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Chair

Mr. Kevin Sorenson

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•(1540)

[English]

The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)): I call this meeting to order.

Before we begin, I think Mr. Dewar has a motion in regard to committee business.

Mr. Paul Dewar (Ottawa Centre, NDP): Yes, Chair. I just wanted to acknowledge the fact that we have received correspondence from the Minister of Foreign Affairs regarding your request from the committee to provide Abousfian Abdelrazik with the necessary travel documents so he could be here at committee.

I essentially want to put forward a motion about the displeasure of this committee with the fact that he did not provide a travel document and that it took him more than a week to respond to the committee.

In essence—I'm reading here, Mr. Chair—the correspondence says: “Thank you for your letter of June 3, 2009”—this is the letter that you had sent to him as minister—“concerning the Standing Committee on Foreign Affairs and International Development Motion (6-5)”, where we had asked Mr. Abdelrazik to come to committee. He says, “I would like to inform you that the Government is in the process of reviewing the Federal Court decision of June 4, 2009, on the case concerning Mr. Abousfian Abdelrazik.” It's signed, “Sincerely, Lawrence Cannon”.

Your request was different. Your request was for him to provide Mr. Abdelrazik with the necessary travel documents so he could come before committee. The letter is responding to something different, and that is the Federal Court case. It's not responding to your request to have Mr. Abdelrazik provided with the necessary travel documents.

I want to put forward to this committee a motion expressing displeasure at the fact that the minister took so long to respond and that he did not provide the necessary travel documents to Mr. Abdelrazik for him to appear before the committee.

The Chair: When was this letter circulated?

The Clerk of the Committee (Ms. Angela Crandall): It hasn't been circulated yet. I just got the translation this morning. I received it Friday afternoon and sent it for translating.

Mr. Paul Dewar: To be clear, I'm not criticizing the fact that we only got it here now; the fact is that we didn't get it until late on Friday, so staff didn't have time to turn it around. There's no concern here for me about getting it from staff now. My concern is about the fact that it took the minister that long and that he didn't answer the

request, which was to provide Mr. Abdelrazik with the travel documents.

He's answering a query that has nothing to do with the query we put in front of him. He's talking about the Federal Court. We asked him to provide travel documents from his office, which we've established that he can. He didn't answer that query, so I want to put forward the motion that as a committee we express displeasure with the response of the Minister of Foreign Affairs to our request, which was a unanimous motion passed at this committee to have Mr. Abdelrazik present. It's a motion that we express displeasure with his response, both on the content and, of course, on the time it took.

The Chair: All right, Mr. Dewar. Thank you for that.

I was just talking to the clerk here. Again, this is a motion, and I'm advised that we would have needed 48 hours on this motion. So unless we have unanimous—

Mr. Paul Dewar: No. I challenge that, Chair, because we are speaking about the issue of Mr. Abdelrazik. You came out of our in camera meeting to speak about this issue, so it's actually in scope.

The Chair: Well, we came into committee business, and we're also going to basically deal with the steering committee report, but—

Mr. Paul Dewar: You had a motion.

The Chair: I'm just following—

Mr. Paul Dewar: Well, you said for me to put forward a motion. I've put forward a motion, and now you're saying I can't. I'm confused.

The Chair: Yes, I wasn't certain about what exactly you were going to be saying in a motion, but that's why we said that if we were going to do motions, you didn't want to be in camera for it. That's why we moved to a public meeting.

Mr. Paul Dewar: That's right. Yes.

The Chair: Angela.

The Clerk: The motion of the committee says that all substantive motions require 48 hours' notice. The standard is that when we're under committee business and we're talking about committee business, motions can be moved.

Mr. Paul Dewar: All right. That's what I just did.

The Chair: But also, the question I ask is—

Mr. Paul Dewar: Unanimity is not required.

The Chair: —do we need unanimous consent in order to do this?

The Clerk: When it arises out of committee business, it doesn't require unanimous consent. It's a motion arising out of the business that's before the committee. Like the last time there was a motion put when we were discussing writing a letter to the minister, we were discussing the issue of Mr. Abdelrazik. So even though it was a motion without notice, it was arising out of the business before the committee and what was being discussed.

The Chair: In your opinion, is this in order or not in order? That's what I'm asking you.

The Clerk: Well, I would advise that since it's under committee business, it would be in order.

The Chair: All right. So that's not what—

Mr. Deepak Obhrai (Calgary East, CPC): Let me challenge that before I—

The Chair: Mr. Obhrai.

Mr. Deepak Obhrai: Let me challenge that. This is not coming out of committee business. This was not on the agenda for committee business, right?

The Chair: No, it wasn't.

Mr. Deepak Obhrai: So therefore I disagree with the fact that this is committee business. This was just brought in by Mr. Dewar, who was asking you to go public from in camera for him to say that.

The Chair: That's correct.

Mr. Deepak Obhrai: Therefore, we cannot suddenly say that this is committee business and therefore it is all right for him. I would rather—

The Chair: Do you mean was it on the schedule of committee business? No, it was not on the schedule.

Mr. Deepak Obhrai: Therefore, I would—

The Chair: On a point of order, Mr. Dewar.

Mr. Paul Dewar: There are two things. One is that notwithstanding that, there was agreement to go into committee business. You allowed that. The fact is that I was responding to a letter that comes out of committee business. It's straightforward.

I appreciate that you might be frustrated with that, Chair, but the fact of the matter is—

Mr. Deepak Obhrai: You're repeating your argument—

Mr. Paul Dewar: I'm sorry, but I have the floor right now.

The Chair: Let him finish. I've tried to be a little—

Mr. Paul Dewar: It's simple. We went into committee business, I was responding to the letter that we received coming out of committee business, and I put a motion forward. It's not that complicated. And I would like to get on with the report. I've just left the motion there.

