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Chair

The Honourable John McKay

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• (0845)

[English]

The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)): Ladies and gentlemen, let's get started. We are likely going to be truncated by a vote at some point.

I want to thank the clerk and the analysts for throwing together this meeting literally on very short notice.

There have been developments since we decided to have this special meeting on INTERPOL, namely, the election of the South Korean gentleman as president. Nevertheless, this is a worthwhile meeting because very few Canadians, me included, have a concept of how INTERPOL works, other than a superficial concept. We're hoping that Superintendent Doran and Sergeant Cameron will enlighten us, and then in the following hour we'll have Marcus Kolga and Bill Browder.

With that, I'll ask Superintendent Doran to speak to the committee on the inner workings of INTERPOL. Thank you.

Chief Superintendent Scott Doran (Intelligence and International Policing Branch, Federal Policing, Royal Canadian Mounted Police): Good morning, Mr. Chair and committee members.

My name is Scott Doran, and as the Director General of International Specialized Services within the RCMP's Federal Policing Program, I'm pleased to be here today to speak to you about the RCMP's engagement with INTERPOL. My colleague Sergeant Ross Cameron hails from the Ontario Provincial Police but works for the RCMP at INTERPOL and has been working there for about six years.

To effectively execute the RCMP's mandate across municipal, provincial, territorial, federal and international levels, we must maintain a strong relationship with law enforcement across the country, and almost more importantly, with those across the globe. These relationships are fundamental to our ability to effectively respond to threats to the safety and security of Canada and Canadians at home and abroad.

INTERPOL is one of our top international partners, and it is the world's largest international police organization. Its mandate is twofold: first, to ensure and promote the widest possible international police co-operation; and second, to develop institutions that are likely to contribute to the prevention and suppression of crime.

Each of INTERPOL's 194 member countries, of which Canada is one, is responsible for maintaining a national central bureau made up of expert and highly trained law enforcement personnel.

INTERPOL Ottawa, which is housed within the RCMP in Ottawa, represents Canada's national central bureau. The RCMP is the designated point of contact for Canada and is responsible for managing the bureau. The bureau is staffed by law enforcement officials, civilians and public service personnel from the RCMP, as well as by police officers from other Canadian law enforcement agencies such as la Sûreté du Québec and the Ontario Provincial Police.

INTERPOL Ottawa serves as the front-line responder for Canadian police investigations and government departments requiring international assistance in criminal matters. It also receives and evaluates requests for assistance from member countries. In effect, it serves as a hub for processing and facilitating criminal information exchanges between domestic and international law enforcement in support of criminal investigations.

The RCMP's commitment to INTERPOL and its efforts is evidenced by the recent nomination and successful election of RCMP Deputy Commissioner Gilles Michaud to INTERPOL's executive committee as delegate for the Americas at the 87th INTERPOL General Assembly, which concluded earlier this week in Dubai, United Arab Emirates. Deputy Commissioner Michaud is one of nine delegates representing the top levels of policing in their respective countries and regions, and he and his counterparts are responsible for setting INTERPOL's organizational policy and direction, as well as for oversight as it relates to the execution of decisions of the INTERPOL General Assembly. By having representation on the executive committee, we will be able to better understand the challenges facing INTERPOL and international law enforcement co-operation and be better positioned to contribute to effective solutions in collaboration with our international policing partners.

Further, the RCMP contributes two senior personnel to INTERPOL on a full-time basis—one at the INTERPOL headquarters in Lyon, France, and the other at the INTERPOL Global Complex for Innovation in Singapore.

Canada and the RCMP are long-standing contributors to INTERPOL. We are of the strong view that our relationship is mutually beneficial. The INTERPOL global network plays a truly valuable role in the advancement of domestic and international law enforcement operations.

Thank you again for the opportunity to speak with you today. I'm happy to respond to any questions that the chair or the committee may have.

•(0850)

The Chair: Thank you, Superintendent Doran.

Ms. Sahota, you have seven minutes, please.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you for being here today.

As you know, there's been a lot of controversy surrounding INTERPOL and the way it functions. I'm hoping that through today's meeting we'll get a better understanding of some of the workings of INTERPOL.

As you mentioned, it was created to establish a non-partisan organization that formalizes police co-operation around the world, but I believe the organization is currently being challenged.

My question is, according to the headlines we have been seeing, how can the head of INTERPOL go to China, be detained without any warning, not be allowed to communicate with his family, and then his letter of resignation is sent, apparently, from what we've heard and read, without any signature? Basically, the world is remaining quiet. We haven't heard much from Canada on this, or from the RCMP.

What is happening?

C/Supt Scott Doran: I don't think it would be appropriate for me to talk about a Chinese investigation into one of their own police officers.

I can say that the person was detained and arrested in China. That's a Chinese national issue to deal with, notwithstanding that the person was the president for INTERPOL, which is an international organization. If they deemed criminal or other malfeasance had occurred, it's for them to deal with.

Ms. Ruby Sahota: Had the person not been Chinese, would it be a different matter? Would it be viewed differently by the RCMP and INTERPOL, and not as an internal matter?

C/Supt Scott Doran: If the person had not been Chinese...?

Ms. Ruby Sahota: Yes.

C/Supt Scott Doran: You might have to paint a bit of a scenario for me to be able to appreciate the nature of your question. This is a Chinese national—

Ms. Ruby Sahota: The president is a Chinese national. Had the president not been a Chinese national would the reaction be different? Would the RCMP and INTERPOL be taking different measures?

C/Supt Scott Doran: Right.

I guess I would have a question, just to seek clarity on your question. Are you suggesting that if a non-Chinese national went, as you say, missing—I don't believe the person went missing—that the person was detained in China?

Ms. Ruby Sahota: Yes, absolutely.

C/Supt Scott Doran: I think the international community might view it differently, but I'm not sure. We'd have to assess that if we knew all the facts of a certain case, if it presented itself.

Ms. Ruby Sahota: Do you feel that with this current scenario there's been a decrease in the public opinion as to whether INTERPOL is really able to protect or do their work efficiently?

C/Supt Scott Doran: No, I don't get a sense that the public has less confidence in INTERPOL, if that's what you're referring to.

I think the machinations of INTERPOL are governed by a strict set of guidelines and rules, and when those rules are adhered to—as of course we do in Canada—I think it is a very effective mechanism and remains an effective mechanism.

Ms. Ruby Sahota: Generally, can you tell me a little more about people who are having problems overseas? If something were to occur to Canadians who are travelling internationally, how would they reach out for help in those types of situations, and what would the response be?

C/Supt Scott Doran: There are a number of different scenarios that could present themselves. Generally speaking, if travelling Canadians find themselves in trouble in a foreign country, there are United Nations conventions that would engage the consular services of Global Affairs. I won't speak in any detail about their engagement and how they do it and why they do it. That's what they do.

In terms of INTERPOL, I don't know specifically that people who are travelling, who find themselves in trouble, would reach out to it at all. It's not what it is for. INTERPOL is a platform for police to share intelligence and evidence of criminal investigations.

•(0855)

Ms. Ruby Sahota: Do you think it's also becoming a platform? There are many accusations that the organization is now being seen as a political tool and not just a law enforcement tool. What would your assessment of that be?

C/Supt Scott Doran: I haven't done an assessment of that.

I would suggest that, from a Canadian perspective, it is not being used as a political tool. We are respecting the terms and conditions with which we are engaged with INTERPOL. There are 194 different countries. There may be the opportunity for 194 different pieces of analysis to be done on how those countries adhere to those rules, but I can't speak to the way the other countries handle it.

