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Tuesday, March 30, 2010

Chair

Mr. Dean Allison

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● (1110)

[English]

The Chair (Mr. Dean Allison (Niagara West—Glanbrook, CPC)): Pursuant to Standing Order 108(2), the study of the situation of the Union of Employees of Rights and Democracy will now commence.

I want to welcome our witnesses here today and thank you for taking time to be here.

For the record, I hope you don't mind extending the meeting a little bit. I know we talked about an hour. There have been requests from some of the parties to make that happen.

To my colleagues, we'll reschedule our subcommittee meeting for another day. We'll go as long as it takes within the two hours, if that's all right.

I'll start with Madame Lévesque, vice-president, Union of Employees of Rights and Democracy. I know you have an opening statement. Then we'll continue along. I'll then ask Mr. Longangué to speak. Then we'll move over to the individuals.

Madame Lévesque, welcome. The floor is yours. We'll have a couple of rounds of questions. The first round will be seven minutes, followed by a second round of five minutes for questions and answers.

Welcome. The floor is yours.

[Translation]

Ms. Micheline Lévesque (Vice-President, Union of Employees of Rights & Democracy, Public Service Alliance of Canada): Thank you, Mr. Chairman. Good morning, ladies and gentlemen.

As you know, Rights and Democracy has been in existence for 20 years. During that time, my colleagues and I have often come to testify before you and before the subcommittee. We have come to defend against human rights violations around the world and to denounce the repressive abuses of various regimes, and never, really never, would we have thought that one day we would be seated in these same chairs defending our own institution.

In a way, this shows the relevance of our organization because if an organization such as ours has to defend itself in a country like Canada, that shows that rights and democracy are never assured. We must always be on the look-out and fight to protect them. So we thank you for inviting us to testify today.

As the chairman said, I am here as vice-president of the Union of Employees of Rights and Democracy. I am accompanied by Maxime

Longangué, president of the union local, and Mr. John Gordon, national president of the Public Service Alliance of Canada, PSAC. As the Public Service Alliance attaches a very high degree of importance to our file, Mr. Gordon wanted to accompany us here today. We thank him for that.

As I was saying, we are pleased to be appearing before you, but we must admit that we are also a bit afraid. We are afraid of reprisals. We must be very prudent in our discussions with you. For a few months now, especially since Mr. Beauregard's death, the work atmosphere has been deteriorating at our office and at times has even undermined our ability to do our jobs. We are operating in an extremely tense, threatening and unhealthy environment. As you know, some of our co-workers have been suspended and dismissed. You will be hearing from three of them today; others are suffering from burn-out.

We have been subject to investigations that we consider an abuse. We have been formally prohibited from speaking publicly about the situation we are going through. Out of professionalism, we are obeying that gag order, but we decided to speak to you today because of the respect we have for the institution you represent. Out of a concern for transparency and accountability, we have decided to speak. Today is the first time the employees' union local has spoken publicly.

I have been with Rights and Democracy for 15 years. I have worked with all presidents, starting with Ed Broadbent, and I really believe it is a privilege to work at this institution. Our professional team has managed to establish an internationally-envied reputation, which has helped enhance Canada's international image. In cooperation with our partners in the field—people whom we admire because they are on the front line defending human rights and democracy in their country—we have been leaders on a number of files such as Colombia, the Democratic Republic of Congo and Burma, to name only a few.

What is also extraordinary and why we are so attached to this institution is that it is the only one of its kind in Canada. It has three characteristics that distinguish it from others. The first is its status, because the institution was created by the Parliament of Canada. There are no other human rights organizations of its kind. The second is its mandate. That mandate stems from the International Bill of Human Rights, not from Canada's foreign policy, which gives us stability, because our mandate stems from the International Bill of Human Rights, regardless of any change in government. The third reason why we are so proud, and why you should also be proud—because it was established for you—is the organization's twofold mission. Very few organizations work in the areas of both human rights and democratic development. I would say it is a gold mine and it must be preserved.

Consequently, all these characteristics—our independence, the unique nature of our mandate and the expertise of Rights and Democracy staff—are characteristics that all former presidents of Rights and Democracy have understood and wanted to protect.

• (1115)

That naturally includes Mr. Beauregard, who truly defended those characteristics body and soul. For every one of us, I swear to you that this really is not easy. Since January, when I was asked how things were going, I have always answered differently. What we are going through is very tough, both personally and professionally, but we are all still working in a professional manner and we have made two commitments.

We have made a commitment to not abandoning our partners in the field because there is a risk that could happen. We have solid programming and our work is important; we don't want to abandon that. The second commitment is to protect the mandate and credibility of this institution. Those are the issues for us.

[English]

The Chair: Welcome, Mr. Longangué. The floor is yours. [*Translation*]

Mr. Maxime Longangué (President, Union of Employees of Rights & Democracy, Public Service Alliance of Canada): Thank you, Mr. Chairman.

As my colleague said, my name is Maxime Longangué, president of the Union of Employees of Rights and Democracy. For some months now, we at Rights and Democracy have been feeling the consequences of a crisis caused by members on our board of directors who do not seem to believe in our institution's mandate, as may be seen from some of their public comments, actions and decisions.

I would like to remind the committee that the five-year 2003-2008 evaluation of Rights and Democracy, revised by the Department of Foreign Affairs and tabled before this committee on April 21, 2009, confirms the relevance of the strategic orientations and the effectiveness of action conducted by Rights and Democracy.

It states that Rights and Democracy's programming is managed in accordance with the principles of accountability and draws on best management practices in those sectors. It also states that the information gathered and the interviews conducted of the various respondents underscore the serious approach of Rights and

Democracy's activities in the field, the quality of execution of its mission and its relevance.

Less than one year ago, outside evaluators, the Department of Foreign Affairs and Parliament agreed that Rights and Democracy was a relevant and effective agency. In that case, since that evaluation, why have certain board members conducted a secret parallel assessment—that some have perceived as defamatory—of Rémi Beauregard and thus of the institution? Why did the representative of the Department of Foreign Affairs resign from the board during the controversy, whereas she was a member of the official committee for the president's performance evaluation?

Why did certain board members cancel, on two-day's notice, the October 2009 board meeting, during which that secret evaluation of Mr. Beauregard was to be discussed? Why was the religious and ethnic background of staff raised by one member of the board of directors in the president's performance evaluation? Why did certain board members question, in a disproportionate manner, partnerships with respected and internationally-known Israeli and Palestinian human rights organizations? Why did the board of directors decide to shut down the Rights and Democracy office that had been established near the UN Human Rights Council and the Office of the United Nations High Commissioner for Human Rights in Geneva, despite a positive external evaluation and recommendations that it be maintained? Why was the new five-year strategic plan developed by Mr. Beauregard not reviewed by the board of directors for a number of months, whereas it was ready for adoption in October 2009? Lastly, why was the termed of one international member, Guido Riveros Franck, not renewed by the other board members at the January 2010 meeting, and why did two board members-including one recipient of the Order of Canada, Ms. Sima Samar—resign in protest?

In view of these questions, can we really believe that this crisis has in fact been caused by staff, as some assert? You are quite aware of the aftermath of the crisis: Mr. Beauregard's death, the suspension and dismissal of employees, the hiring of a specialized investigation firm—focusing in particular on anti-union actions—the hiring of an outside communications firm, the hiring of a forensic accounting firm, the publication of open letters to the board of directors attacking staff, the intimidation of union representatives and the appointment of a new president in the midst of the controversy.

What is more, please note that the lack of day-to-day communication within the organization between senior management and staff while Mr. Gauthier was acting resulted in the collapse of internal conflict resolution mechanisms, even though conflicts were numerous and required responses by the employer in order to establish a harmonious working atmosphere. It's also raised fears that selection criteria for projects and countries where we work would henceforth be politicized.

That, briefly stated, is our perception of the situation as we are experiencing it. We would like to be able to continue effectively carrying out the mandate you parliamentarians have assigned us year after year since 1988. So that we can do so, we are asking the committee to take every measure at its disposal to guarantee the political independence of Rights and Democracy from the government. We hope that, following these hearings, Parliament will take back its responsibilities with regard to Rights and Democracy and ensure full compliance with the act—in particular with section 24 referring to the obligation of board members to act in the best interests of the institution.

More particularly, we are asking the committee for an independent public inquiry into the manner in which the board of directors has discharged its obligations under section 24 of the enabling statute. We are also asking that the committee take measures to provide a framework for the process for making appointments to Rights and Democracy by reviewing them before confirmation—which is consistent with the Accountability Act—and that the committee examine the terms and conditions of funding for Rights and Democracy to ensure its continued existence. The actions of certain members of the board of directors appear to betray this institution's underlying principles. The resulting public controversy is tarnishing Canada's image abroad. Every day there is increasing support for the protection of the institution's mandate, and we are pleased with that fact.

Thank you, Mr. Chairman.

● (1120)

[English]

The Chair: Thank you, Mr. Longangué.

