

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

www.lrwc.org; lrwc@portal.ca; Tel: +1 604 738 0338; Fax: +1 604 736 1175

3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

Bill C-51 demonstrates intention to violate international human rights and must be repealed

**Statement
11 June 2015**

Lawyers' Rights Watch Canada profoundly regrets that on 9 June 2015 the *Anti-Terrorist Act*, 2015 (Bill C-51) was passed by the Senate of Canada and will enter into force upon Royal Assent. The Bill was rushed through Parliament in the face of numerous, well-researched and uncontroverted objections from across the political spectrum and from many sectors including anti-terrorism experts, academics, retired judges, lawyers' organizations, privacy experts, business leaders, indigenous leaders and human rights organizations. The Government failed to identify the need for any of the bill's provisions or demonstrate how it would improve on existing protections to liberty and security.

A number of provisions of Bill C-51 violate Canada's *Charter of Rights and Freedoms* (Charter) and Canada's international human rights obligations, including the *International Covenant on Civil and Political Rights* (ICCPR). Bill C-51 poses a serious risk to the right to freedom of expression, the right to freedom of association, the right to peaceful assembly and the right to privacy. It also risks criminalizing democratic dissent. Given Canada's equivocation about implementing the absolute international ban on deportation to torture, there is also potential for violations of the *Convention Against Torture*, should the expanded mandate of CSIS be used to legitimize complicity of Canadian officials in unlawful detention, which is known to heighten risks of torture and ill-treatment.

Bill C-51 allows CSIS to ask judges to issue warrants permitting violations of the *Charter*, other laws or internationally protected rights. These warrants will be obtained in secret hearings, where only the government position will be seen by the judge, with no appeal. This false appearance of judicial oversight potentially puts at risk not only the protected rights of all but also the integrity and independence of Canadian courts.

Lawyers' Rights Watch Canada intends to monitor the use of Bill C-51 and plans to be vigorous in advocacy for its repeal.

Lawyers' Rights Watch Canada (LRWC) is a committee of lawyers who promote human rights and the rule of law through advocacy, education and research. LRWC is an NGO in Special Consultative Status with the Economic and Social Council (ECOSOC) of the United Nations (UN).