From a Canadian perspective, I'm confident that we are being true to the spirit and the constitution of INTERPOL in our engagement with other national central bureaus.

Ms. Ruby Sahota: Can you explain to me a little about the difference between red notices that go out and diffusion notices? Apparently there has been an increase in recent years of these notices being issued.

Can you shed some light on that for me?

C/Supt Scott Doran: INTERPOL uses a notice system. There are a number of different notices: red, yellow, black, green and so on. The red notice is the one I suppose that's been memorialized in movies and TV, and is the most well known. Essentially, it is put out to seek an arrest.

If a country seeks to put a red notice on the system, they do an application to the headquarters in Lyon. The application is vetted for a number of different things, to ensure it adheres to the rule of law and the spirit of the United Nations convention on human rights, under which INTERPOL operates, and to ensure it's verified in terms of the authenticity of the request. Once INTERPOL in Lyon deems it acceptable to be on the system, a red notice is issued and that red notice is accessible to all central bureaus.

From a Canadian perspective, a red notice is an alert. However, we do not arrest people on a red notice. When a red notice is issued, it basically gives us a heads-up that a person is wanted elsewhere. If we believe it to be a valid red notice, we do our own assessment process of that as well.

There are two levels of safeguarding. There's the INTERPOL level in Lyon, and then there's the level of vetting that's done here in Ottawa at the NCB. We would be the first to receive the red notice if there were a nexus to Canada. The vetting is done, and—

Ms. Ruby Sahota: But there are fewer safeguards when it comes to the diffusion notices.

The Chair: Unfortunately, we're going to have to leave it there.

Ms. Ruby Sahota: Thank you.

The Chair: Thank you for that.

[*Translation*]

Mr. Paul-Hus, you have seven minutes.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Mr. Chair.

I want to thank everyone for being here.

A great deal has happened, including the possibility of a Russian being appointed head of INTERPOL. This was very worrying for us. Currently, 194 countries are members of INTERPOL, and a number of those countries have serious concerns about the level of government corruption. We talk about China and Russia, but other smaller and lesser known countries have corrupt governments.

INTERPOL's main goal is to enable police forces to share information. That said, we just talked about the red notices that can lead to an arrest warrant or a request for extradition. You said that, when the request comes from an INTERPOL member country that's considered more or less reliable, the facts are analyzed at the INTERPOL headquarters in Lyon. At this INTERPOL office, who determines whether the request is legitimate?

C/Supt Scott Doran: If you don't mind, I'll answer you in English to make myself understood.

[*English*]

The office of legal affairs of INTERPOL in Lyon is the one that reviews the requests. There's quite an arduous application process for somebody to put a red notice on.

I won't provide comment on individual countries, but I will say that the INTERPOL system and the constitution under which it operates are meant to mitigate the individual differences of countries and create an even playing field, if you will, for criminal investigations. Again, it operates under the spirit of the Universal

Declaration of Human Rights and is quite clear in its mandate that it will not entertain requests that are deemed to be political, religious, military or racial in nature. With that, I believe the screening process is quite robust.

On occasion, do some get through that system? I would think so. Like any system, it's not perfect and it could be fallible. That's why Canada has put in a secondary vetting process that is quite robust.

I think it's relevant that while the INTERPOL office may get a request from a foreign agency or be acting on a red notice, the extent of our activity around that red notice, from a policing perspective, would be to identify the suspect or individual, confirm that they are in fact in Canada, potentially advise the foreign country that the person is here and that if they wish to pursue the matter, they are to contact the Department of Justice and enter into the extradition process, or make a request for extradition with the international assistance group. That's when a significant and very robust vetting process would happen, requiring the entire investigation to be turned over to the Canadian—

• (0900)

[*Translation*]

Mr. Pierre Paul-Hus: Okay, but the people who work at the Lyon office and who assess requests come from different countries. Do they have specific positions or assignment positions? How many countries are involved in the decisions? Who makes the decisions?

[*English*]

C/Supt Scott Doran: The office of legal affairs at INTERPOL is obviously at headquarters. Full-time INTERPOL employees conduct the vetting, based on the INTERPOL screening process.

[*Translation*]

Mr. Pierre Paul-Hus: Do these people come from member countries? Are they Europeans? Who works there in general?

[*English*]

C/Supt Scott Doran: They would most certainly be from member countries, but they are legally trained people who are full-time employees of INTERPOL.

[*Translation*]

Mr. Pierre Paul-Hus: INTERPOL's executive committee now has a South Korean president, and Gilles Michaud also sits on the committee. The 194 member countries have the right to vote on this.

Is there reason to believe that too many of those countries have government management issues and therefore shouldn't be members of INTERPOL? What do you think as a Canadian?

It's a matter of trust. Take the example of the Group of Five. These countries must have a high level of trust to be able to share information. As a police force, does Canada have concerns about certain members? Should we consider excluding some member countries from INTERPOL?

[English]

C/Supt Scott Doran: I would answer that in a couple of ways, I suppose. One, the executive committee is mandated to oversee both the ongoing operations of INTERPOL and the will of the general assembly. With that, of course, where a country has lost the confidence of the executive committee and perhaps the general assembly, there are processes in place to expulse, if you will, a country from INTERPOL. I don't think that decision would ever be taken lightly, obviously.

The other issue is... I think we need to consider perhaps a difference between the policing community and the political community. Some countries may have issues politically, but the reality is, sir, we sometimes have an obligation to interact with their police regardless, because we're trying to investigate criminal offences. At times we will engage with them, having a regard for the charter and human rights and the ministerial directives on information sharing, but nevertheless we are sometimes put in a position where we will deal with countries we have to deal with in order to conduct criminal investigations.

[Translation]

Mr. Pierre Paul-Hus: I have one last question.

This week, the *National Post* informed us that Mr. Goodale's office told journalists that the concept of red notices would soon be changed. Are you aware of these changes?

[English]

C/Supt Scott Doran: No. I'm not.

[Translation]

Mr. Pierre Paul-Hus: Okay, thank you.

[English]

The Chair: Mr. Dubé, you have seven minutes, please.

• (0905)

[Translation]

Mr. Matthew Dubé (Beloil—Chambly, NDP): Thank you, Mr. Chair.

I want to thank everyone for being here this morning.

You mentioned the ministerial directives on information sharing. If possible, can you tell us which protocol you use to share information with the different agencies that you work with through INTERPOL?

[English]

C/Supt Scott Doran: It's not just with INTERPOL, although INTERPOL is obviously a part of the process in terms of information exchange. With respect to the ministerial directive on exchanging information with foreign countries that have potentially questionable human rights, we have a process called the foreign information risk advisory committee within the RCMP. It's an in-house committee where we will conduct risk assessments of countries we intend to share information with. It's chaired by the director general of our national security criminal investigations unit. It comprises a host of people, including INTERPOL.

My colleague Ross has attended these FIRAC meetings, as have I. There's a country assessment done by our federal policing strategic

direction group, and then there's a weight put on the risk assessment, together with the need to share. Depending on the nature of the offence you're investigating, on occasion it may be better not to share, and some other times you may deem it necessary to share.

That said, this process is quite robust and that's the way we would handle it. With what we call risk countries, INTERPOL may engage the FIRAC, but it's not limited to INTERPOL. It could involve our national security folks or our organized crime people. Of course, we have more than 48 liaison officers and analysts posted overseas who are responsible for engaging in information sharing with the countries as well. They are also involved in the FIRAC process to ensure that we're screening the information we're sharing properly and that we're comfortable sharing with the countries we end up sharing with.

[Translation]

Mr. Matthew Dubé: I wonder how the decision to send information to INTERPOL is reached.