We'll now move to some of the individuals who used to work at Rights and Democracy. We'll start with Mr. Panossian, and then move to Ms. Cloutier and Mr. Vallerand.

I know you have some comments, so we'll turn the floor over to you now.

Mr. Razmik Panossian (As an Individual): First of all, allow me to thank the members of the committee for the invitation. I have appeared at this committee several times before, talking about Rights and Democracy programming.

Regrettably, on this occasion I appear as a former employee, having been dismissed on March 1 after serving as the director of policy, programs, and planning for about six years. Even more regrettable is that on this occasion I have to speak not about our excellent work, which this committee has always appreciated, but about a major crisis that has befallen the institution and torn it apart.

Time is short, so let me get right to the point. The crisis at Rights and Democracy has been brewing for a year. It became very public with the death of Mr. Beauregard, the president, and the subsequent demand by all but two staff members for the resignation of the chair of the board, Mr. Aurel Braun, and two of his colleagues, Jacques Gauthier and Elliot Tepper.

This extraordinary step by 46 people was not a rebellion against board authority or a rejection of the government's right to appoint board members. Everyone at Rights & Democracy is cognizant of the fact that it is a public institution, accountable to Parliament and to Canadians through its board of directors. Never once did we reject this principle. However, as managers and employees we lost confidence in the ability and good faith of three men who were in breach of section 24 of our constitutive act that stipulates that board members shall "act honestly and in good faith with a view to the best interests of the Centre". Our loyalty was and still is to the institution and the public interest it represents; to its mandate given by Parliament; and to the late president, our immediate boss. It is not to individuals who have caused so much pain, acted in ill faith, and broken Rights and Democracy bylaws.

Let me provide some specific examples. A myth has been propagated that Rights and Democracy is not an accountable and transparent institution. Nothing can be further from the truth. Rights and Democracy has never had any accountability or transparency issues. My colleague will testify shortly about the reports of the Auditor General. On the programming side, we have always provided the board with all the information it has asked of us. Mr. Braun has told the media that because of his due diligence he discovered that we funded three organizations in the Middle East, which he labelled toxic.

The fact is this, ladies and gentlemen. I voluntarily told Mr. Braun of these grants within one hour of first meeting him in March 2009, as we briefed him about our programming. Mr. Braun made his displeasure very clear, and I assured him that they were one-off grants and would not be repeated. The story should have ended there. That would have been the reasonable thing to do. But these grants were used as an excuse throughout the year to undermine Mr. Beauregard, and indeed to undermine Rights and Democracy throughout 2009. Note that \$30,000, the total amount of these grants, constituted 0.27% of Rights and Democracy's \$11 million annual budget. You can guess how many hundreds of board and staff hours have gone into dealing with Mr. Braun's hang-up on these grants, up to their final repudiation by the board in January 2010.

The two other issues some board members seem to be obsessed with are Rights and Democracy's European office in Geneva and the Durban Review Conference on racism, also known as Durban II. In their minds the two were intertwined. We gave all the information we could to the board on this. On Durban there was not much to give.

In March 2009 we had already decided not to participate in Durban II. I instructed my staff on March 16 not to register for the conference and not to even physically be in the room. End of story. But throughout 2009 we were harassed—and I do not use the word lightly—about Durban, particularly by Mr. Braun and Mr. Gauthier. They insisted on speaking alone with the Geneva office director, who was not part of the Rights and Democracy management team, and reported to my deputy director. Eventually, under intense pressure, we had to give in, and they did speak to the staff member in Geneva. The two conversations were not pleasant for the employee concerned, who was asked inappropriate questions.

Last month, as my former colleagues said, the office in Geneva was closed by board decision, despite a very positive independent evaluation of activities. **●** (1125)

Mr. Braun, Mr. Gauthier, and Mr. Tepper never seem to be satisfied with all the information we provided. They were convinced a priori that we were hiding something. When Mr. Beauregard and the management team drew the line at board members interrogating the staff directly, we were accused of non-collaboration. By the fall of 2009 we had entered a truly Kafkaesque world: the less evidence there was of a conspiracy, the more convinced they were of a conspiracy.

Let me end with one final example that touched me personally. At the board dinner in March 2009 I was interrogated—again I choose the word carefully—about my background by Mr. Gauthier. He asked me where I was born, what my religion was, how often I visited my country of birth, what family I had there, and what connections I maintained with that family. I responded to all of these questions in good faith, as part of informal chitchat. Board dinners are informal occasions for senior staff and board members to interact. At the end of this 15-minute interrogation I asked Mr. Gauthier if he knew the French word for an east European Jewish dish. He said no, and asked why I asked him. I replied, "I thought you were Jewish." He said no, nor was his wife, and after 30 seconds the conversation moved on.

Imagine my shock when I read about this episode, completely turned on its head and completely ignoring the 15-minute initial questioning, in Monsieur Beauregard's evaluation package sent to the Privy Council Office, with the insinuation that I—and perhaps even management—was anti-Semitic for asking Mr. Gauthier if he was Jewish. He added that he subsequently found out that there were no Jewish employees at Rights and Democracy in this evaluation package.

What did the conversation have to do with Mr. Beauregard's evaluation, or anything else for that matter? The episode, however, does demonstrate the mendacious manner in which certain board members operate.

Let me reiterate again that the board of directors has every right to give policy direction and orientation to the institution and exercise oversight. But board members driven by a single issue and intent on wrestling managerial control from the cabinet-appointed CEO are not acting in the best interest of the centre. Whereas Monsieur Beauregard wanted to protect the independence and non-partisan nature of the organization, just like all previous presidents, Mr. Braun and his allies saw it as questioning board authority and their political views.

What is tragic about this whole debacle is how preventable it was. We were more than willing to take policy direction from the board if any were given. The crisis has devastated the institution, just as it had reached a new height in its programming, in developing a new strategic plan on which we worked for a year, and in building staff unity and morale. All this is now shattered.

I wish the new president, Monsieur Latulippe, good luck in rebuilding what was once a fine public institution.

Thank you.

● (1130)

The Chair: Thank you.

We'll now move to Madame Cloutier.

[Translation]

Ms. Marie-France Cloutier (As an Individual): Thank you, Mr. Chairman.

When I was dismissed in early March, I had been employed by Rights and Democracy for nearly 20 years. I held the position of director of administration and resources and, in that capacity, occupied the position of secretary to the board. Until January of this year, I faithfully worked for all the presidents, regardless of whether they were officially appointed or were acting in that position. I have known all the board members since the centre was opened. They were often of different political allegiances, but, until recently, they all put their expertise in the service of the institution's mandate, without regard to their personal political concerns.

I prepared and cooperated in each of the annual audits conducted by the Office of the Auditor General of Canada, who, in 19 years, issued only one letter of recommendation to management, which is extremely rare, a number of years ago. I also cooperated in four fiveyear reviews, all of which found that the institution was doing an excellent job given the resources allocated to it.

In 2007, allegations of mismanagement were made to the department by an individual whose identity was not revealed. The minister decided at the time to send in a team of inspectors, who released a report recommending certain administrative improvements, but also stating that no evidence of fraud or misappropriation had been found. I worked together with the rest of management to introduce additional controls and to respond to all the recommendations made. All those measures have been in effect since the winter of 2008 and were reinforced by Rémy Beauregard when he took up his position.

In the past year, I have witnessed the change in atmosphere on the board of directors. A cloud of suspicion has insinuated itself into relations between certain board members, on the one hand, and between the president Rémy Beauregard and staff, on the other. Over the years, we have always worked to provide as much relevant information as possible to the board so that it could make informed decisions. When additional issues were raised, we tried to respond to them promptly and accurately. Considerable amounts have been spent during the current year to translate briefing documents.

Currently, and partly as a result of that, it is anticipated that the budget allocated for the operation of the board of directors will be exceeded by 140%. Suddenly, this confident openness no longer seemed to be enough. Questions were increasingly characterized by innuendo and insinuation. People insisted on speaking to employees directly, in the absence of their supervisor. Attempts were made to determine exactly how much certain executives were being paid. In the case of, among others, the European office, the opening of which had been approved by the board, or more special funding passed by the board, which was under the president's authority, the answers we gave were automatically considered incomplete or, even false.

Now all kinds of allegations concerning the legitimacy of certain payments are being reported in the newspapers. I can assure you, and I repeat, that all the financial transactions were made in accordance with established standards, in an entirely legal manner, and in accordance with an open and transparent process. It was mainly the matter of Mr. Beauregard's performance evaluation that set matters off. The committee responsible for the performance evaluation, consisting of Mr. Tepper and Mr. Gauthier, met with the president in March 2009 to discuss his performance. According to the latter, no criticism whatever was made of him during that meeting. The board subsequently met in camera to discuss the president's performance. The chair of the board did not want me to summarize the conclusions of that meeting for the purposes of the minutes, but, according to some board members who have since resigned, the board said it was entirely satisfied with the job done by Mr. Beauregard since his appointment in July 2008.

