



MINUTES OF PROCEEDINGS

OTTAWA, Thursday, March 31, 2022

(5)

[English]

Pursuant to the order of the Senate of November 25, 2021, the Standing Senate Committee on Foreign Affairs and International Trade met this day at 11:30 a.m. ET, in room B30, Senate of Canada Building, and with videoconference, the chair, the Honourable Peter M. Boehm, presiding.

Members of the committee present: The Honourable Senators Boehm, Greene, Harder, P.C., Housakos, Ravalia and Woo (6).

Members of the committee present by videoconference: The Honourable Senators Boniface, Coyle, Deacon (Ontario), Gerba, MacDonald, Oh and Richards (7).

Other senators present: The Honourable Senator Omidvar (1).

Participating in the meeting: Maxime Fortin, Principal Clerk, Sara Gajic, Legislative Clerk and Maritza Jean-Pierre, Administrative Assistant, Committees Directorate; Brian Hermon, Nadia Faucher, Joëlle Malo and Scott McTaggart, analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Tuesday, March 1, 2022, the committee continued its consideration of Bill S-217, An Act respecting the repurposing of certain seized, frozen or sequestrated assets.

WITNESSES:

As individuals:

The Honourable Senator Ratna Omidvar, sponsor of the bill;

The Honourable Allan Rock, P.C., President Emeritus, University of Ottawa (*by videoconference*);

The Honourable Lloyd Axworthy, P.C., Chair, World Refugee and Migration Council (*by videoconference*).

The Honourable Senator Omidvar, the Honourable Allan Rock, P.C., and the Honourable Lloyd Axworthy, P.C., each made a statement and answered questions.

At 12:22 p.m., the committee suspended.

At 12:25 p.m., the committee resumed.

It was agreed that the committee proceed to clause-by-clause consideration of Bill S-217.

It was agreed that the title stand postponed.

It was agreed that the preamble stand postponed.

It was agreed that clause 1, which contains the short title, stand postponed.

The chair asked whether clause 2 shall carry.

The Honourable Senator Woo moved that Bill S-217 be amended in clause 2, on page 2, by replacing lines 13 to 18 with the following:

“order under paragraph 4(1)(b) of the *Justice for Victims of*”.

After debate, the question being put on the motion in amendment, it was negatived.

The Honourable Senator Coyle moved that Bill S-217 be amended in clause 2, on page 2, by replacing line 14 with the following:

“(a) section 4 of the *Special Economic Mea-*”.

The question being put on the motion in amendment, it was adopted.

It was agreed that clause 2, as amended, carry.

It was agreed that clause 3 carry.

It was agreed that clause 4 carry.

It was agreed that clause 5 carry.

The chair asked whether clause 6 shall carry.

The Honourable Senator Coyle moved that Bill S-217 be amended in clause 6, on page 3, by adding the following after line 25:

“(a.1) a grave breach of international peace and security that resulted in or is likely to result in a serious international crisis;”.

After debate, the question being put on the motion in amendment, it was adopted on the following vote:

YEAS

The Honourable Senators Boehm, Boniface, Coyle, Deacon (*Ontario*), Gerba, Greene, Harder, P.C., Ravalia and Woo — [9]

NAYS

The Honourable Senators Housakos, MacDonald, Oh and Richards — [4]

ABSTENTIONS

Nil

It was agreed that clause 6, as amended, carry.

It was agreed that clause 7 carry.

The chair asked whether clause 8 shall carry.

The Honourable Senator Gerba moved that Bill S-217 be amended in clause 8, on page 4, by adding the following after line 33:

“(1.1) Before making an order under subsection (1), the court may order, on such terms and conditions that it considers appropriate, that an amount not to exceed 2.5% of the value of a frozen asset to which the moneys paid into court relate be provided to Her Majesty in Right of Canada or a province to reimburse costs incurred to administer this Act and any activities associated with the frozen asset under

(a) the *Special Economic Measures Act*;

(b) the *Freezing Assets of Corrupt Foreign Officials Act*; or

(c) the *Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law)*.”.

After debate, the question being put on the motion in amendment, it was negatived, on division.

It was agreed that clause 8 carry.

It was agreed that clause 9 carry.

It was agreed that the preamble carry.

It was agreed that the title carry.

It was agreed that clause 1, which contains the short title, carry.

It was agreed that the bill carry, as amended.

It was agreed that the chair report Bill S-217, with amendments, to the Senate.

It was agreed that the Law Clerk and Parliamentary Counsel be authorized to make necessary technical, grammatical or other required non-substantive changes as a result of the amendments adopted by the committee, including updating cross-references and renumbering of provisions.

The Honourable Senator Deacon (*Ontario*) made a statement.

At 1:09 p.m., the committee adjourned to the call of the chair.

ATTEST:

Gaëtane Lemay

Clerk of the Committee