Forgive my naivety or ignorance, but take the example of an arrest warrant issued against someone suspected of being in the United States. Obviously, given our close ties as allies, we must refer to some specific agreements that manage our relationship with the Americans rather than report the person's name to the international community through INTERPOL.

Which specific warrant would lead to the decision to involve the entire international community rather than only one or a few countries, on a bilateral or multilateral basis?

[English]

C/Supt Scott Doran: I think that's a fair question, and I think it exemplifies the fact that there are a number of ways to share information with foreign entities. One would be through INTERPOL. Often the INTERPOL channel is used when we are dealing with countries with which we may not have that type of Five Eyes relationship. We also have, of course, ongoing mutual investigations with certain countries. Of course, the RCMP and the FBI are usually engaged in an investigation, typically counterterrorism, on a regular basis, as we are with the authorities in the United Kingdom. They would be exchanging information among themselves outside of the INTERPOL framework.

We would also, in terms of counterterrorism and national-security type of information, typically not use INTERPOL for that purpose, although INTERPOL in the last number of years—I believe since 2004—has begun exchanging more and becoming more involved in counterterrorism types of activities. We still don't generally use INTERPOL for classified information sharing. We will use our international network of liaison officers to do that. For countries with which we still have maybe not really a significant or deep relationship but there's classified information or information on a matter related to national security, we will use our liaison officer network.

I would say that a large part of the INTERPOL network is akin to, for instance, our doing a national investigation and issuing a warrant for somebody and putting them on the Canadian Police Information Centre system, the CPIC system, through which they would be available to all Canadian police. INTERPOL is used in a similar manner, but on an international level.

Does that answer your question?

• (0910)

[Translation]

Mr. Matthew Dubé: I find it interesting that you mentioned anti-terrorism efforts. We may have the wrong impression as a result of the media coverage, but I would like you to clarify a few things. Ultimately, INTERPOL focuses on targeting certain types of crime more than others depending on the multilateral or bilateral relations of the different countries. Is that correct?

[English]

C/Supt Scott Doran: I wouldn't say there's a typical crime, outside of national security being removed from the equation, generally speaking. That's not to say other countries don't use INTERPOL for national security inquiries into Canada. They do regularly, in which case INTERPOL will generally move those requests over to our national security investigations units, and the liaison officer network then takes hold.

That said, I would say the nature and scope of criminality outside of national security that INTERPOL manages is as wide as the Criminal Code. I think what's important to remember, though, is that, based on what I explained earlier on the constitution and on INTERPOL not engaging in activities involving religious beliefs or military activity and so on, I think that's relevant, because, as INTERPOL in Canada, we would be looking at the requests coming in and making sure they align both with our legal framework and with our system of justice, to make sure that we are acting in such a way as we would act here, if you will.

I hope that answers your question.

[Translation]

Mr. Matthew Dubé: I had another question for you, but my speaking time is up.

[English]

The Chair: Yes. Thank you for that, Mr. Dubé.

Monsieur Picard, go ahead for seven minutes, please.

Mr. Michel Picard (Montarville, Lib.): Thank you, gentlemen.

I would invite you to work with me on a learning exercise, mainly for members of the public and students who would be interested in this morning's discussion, and I'll leave to my colleagues and me the leisure of looking at the political aspects of it.

I have a number of short questions. I'll start with an easy one. Can INTERPOL arrest someone?

C/Supt Scott Doran: No.

Mr. Michel Picard: Therefore, INTERPOL needs the support of a local police force.

C/Supt Scott Doran: INTERPOL does not have a law enforcement arm.

Mr. Michel Picard: Is the RCMP the only one that acts on behalf of INTERPOL, or can the OPP and Sûreté du Québec do the same?

C/Supt Scott Doran: RCMP manages the national central bureau, which obviously my partner from the OPP is engaged in. However, the INTERPOL Ottawa office engages with all police forces and other government departments within Canada to share information and to avail themselves of assistance if the other organizations are needed.

Mr. Michel Picard: Looking at the chain of command, when INTERPOL informs a country that there's a person of interest, is it solely the decision of the local police force to decide whether they should act upon it?

For example, if INTERPOL tells you that I am a person of interest, can the RCMP decide whether to proceed or not, or do they have an obligation to proceed?

C/Supt Scott Doran: If INTERPOL advises us that there's a red notice, for instance, that indicates that a foreign country would be willing to arrest that person if they were in their country, that's not to say we will use that same standard. We will not use that standard.

Mr. Michel Picard: If you act, can you act on a person if the alleged crime is covered by our own criminal system? It might not be a crime here but a crime somewhere else. Therefore, what kind of position are you in then?

C/Supt Scott Doran: As a general proposition, and I think I touched on it earlier, I apologize if I wasn't clear enough then.

Mr. Michel Picard: I wasn't listening, maybe, possibly.

C/Supt Scott Doran: That's fair enough.

If a foreign country were to enter a red notice, arguably they say they're willing to arrest this person if they were here, but they believe they're in Canada. That is not enough for us to arrest them. We would receive their request. It has already gone through Lyon and been vetted there to determine its legitimacy.

Once it comes to Canada, we then do another vetting process to ensure that we have all the relevant information. Even then, we would simply confirm that person is in Canada and we would not arrest on the strength of a red notice. We would simply know they were here. Of course it would alert us to the fact there's a potential criminal or threat within our midst, so we may conduct our own investigation if we have a reasonable suspicion to believe a person has committed an offence here. Otherwise, if responsible to do so, we would advise the foreign country that, yes, the person is in Canada, please contact the Department of Justice to begin the extradition request.

• (0915)

Mr. Michel Picard: Why do you need an extradition instead of an arrest authority?

C/Supt Scott Doran: Once they send their investigative package to the Department of Justice, it would go through another stringent review and if the Department of Justice supported the extradition process, they would acquire a provisional arrest warrant. We would then be in a position to arrest the individual and bring them before the court as we would any person we arrested in Canada.

Mr. Michel Picard: When information comes from INTERPOL, does it come from a police force asking INTERPOL to act and collaborate in having, for example, the RCMP or any other police forces act, or does INTERPOL have its own targets it creates? Is it specifically coming from the base?

C/Supt Scott Doran: As a general proposition, the INTERPOL machination would involve country-to-country co-operation through INTERPOL. That said, over the last number of years, INTERPOL has maintained databases on suspected terrorists and other types of offences. In terms of our engagement with INTERPOL and the daily operation and dealing with red notices and other notices, a police force would provide the information to INTERPOL in Lyon. They are the only ones that can upload it onto the INTERPOL system as a red notice, for instance, and they would do their vetting. They're not investigating. They're just validating the information given to them. Then it would come to Canada or wherever, but in this case we're talking about here, and we would validate it again to ensure that we are comfortable.

For instance, in certain countries perhaps it's unlawful to have certain religious beliefs, so people may find it offensive and conduct a criminal investigation and charge somebody. If that came here, obviously it would be against the INTERPOL constitution. We would contact Lyon and make the case that this is not an offence in Canada, nor should it be an offence INTERPOL is willing to entertain. They will review it and likely if they find in our favour, they will eliminate the red notice.

Mr. Michel Picard: The vetting process at INTERPOL means that INTERPOL can decide whether a request is valid or not, or a request from one police force is acceptable or not. INTERPOL has the power to decide whether it will go forward or not.

C/Supt Scott Doran: It does.

