are to fly over the US en route to a third country. <i>The bill passed with 137 Yes and 118 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: didn't vote	Vote: No
<p>Lawful Access</p>				
<p>2009: The government combined C-46 and C-47 together. Both bills seek to extend lawful access provisions and create warrantless police access to many aspects of Internet communications such as subscriber data.</p>				
<p>The government withdrew both bills.</p>				
<p>2012: C-30.The government claimed that this bill was intended to fight child pornographers. In reality, this bill would allow Internet companies to give your name, Internet protocol address and a few other identifiers if the police asked for them, even without a warrant. Also this legislation would allow the government to facilitate centralized, wiretap-style surveillance.</p>				
<p>The bill never became law. It stopped at Second Reading in the House. There was a huge public outcry against the bill and Minister Vic Toews who introduced it.</p>				

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<p>2014: C-13: Protecting Canadians from Online Crime. The government introduced this legislation to fight cyberbullying. However, this new legislation does include provisions that permit an increased warrantless access to personal information and increase police spying power for our online activities. <i>This bill passed with 173 Yes and 94 No.</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: No	Vote: No
No fly list				
<p>2007: “Passenger Protect Program” enacted under an obscure legal framework. The Public Safety Act voted in 2004 was used to introduce this program without any previous mention of the intention of the Liberal government to create such a program.</p>				
There was no debate or vote in Parliament regarding this program.				
<p>2011: C-42 Strengthening Aviation Security Act. This legislation would give US officials final say on who may board a plane in Canada if they are to fly over the US en route to a third country. Canadian law prohibits companies from disclosing personal information to foreign entities. Bill C-42 would allow the disclosure. <i>The bill became law with 246 Yes and 34 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: Yes	There was no MP elected at that time
<p>2015: C-51 (now the Anti-terrorism Act of 2015) perpetuates and expands the “Passenger Protect Program”. Under this new legislation a person’s name is added to the no-fly list if there is any reasonable ground to suspect they are travelling to commit a terrorist act. Also, the list is to be renewed every 90 days instead of 30 days as in the previous program. <i>This bill passed with 183 Yes and 96 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: No	Vote: No
Use of secret evidence and ministerial discretion				
<p>2001: C-36 (the Anti-terrorism Act of 2001): The Minister of National Defence must issue a Ministerial Authorization before any activities that may result in the interception of private communications can occur. A Ministerial Authorization is valid for up to one year, and may be renewed. It allows CSEC to gather intelligence for an entire “eavesdropping category” such as a satellite or an underwater cable between Europe and America, effectively collecting the communications of millions of people. <i>The bill passed with 189 Yes and 47 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: No	No MP elected at that time
<p>“Protect Passenger Program”: A “Specified Persons List Advisory Group” recommends the names of individuals to be put on the No-Fly list to the Minister of Public Safety. There is no prior notice to the concerned individuals and no judicial process. The list can be shared with foreign governments.</p>				
There was no debate or vote in Parliament regarding this program.				

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<p>C-51 allows the Minister of Public safety to delegate the listing power to any single official in his or her department. C-51 specifies there is an appeal process in the Federal Court about the enlisting decision. But, there is no provision for a special advocate, or other independent means to test the Minister’s evidence. <i>The bill passed with 183 Yes and 96 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: No	Vote: No
Criminalization of dissent				
<p>2011: In the Canada’s counter-terrorism strategy “Building Resilience Against Terrorism”, the document lists environmentalism and anti-capitalism as examples of “domestic issue-based extremism”</p>				
<p>2012: C-309: Preventing persons from concealing their identity during riots and unlawful assemblies Act. Under this new legislation, someone who merely participates in a riot or in an “unlawful” assembly with their face covered can be deemed to have committed an indictable criminal offense and can be jailed for up to five years.</p>				
Vote: Yes	Vote: No	Vote: No	Vote: No	Vote: No
<p>2012: Government ministers have characterized anti-pipeline protesters as foreign-funded radicals and money-launderers</p>				
<p>2015: CBC reported that the government signaled its intention to use hate crime laws against Canadian advocacy groups that encourage the Boycott, Divestment and Sanctions movement. But later, the government denied such claims and cited hate crime laws when asked about its “zero tolerance for Israel boycotters.</p>				
<p>2015: C-51: The new ATA introduces a broad definition of threat to national security which includes interference with “the economic or financial stability of Canada” or with “critical infrastructure.” and “an activity that takes place in Canada and undermines the security of another state”. Many legal analysts and activists see this definition as criminalizing dissent. <i>The bill passed 183 Yes and 96 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: No	Vote: No
Security certificates				
Supports the security certificates	The party called for the abolition of the regime of security certificates	Supports the security certificates	Against security certificates	Against the security certificates.
<p>2006: The \$3.2-million Kingston Immigration Holding Centre opened in Millhaven near Kingston, Ont. taking in four of the five terrorist suspects who were subject to security certificates.</p>				
<p>2007: The Supreme Court of Canada unanimously ruled that the process of security certificate review which prohibited the suspects from seeing the evidence against them violated the Canadian Charter of Rights and Freedom.</p>				

