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Chair

Mr. Kevin Sorenson

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•(1715)

[English]

The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)): I call this meeting back to order. We have been in camera. We're now moving into a public meeting.

We're into committee business. We'll go to Mr. Dewar.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Chair, I wanted to follow up on the motion that was passed by this committee to invite Mr. Abdelrazik to committee. I wanted to follow up in terms of the question of his invitation to committee and any response we've heard. Then I have a question based on that response.

The Chair: We have issued the invitation. As far as I know, there has been a response, which Angela mentioned to me today at two o'clock, just before we came in here. I haven't had a chance to look at that response yet, and it's being translated.

Mr. Paul Dewar: Chair, my understanding is that it was a positive response. I had the information shared with me that there was a positive response from Mr. Abdelrazik to appear before committee.

Of course, the next issue is whether he is able to come before committee. I think that obviously has to be worked out with the clerk. Mr. Chair, can we as a committee make sure that Mr. Abdelrazik is provided with any appropriate travel documents to come before committee? If we're inviting him to committee, he will need those documents, so I'm asking you, Mr. Chair, or to the clerk, that we write to the government to ask for Mr. Abdelrazik to be provided with the necessary travel documents.

The Chair: All right. We as a committee certainly do not have the.... It's not part of our jurisdiction to demand or to secure travel documents for any witness.

Mr. Paul Dewar: Can I ask what that statement is based on, Mr. Chair?

The Chair: It's based on.... That's not part of....

Mr. Paul Dewar: Let me be a little more clear, Mr. Chair. We can ask that the government provide the necessary travel documents for the witness we've asked to appear before committee and that the documents to be given to that witness. It's a simple request.

The Chair: I think we can....

Go ahead, Mr. Abbott.

Hon. Jim Abbott (Kootenay—Columbia, CPC): Before we do that, what is the budget? Where does the committee get the money?

If he is going to be coming, presumably somebody is going to be paying the bill for him to come. What is the procedure for us to not

only make the suggestion of the travel documents, but to deal with all the attendant costs? What are we getting into? And notwithstanding the comments from the UN official that some people, including Mr. Dewar, have been reciting, isn't there the remaining question of whether the committee has received any opinion as to his being on the no-fly list? Obviously if he is on the no-fly list...the name pretty well says it all.

There are all sorts of questions that should have been answered before we did this motion in the first place.

The Chair: All right. We have heard from the department. We did ask them for an opinion. They have said that because they are the department, the government basically, they will not give us an opinion on it. They recommend that we go to the law clerk and get a legal opinion from the law clerk on that.

•(1720)

Mr. Paul Dewar: May I ask, Mr. Chair, on behalf of the committee, that you request an opinion from the law clerk?

The Chair: All right.

Mr. Paul Dewar: This is different, because what we've done is get a background from the Library of Parliament. My recollection is that this carries a little more weight. We're actually asking a law clerk from the House to provide an opinion as to what the committee can do and what its options are legally. If we ask the chair to request an opinion from the clerk—well, there are a couple of people, and it's up to them to decide who deals with the file—I think it would give us an opinion as to next steps.

For what it's worth, my opinion is that as a committee of Parliament, we can ask to have a witness appear and we can ask the government to provide the requisite travel documents.

To answer Mr. Abbott's question, we usually pay to have committee members travel, and I would suspect that would be the case in this instance. If there's an issue with that, then maybe we should chat about it, but I think the clerk has said before that travel for any witnesses to appear before a committee is paid for by the committee.

The Chair: Yes, it's paid for by the committee. We've never really had.... In cases like this—I'll be quite honest—we've teleconferenced. We didn't pay for the witnesses from Afghanistan to come and appear before our committee; we teleconferenced with them. You're into the area of whether we pay for witnesses. Well, if they're from Toronto—

Mr. Paul Dewar: I have 200 people who are willing to help on that, if it's an issue.

The Chair: —yes; if it were from Edmonton, yes, we might, if it's part of an overall study. But specifically, in a case like this, I think you're really pushing the envelope, if you think that every witness is always paid for, because they aren't.

In a case like this, it's my understanding that I would have to ask for a budget for it. I'm at these liaison committee meetings with members from the Bloc and the Liberals, and some things are passed and some things are—

Mr. Paul Dewar: Well, my understanding, Chair, for what it's worth, is that there is a ticket.