Mr. Michel Picard: That means, also, that if the police force involved in that one specific case has strong views and strong links with the authority, chances are it will just convey the request and try to push that to the government where the person of the interest is, hoping that they will concur with their request. That's a very high—

C/Supt Scott Doran: They could go through INTERPOL. They could go bilaterally—directly to the country for action—as well. They don't have to use INTERPOL if they don't want to.

Mr. Michel Picard: Do they do it with an MLAT, or is an MLAT just for investigation?

C/Supt Scott Doran: An MLAT would be for acquiring the evidence. In terms of conducting an investigation, they can just make the request. If we are supportive of the investigation and it's commensurate with our legal framework, we may entertain an investigation. We may not.

Mr. Michel Picard: Thank you very much.

The Chair: Thank you.

Just before I turn it over to Mr. Motz, the analyst just asked me a question that is relevant to the line of questioning here. If and when does the information from these red notices get entered into CPIC?

Sergeant Ross Cameron (INTERPOL (Ottawa), Royal Canadian Mounted Police): The information of a red notice is never entered into CPIC directly from the INTERPOL database. That being said, there is an interface that operates between CPIC and INTERPOL's global databases. If an officer elects to query that function, they can receive INTERPOL database results through their CPIC terminal.

Conversely, we may enter certain information into CPIC to support our domestic investigation, but that is done inside the national central bureau in Ottawa. When our interest is concluded, we remove it. At no time is a red notice transcribed word for word into the CPIC database.

• (0920)

C/Supt Scott Doran: You can actually click a box when you're doing a query. You click an INTERPOL box and you will receive information. If there's a hit on the INTERPOL system, you will receive it. Red notices—

The Chair: You'll receive it from your CPIC inquiry.

C/Supt Scott Doran: Right.

The Chair: Does the INTERPOL information always have to go through the RCMP or the INTERPOL liaison here, or can it go directly to a police officer on Bank Street?

Sgt Ross Cameron: Any law enforcement officer who has access to that CPIC terminal can use it to query INTERPOL databases. That being said, there are MOUs in place between the RCMP and various police services—mine included—that do facilitate officers in having direct access to the web portal where they can conduct their own searches directly on the database. That's considered—

The Chair: In theory, the police officer on Bank Street is not going through the protocols that you folks are going through as to the validity of the red notice.

Sgt Ross Cameron: If he were to query that database through the interface on his CPIC terminal, the results he'd get back would be an abridged version of the red notice. It would be nowhere near as expansive as the original document.

The fact that it is searchable to him means that the notice has not yet been removed from INTERPOL's databases as a result of an identified misuse, or what have you. Conversely, if he does receive any information as a result of his search, he has no lawful authorities in place in Canada to effect an arrest based on the outstanding charges in the foreign country.

At that juncture he would, in all likelihood, document his observations of the scenario and the subject, and then report those back to us at INTERPOL Ottawa. We would make an evaluation of that information and then, were it deemed appropriate, share that with the requesting country.

At no point would an officer on Bank Street be involved in a direct information-sharing engagement with foreign law enforcement.

The Chair: Okay. I don't want to press the point, but we were curious.

C/Supt Scott Doran: No, sir, you raise a good point.

If a red notice is issued in Lyon and the person is believed to be in Canada, it'll come to the NCB—the national central bureau—for vetting, processing and examination. However, if a person travelling from another country who's on a red notice completely unrelated to Canada shows up in Canada, at least the police officer can have an awareness that the person is on a red notice. Police in Canada are aware that you don't arrest on a red notice. We don't.

The Chair: Thank you.

Mr. Motz, you have five minutes.

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Thank you.

Thank you, gentlemen, for being here today.

The main reason we're here this morning having this conversation is the angst created by, one, the former head of INTERPOL being arrested in China and then, two, the strong-arm tactics of the rumours of the Russians putting their person in charge of INTERPOL or advocating for that very aggressively.

We know there's political interference. I want to get to a question, but I need to just have some clarity first. You mentioned, Chief Superintendent, that there's an executive committee of INTERPOL. Obviously, the selection of those individuals is done by the member countries. I suspect, then, that selection is political.

C/Supt Scott Doran: No.

Mr. Glen Motz: If it isn't, can you describe for us how the executive committee is...? First of all, how are members identified in those countries? How is an executive committee developed inside of INTERPOL itself?

C/Supt Scott Doran: Okay. I'll do my best to answer that question, sir. I am not familiar with all the machinations of the electoral process.

Mr. Glen Motz: I only have four minutes left, and I want to get to the answer.

C/Supt Scott Doran: Okay, I will answer quickly then.

Essentially, police officers, generally senior executives, can self-identify and put their name in the hat, as it were, to run for a given position. Yes, there's a lot of seeking of support and a lot of back and forth with like-minded countries in the electoral process.

First of all, there's a president, three vice-presidents and nine delegates, all divided by four regions in the world. There's representation from Asia, Europe, Africa and the Americas. Once it goes to the general assembly, it is the 194 countries that vote for the different vice-presidencies, delegates, the president and so on.

I will say, as to your angst about the Russian president, you may know that he's been vice-president for a number of years and that the executive committee operates as a unit and that the president is the administrator, I would say for lack of a better word, of the executive committee but doesn't have any more significant power than any other member.

Therefore, it is really an issue of consensus building and doing what's best for the INTERPOL communities.

● (0925)

Mr. Glen Motz: Having said that, a country like Canada and you as the RCMP's representative for Canada on INTERPOL, how do we advocate for expanded relief for the victims of the abuses of red notices, like Bill Browder? What do we do as a country to ensure the credibility of INTERPOL, because this is...? Red notices are a blatant, obvious political interference in some of these circumstances and are creating angst across member countries.

What, in your opinions, should Canada's role be, and what does it need to be in making sure we can expand relief for those people who are on red notice and shouldn't be on a red notice in the first place?

C/Supt Scott Doran: I will say that, within the construct of INTERPOL itself, there are mechanisms for people to apply if they feel they're on a red notice, for instance, and they ought not to be. There's an office called the Commission for the Control of Files that is an independent body from INTERPOL, working to ensure that the constitution is adhered to and that the human rights conditions are met with respect to INTERPOL red notices and other notices.

A person can apply to that group for consideration that their name be taken off the list. That said, I would also suggest that currently we're in a favourable position in terms of having a strong Canadian representative on the executive committee. Certainly these issues can be brought up within the executive committee for discussion.

That said, we have a really strong Criminal Code but people seem to break it all the time. I think we need to appreciate that, regardless of how many rules and things you put in place, there are going to be issues. When those issues are raised, I think the executive committee has the responsibility to address them.

Mr. Glen Motz: Having said that, sir, does that not call the credibility or integrity of INTERPOL into question in some regard?

There are some great countries involved and there are some countries that we all believe could be suspect in their level of credibility. Does that not also bring down the credibility of INTERPOL on their ability to properly manage the data and the people?

An example is red notices or other investigations to advance a political purpose. It seems that they are using a policing purpose, INTERPOL, to advance their own political agendas in those countries.

How do we...?

The Chair: Just very briefly.

I've been very generous to Mr. Motz.

Mr. Glen Motz: Thank you, Chair.

C/Supt Scott Doran: I will simply say, sir, that I'm not in a position, obviously, to speak to that particular case. As I said earlier, there will be different levels of engagement. Will there be malfeasance from time to time? Yes.

I believe the INTERPOL constitution and the rules that govern the body are significant and aim to ensure the integrity of INTERPOL.

The Chair: Mr. Motz, you're stretching my generosity.

Mr. Glen Motz: I know, but are there repercussions? That's the thing we need to find out.

The Chair: These are important questions, but Mr. Wrzesnewskyj also has some important questions, so five minutes go to Mr. Wrzesnewskyj.