When we learned that a largely negative evaluation had been sent to Privy Council without any notice to the person concerned, we were all surprised and shocked. I was astounded to read the covering letter of the new board chair, who had been in the position for less than a month at the end of the evaluation period, and of the memo from Mr. Gauthier, in which he said he was surprised that no other staff member was Jewish.

I will leave it to Suzanne Trépanier to tell you about the impact this entire situation had on her husband's morale.

The term of Guido Riveros Franck, an eminent specialist in multiparty democracy in Bolivia, was not renewed, without any reason being given. As a result of that situation, the recipient of the Order of Canada and advocate of human rights in Afghanistan, Dr. Sima Samar, resigned. In my view, these are significant and needless losses

I believe it is my duty to alert the committee to the exceptional nature of the controversy that certain members of the board have consciously orchestrated and that is destroying this institution, which is known around the world for the work it does. I sincerely hope this committee will shed light on the crisis at Rights and Democracy and issue recommendations that can resolve the impasse in which the institution currently finds itself. Thank you.

• (1135)

[English]

The Chair: Thank you very much.

We'll now continue with Mr. Vallerand.

[Translation]

Mr. Charles Vallerand (As an Individual): Good morning, committee members.

First I want to thank you and tell you how pleased we are to be here today. Thanks to those who were able to accept the idea of our appearing here. I believe this is very good news.

In fact, we were waiting for this opportunity so we could at last share with you and with those here present today certain facts and matters that we had preferred to keep to ourselves in recent weeks, despite the controversy raging in the media. It would have been tempting to publicize the repeated incidents that we have observed and documented in the past year which, in our view, proved that there had been harassment and breaches by directors of their obligations under the centre's legislation.

We have waited and, in fact, I believe that we were right to wait to appear before you today since there has in fact been an increase in the number of incidents. There have been numerous incidents. I have distributed a table documenting what happened from the start of 2009 until Mr. Beauregard's death. However, missing is a second table—and I hope it will be compiled—of all the incidents that have occurred since Mr. Beauregard's death. I believe reference was made to that earlier in the comments by my colleagues who are still employed by Rights and Democracy.

Obviously, this behaviour has been reported in the media with considerable interest since it is striking, shocking and quite surprising in an organization that purports to be an example for Canada and a model for countries that aspire to democracy and to compliance with human rights. What particularly shocked all employees, managers and unionized employees, was not so much the types of decisions made as the manner in which individuals behaved toward our president and staff, which were completely inconsistent with the culture and work methods of an organization such as ours.

I would like to briefly review what I call "minor acts", which are documented in the table. In fact, harassment is not easy to establish. Harassing behaviour is not a thunderbolt or a crisis. It consists of minor acts that, one after the other, ultimately wear down, undermine, weaken and destabilize. I believe that is what this is; that is to say that we observed repeated and systematic minor acts that had an effect on Mr. Beauregard and as a result of which the authority of the centre's current president has been seriously compromised.

It is moreover for that reason—if you reread the letter signed by employees which I also forwarded to you—that the words of that letter were carefully weighed. Every word was discussed with the people at Rights and Democracy, including human rights lawyers. The right words had to be found to avoid making gratuitous accusations and to be able to explain and to lead you to understand what we hoped you would understand about what has happened.

So going back over three incidents, the press release on Operation Cast Lead is on page 2 of the table that I distributed to you. It was a minor incident, but it is revealing. In Operation Cast Lead, Israeli forces entered the occupied territories. That was in February 2009. At that time, Rights and Democracy wondered whether to issue a press release to state a position on the matter. Our partners hoped we would because that is somewhat our role. We referred back to positions we had previously stated publicly on similar situations. We therefore published a very brief, very balanced, very measured news release in which we reminded both parties of their obligation to respect human rights and non-combatants, particularly women and children. That is our duty, our mandate.

Mr. Beauregard had the reflex, the intuition, or sensed the need to consult the acting chair of the board at the time, Mr. Gauthier. There was no press release. Mr. Gauthier would have liked to issue a press release condemning the Palestinians for their responsibility in the crisis. It was not up to us to do that. The Department of Foreign Affairs can do that. The Office of the Prime Minister can do that, but we, Rights and Democracy, are concerned with rights and respect for those rights.

Let's talk about another incident, once again innocuous but revealing, at the time when Shiite family law was adopted in May. This was an international crisis. Public opinion was mobilized internationally and in Canada as well. Who knew what, and how long had the minister known it?

• (1140)

This was a glorious moment for Rights and Democracy; it was one of our projects; we were on the front line, and the president was on the spot; it was an international conference. We had incredible national and international media coverage. Over a number of conversations, Embassy Magazine talked about some of us and, in response to apparent contradictions or differing versions, drew a conclusion: Rights and Democracy had informed the minister, the minister knew, and an article had been written on the subject. Mr. Beauregard went back to see Embassy Magazine to rectify the comments reported and to indicate that we were reporting to CIDA in the context of our activities, as we do for each of our projects. At that time, we were in contact and working in coordination with Mr. Cannon's office, with CIDA. The magazine people clearly understood and accepted our position. Embassy Magazine published a correction, and Mr. Beauregard appeared before this committee to explain what had happened. Obviously, Mr. Braun would have liked us to apologize to the minister. He said that we had defied the minister, that we had insulted him, and that something had to be done. Once again, there was no crisis; one was created.

I'll tell you about the final incident, and then I'll continue. In 2007, the journalist Graham Hamilton wrote a series of revealing articles about the so-called misappropriations to Rights and Democracy. He came back to see us in 2009 and said he would like to do a follow-up and complete his file. We prepared, in consultation with Mr. Braun. We told him that it was a good opportunity to say that the administrative strengthening measures were in place, that he was there, Mr. Beauregard was there, that we had restarted the programming and we were turning the page. Mr. Braun's answer was no, that journalists did not really like it when things were concealed from them, that we had to talk about our difficulties on the board of directors, that we had to tell all that to the journalists. He added that, if we didn't do it, he would report the matter publicly. One may well wonder whether it was indeed in the centre's interest for that matter to be revealed at that moment, in view of the past incidents concerning possible misappropriations reported by Graham Hamilton.

Obviously, Mr. Beauregard, as you saw in the newspapers, tried to find a solution. He tried a number of things. He wrote to the minister, together with other board members. He requested meetings; there were a number of interviews with officials. We tried and we organized training on governance at Rights and Democracy. It was a big deal to get everybody to take the training. He also tried to

organize meetings between Mr. Braun and the Privy Council to explain to him what his duties and obligations were as chair of the board. He waited for the new appointments to the board with considerable hope. He said to himself that, if the dynamic was not good, he hoped the next members would understand our work and we could work together. Until the last minute, even after the final appointments last November, he hoped that, he hoped for a change in dynamic and a change in situation. That did not occur.

Mr. Beauregard's solution did not work. With regard to us, at Rights and Democracy, the little letter that we wrote, which was first a letter that we sent to the directors, was our way of finding a solution. Perhaps it was awkward, but it was done in the hope that someone would pay attention to what was going on and that one day light could fortunately be shed on what had happened. That is why we are here today.

In one way, I thank the journalists in the room because, thanks to them, there was some noise, there was considerable, considerable interest. Unfortunately, the solution the minister chose to adopt had quite dramatic effects: we are no longer employed. When you have a family and someone takes away your livelihood, the result is quite dramatic. It's curious that this news of our resignation and dismissal hit on the same day Mr. Latulippe was confirmed in his duties, scarcely a few days before parliamentary business resumed. That might be a matter of circumstance.

I also distributed some minutes of meetings. These are more internal documents, but I wanted to do this to show you that we went back to work the moment Mr. Gauthier was appointed cting president. We reviewed the situation. Rights and Democracy is a unionized environment, consisting of union people and people who understand rights, who advocate democratic principles. We worked with all our colleagues to say that we had asserted our viewpoint, that he had been appointed legitimately, that the matter was over at that point and that, on the following Monday, from the moment he was among us, we were going to work with Mr. Gauthier as acting president. You even have the minutes of the meeting that supposed to set the table for this cooperative effort, in a manner respectful of each party, but we were ready to work with him.

● (1145)

It was our administrative suspension that restarted all that. They created the crisis. They fuelled it themselves. If we were still employed, if there had not been these administrative suspensions... The media are no longer talking about it, Paul Wells wrote. He said that one of the camps was going to lose and that the employees were going to go back to work.

This crisis, which has been called the Rights and Democracy crisis, is becoming a scandal. You will no doubt have the opportunity to ask questions about the expenses of law firms, accountants, private investigators, of the general manager who was appointed and who resigned, of public relations firms, and soon about those related to a lawsuit for wrongful dismissal. This represents money which is normally allocated to public assistance for development and which should be used for that.

What then is the conclusion? That will be up to you to decide. You will have to determine who is right, who is wrong and what recommendations should be made. From another viewpoint, these people definitely acted in a very zealous manner. I think the first mandate of the chair of the board is to try to reconcile the various points of view, to find ground for agreement and, in an agency such as ours, to establish consensus. It is not to lead the charge, to arrive at the first meeting and attack and hammer in the nail until it hurts.