The Chair: Mr. Abbott.

Hon. Jim Abbott (Kootenay—Columbia, CPC): Mr. Chair, I respectfully disagree with Mr. Dewar, very simply because this letter was something given to the committee, but it was not the day's committee business, if we take a look at the orders of the day, in camera. I'm not interested in filibustering. If I were, I'd read the orders of the day.

The point is that this was information given to us that was received on Friday and translated. It was given to us at the first possible moment, but it is not committee business in the sense of committee business being the orders of the day today.

If I understand the advice you've been receiving from the clerk, the committee business is to the orders of the day that we are working on, on the given day, and then a motion can flow to those orders of the day. That is committee business.

In the vernacular, or in the looser term that Mr. Dewar is using, yes, this is committee business in the sense that it has been business that the committee has been dealing with, but it is not today's committee business. It is not the orders of the day.

● (1545)

The Chair: That's right.

Hon. Jim Abbott: Therefore, I support your ruling, Mr. Chair.

Mr. Paul Dewar: If I may, on a point of order, it's actually the subject of discussion. It's the criteria that need to be entered in as well; it's not just committee business. We're on the subject of discussion.

The Chair: Yes. I mean, this is a serious thing. I asked if a motion like this would be in order, and I was told no. So we went into committee business, and now it seems like, you know....

Go ahead.

The Clerk: The motion was that the committee sit in public, and then the consensus seemed to be that you were going to talk about committee business. So after—

The Chair: Well, committee business, but we have a steering committee report. We wanted to discuss the fact that today Abdelrazik was to appear. But a motion coming out of that... I mean, the motion that we wanted to go from in camera into committee business is understandable. We have to be able to accept that motion, but to accept another motion.... That's why we put in the 48-hour rule. Yes, I need a motion to go public from in camera. That's what we did. I thought we were fairly clear that once we're in committee business, for motions that aren't on the schedule, that's why we have the 48-hour guideline here.

Mr. Obhrai.

Mr. Deepak Obhrai: Mr. Chair, while we want to see Mr. Dewar play all these things here, my understanding at the time we agreed to the motion that we come out of in camera was that he wanted to go on the record to put the thing down. I understand very clearly that in his arguments he was not making it clear at that given time that he would be putting forward a motion.

Now, we do not mind if, because of that thing, he was going to put an argument and wanted to say on the record why he was doing that. But all of a sudden, as is his normal practice of playing politics and all these things on this issue, he turns it around and suddenly now we have a motion that goes against—

An hon. member: [*Inaudible—Editor*]

Mr. Deepak Obhrai: Let me finish my argument. Now you have put—

Mr. Paul Dewar: I'm going to help you here, on a point of order, Mr. Chair.

Look, I know that if I had told you I was putting a motion forward, we wouldn't have been able to go from in camera to public. But look, for the purposes of moving forward and keeping things going, I won't go any further with this.

But I want to note that, first, it's allowed in this place—and it has been done in different ways—to enter a motion when you're in committee business. The subject was Mr. Abdelrazik. I believe that if you have the floor, you can introduce a motion. I will, however, withdraw at this point. I've read the letter into the record and we can go back to the report.

Thank you.

Mr. Deepak Obhrai: I have to make a comment on what—

Hon. Bob Rae (Toronto Centre, Lib.): Deepak, you've won. You just want silence to prevail.

Mr. Deepak Obhrai: No, no. I just want to make a comment, which is not to differ.... I'm not making anything—

Hon. Bob Rae: Don't blow things up.

Mr. Deepak Obhrai: Let me just put my comment in there for the record, all right? It's for the record, because he wanted to put it on the record.

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Who's going to read it? Your grandson?

Mr. Deepak Obhrai: For the record, the Minister of Foreign Affairs had already made the decision previously on whether he was going to issue a travelling document or not. He had already made that statement.

The issue that is coming up now is that the matter went in front of a court, and a court made a decision on that, right? A decision was made by the court. Therefore, at this current given time, the government is bound to what the court said at this current time, which is why the letter came. So I'll make it very clear: the government has to decide what it is going to do with the court decision. That decision has not been made. That is in the letter—not what Mr. Dewar was saying.

So I've made my point clear?

The Chair: You're on the record. Thank you very much.

Seeing how we are still on committee business, then, you have received or are receiving a report of the steering committee. You can take a look at it. There were two items that I did mention while we were in camera that your steering committee met with regard to on Thursday.

We should also make mention of the fact that our subcommittee appeared before the steering committee and gave us a little bit of a rundown, I guess, on what they'd been studying and what they intend to go to in the fall.

Do I have a motion to accept the steering committee—

• (1550)

Mr. Deepak Obhrai: I need a point of clarification—

The Chair: Go ahead.

Mr. Deepak Obhrai: —because I was on the steering committee.

Point number one, when you say “during future meetings”, what exactly do you mean? Are you saying that we're going to have meetings during the break in the summer?

The Chair: No. We're saying that, like today, when Abdelrazik wasn't here, that we would continue to finish this report.

Mr. Deepak Obhrai: But this doesn't mean that we're coming back in the summer?

The Chair: No, it does not.

Hon. Jim Abbott: Do you want to come back in the summer?

The Chair: No. But I think if we have a big day today, we can finish this.

Mr. Deepak Obhrai: No, no. I just want to make sure. That's why I put my hand up.

The Clerk: It's just so that we can table it before the summer adjournment.

The Chair: Yes. The idea is that we try to get this so we can table this before summer adjournment.

Mr. Deepak Obhrai: Fine. That's all I want to know.

The Chair: Mr. Pearson moves it.

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: All right. We will suspend for one moment so we can go in camera.

[*Proceedings continue in camera*]

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