Welcome to the committee.

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Thank you.

Thank you for joining us today.

Red notices and how they've been abused by Russia and the Kremlin is one serious issue. The other issue is that it's been politicized in another way. It's not just being used to target political

foes or opponents of the Putin regime. Countries like Kosovo, who are up for application, were blocked by Russian lobbying. That has everything to do with geopolitics.

INTERPOL is supposed to be above politics, yet you see at its assemblies that geopolitics gets played out. Russia lobbied very hard to prevent Kosovo from joining. The State Department has said that what that has created is a gap, and that prevented the international policing structure of INTERPOL from closing a critical security gap in the Balkans. The Balkans are another hotbed for cyber-criminality, narcotics, arms and human smuggling.

I was wondering if you could comment on how Russia has politicized in this case, with geopolitical implications, the structures of INTERPOL.

● (0930)

C/Supt Scott Doran: I'm unfamiliar with how Russia may or may not have operated around this INTERPOL election. I can simply say that there are 194 countries represented on INTERPOL, each having a vote. How they vote is certainly held within their own conscience. I don't know if they were influenced by Russia or not. I can't really speak to that in particular.

Mr. Borys Wrzesnewskyj: It seems clear, and from statements made by those who took part, Russia and Serbia, in fact, were behind the lobbying efforts when it came to Kosovo.

Sir, would you classify Russia as a kleptocracy?

C/Supt Scott Doran: I'm not going to classify Russia as anything. I don't believe it's relevant to this conversation, sir. I'm not sure how that's relevant to the INTERPOL conversation.

Mr. Borys Wrzesnewskyj: A country that many view as a kleptocracy, a gangster state, is not only a member but has one of its key officials on a board that makes very important decisions in terms of international policing. A country that provides sanctuary to international criminals involved in arms smuggling, human smuggling and drug smuggling has access to some of the most important information that this police force has in regard to trying to address those very problems.

Is that not a serious flaw in the structures of INTERPOL and, in fact, undermines the very purpose of the organization?

The Chair: I'm not sure that Superintendent Doran can actually comment on that. It may be a perfectly valid point, but Superintendent Doran is here to tell us how the current system works. Any speculation beyond that is just that, speculation.

You still have a minute.

Mr. Borys Wrzesnewskyj: Let me put it a different way. We've clearly had situations here in Canada where red notices were used, in the case of Bill Browder, that undermined the very methods that INTERPOL uses to address the issues of international criminality, and it caused us a problem because it was being abused.

C/Supt Scott Doran: I won't speak to Mr. Browder's case specifically. I'm not familiar enough with it to be able to do that. However, I appreciate your concern about Russia being on the executive committee or being perhaps a member of INTERPOL at all.

I will simply add that Russia is but one of nine delegate people, three vice-presidents and one president who are meant to govern the INTERPOL operations. Therefore, there's representation from the globe. The geopolitical realities are all present. Certainly we're fortunate that we have a strong Canadian representative who can espouse good Canadian values within the INTERPOL system.

While I do appreciate your concern, I feel certainly from an INTERPOL perspective there is an adequate balance of representation to offset the concern.

• (0935)

The Chair: Thank you, Mr. Wrzesnewskyj.

Mr. Eglinski, please, you have five minutes.

Mr. Jim Eglinski (Yellowhead, CPC): I would like to thank both witnesses for coming out this morning.

You were talking about the oversight. I would like to go into it a little more.

Can INTERPOL put pressure on Canada or the RCMP if you decide you are not going to react to the other thing? You mentioned you had an oversight group within the RCMP organization, made up not only of RCMP but other police forces. Do you have enough strength just to say, "No, we're not doing that. No, we're not going to send you that information. No, we don't think it's relevant. No, we don't think it falls within the human rights?"

C/Supt Scott Doran: Absolutely. We would base our information on our own set of rules, appreciating that we're a member of INTERPOL and the goal of INTERPOL is to expand the sharing and do as much as we can internationally.

Where we would have concerns about sharing, we can unilaterally decide we are not going to.

Mr. Jim Eglinski: There is no external pressure that can make you change your minds.

C/Supt Scott Doran: No.

Mr. Jim Eglinski: Okay.

In regard to the executive committee you mentioned, made up of nine people from different countries of the 194 member countries, do all of your executive have past police experience or come from police departments within those countries?

C/Supt Scott Doran: Yes. There are nine delegates, three vice-presidents and a president, and all hail from law enforcement of one type or another.

Mr. Jim Eglinski: They are probably a senior-ranked official from that country.

C/Supt Scott Doran: That's correct.

Mr. Jim Eglinski: Our representative is a deputy commissioner.

C/Supt Scott Doran: That's correct.

Mr. Jim Eglinski: Okay.

How long do our representatives from Canada usually stay, or how long are they employed in the organization? Right now, you're chief superintendent. You could go to deputy commissioner.

Are the people we send relatively experienced in the role of INTERPOL policing, in our international policing?

C/Supt Scott Doran: Yes. The former Canadian representative on the executive committee was Deputy Commissioner Todd Shean, who has just recently retired. He spent a number of years in federal policing, so he understands and was responsible for INTERPOL while he was at headquarters before taking his deputy commissioner promotion.

Deputy Commissioner Gilles Michaud has been in federal policing all of his service, so he's very well aware of INTERPOL.

Mr. Jim Eglinski: I have one really quick question. In an average year, how many red notices would Canada get?

Sgt Ross Cameron: Do you mean the ones that are received from other countries?

Mr. Jim Eglinski: Yes.

Sgt Ross Cameron: I wouldn't have the specific data there.

Mr. Jim Eglinski: Do you get a lot?

Sgt Ross Cameron: Yes.

C/Supt Scott Doran: On average, INTERPOL will open around 4,000 files a year. That's both requests into Canada and requests from Canada going out. There are around 4,000, not all red notices, just requests for information.

Mr. Jim Eglinski: Okay.

Am I out of time?

The Chair: You have a minute left.

Mind you, Mr. Motz has used up more than your minute.

Mr. Jim Eglinski: Thanks.

You also mentioned that besides the oversight you have within the RCMP organization, if a member country is looking to have a warrant executed, they have to go through the justice system. Then you said there's an oversight organization within the justice committee that will look at that to see if it's going to activate that warrant and authorize an arrest.

Do you know who makes up that oversight?

C/Supt Scott Doran: That's actually a Department of Justice office called the international assistance group that is responsible for all requests leaving Canada and coming into Canada for extradition. They are experts in the issues of the Extradition Act. They are responsible for overseeing the extradition treaties with the various countries we have treaties with, and that is their expertise.

• (0940)

Mr. Jim Eglinski: If they issued a go-ahead on a warrant, depending on what the crime was in that country that asked for it, would the RCMP send that on to another police force, or would our RCMP go and work with the Canadian police force to make that arrest?

C/Supt Scott Doran: It depends. Generally an arrest warrant that's issued for extradition will be managed by the police of jurisdiction. The international assistance group, once it's at that point, and it's within their holdings and they're making decisions, they'll engage the police of jurisdiction to follow up. They may contact the RCMP as well, and often we are the police of jurisdiction, of course.

The Chair: Thank you, Mr. Eglinski.

We'll have Mr. Spengemann for the final five minutes, please.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Mr. Chair, thank you very much. I'm glad you're feeling generous today.

Chief Superintendent Doran, Sergeant Cameron, thank you for being with us. Thank you for your service.

It was a good moment for Canada when Deputy Commissioner Michaud was elected. I think I'd like to, for the record, congratulate him and wish him well in this very important position. He represents the Americas.