The directors can say all they want that they speak with one voice. They send letters to the editor in the newspapers, but you only see seven signatures. Two were missing. The board is still deeply divided. Mr. Guilbeault and Ms. Maïga never signed those letters. It is not true that the board of directors was unanimous on the problems, misappropriations and frauds.

I believe that the chair of the board was also over zealous in perhaps missing an opportunity to show some humility so he could take a real interest in his work. Mr. Beauregard was completely open to the idea that board members could participate, travel, understand our programs, go into the field and so on. Instead of that, he very soon got mixed up in past issues. The performance evaluation happened before his term started. The annual report of Rights and Democracy was issued before his term started, but he wanted to reread it, to approve it. They insistently, repeatedly—and this was clearly stated—pursued the same issues, as though we were concealing things. Even today, Samson Bélair is still trying to find answers to those questions, whereas we have given them all.

In my opinion, they have taken the role of government agent so much to heart that they have lost sight of the independent, non-partisan status, of the relationship that should be developed and maintained with all parties represented in Parliament and especially—this is dramatic—the central role of the top officer: micromanagement, intervention, knowing everything.

In short, they have politicized Rights and Democracy. They have brought in a program that is not a program of human rights and democracy, and they have breached the centre's act.

We three directors are out of work. Notice to all parties concerned: we place our full trust in the financial audit by Samson Bélair. We believe it will finally make it possible to re-establish the facts—we hope so—once and for all, and not one version or another, and so on. In that sense, we hope and ask, since our management will obviously be called into question, that that document be made public upon its publication and that we can all have access to it.

Thank you for your attention.

[English]

The Chair: Thank you, Mr. Vallerand.

We'll now start with Mr. Patry.

[Translation]

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Thank you very much, Mr. Chairman.

I'm going to share my time with Mr. Rae.

Thank you for being here with us this morning. You are not unaware that this committee has always appreciated your work, both internationally and in your appearances before this committee. That is why I want to repeat that this committee has adopted a number of unanimous motions on a number of occasions to increase your budget. We were very satisfied with your work.

Do you believe the current situation at Rights and Democracy could jeopardize the future of the institution?

Mr. Longangué.

(1150)

Mr. Maxime Longangué: To answer that question, I think you have to refer to the remarks by certain members of the board of directors who insinuated it themselves. I would like to offer two responses to that question.

I had the opportunity to meet with Mr. Gauthier during the only union-management meeting that we had with him and that we had requested numerous times. That meeting was held on March 3 last. We had a long meeting during which Mr. Gauthier told me in front of witnesses that this mobilization around Rights and Democracy and the attacks—which he perceived—on the government in the media had to stop because there could be serious consequences for the institution and its employees. He also said that Minister Cannon was the institution's only support in cabinet and that the government was only waiting for a few more incidents or hassles in order to shut it down.

The second point I would like to make in reply is a quotation from David Matas, in one of his editorials in recent months. And I quote:

[English]

...once the institution does nothing but run its own program, once the government finances the operation entirely and directs it through its board appointees, why should it exist at all? Why should it just not be folded into a government department? Does Rights and Democracy as it has become serve any purpose whatsoever...?

[Translation]

Mr. Bernard Patry: I have a question for Ms. Lévesque.

Ms. Lévesque, why did you say at the outset, when you started your speech, that you were afraid there might be reprisals against you?

Ms. Micheline Lévesque: There are two reasons. The first is if you look at past actions. The second, once again, is in their remarks because the board members often publish open letters.

There's a witch-hunting atmosphere at Rights and Democracy. We see people we don't know. Private firms have been hired. There is an investigation and protection firm which specializes in anti-union activities, among other things. We don't know who is there and we don't know what they're looking for. They take our e-mails. We aren't informed. It's also through their actions because here you have three people who have been dismissed. Other employees have been suspended. We don't have any information. So mistrust prevails. We don't know what is going on and we see that there have been reprisals.

The other part of my answer concerns written documents. I am going to do what Maxime did. We have quoted some passages from those written documents. This comes from an article published in the *Ottawa Citizen* last week, on March 22. It was signed by seven of the nine members of the board of directors. It states:

[English]

All workplaces have their share of disagreement and division. Means exist internally to resolve such problems. But it takes no imagination to guess what would happen to employees in any other workplace who publicly defied, denigrated and demanded the firing of those with legal responsibility for the organization.

[Translation]

The members of the board say that there are internal means for resolving conflicts at Rights and Democracy. I would also like to emphasize that, since Ms. Cloutier was suspended, there have been no further mechanisms. We had a union-management committee. That no longer exists now. So, even internally, there are no conflict resolution mechanisms.

So that is why we are afraid. In addition, as we said, we have received an order not to speak publicly. We are not doing so, out of professionalism, but we felt it was important to come and testify before you. As I said in my presentation, we will obey that order.

[English]

The Chair: Mr. Rae.

Hon. Bob Rae (Toronto Centre, Lib.): Madame Lévesque, are you still with the organization?

[Translation]

Ms. Micheline Lévesque: Yes, and I hope to stay there for a long time.

[English]

Hon. Bob Rae: We all do. I just wanted to be clear.

Ms. Micheline Lévesque: Yes, I am.

Hon. Bob Rae: Okay.

Just to be very clear, in the statement you've just quoted it would seem that the board, in all of their public pronunciations, are really saying this has nothing to do with the Middle East, and nothing to do with differences of opinion about Mr. Beauregard, or anything else. It simply has to do with a question of insubordination, loyalty to the organization, and internal morale.

I'd like to get a clear answer from either you or one of your colleagues as to how you respond to that argument from the board that this unprecedented signing of a letter asking for the removal of three board members meant a confrontation that could only end one way or the other. I don't want to put anybody on the spot, but how else would you have seen this being resolved? It was put directly into the political realm when that occurred, so how do we...?

• (1155)

[Translation]

The letter signed by the 46 employees wound up in the middle of a political debate. How do you find a solution to that situation?

[English]

Ms. Micheline Lévesque: This is why we're asking for an independent investigation. We think it's important to have an investigation to look at the actions of the board and what they have done until now. If the board members think it's coming from...let's have an independent investigation and let's find out.

The Chair: Madame Cloutier, just a quick response, because we're almost out of time.

[Translation]

Ms. Marie-France Cloutier: I would simply like to tell you that that action, that is to say the letter signed by the 46 employees, was our way of being loyal to the organization. It was our way of defending the organization and of ensuring that it would continue to carry out its mandate. We were and still are convinced that this will not be possible with these individuals.

[English]

Mr. Razmik Panossian: Could I add something in ten seconds?

I would also like to point out that after the letter was sent, some of us did reach out to certain board members to say that we were willing to discuss this issue with them and to have some sort of compromise. We had some hopes that certain board members would be a bit more reasonable, but when seven of them signed editorials together, and then we were dismissed immediately after Monsieur Gauthier, we realized that was not what they wanted to do.

The Chair: Thank you.

Thank you, Mr. Rae and Mr. Patry.

We're now going to move to Madame Lalonde for seven minutes, please.

[Translation]

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): I'm going to share my time with Ms. Deschamps.

It's very hard for me to hear all your testimony. I believe in an institution such as yours. In fact, I believe in your institution. For 10 years now, I have sat on the Standing Committee on Foreign Affairs and International Development. We have been in regular contact with you. You have submitted reports to us. We substantially increased your budget in 2005. We believe in this institution, in the way in which it operated.

What hurts is to see that new appointments have transformed this format which was working well. I can only wonder why these people wanted to sabotage—because this is indeed sabotage—this organization. It was said that an investigation had to be conducted, and that's true. Rights and Democracy is an institution that elicits admiration, which is inspiring and from which people can seek information in full confidence.

Do you think this is a management problem or a political problem?

Mr. Razmik Panossian: That's a very good question. We constantly ask ourselves that one, but we don't really have an answer.

We don't have an answer because the board members never gave us a clear idea of what they wanted. On the other hand, in view of their actions, it is clear that, in their minds, the Middle East was a problem region. That's the first point.

Second, I believe it's a matter of power. Some members want to completely control this public institution, which receives \$11 million a year. They want to be subject to no control and will not allow their way of doing things to be questioned in any way. When they started treating Mr. Beauregard not as the president of the organization, but as an employee who had to systematically obey Mr. Braun's orders, the situation became unacceptable for both Mr. Beauregard and us.

There is a difference of interests. It's a matter of power. Some members have an ideological point of view on certain subjects. There is also a problem of incompetence, a lack of knowledge of the way the institution operates, the board.

In my opinion, these are the three factors that led to this crisis.

• (1200)

Mr. Charles Vallerand: I want to supplement that answer. I followed with considerable interest what was written and said in English Canada, particularly during the incidents in recent weeks. I think this provides the committee with food for thought.

In fact, the crisis at Rights and Democracy is an accumulation of a number of errors made along the way, such as the obligation to consult the opposition parties on the appointments that are made. Suddenly there was a realization that it had been done, but too quickly, without any serious study of the matter. The result is that what happens happens.