The Chair: Mr. Abbott, Mr. Crête, and Ms. Brown.

Is that the order? Okay, good.

Hon. Jim Abbott: It seems to me, if we wanted to get his testimony, that the far more efficient way of doing things would be to do it by teleconference. I think that should be on the table. I'm not prepared to make that motion at this time, but it's something we should consider.

The Chair: I want to go back. I don't want to do everything through a motion. I get the feeling that we should be asking for a legal opinion from the law clerk, so it's my intention to do that.

Mr. Crête is next, and then Ms. Brown.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): I want to tell you that a UN official appeared on television the night before last and said that the no-fly list did not apply to citizens re-entering their country. That is crystal clear, so we do not even need a legal opinion. But if so, we will ask for one.

There are already 200 people who are willing to pay the airfare. When the only thing left to do is find money for the airfare, if the committee does not happen to have it, we will find some.

[*English*]

The Chair: Thank you, Mr. Crête.

Ms. Brown.

Ms. Lois Brown (Newmarket—Aurora, CPC): Because you said you were looking for a legal opinion, I'll withdraw my comment.

The Chair: All right.

Mr. Dewar.

Mr. Paul Dewar: Mr. Chair, just to put it in summary, right now we've invited Mr. Abdelrazik, and you're waiting for translation, etc.

Fine. I'm telling you that there has been an acceptance of the invitation for him to appear here before committee. What I'm hoping is that we will have the usual protocol whereby we make arrangements to have the witness travel to be before the committee and that the request for travel documents be made.

The opinion that you receive from the clerk would tell you what our powers are. But I would like to have us go ahead with the procedure whereby we invite a witness, we work out travel arrangements, and the only thing that may or may not be an issue is whether he can access the travel documents. That is my sense, on which the law clerk would, at the appropriate time, provide an

opinion to us. That doesn't in any way delay our going forward in the regular conduct of the committee, and that is, invitation made, travel arrangements made. I would hope that this committee would provide

• (1725)

The Chair: We don't make travel arrangements.

Ms. Angela Crandall (Procedural Clerk): The witnesses make their own travel arrangements, normally. We would pay for them.

Mr. Paul Dewar: We would pay? I guess, then, the question is—

The Chair: That's the point. We've offered the invitation; I haven't seen the response. I want to see the response. I want everyone to see the response—

Mr. Paul Dewar: That's fair enough. That's absolutely understood.

The Chair: I'd like to deal with this at the next meeting or at the steering committee. We don't have it translated. I haven't seen it; I don't know what they're asking for. My intention is not to wait until I see it, but to draft a letter for the clerk and then proceed.

The Clerk: What exactly do we want a legal opinion on?

Mr. Paul Dewar: Well, I wanted a legal opinion on whether the committee can request that Mr. Abdelrazik appear before the committee and that the government cooperate with that. It's basically asking for the parameters of the committee having, in this case, a Canadian citizen appear, and what the boundaries are for us as a committee.

The Chair: We asked the very same thing of the department. It was the department that asked that it be referred to the law clerk.

Mr. Paul Dewar: Are there any obstacles preventing the committee from requesting that Mr. Abdelrazik appear before it? What compliance must government—in this case, the Department of Foreign Affairs—have to allow us to have Mr. Abdelrazik in front of committee? In other words, providing travel documents...

The Chair: That's a fairly long wish list for the law clerk. Take a look and see what we asked the department, and that's what we want to ask. And if you ask some of these others as well, I guess that's...

Mr. Paul Dewar: Simply put, can he appear before committee, and can the committee call him to appear before committee—

The Clerk: We've already done it.

The Chair: Yes, we've done that.

Mr. Paul Dewar: But the question is, as a committee, can we oblige the government to provide the necessary travel documents? That's a better way of putting it.

The Chair: Ms. Brown.

Ms. Lois Brown: Should the response be in the affirmative when you get the translation, I would make the motion that the committee also explore whether teleconferencing or video conferencing is available.

The Chair: All right.

In the meantime, until we get the motion back, I'm not going to deal with any more on the motion. But I want you to know that I'm not going to stall it here either. I'm going to send that letter, that request, and do what we can do now, and then at the next meeting....

Seeing none, we will adjourn.

Is there any other committee business?

Thank you, folks.

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