Can you zoom in a little on what his role would be, not just as a Canadian officer on INTERPOL but what he would specifically be mandated to do to represent the Americas? What kinds of law enforcement issues would come to his desk in that role?

C/Supt Scott Doran: I'd probably defer to him to give you the specifics on that. Generally speaking, the executive committee is mandated to meet three times a year. As a representative for the Americas, he would be culling the problems, the issues, the policy-related matters, perhaps issues on countries of concern and the way people are operating within the INTERPOL framework. He would bring those issues back to the INTERPOL executive committee to table them, discuss them and come up with policy direction.

Also, from the general assembly, which just ended, there are a host of issues that land on their plate in terms of agenda items to discuss, decisions to be made and so on. The executive committee is then mandated to, for lack of a better word, "operationalize" the decisions of the general assembly, so they would go back into theatre, in his case the Americas, and work through those issues.

Mr. Sven Spengemann: He would really be a voice for the countries of the Americas. They would look to him as representing them.

C/Supt Scott Doran: Yes, to him, and there's a vice-president for the Americas, and a number of delegates. They would, together, coordinate the activities within the western hemisphere.

Mr. Sven Spengemann: Do you know when the last time was that a Canadian represented the Americas? If you don't, is that something you could—

C/Supt Scott Doran: We had the vice-president of the Americas, who was Deputy Commissioner Todd Shean, who just left the post.

Deputy Michaud took over as a delegate rather than the vice-president.

Mr. Sven Spengemann: Excellent. Thank you.

You described INTERPOL really to be almost one-for-one a United Nations of the law enforcement community. Pretty much everybody is part of the club.

How does INTERPOL intersect with United Nations law enforcement entities? I'm thinking particularly of UNODC, or other parts of the UN system that are involved in the suppression of crime.

C/Supt Scott Doran: To be fair, I don't know exactly how they interact. I know that INTERPOL has been recognized by the United Nations as an international organization. They do operate under international law, not unlike the United Nations, and they do work with the United Nations. One of the notices, in fact, is the INTERPOL-UN council special notice, which is issued for groups and individuals associated with al Qaeda or Taliban, and subject to sanctions and so on. They do work with different United Nations organizations, different subcommittees and so on, where there is a law enforcement interest.

Mr. Sven Spengemann: That's helpful. Thank you.

Is it a fair statement to say that the drug trade and organized crime are elements that INTERPOL would be quite concerned about and it actually would get some operational issues coming its way from that side?

C/Supt Scott Doran: That's fair, yes.

Mr. Sven Spengemann: Would you have any statistics?

C/Supt Scott Doran: In terms of...?

Mr. Sven Spengemann: Would the RCMP collect any statistics in terms of how much of INTERPOL's work is related to drugs and crime and organized crime?

C/Supt Scott Doran: We do have those. I don't have them here, but I can certainly—

Mr. Sven Spengemann: If they're available...?

C/Supt Scott Doran: They're available.

Mr. Sven Spengemann: Thank you for that.

You mentioned the UN Universal Declaration of Human Rights. In fact, we're about to celebrate its 70th anniversary. Can you go back and comment a bit more on how that UN human rights framework is connected to the fabric of INTERPOL and its operational mandates?

• (0945)

C/Supt Scott Doran: I would say that INTERPOL has declared that they do operate under the spirit of the declaration. With that comes everything that comes with it. Where the standards are set by the United Nations on human rights conditions and issues revolving around human rights, INTERPOL would adopt those as their own and would structure their policies and constitution in line with the regulations.

Mr. Sven Spengemann: Okay.

Lastly, I only have 30 seconds, but just to clarify, it was your statement that the head of INTERPOL would be quite constrained because there's a culture of consensus across the vice-presidents. Even if the president were a person of concern—or it could equally be a vice-president who would be of equal concern—the checks and balances are such that no single individual could inflict harm upon the organization. Is that a fair summary of what you said?

C/Supt Scott Doran: There are two things on that.

One, yes, that is a fair summary, I feel. The executive committee is representative of people from around the globe who possess different values systems and so on and are playing a role in the decision-making.

The other thing I would say is that there are 194 countries there. While we may characterize someone as unfavourable, someone else, and maybe a majority, has elected them in. That's the nature of the international fora. We have to navigate those waters carefully, and we do. I think the system in place actually recognizes those issues. Therefore, the general sort of consensus-building approach is what's used.

Mr. Sven Spengemann: Thank you, Mr. Chair.

The Chair: Thank you.

I am apparently feeling generous today. Mr. Picard has a 15-second statement that he wishes to make.

[*Translation*]

Mr. Michel Picard: Thank you.

I hope that my colleagues agree that the purpose of this morning's exercise isn't to call into question INTERPOL's reliability and credibility, despite the possible actions of individuals or a group of individuals that are against its interests.

[*English*]

The Chair: Thank you.

Chief Superintendent Doran and Sergeant Cameron, thank you for being here literally on short notice, red or otherwise. We appreciate your elucidating for us on the intricacies. However, as I sit here, I must admit to a curiosity. If the Secretary-General of the United Nations went back to his or her home country and just disappeared, the entire international community would be very upset about it, hence some of the basis for our inquiry.

I'm going to suspend for a minute or two. We have Mr. Browder coming in by teleconference and Mr. Kasparov coming in by telephone, and we all know that technical connections don't always work as they're supposed to. With that, we'll suspend for a couple of minutes to make sure everything is online. Thank you.

• (0945)

(Pause)

• (0950)

The Chair: We're back in order, colleagues.

We have with us, via teleconference, Mr. Browder, I assume from London, and Mr. Kolga, I assume from Toronto. By telephone we have Mr. Kasparov. He is in New York and it is American Thanksgiving and we thank him for making some time for us.

I don't have any particular order, but I'll start with Mr. Browder because he is the furthest away.

Go ahead.

Mr. William Browder (Head of Global Magnitsky Justice Campaign, Hermitage Capital Management): Thank you very much for inviting me to talk about INTERPOL today. It's quite a topical and important issue, which has risen to the top of the global agenda in the last couple of days; however, it's been on my agenda for a lot longer than a couple of days. I thought it would be useful for the committee to hear my experience with Russia's abuse of INTERPOL to understand where the flaws in the system are.

Many of you will know me from the work that I've been doing over the last nine years in the Magnitsky justice campaign. For those of you who don't know me, I am Bill Browder. At one time I was the employer of my lawyer, Sergei Magnitsky, in Russia. Sergei Magnitsky uncovered a massive \$230-million corruption scheme. He exposed it and in retaliation he was arrested, tortured for 358 days and killed in November 2009.

For the last nine years, I've been on a mission to get justice for him and that mission for justice ended up focusing on legislation named after Sergei Magnitsky, called the Magnitsky Act. In 2012, I was able to advocate in the United States to get the U.S. Congress to pass the Magnitsky Act in December 2012. I should say that this piece of legislation very much upset Vladimir Putin. It upset Vladimir Putin because the Magnitsky Act freezes assets and bans visas of human rights violators from Russia. Vladimir Putin is a human rights violator and he's a person with a lot of assets. Therefore, he felt personally at risk from this legislation.

He embarked after that on a vendetta against me, which has lasted up until today. One of the first and most obvious signs of that vendetta was that in May 2013, about five months after the Magnitsky Act was passed in the United States, Russia issued an INTERPOL red notice for me. An INTERPOL red notice is effectively as close as you get to an international arrest warrant, in which Russia asked to have me arrested through INTERPOL any place that I travelled to.