Have there been any underhanded actions? The pan-Canadian consensus on the question of the Middle East... Mr. Braun was Mr. Braun before he was appointed chair of the board of directors; he did not suddenly change and appear after the fact. The people who appointed him no doubt knew what his interests were.

I believe it was the addition of these factors that made the situation what it is, and that today... To the question as to whether it's political, my answer is yes, to the extent the institution reports to Parliament and therefore to all parties. This is a self-examination that we are conducting today. This is the opportunity for some to say that, since Rights and Democracy is an independent, non-partisan agency, it went too far. It did things that Canadian taxpayers would not accept and that must stop—it has to be reined in. I think that's the question you'll have to debate, and others will no doubt share that point of view.

Consequently, the question is whether the mechanisms of control, accountability, reporting to Parliament and transparency are enough. Does the selection and appointment of directors and the chief executive officer that obviously appears... With respect to Mr. Beauregard, there was a call for applications. He was in Uganda, did the interview in shorts before the minister via teleconference, and he returned to Canada to take up the position, whereas he was retired. He had the qualifications and it was felt that he was the right man for the situation. I can tell you—and we have testified on this—that an organization such as ours, which was coming out of 2007 and the possibility of misappropriations, and

which had gone through a difficult time, was experiencing a rebirth. As Razmik said, we were very mobilized.

I think the management question is central, because it's clear that it was from the moment someone came in with a different conception of the mandate and mission that matters took a turn for the worse. [English]

Who's the boss? Who decides what?

[Translation]

Instead of conducting a general discussion on orientation policy, you can do that through actions, and we do it through..., and without having any clear idea. As Razmik said, there was never any clear idea of the agenda. Let's openly discuss policy oversight and general directions. Then we'll put out the press releases. Let us do the press releases, but do what's part of the mandate of a board of directors.

So there was this combination of political factors that gradually became administrative factors.

[English]

The Chair: Mr. Longangué.

[Translation]

Mr. Maxime Longangué: Thank you.

I would like to supplement that answer, with your permission, with two brief quotations. As was said, there was an outside evaluation done of the performance of our office in Geneva. I would like to briefly cite the evaluator:

The telephone interviews conducted with the board members (as well as with the president of Rights and Democracy and other organization managers) suggested that there were profound differences of opinion between the board (its chair and vice-chair in particular) and the managers of Rights and Democracy with regard to the European office.

Among the general concerns, which went beyond the scope of the European office alone, was the matter of whether the European office (or the headquarters) had contributed directly or indirectly, financially or otherwise, to implementation of follow-up to the UN World Conference on Racism (Durban II).

Here's the last quotation of David Matas, from a letter dated January 2009, entitled "Unravelling":

[English]

The United Nations is notoriously obsessed with beating up on Israel. Was the UN/Geneva money, like the three grants, being spent on that? In particular, was it being spent on the Durban review conference on racism held in Geneva which Canada had decided to boycott?

(1205)

The Chair: Thank you, Madame Lalonde. That's all the time we have.

We're going to Mr. Abbott for seven minutes.

Hon. Jim Abbott (Kootenay—Columbia, CPC): Thank you very much for coming, witnesses. I can appreciate that this is very difficult testimony for you.

I just want to state that I made several important points two weeks ago detailing the fact that Rights and Democracy is an arm's-length organization. This committee should be discussing many pressing international subjects that we're tasked with instead of attempting to micromanage an organization that "is not an agency of Her Majesty".

I state very forcefully that the only role this committee has with your organization is to study international policy and financial information. That is the role of this committee with respect to Rights & Democracy. It is not to have a forum such as we have had this morning.

That said, there have been some things that we are aware of in public and also that have been said this morning. Therefore, I think we do have to ask some questions, regrettably.

Ms. Cloutier, did you refuse to carry out your duties as secretary to the board until your demands were met for the resignation of specific board members?

[Translation]

Ms. Marie-France Cloutier: Following Mr. Beauregard's death, I was diagnosed with serious depression. I am currently under treatment with antidepressants. And I was unable to carry on my role as secretary. That's what I told the chair of the board.

[English]

Hon. Jim Abbott: In your role as secretary, prior to that point your signature was required for the board to enter into contract. My understanding is the board literally could not operate without your signature. If that is correct, maybe you could confirm it. If not, you could enlighten us.

Is that a fact, and did it happen before or after the point that you just gave us?

[Translation]

Ms. Marie-France Cloutier: Contract signing authority fell to the president of the centre, who could designate individuals to replace him. Consequently, under the regulations, the program director and I were empowered to sign contracts on behalf of the centre. It was either the president or the two of us together. Following his death, only the two of us were left to sign contracts.

[English]

Hon. Jim Abbott: Thank you.

Were you ever asked by a member of the board to temporarily reassign that signing authority?

[Translation]

Ms. Marie-France Cloutier: No.

[English]

Hon. Jim Abbott: Did board member Michael Van Pelt ever tell you your refusal to cooperate was preventing him from exercising his "duty of care" to the organization, and if so, what was your response?

[Translation]

Ms. Marie-France Cloutier: Mr. Van Pelt telephoned me to say he wanted to convene a meeting of the board of directors the day before Mr. Beauregard was buried. He told me more or less—I didn't record the conversation—what you just said. My answer was that I was sorry but that, for the moment, we were unable to consider convening the board, that we were going to the funeral the next day and that everyone was still reeling from the shock.

[English]

Hon. Jim Abbott: Did you feel at that point that he was being critical of you?

[Translation]

Ms. Marie-France Cloutier: No.

[English]

Hon. Jim Abbott: Okay.

Tell me if this characterization would be fair or unfair. Did you ever mobilize or assist in mobilizing management and subordinate unionized staff against the board?

[Translation]

Ms. Marie-France Cloutier: Never.

[English]

Hon. Jim Abbott: We understand that you and two of the other dismissed managers and Madame Trepanier have hired a law firm in Montreal. Are you receiving financial assistance personally from any other source for this?

(1210)

[Translation]

Ms. Marie-France Cloutier: No.

[English]

Hon. Jim Abbott: Thank you very much.

With respect to the testimony that you gave us earlier today with respect to the secret report, in your letter you make a big point that the president was treated unfairly because a committee of the board prepared a required evaluation of him without showing it to him. You indicated in your testimony today that this was a surprise to you, but as senior manager you should have known that the constitution of the organization specifically says the report is to be sent directly to the Privy Council.

[Translation]

Ms. Marie-France Cloutier: Yes, it must be sent to the Privy Council, but it doesn't state that it must be done without showing it to the main person concerned. I've been employed by Rights and Democracy for 20 years, and all the presidents have been evaluated by the board of directors and have always seen their performance evaluations. This is normal practice in human resources management.

[English]

Hon. Jim Abbott: We'll be having Mr. Braun here on Thursday, so I will also be asking him. My understanding is that in fact Mr. Beauregard had been offered the opportunity to go over his evaluation many times, and regrettably, even over a long period of time, they couldn't find common time to be able to get together.

Is that your understanding?

[Translation]

Ms. Marie-France Cloutier: I couldn't tell you whether he was summoned on a number of occasions, but I know he was on one occasion when he could not appear because he had an international commitment as president of the centre.

However, I can tell you that I personally tried to convene the evaluation committee at the board's request from August until October, and none of the dates that we suggested suited Mr. Braun or Mr. Gauthier.

[English]

Hon. Jim Abbott: Thank you very much.

Mr. Panossian, were you involved in mobilizing the staff against the board in any way?

Mr. Razmik Panossian: No.

Hon. Jim Abbott: Did you communicate internal proprietary information to outside agencies, such as the media or other human rights organizations?

Mr. Razmik Panossian: No.

Hon. Jim Abbott: Did you use information you gained or human rights networks you developed to mobilize staff against the board?

Mr. Razmik Panossian: No. Hon. Jim Abbott: Thank you.

This, in a way, gives you an opportunity to get on the record exactly these kinds of questions that, legitimately I think, have been asked in the news media.

Did you ever participate in discussions where plans were laid to make you interim president of Rights and Democracy?

Mr. Razmik Panossian: There were no discussions to make me interim president. After the death of Monsieur Beauregard, at the end of the board meeting, Mr. Braun and some others talked among themselves and they looked at me and they said, "Well, we might ask you", and I said, "Well, you decide", and that was it. There were no discussions with me regarding assuming the job of interim president, but there was mention of it.

The Chair: Mr. Abbott, that's all the time we have. We'll have to come back again.

We're going to finish off the first round with Mr. Dewar.

Mr. Paul Dewar (Ottawa Centre, NDP): Thank you, Chair. I want to start with Madame Lévesque.

You mentioned in your testimony—and you've already responded to a question around reprisal—that there was essentially a gag order given to staff not to speak out. I'm wondering if you could tell me who was responsible for that gag order.

[Translation]

Ms. Micheline Lévesque: We received a memo from the chair of the board of directors, Aurel Braun. It was sent to the managers of Rights and Democracy, with certified copies to the board of directors and the Minister of Foreign Affairs, Lawrence Cannon. The managers passed that memo on to us.

