

C-51 – Myths and Facts

Some have said that C-51 is not effective. Can you give me some tangible examples of exactly what this Bill will do?

1. Allow Passport Canada to share information on potential terrorist travelers with the RCMP.
2. Stop known radicalized individuals from boarding a plane bound for a terrorist conflict zone.
3. Criminalize the promotion of terrorism in general, for example statements like “kill all the infidels wherever they are” would become illegal.
4. Allow CSIS agents to speak with the parents of radicalized youth in order to disrupt terrorist travel plans.
5. Give the Government an appeal mechanism to stop information from being released in security certificate proceedings if it could harm a source.

Some have alleged that the Conservative Government is not correct in stating that other allies allow their national security agencies to disrupt threats. What allies can do this work?

In the US the Central Intelligence Agency can, pursuant to the National Security Act, conduct domestic threat disruption with an executive order. In the United Kingdom, MI5 can, pursuant to section 1 of the Security Service Act conduct **any activity** to protect national security. The Norwegian Police Security Service has a mandate to **prevent** and investigate any crime against the state, including terrorism. The Finnish Security Intelligence Service is mandated to prevent crimes that may endanger the governmental or political system, and internal or external security, pursuant to section 10 of the Act on Police Administration. We must ensure that CSIS has the same tools to keep Canadians safe.

Some have said that this legislation will transform CSIS into a secret police force with no accountability, while also violating our basic freedoms and Charter rights. What is wrong with oversight?

Everything about this statement is wrong. C-51 gives no law-enforcement powers to CSIS. CSIS cannot arrest any individual. It cannot charge any individual. What is proposed in C-51 is efforts to stop terrorist attacks while they are still in the planning stages. And what's more, these efforts are subject to robust judicial oversight, and review by the Security Intelligence Review Committee. This is far more in-depth than our allies. At all times, rights under the Constitution are protected.

Will the Communications Security Establishment be able to spy on Canadians as a result of C-51?

No. CSEC's mandate does not change under C-51. CSE acts within the law to protect Canada's national interest and keep Canada and Canadians safe from threats. CSE works to monitor terror and other threats globally.

C-51: What Canadians are Saying

If C-51 had been in place on October 19, Martin Couture Rouleau would have been in prison and my brother would not be dead today - **Louise Vincent, sister of slain Warrant Officer Patrice Vincent**

The NACC and our member airlines understand the need to update Canada's passenger protect program in light of the evolving nature of security threats, and we continue to support the program under C-51. – **Marc-Andre O'Rourke, National Airlines Council of Canada**

Bill C-51 is the most important national security legislation since the 9/11 era. It is designed for the post-9/11 era. It's a new legislation for a new era in terms of security threats. While it's understandable that various provisions of the legislation attract attention, we need to keep our focus on the fundamental purpose and the fundamental challenge of combatting emerging types of terrorism. – **Professor Elliott Tepper, Carleton University**

Bill C-51 is directed against Islamist jihadists and to prevent or pre-empt them from their stated goal to carry out terrorist threats against the West, including Canada. The measures proposed in Bill C-51 to deal with the nature of threats that Canada faces, I believe, are quite rightly and urgently needed to protect and keep secure the freedom of our citizens.– **Professor Salim Mansur, University of Western Ontario**

So-called "Civil Liberties" Groups, Then and Now

This is truly a blank cheque, for there is nothing which falls outside that description of terrorism. One's reading matter, record library, video collection, writings, teaching, etc. suddenly become suitable objects of surveillance, as does how one spends one's leisure time and with whom. – **BC Civil Liberties Association, 1983 discussing the creation of CSIS**

The government's proposed definition of "terrorist activity" is simply too broad. Aside from the fact that you could have targeted Martin Luther King's civilly disobedient freedom rallies and marches through the American South, because they disrupted local transportation, it would potentially brand as terrorists doctors, teachers, and nurses who threaten to strike or withhold services in the face of provincial orders deeming their work an essential service. It could also brand as terrorist the actions of first nations individuals who blockade an airport or a highway.– **BC Civil Liberties Association, 2001, discussing the Anti-terrorism Act**

It would make criminals of individuals whose sentiments may never even leave the confines of their own living room, so long as their listener is someone who might commit a terrorism offence. The new offence contains no requirement that the speaker actually intends a terrorism offence to be committed. It contains no requirement that the listener commit a terrorism offence, either. – **BC Civil Liberties Association, 2015, discussing the Anti-terrorism Act, 2015**