When we became aware of this, my lawyers provided detailed evidence that this request from Russia was illegitimate and politically motivated. I'm a quite high-profile campaigner. My issue was quite high profile and it did rise to the level of being evaluated in INTERPOL through an organization inside INTERPOL called the Commission for the Control of Files. That's the organization that is supposed to look at the legitimacy of red notices if there's a meaningful challenge.

This Commission for the Control of Files, shortly after we filed our documents, about two weeks later, came to the conclusion that Russia's request to have me arrested violated INTERPOL's constitution. INTERPOL'S constitution says that INTERPOL should not be used for political, religious or military purposes. In this particular case, they said it violated the constitution because it was politically motivated and, therefore, they rejected it. Then they informed all 194 member states not to honour this red notice and to delete it from their system.

I thought that was the end of the story. I thought that I would no longer have any trouble with Russia and INTERPOL.

Shortly after that, as part of Putin's vendetta, I was put on trial in absentia in Russia. Not only was I put on trial, but they put Sergei Magnitsky, my lawyer who had been murdered three years earlier, on trial as well, in the first-ever trial against a dead man in the history of Russia. At the conclusion of the trial in July 2013, I was found guilty and so was Sergei Magnitsky, and Russia then applied again, on the same charges that had been rejected before, for another red notice. Again—and it didn't require any intervention from my side at this point—Russia's request was rejected.

● (0955)

At that point, I thought for sure that I was finished with trouble from Russia abusing INTERPOL, but I was not. In 2014 the Russian government applied again through INTERPOL to have me arrested. It was again rejected in 2015. There were two more attempts after that, which were rejected.

Then, in October of last year, the Canadian Parliament—you—passed the Canadian Magnitsky act. Literally a day after the Canadian Magnitsky act was passed, Russia issued another INTERPOL notice. That time, it was a diffusion notice, not a red notice. A diffusion notice is a slightly less vetted type of arrest warrant. It's effectively like a preliminary arrest warrant while they process a red notice. Russia issued a diffusion notice for me. Again, after my applying to INTERPOL and pointing out that this was politically motivated, INTERPOL rejected it about a week later. That was number six. That was the sixth time they went to INTERPOL.

As of Tuesday of this week, the European Union has begun serious discussions on an EU Magnitsky act. On the same day, the Russian government announced a whole number of new charges against me, including the unbelievable and ludicrous charge that I somehow murdered Sergei Magnitsky. They then announced that they were going to INTERPOL for a seventh time. On a serial basis, we have Russia abusing INTERPOL. They just did not get the point after one, two, three, four, five or six times.

What is the moral of this story? The moral of the story is that if a country wants to abuse INTERPOL they can just keep on abusing INTERPOL, and it doesn't really matter how many times they do it.

INTERPOL has in its rule book a set of rules that say that if a country consistently abuses INTERPOL, then that country can be suspended from using its systems. I would say that my case by itself—I'll talk just briefly about other cases in a moment—is a perfect example of serial abuse by a country of INTERPOL. This provision in the INTERPOL constitution has never been activated, but as I would argue, part of my project for the next few months is to put formally in place a request for INTERPOL to suspend Russia from their systems.

Let me finish off by saying one thing, which is that my story tells you about serial abuse. In theory, some people from INTERPOL could argue, "Look, our systems do work, because every time Russia has gone after Bill Browder, we have rejected it." That's all fine and nice, except that I'm probably the most high-profile person in the world with this problem. I've even written a book called *Red Notice*, which is an international bestseller. Everybody knows about me,

with all my notoriety and my resources, but there are literally hundreds if not thousands of human rights lawyers, activists and opposition politicians in Russia who don't have my notoriety, my resources and my lawyers, and who are being chased down.

Thank you.

● (1000)

The Chair: Thank you. I'm going to Mr. Kasparov. I'm hoping that all of our technology is working and he can hear us.

Mr. Kasparov, are you ready for a 10-minute presentation?

Mr. Garry Kasparov (As an Individual): Thank you very much for inviting me.

I heard Bill's story, and I've heard it many times. Any time I hear it, I can't believe my ears. If I hadn't lived in Russia, I would probably doubt his words, but I know he was absolutely right. He probably said less than he could have because time was limited.

Russia has no independent judiciary. Russian courts serve Putin, not justice, as you just heard. Russian courts are regularly used to fabricate charges and convictions against regime critics and opposition leaders.

If they live abroad, as so many of us have been forced to do, INTERPOL is often being used to persecute them. It's happened many times. I was shocked when I learned that INTERPOL was just one step away from having a Russian general as the head of its organization.

By the way, as you heard from Bill, Russia isn't going to give up. Prokopchuk, the man who just failed to become the president, is still INTERPOL vice-president. He got 61 votes. Sixty-one national representatives thought it would be a good idea to have a police general from Putin's Russia running INTERPOL. If possible, I would love to see that list.

During the last few days, when there was the massive campaign in the free world for this horrific appointment, we heard analogies such as putting an arsonist in charge of the fire department, or the fox in charge of the henhouse. I don't think they do justice to what almost happened yesterday, because putting a general from Putin's corrupt mafia regime in charge of the global enforcement is much worse.

Following what Bill said, if Canada wouldn't extradite one of Putin's political targets to Russia, why is Russia allowed to issue a red notice? Would you send a North Korean defector back to North Korea?

I don't think it's worth having to decide on a case-by-case basis, when dictatorships can fabricate as many false charges as they like. As you heard a few minutes ago, they can keep fabricating them even when they're rejected. Putin's enemies like Bill Browder or Mikhail Khodorkovsky have both been charged with murder by Russian courts after the original accusations of fraud and theft didn't stick. It's endless.

As Bill said, most of the people targeted by Putin don't have the resources of Mikhail Khodorkovsky or Bill Browder, or their notoriety. Many of them are just being arrested on these red notices and waiting for their extradition.

Meanwhile, remember some high-profile cases of Russian crimes committed abroad. For instance, Alexander Litvinenko was murdered in London in 2006 with the radioactive isotope polonium and his alleged killer escaped back to Russia. The Brits, in vain, asked the Kremlin to extradite him or at least to question him. The Kremlin didn't allow him to be asked questions or extradite him. Instead, Lugovoi was made a member of the Russian parliament. That's the engagement of Putin.

• (1005)

The Chair: Mr. Kasparov, I apologize for interrupting you, because your testimony is very important.

Our bells are ringing, which means technically I have to suspend the committee. After all this effort to get this committee together, it is really quite irritating.

Colleagues, can I assume that we can go for another 15 minutes and get Mr. Kolga's testimony at least on the record? That will mean, essentially, that we will not be able to ask questions. Is that a reasonable sort of thing to do? That still gives us time to get to these procedural votes.

Please continue, Mr. Kasparov. You have about six minutes left.

Mr. Garry Kasparov: I will finish my presentation in two more minutes.

The Chair: Thank you.

Mr. Garry Kasparov: As you mentioned, the previous INTERPOL president, Meng Hongwei of China, was disappeared by China just months ago, supposedly to be charged with corruption. I believe the Xi Jinping government was widely disappointed at how few names on their global target list he had captured for them. By the way, the Chinese 100 most wanted list is legally called Operation Skynet. It makes clear who is really in charge and that will be the case with Russia as well, including all Russian oligarchs and bureaucrats around the world. They serve at Putin's pleasure, and they and their families live at Putin's pleasure, as his global assassination campaign has made very clear.

The question is this: How did we get here? How did a Russian general become the head of INTERPOL? It was by taking the road paved with good intentions. Since the end of the Cold War, the western part of the mission is to engage with dictatorships and to invite them into groups like G7, INTERPOL, WTO and the rest. The idea was that partnerships and economic ties would liberalize their autocracies and would raise the standards of transparency and their standards of living.