It is dated January 25, 2010 and states that "from today until further notice, all of the following must receive written authorization from the chair", with point 3 indicating that this concerned "all notices and other public communications issued by an employee of Rights and Democracy on its behalf."

● (1215)

[English]

Mr. Paul Dewar: As of this point, there's a memo sent to you from Mr. Braun that is copied to the Minister of Foreign Affairs.

Ms. Micheline Lévesque: Yes.

Mr. Paul Dewar: So we now have, for whatever reason—I'm not attributing this to Mr. Cannon at all, he's the cc on it—the head of this organization saying that everything that is stated by employees has to go through him, and he's letting the Minister of Foreign Affairs know that through a cc.

Ms. Micheline Lévesque: Correct.

Mr. Paul Dewar: Okay.

Ms. Micheline Lévesque: That's why, for professionalism, we decided to obey that order, but we speak through our trade union and we are here on behalf of our trade union.

Mr. Paul Dewar: Well, the tragic irony, Chair, if I may, is that at a time when we have an organization that is working to support human rights in places like Afghanistan, the Congo—we know the list—we have an organization that has a chair who is telling employees they can't talk. Not only that, I think if you look at the statute of this organization, it is independent from government, so I have no idea why Mr. Braun feels it's necessary to cc the Minister of Foreign Affairs. I see that more as a chill, a freeze, on employees being able to speak freely. But I want to ask you this. You mention that at this point there was clearly a chill about speaking out. Did staff at that point believe there was an opportunity to actually speak to the chair in an open way?

[Translation]

Mr. Maxime Longangué: Could you clarify the question, please? [*English*]

Mr. Paul Dewar: You get the chill, the gag order. At that point, was there a sense from staff that there was an ability to actually talk to the chair, to deal with the concerns they had? Were there any discussions about what was going on with the chair? Was there an opening by him to say, "Let's try to resolve what's going on", or was it just a—

Mr. Maxime Longangué: During the whole period of the term of Mr. Gauthier there was no communication at all between the board, the interim president, and the staff—no communication at all.

Mr. Paul Dewar: You were just told not to talk?

Mr. Maxime Longangué: Yes. All of the information we had came from management or because we had to ask for it.

Mr. Paul Dewar: Thank you.

Madame Cloutier, I want to ask you about how contracts are done at the institute, certainly when you were there. There were some concerns that Mr. Braun and Mr. Gauthier had about contracts that had been signed by the president, which, according to my understanding, followed within the statute and the bylaws. He was in fact empowered to sign off certain contracts under a certain amount

Do you know of any contracts that, during your time there, were tendered over \$10,000 that didn't have prior approval or were not tendered in a fashion that is under Treasury Board guidelines? In other words, was there ever a time where the board signed off contracts without bringing that information to the board, including the president and employees in that process? Did that ever happen? [Translation]

Ms. Marie-France Cloutier: I would like to clarify one point. The centre's by-laws state that every contract exceeding \$10,000 must be subject to a call for tenders. They also state that the president is fully authorized to do business with consultants in the context of contracts. The president and the employees always abided by those rules.

Last year, the chair and vice-chair of the board retained the services of a law firm. They wanted a legal opinion in order to determine whether they could inform Mr. Beauregard of his performance evaluation. They retained the services of that firm without going to tender. At the June meeting, they ratified the fact that that law firm could continue to work for them. For everything that had previously been done, and for which the amount exceeded \$10,000, they did not proceed by call for tenders. They also did not ask other members of the board for their approval before—

● (1220)

[English]

Mr. Paul Dewar: Merci.

Mr. Chair, I know we've asked that when Mr. Braun and Mr. Gauthier come they bring those contracts with them. I just want to clarify. We've asked for those documents. Have we received them yet, do we know?

The Chair: I don't believe so, but-

Mr. Paul Dewar: I think it's important, because what we've heard here is that the past practice and certainly the guidelines or the statute would allow signing authority to the president, but when it gets to contracts over a certain amount, there is a process or procedure for tendering contracts. That's why I just want to ensure that we have those documents.

Ideally, it was asked by one of my colleagues to have them before Mr. Braun and Mr. Gauthier appeared.

The Chair: True. As soon as we receive them, I'll have them sent out to all the members.

Mr. Paul Dewar: I just have to say, finally, Mr. Chair, through you to the employees, that we have here a picture that's not a pretty one of an institute that's to be promoting democracy and human rights. A horrible irony here is that we've seen, seemingly, a bullied staff and funds being distributed in a way that doesn't look helpful, when they should be used for working on human rights in places like Haiti, the Congo, and Afghanistan.

At least from what we've heard today, and from what I've read in terms of the brief, it seems that since we've had Mr. Braun at the helm, there's been interference, no direction, and clearly turning a venerable institution into one that is under question—and not because of the people who work for it.

Thank you.

The Chair: Thank you, Mr. Dewar.

We're now going to go to our second round, which will be five minutes for questions and answers, and we're going to start with Mr. Abbott.

Hon. Jim Abbott: Just 20 seconds before Mr. Lunney asks the questions, I want to restate forcefully that the role of this committee with Rights and Democracy is to study international policy and financial information. What we are doing here today is we are micromanaging. I state on behalf of the government members that this is the wrong purpose of this. It is not the purpose of this committee to do that.

That said, Mr. Lunney will be continuing this interrogation.

The Chair: Hold on one second.

[Translation]

Ms. Francine Lalonde: What Mr. Abbott says is not true. Our role is not to study international relations but to act through training, to support democracy and rights.

[English]

The Chair: Thank you, Madame Lalonde.

That's not a point of order, so we'll go back over to Mr. Lunney.

Mr. James Lunney (Nanaimo—Alberni, CPC): Thank you, Mr. Chair.

For Mr. Vallerand, though we appreciate the difficult circumstances we find ourselves in here, some questions have to be asked, because stuff is out in the media.

Did you communicate proprietary or confidential information about Rights and Democracy to members of the media without authorization?

[Translation]

Mr. Charles Vallerand: No. I'm going to provide a fuller answer. As director of communications, I tried to respond—

[English]

It's been my job to answer the requests by media to the best of my knowledge without compromising the integrity of the institution, and while doing so, I've attempted to provide accurate information.

Mr. James Lunney: Okay.

Did you tell a reporter from the *National Post* that all employees had signed the letter calling on members of the board to resign?

Mr. Charles Vallerand: Well, the letter had already been leaked, so I did not have to comment on that, or maybe I confirmed that it had been signed by all staff, but it might have already been public knowledge by then.

Mr. James Lunney: Was it in fact true that all employees had signed the letter, or did you seek their signatures after telling the *National Post* reporter that everyone had signed?

Mr. Charles Vallerand: No, we actually offered to staff to sign the letter with a handwritten signature, because Mr. Brown himself had questioned the validity of that petition or letter. Obviously, I can tell you, as you've understood by now, this is an environment where people voluntarily sign documents under no pressure.

So it was offered that we should have an original signed, and there was a delay of probably 10 days for everyone to think through his or her decision, and eventually all but two staff signed it.

I should add that, actually, the head of our Haiti office and her second-in-command also, on their own, requested to sign the letter.

Mr. James Lunney: Okay. So there was at least one staff member who actually was out of the country at the time and was therefore unable to sign the letter?

(1225)

Mr. Charles Vallerand: That's right.

Mr. James Lunney: You've already answered how the signatures were collected, and I think you said it was voluntarily.

Now was the letter in a public place within the office, or did you and others go from office to office actually seeking those signatures?

Mr. Charles Vallerand: I was not personally involved with that sort of procedure. I don't know how it got signed. Maybe colleagues could comment on that.

Mr. James Lunney: Would anybody else care to comment on that? Did anyone go door to door seeking signatures on that? [*Translation*]

Ms. Marie-France Cloutier: Absolutely. It was an employee who took the initiative of going door to door seeking signatures on the petition.

[English]

Mr. James Lunney: I see.

Did anyone express concern to you about feeling pressure to sign? That was the one non-unionized employee. Is that what you're referring to?

[Translation]

Ms. Marie-France Cloutier: I couldn't tell you whether anyone made any comments of that kind since I wasn't the one who carried the letter around. I didn't hear that people had been forced to sign it. [*English*]

Mr. James Lunney: Okay.

So had you heard anything formally or informally about a grievance being signed that was complaining about senior managers pressuring employees to sign?

[Translation]

Ms. Marie-France Cloutier: No.

[English]

Mr. James Lunney: We understand that you have responded to this partly in another form and that in fact you're not receiving financial assistance on a lawsuit, but can you confirm that you have in fact taken legal action or hired a lawyer to act on your behalf? [*Translation*]

Ms. Marie-France Cloutier: Yes, we have retained the services of a lawyer and we are going to institute proceedings for wrongful dismissal.

[English]

Mr. James Lunney: Okay. I'll go back to Mr. Vallerand.