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<p>2008: Bill C-3 was passed in early 2008 to permit special, security-cleared lawyers to act as "special advocates" for the accused, allowing them to attend the closed doors security certificate hearings. However, the "special advocates" cannot share the evidence with the accused. That maintains the secrecy surrounding this controversial procedure. <i>This bill passed with 197 Yes and 71 No</i></p>				
Vote: Yes	Vote: No	Vote: Yes	Vote: Yes	There was no MP elected at that time
Privacy and Information Sharing				
<p>2011: C-12: An Act to amend the Personal Information Protection and Electronic Documents Act (PIPEDA). It allows the disclosure of personal information without the knowledge or consent of the individual.</p>				
<i>The bill stopped at the Second Reading.</i>				
<p>2015: S-4: An Act to amend PIPEDA. It allows the disclosure of personal information without the knowledge or consent of the individual and gives immunity to organizations for voluntary sharing said information with law enforcement agencies when they do not have a warrant - contrary to the Supreme Court ruling in Spencer. <i>The bill passed with 141 Yes and 105 No</i></p>				
Vote: Yes	Vote: No	Vote: No	Vote: No	Vote: No
Immigration and refugee rights				
<p>2012: C-31: This bill amends the Immigration and Refugee Protection Act and the Balanced Refugee Reform Act. This bill gives the power to a Minister to designate groups and incarcerate them for 12 months without judicial review. Also, the bill gives the power to a Minister to designate a list of countries as supposedly "safe". Moreover, under this new law, refugees will have only 15 days from the date they make a claim to file a form, which sets out for the basis of their case. According to refugee lawyers and experts, it will be impossible to get a legal representation and to get any corroborating evidence for their claim. <i>The bill passed with 159 Yes and 132 No</i></p>				
Vote: Yes	Vote: No	Vote: No	Vote: No	Vote: No
Torture				
<p>2010: The Minister of Public Safety sent a letter to the Director of CSIS stating that in some cases, where a threat to human life or public safety exists, information, from foreign agencies who may have used torture to obtain it, can be used.</p>				
<p>2011: Directives were sent by the Minister of Public Safety to CSIS setting out a process whereby intelligence information might be shared with foreign agencies known (or suspected) to practice torture.</p>				
<p>2011: Directives were sent to the RCMP and CBSA to use and share information extracted through torture.</p>				

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North American Security Parameter				
<p>2011: Canada and the U.S. entered into a bilateral agreement to have more integration of their borders and law enforcement, criminal and intelligence investigations. The agreement includes a plan to share biographical information on citizens, permanent residents and others when they enter one country and thereby exit the other. Under this agreement, Canada agrees to share personal information with the US for different reasons. For instance medical information contained in police reports can be transferred to US and can justify denial of entry. Also, US border guards can operate inside Canadian territory (Pearson International Airport).</p>				
Surveillance and Use of Metadata (Communications Security Establishment Canada - CSEC)				
<p>2011: In June 2013, the Globe and Mail reported that Defence Minister Peter MacKay signed a ministerial directive renewing the government's "metadata" surveillance program on November 21, 2011, a secret electronic eavesdropping program that scours global telephone records and Internet data trails – including those of Canadians – for patterns of suspicious activity. The program had been placed on a lengthy hiatus after a federal watchdog agency raised concerns that it could lead to warrantless surveillance of Canadians.</p>				
<p>2013: A CBC article in November 2013, based on a leaked document from U.S. whistleblower Edward Snowden, described how Canada had spied on the G8 and G20 summits in Toronto in 2010 on behalf of the U.S. National Security Agency (NSA). In December that year, CBC reported Canada had conducted further espionage for the NSA in 20 countries, including Canadian trading partners.</p>				
<p>2014: CBC reported on a leaked document from U.S. whistleblower Edward Snowden showing that CSEC used information from the free Internet service at certain Canadian airports to track the smartphones and laptops of thousands of passengers for days after they had left the terminal. The government denied CSEC was collecting data on Canadians. Then, they acknowledged the use of metadata (locations, recipients and duration of calls, among other things).</p>				

Budget for national security agencies

National security agencies	2006-2007 (in millions)	2015-2016 (in millions)
CSIS	\$356	\$520
CSEC	\$230	\$839
RCMP	\$3,782	\$2,630
CBSA	\$1,454	\$1,747
FINTRAC	\$49.7	\$49.1

Budgets for oversight agencies

Oversight Agencies	2006-2007 (in millions)	2015-2016 (in millions)
SIRC (for CSIS)	\$3	\$2.7
Office of CSEC Commissioner	\$1.2	\$2
Civilian Review and Complaints Commission for the RCMP	\$6.8	\$10
No watchdog for CBSA	-	-
No watchdog for FINTRAC	-	-

List of Canadian federal parliaments since 2004

Parliament Election Sessions	Duration		Government		Opposition	
	Writs Returned	Dissolution	Governing Party • Prime Minister— Ministry	House seat count as of election Senate seat count as of election	Official Opposition Party	Third Parties with official party status
37th Canadian Parliament Elected 2000	Dec. 18, 2000	May 23, 2004	Liberal Party • Jean Chrétien (2000– 2003) • Paul Martin (2003–2004)	172 of 301 House seats 55 of 105 Senate seats	Canadian Alliance (2000–2004)	• Bloc Québécois • New Democratic Party • Progressive Conservative Party
38th Canadian Parliament Elected 2004	Jul. 19, 2004	Nov. 29, 2005	Liberal Party • Paul Martin	135 of 308 House seats (minority) 64 of 105 Senate seats	Conservative Party	• Bloc Québécois • New Democratic Party
39th Canadian Parliament Elected 2006	Feb. 13, 2006	Sep. 7, 2008	Conservative Party • Stephen Harper	124 of 308 House seats (minority) 23 of 105 Senate seats	Liberal Party	• Bloc Québécois • New Democratic Party
40th Canadian Parliament Elected 2008	Nov. 4, 2008	Mar. 26, 2011	Conservative Party • Stephen Harper	143 of 308 House seats(minority) 21 of 105 Senate seats	Liberal Party	• Bloc Québécois • New Democratic Party
41st Canadian Parliament Elected 2011	May 23, 2011	—	Conservative Party • Stephen Harper	166 of 308 House seats 52 of 105 Senate seats	New Democratic Party	• Liberal Party