Instead, the flow has gone in the other direction in almost every case. China is now approaching a one-man dictatorship like Putin's, and Russia is a completely authoritarian state. The global freedom index has declined for seven straight years. INTERPOL is just the latest example of what happens when you abandon your standards and your principles in the name of engagement. Instead of spreading liberalization and co-operation, engagement has allowed Russia and the rest to spread corruption in an attempt to drive everyone down to their level.

After inviting such regimes into free world institutions, it will turn out to be harder to remove these countries, but removed they must be if these institutions are to stand for anything. Otherwise, it's only a matter of time before they are subverted and turned against the concept of freedom and justice that they were designed to uphold. For instance, look at the United Nations Human Rights Council with Saudi Arabia, Iran and other infamous human rights violators.

I hope that these hearings will help you to understand the danger of having countries like Russia have so much influence in INTERPOL or in other international organizations, which, as you said, operate by international law, but very often operate by a law of their own, and there is very little transparency, which is also unacceptable.

Thank you.

The Chair: Thank you, Mr. Kasparov.

Mr. Kolga, you have 10 minutes, please.

Mr. Marcus Kolga (As an Individual): Thank you, Mr. Chairman and committee members, for arranging this important hearing.

I'm going to give you a little bit of context with regard to Canada.

While the results of yesterday's election of a new INTERPOL president were a positive conclusion, serious problems within the organization persist. With regard to politically motivated abuse of INTERPOL's notice system by various authoritarian regimes, the Putin regime leads among them. Abuse of the red notice system presents considerable risks for critics of authoritarian regimes, as we've heard from Mr. Browder. Canadians, too, could become targets of this abuse if reform of INTERPOL is not undertaken soon from Russia, China and other authoritarian member states.

In the Russian context, legislation restricting free speech, regardless of borders, is used to target and convict critics globally, after which their movements can be restricted using the red notice system. Russian anti-gay legislation that criminalizes public advocacy of gay rights has been used to silence foreign activists in the past. Anyone whose interpretation of Soviet history is divergent from the official Russian state version can also be prosecuted.

This puts Canadians and other foreigners at risk of potential prosecution in Russia *in absentia*, and at subsequent risk of application of either diffusion or red notices. The Kremlin has no issue with trying critics *in absentia*, and we've seen them do this many times in the past, including in the case of Bill Browder, and even posthumously with Mr. Browder's lawyer, Sergei Magnitsky.

Currently, INTERPOL's red notice system allows the Kremlin and other authoritarian regimes to extend the reach of their repression around the world, and while local authorities are responsible for choosing whether to execute these notices, they do represent a significant threat to activists, who are at risk of being targeted by laws intended to silence them.

For instance, in 2014 Vladimir Putin signed into law legislation that effectively allows the Kremlin to prosecute and jail, for up to three years, anyone who disagrees with its version of Soviet history. The Russian law criminalizes the "dissemination of deliberately false information on the activities of the Soviet Union during the Second World War."

The Canadian communities and central and eastern European communities that gather each August 23 to commemorate the signing of the Hitler-Stalin pact, which triggered the coordinated Nazi and Soviet invasions of Poland and the start of the Second World War in August and September of 1939, would potentially all be found guilty under this legislation.

In 2016, Vladimir Luzgin, a car mechanic from Perm, Russia, was convicted under this legislation for a blog post he wrote in which he stated, factually, that both the Nazis and the Soviets invaded Poland in 1939. Mr. Luzgin has since applied his case to the European Court of Human Rights.

Should Russian authorities and the Kremlin feel threatened by Canadian activists in the local Russian, Ukrainian, Polish or Baltic communities, they could use the same legislation to try them *in absentia* and apply to use a diffusion or red notice disrupter movement, or in the worst-case scenario, extradite them from a friendly country.

Another risk to Canadians is Russian's anti-gay propaganda legislation, which outlaws any advocacy for gay rights or criticism of state policy, such as the systematic incarceration of gay men in the Russian province of Chechnya into concentration camps. The legislation specifically makes illegal any propaganda of non-traditional sexual relationships. Under the legislation, foreigners who are convicted of breaking this law can be imprisoned for up to 15 days, despite the fact that INTERPOL's article 3 strictly prohibits any intervention in activities of a political or discriminatory nature.

Regimes like the one governed by Vladimir Putin continue to use INTERPOL's notice system to target its critics. As a 2017 parliamentary assembly of the Council of Europe report on the abuse of INTERPOL stated, the red notice system has clearly been abused "in the pursuit of political objectives, repressing the freedom of expression or persecuting members of the political opposition beyond their borders". The same report states that, for the red notice system to properly function, it relies "on mutual trust between the various actors and the belief that member States would only use INTERPOL in good faith, solely for the purposes for which the

Organisation was established." When it comes to the Russian government, this trust has been irreparably damaged by serial use of red notices against multiple political targets, including Bill Browder.

The severity of the crimes of those targeted by red notices applied by authoritarian regimes varies as well.

Alexander Lapshin, a Ukrainian travel blogger, was arrested in Minsk on a political red notice applied by the Government of Azerbaijan in December 2016 for commenting on visits he took to Nagorno-Karabakh in 2012.

Natalia Bushuyeva was detained in Moscow based on a politically motivated Uzbek red notice in July 2016. She was a correspondent for Deutsche Welle and covered the Uzbek government's massacre of protestors in Andizhan in 2005.

• (1010)

In 2013, Russia issued a red notice for Estonian parliamentarian and a leading critic of Vladimir Putin, Eerik-Niiles Kross, days before an election he was participating in.

It should also be noted that on Tuesday, the host of a popular Russian news panel show Olga Skabeeva, told viewers that once the Kremlin takes over the presidency of INTERPOL, they'll put the entire Government of Ukraine in prison.

My own activities here in Canada and abroad advocating for Russian humans rights, opposition activists and for Canadian Magnitsky legislation, has made me a target of Kremlin trolls and propaganda. As early as 2008, I received death threats for publicly criticizing the Kremlin's invasion of Georgia and the subsequent occupation of South Ossetia and Abkhazia.

In 2016, I organized a conference at the University of Toronto in memory of assassinated Russian opposition leader Boris Nemtsov. Bill was among the participants. Vladimir Kara-Murza, Boris's daughter Zhanna and Irwin Cotler were among them as well. Shortly after the event the Kremlin lawyer who organized the June 2016 Trump Tower meeting, now at the centre of the U.S. Mueller probe, Natalia Veselnitskaya, publicly criticized the event motivating a member of the Russian Duma, Yevgeny Yevgeny Fedorov to issue a formal request to Russia's prosecutor general to investigate my activities in Canada.

While I have not run into any immediate problems as a result of this, it does demonstrate the Kremlin's willingness to threaten activists and critics regardless of where they are.

I hope that this government and committee will initiate a much deeper investigation into INTERPOL reform and the notice system that is being so readily abused today by the Kremlin.

Thank you for inviting me today to testify and for arranging this very important emergency hearing.

•(1015)

The Chair: Thank you Mr. Kolga, Mr. Browder and Mr. Kasparov for arranging your schedules so that the committee could hear this critically important testimony from you. Regrettably we all have to go to votes. For those of you who know democracies this is just a fact of life.

Happy Thanksgiving to Mr. Kasparov. Mr. Browder, do you still celebrate American Thanksgiving?

Mr. William Browder: I do, wholeheartedly.

The Chair: Okay.

Thanks again.

The meeting is adjourned.

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