Are you the subject of a grievance from a unionized staff member who complained that you attached his name to the document without permission and that he was harassed to support the attempt to overthrow the board, and that his working environment was poisoned by your actions?

[Translation]

Mr. Charles Vallerand: I haven't heard of that directly or personally.

[English]

Mr. James Lunney: Does anybody else have knowledge of such a grievance being filed?

Okay. Were you involved ...?

The Chair: Was there a comment?

Mr. Maxime Longangué: Could you rephrase the question, please?

Mr. James Lunney: The question was whether you are the subject of a grievance from a unionized staff member who complained that you attached his name to the document without permission, and that he was harassed to support the attempt to overthrow the board, and that his working environment is now somehow poisoned by these actions. Are you aware of a grievance?

Mr. Maxime Longangué: We are aware of the fact that one of the employees did not feel comfortable with having his name on the letter. There was some procedure undertaken, not by the local union but by PSAC itself. So it wasn't dealt with by us.

Mr. James Lunney: Thank you.

For this one, were you involved in discussions from June 2009 until about January 2010 with the Public Service Alliance of Canada representatives or with unionized staff at Rights and Democracy, seeking their support for the dismissal of members of the board of directors at the same time you were negotiating a collective agreement with them?

[Translation]

Ms. Marie-France Cloutier: No, we had no knowledge of that. English

Mr. James Lunney: Were negotiations in fact going on about the union contract?

[Translation]

Ms. Marie-France Cloutier: The collective agreement had been expired since October 2008 and we were in negotiations. That finished just before Christmas.

[English]

Mr. James Lunney: Can you just then confirm that, following the unfortunate passing of Mr. Beauregard, a union contract was in fact signed? My question would simply be, were there conditions of the collective agreement tied to the cooperation in seeking dismissal of members of the board of directors, which was signed at the same time?

[Translation]

Ms. Marie-France Cloutier: Absolutely not! The union representatives can confirm that.

[English]

The Chair: Okay, we'll now move back over to Mr. Rae. The floor is yours.

Hon. Bob Rae: I just want to say for the record, as my friend Mr. Abbott would say, that nothing is more appropriate for this committee and for this Parliament than to recognize a toxic and difficult situation when we see it and to respond accordingly.

Can you tell me, Mr. Vallerand, how long you were an employee of the organization?

Mr. Charles Vallerand: It was a very short time indeed, 18 months.

Hon. Bob Rae: During that time, did you receive any evaluations?

Mr. Charles Vallerand: Yes, once.

Hon. Bob Rae: Was that from Mr. Beauregard?

Mr. Charles Vallerand: From Mr. Beauregard, that's right.

Hon. Bob Rae: Did you have a chance to discuss that evaluation with him?

Mr. Charles Vallerand: Of course.

Hon. Bob Rae: Madame Cloutier, how long have you been with the organization?

[Translation]

Ms. Marie-France Cloutier: For nine and a half years. I was there before the walls were put up.

[English]

Hon. Bob Rae: So you've been with it from the beginning.

You told Mr. Abbott, in response to a question from him, that you were under a doctor's care.

● (1230)

[Translation]

Ms. Marie-France Cloutier: Yes.

[English]

Hon. Bob Rae: And that you advised Mr. Gauthier of that.... [*Translation*]

Ms. Marie-France Cloutier: In fact, I was on sick leave when Mr. Gauthier was appointed. So I never worked under his authority. I was suspended, then dismissed while I was on sick leave.

[English]

Hon. Bob Rae: Let me just repeat that in English. You are a 20-year employee of the organization who was on medical leave, and during the time you were on medical leave, you were put on suspension, and then you were fired.

[Translation]

Ms. Marie-France Cloutier: Yes, and I learned all that through a process server.

[English]

Hon. Bob Rae: That's unbelievable.

If I may just say so, for the record, I think that's an absolutely disgraceful way to treat a long-term employee. I can't countenance

an organization, let alone an organization calling itself Rights and Democracy, that would treat an employee in that way. To me it's unconscionable.

Mr. Panossian, I think you said you were there for six years.

Mr. Razmik Panossian: I started at Rights and Democracy in November 2003, and I assumed the position of director in September 2004

Hon. Bob Rae: How many senior directors are there in the organization?

Mr. Razmik Panossian: There are three of us; two until Charles joined.

Hon. Bob Rae: In the pecking order or the hierarchy of the organization, you report directly to Mr. Beauregard.

Mr. Razmik Panossian: Yes, the two number twos of the organization were Marie-France and I.

Hon. Bob Rae: So you were the two numbers twos.

Mr. Razmik Panossian: Right.

Hon. Bob Rae: You were there for six years. After Mr. Beauregard passed away, you were then fired.

Mr. Razmik Panossian: Yes, it was the same procedure. I was suspended the same day as Madame Cloutier was suspended and then fired by bailiff the same day that Madame Cloutier was fired.

Hon. Bob Rae: You were fired by bailiff?

Mr. Razmik Panossian: Well, the letter arrived by bailiff. It was put in my mailbox, which said that I was fired.

Hon. Bob Rae: I'm sorry, I'm just a little bit stunned by the way this organization operates.

Can you explain to me...? I mean, you were hired by Mr. Beauregard, is that right?

Mr. Razmik Panossian: No, I was hired when Mr. Jean-Louis Roy was president.

Hon. Bob Rae: But you were hired by the president.

Mr. Razmik Panossian: Yes, of course.

Hon. Bob Rae: Were you interviewed by the board for the position?

Mr. Razmik Panossian: Yes, I was, by the president and by a board representative, or by two board representatives.

Hon. Bob Rae: You reported directly to the president.

Mr. Razmik Panossian: Yes, I did.

Hon. Bob Rae: Did you report to the board?

Mr. Razmik Panossian: No, I reported to the president and I attended board meetings, not to vote but to give information.

Hon. Bob Rae: In the ordinary course of events prior to the time when things began to change, you would report directly to the president of the organization and you would attend board meetings, but the board did not take a part in the day-to-day operations of the organization.

Mr. Razmik Panossian: No.

Hon. Bob Rae: Mr. Gauthier became a member of the board and then for a brief period of time was the acting president?

Mr. Razmik Panossian: Of the board, yes.

Hon. Bob Rae: And it's in his role as acting president that you were fired?

Mr. Razmik Panossian: Yes. He was acting president from the end of January until the end of last week, and it was during that period I was fired, that's right.

Hon. Bob Rae: Presumably, if Mr. Latulippe was named as his successor, it would have been possible for Mr. Latulippe, as the incoming president of the organization, to make a decision as to what administrative action should be taken with respect to this question of the conduct of various employees.

Mr. Razmik Panossian: Indeed. We were stunned that we were fired 24 hours before Mr. Latulippe's appointment was announced, was confirmed. That was a Monday. I came home Monday evening and I found the letter dated that day, March 1, and the evening of March 2, Monsieur Latulippe was confirmed by Minister Cannon. The very last possible day before Monsieur Latulippe's nomination, we were fired.

Hon. Bob Rae: Mr. Gauthier never resigned as a member of the board. He was always a member of the board at the same time as he was the acting president.

Mr. Razmik Panossian: Yes, he was.

The Chair: Thank you, Mr. Rae.

We're now going to move back over to Mr. Goldring.

Mr. Peter Goldring (Edmonton East, CPC): Thank you, Mr. Chairman.

Madame Cloutier, you said that while you were on medical leave you signed the contract with the union. Is that correct?

[Translation]

Ms. Marie-France Cloutier: No. I was not yet on sick leave when I signed the agreement with the union. I don't remember the exact date on which I started my sick leave. Whatever the case may be, following Mr. Beauregard's death, Razmik Panossian and I assumed authority, as it were, at the centre. It was during that period that I signed the agreement. The decision had been made before Christmas that it should be signed. That was on January 15, and I started my sick leave later in January.

• (1235)

[English]

Mr. Peter Goldring: Mr. Longangué, you're with the union. Perhaps you could enlighten me as to whether your union has practices to ensure that the employees are being treated fairly and equitably. Are there not provisos for conflict resolution, dispute resolution, from the union contract in cooperation with the management?

Mr. Maxime Longangué: You're asking me if we have mechanisms to deal with—

Mr. Peter Goldring: Most unions do. I think that many large unions have committee persons who are specifically charged with interrelating with employees when there are problems.

Mr. Maxime Longangué: Yes, we do.

Mr. Peter Goldring: Did you employ any of these methods and tactics during the course of this event?

Mr. Maxime Longangué: If you're asking me about the time between January and now, it has been impossible because management has been suspended and then fired. The people responsible for interacting with the union during this period...no one was nominated to replace them, so we didn't have any to speak with. We asked many times. We asked for a meeting with the interim president, Mr. Gauthier. It took us two and a half months to get that first meeting.

Mr. Peter Goldring: As a union, in your contract you do not have provisos there for fair and equitable treatment of employees?

Mr. Maxime Longangué: Yes, we do.

Mr. Peter Goldring: I have to agree with my colleague that this certainly is micromanaging from a parliamentary point of view here, but I will ask the questions.

In the mandate of the organization, Rights and Democracy itself, does it not have provisos in there for how to proceed with certain events? In other words, in its mandate, in its rules of engagement you could say, have all of those procedures been followed in accordance with what the understandings are?

Mr. Maxime Longangué: Is the question for me?

Mr. Peter Goldring: I would like Ms. Lévesque to answer that, please.

Ms. Micheline Lévesque: As Maxime said, we have a committee that is formed by two members of management and two members of the trade union. That's where we bring all issues of discrimination or whatever conflict we have and we discuss it together first. This is a mechanism in order to try to solve any conflict at the local level instead of going for a grievance. Instead of filing a grievance, we try to solve it ourselves. But since Marie-France Cloutier was suspended, she was never replaced, so there is no committee. There is no space now for us to meet the management and discuss. There is no representative of the management. We asked for a meeting with Monsieur Gauthier several times.

Mr. Maxime Longangué: I just want to add that at the meeting we had with Mr. Gauthier, we had many issues that we wanted to discuss with him. It's only because we insisted many times during the meeting that we were able to address some of them, because he didn't want to.

The Chair: Just a quick response from Mr. Panossian.

Mr. Razmik Panossian: Just to clarify, Mr. Goldring, the collective agreement has a lot of provisions to solve conflict between management and employees. The collective agreement does not address conflict between board members and employees or board members and management, so we're talking about two very different types of conflict. The collective agreement is not going to have anything that deals with the situation.

Mr. Peter Goldring: Okay.

I think you had mentioned that this issue is in the courts, or it's with the lawyers. Has action been started? If action has been started, are we not in a bit of a conflict here by discussing this issue if it's before the courts?

Mr. Razmik Panossian: I do not know formally if the action has begun. We have talked to our lawyer, Mr. Julius Grey, who is in the room, but we are not commenting whatsoever on anything that has to do with the legal action at all.

(1240)

Mr. Peter Goldring: Okay. Now, are all three of you having impending action with the courts? You mentioned yourself, Madame Cloutier—

Ms. Marie-France Cloutier: The three of us are.

Mr. Peter Goldring: The three collectively, together?

The Chair: Thank you, Mr. Goldring.

That's all the time we have. We're going to finish up with Madame Deschamps.

[Translation]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): I'm going to start with a really very brief question. I would like to know who appointed Mr. Braun and Mr. Gauthier?

Ms. Marie-France Cloutier: The members of the board are appointed by governor in council on recommendation of the Minister of Foreign Affairs, following consultation with the chair of the board and all its members.

Ms. Johanne Deschamps: As in the case of Mr. Latulippe.

Ms. Marie-France Cloutier: Yes, and that's also the case for the president of the centre. So 10 of the board members and the president of the centre are appointed by governor in council.

Ms. Johanne Deschamps: That reassures me somewhat because I had the impression we weren't allowed to discuss that here, but this is the Standing Committee on Foreign Affairs and International Development. I believe it is also our duty to get answers to all your questions, as Mr. Longangué clearly stated in his address.

A lot of questions also remain unanswered for us. You know we were deeply saddened by the death of Mr. Beauregard. Throughout the entire crisis, we were kept somewhat at a distance from Parliament. We were somewhat excluded for a brief period of time, and these incidents followed quite soon thereafter. In our minds, it was really necessary and imperative to have you here at this table to inform us and give us answers to our questions. We also sense the context in which you currently find yourself, a context of insecurity and discomfort, because we get the impression you have been stripped of your freedom of speech.

Mr. Vallerand, in your testimony and in the minutes you submitted to us concerning the recent incidents, I feel somewhat as though a virus entered your organization and that someone wants to blow it up. You are on the inside. You're going through this crisis. What will result from this? Does someone absolutely want to alter the nature of your organization's mission or to abolish it completely?

Mr. Charles Vallerand: It's a budget that is annual and that currently relies on two sources of funding. We've previously spoken before this committee. Funding from CIDA is a particular cause for concern each year. Ms. Cloutier came here to explain that there was some uncertainty. It is clear that the controversy is gradually fading, and Mr. Latulippe's appointment will obviously calm things down. That's what we hope, and that's what everyone is expecting, but

Rights and Democracy will have to go through another budget and will have to go through a next round of programming. It's then that the die will be cast. The test of a new president doesn't come in the first two weeks. It's when decisions have to be announced. It is clear that Mr. Latulippe will also have to experience the tense relationship that existed between Mr. Beauregard, Mr. Braun and Mr. Gauthier, in his own way, of course, but for the moment that situation remains the same.

Mr. Razmik Panossian: Ms. Deschamps, allow me to answer you in English because I think the subtle meaning of the words is important.

[English]

I remember very clearly when we had the meeting with the entire staff, after we returned from the board meeting in Toronto. What emerged was a letter that we collectively signed. Marie-France and I chaired that meeting. I remember very clearly we told the staff there were two things we didn't want to happen. We didn't want people to lose their jobs and we didn't want the institution to close. Whatever action we took we had to make sure the institution stayed open and employees did not lose their jobs. Obviously, we put our jobs on the line by putting our signatures on that letter. We had the responsibility of telling the employees to please be aware of the consequences of signing this letter, so we did that. That was told to all the employees and repeated on several occasions.

● (1245)

[Translation]

Ms. Micheline Lévesque: I would like to add to what Mr. Panossian said. I think that, for most of us, losing our jobs is not the most important thing. For us, what is at stake is the mandate of this institution. For a number of individuals, it would be so easy to leave because it's not easy to go through this day after day. However, we're not doing it because we don't know who will replace us or what will become of this institution.

The important thing is not our jobs, but rather our partners and all the programming that has been built up. What will happen to that? So the job is secondary. It's really more for those two reasons that we are still working for Rights and Democracy. We're still doing everything we can, in a professional manner, to do our job.

[English]

The Chair: Thank you.

Mr. Dewar, just one quick question and then we'll wrap it up.

Mr. Paul Dewar: Mr. Panossian, there is reference here to Mr. Braun in the documents we were given being outraged that the institute had embarrassed Minister Cannon around the Shia family law issue. That issue had been out in reports to us as a committee, etc.

How did he display his outrage and his anger around that?

Mr. Razmik Panossian: I was directly implicated in that because Mr. Beauregard was in Kabul and I was here. They knew all along that it was my quote that was juxtaposed with the minister's quote on the *Embassy* front page. The interview I gave was not about the minister, was not about CIDA. It was about the general situation and knowledge of this law in Kabul. Immediately after it was published I was in touch with the head of the Afghanistan task force. That morning we had a discussion and explained the situation. The CIDA communications team and our communications team worked together to undo the damage that was done, because I was quoted out of context. When Mr. Braun found out, I believe he e-mailed Rémy. From what I remember, it was a long section in Mr. Beauregard's evaluation. When we read Mr. Beauregard's evaluation, I found out that he was—

Mr. Paul Dewar: I mention this because I asked the government an order paper question about when the officials knew. They told me through an order paper question that the government officials were aware of this issue around Shia law on February 15 and that other countries were worried. This notion that anyone was embarrassing the government is a red herring, and you just explained that.

Madame Cloutier, the last question is for you. In the documents there is some suggestion that Mr. Braun—I'm looking at page 5 of the handout that was provided to the committee—at a meeting of the board of directors in March 2009, the first one chaired by Mr. Braun, asked that you remove references he made to it in minutes of the meeting. Did you do that, and had you previously been asked by any other members of the board of directors to change the minutes of the meeting?

Ms. Marie-France Cloutier: I had never been asked before to change the minutes, except at the next board meeting. If there were corrections to be made or things that needed to be clearer, people would say so and then they voted on the minutes, which was their usual procedure.

At that point, out of courtesy, I sent the draft minutes to Mr. Braun, as the new chair, and asked for his comments. He called me back and gave me a whole bunch of comments, which were acceptable to me. They dealt with the way some motions were phrased and stuff like that. It made sense, so I made the changes, but he also wanted me to change the fact that the president, Mr. Beauregard, had told the board that we would not go to Durban II, wouldn't participate in Durban II, and wouldn't be involved in Durban II. He wanted me to change that to say it was the board that had decided that. But the decision had been taken prior to the board meeting, so I told him so. I said, "This is not what I recall, this is not in my notes, and I'll leave it as it is. At the next meeting, if the other board members agree with you, then I'll change it." So he was really pressuring me to change that.

(1250)

Mr. Paul Dewar: So it was to change a decision that had been made, according to your notes, by Monsieur—

Ms. Marie-France Cloutier: By management.

Mr. Paul Dewar: —by management to Mr. Beauregard, and he was trying to claim that it was made by the board?

Ms. Marie-France Cloutier: Yes.

Mr. Paul Dewar: Thank you.

The Chair: I want to thank all our witnesses for being here today.

We're going to have a subcommittee on Thursday morning, if that's okay, before our meeting at 10 o'clock, probably in the same

Once again, thank you very much for being here today.

The meeting is adjourned.



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