

IN THE NEWS

INDEX

In the Parliament

- **Cartel Parties Vote to Defeat Legislation to Stop Arms Exports for Genocide and Crimes Against Humanity**
- **Carney Government Picked the Side of War Crimes**
– *Arms Embargo Now* –

Letters to the Editor

- **Re: MPs' Disrespect for Canadians Who Oppose Militarization and War Preparations**

Floor Crossings and Seat Desertions

- **Other Vacancies Expected Soon**
- **Murky World of Campaign Rebates to Floor Crossers and Seat Deserters**

Letter to the Editor

- **Re: Floor Cross of Ontario NDP Member of the Provincial Parliament**

Supreme Court of Canada Upholds a Right of Asylum Seekers in Quebec

- **Excluding Refugee Claimants from Subsidized Childcare Discriminates Against Women**
– *Diane Johnston* –
- **Candidate Seeking Position of Quebec Premier Proposes Use of Notwithstanding Clause to Circumvent Supreme Court Decision**
– *Pierre Soublière* –

In the Parliament

Cartel Parties Vote to Defeat Legislation to Stop Arms Exports for Genocide and Crimes Against Humanity



The House of Commons defeated Bill C-233, the *No More Loopholes Act*, a private member's bill tabled by NDP MP Jenny Kwan to close what are called "loopholes" in the *Export and Import Permits Act* that allow the shipment of military equipment for genocide and crimes against humanity. After a few hours of debate in a near-empty House at the beginning of the week, MPs showed up on March 11 to defeat the bill with 295 votes against and only 22 in favour. To their credit, the six NDP members voting in favour were joined by 15 Liberals and Green Party MP Elizabeth May. Fifteen Liberal MPs abstained.

Bill C-233 was prompted by research by the organization Arms Embargo Now and others which exposes the duplicity of the Liberal government's insistence that Canadian arms are not being used in Gaza. It would have prohibited military exports if "there is a substantial risk that they would be used to commit or facilitate genocide, crimes against humanity, grave breaches of the Geneva Conventions of August 12, 1949, attacks directed against civilian objects or civilians protected as such or other war crimes as defined by international agreements to which Canada is a party." It would have ended the current blanket exemption for arms shipments to the U.S.

MPs who spoke against the bill did so on the grounds that ending the exemption would cripple Canada's military sector. During debate, one MP after another prefaced their opposition to Bill C-233 by condescendingly praising Kwan for her well-intentioned, but misdirected, intentions. Liberal MP and Parliamentary Secretary to the Minister of Industry Karim Bardeesy, for instance, "saluted" Kwan "for her concern not only in these conflicts [i.e. Gaza] but more generally for those who fight for justice and protecting the most vulnerable." He went on to argue that Bill C-233 would jeopardize Canadian jobs and sovereignty.

"At its heart," he said, "the bill seeks to end legitimate trade and deny export permits with a single country, the United States. That would not be closing a loophole; that would be blowing up a critical defence and trade relationship with a NATO ally. If that were to happen, tens of thousands of Canadian jobs in the defence industry would be put at risk, our defence industry's access to North American supply chains to provide critical material to international allies would abruptly end and Canada would be frozen out of other trade partnerships in retaliation. Instead of working with

our allies, we would be turning our back on them. Every single one of these impacts would lead to a body blow to our sovereignty and our economy, further isolating us from our allies in North America and Europe at a time when, for the first time in living memory, Canada faces actual threats to its own territorial and economic sovereignty. In this moment, we need to build up Canadian sovereignty, not give it up."

The conception of sovereignty based on subjecting Canada to the U.S. war machine which is committing such heinous crimes at this time is unconscionable. The cartel parties which are absurdly justifying Canada's militarization and war preparations under the hoax that they defend Canadian sovereignty by using ill-gotten positions of power and privilege will have to answer for their appeasement of the monstrous crimes the U.S./Israel and its allies, including Canada, are committing against humankind.

Carney Government Picked the Side of War Crimes

– Arms Embargo Now –

The organization which has been mobilizing support for the No More Loopholes Act, Arms Embargo Now, issued the following press release following the bill's defeat in the House of Commons.

The *No More Loopholes Act* -- a bill designed to address Canada's arming of genocide and war crimes -- was just voted down in the House of Commons. The Liberal government was handed a real opportunity to turn their endless rhetoric into actual action, and align Canadian arms exports with human rights and international law. Instead, Carney's government just doubled down on ensuring an uninterrupted flow of Canadian weapons for Trump and Netanyahu's escalating war crimes.

This isn't the outcome that any of us were hoping for.



For months now, thousands of you have taken action -- emailing, calling, canvassing, protesting, fighting tirelessly to change Canadian law in order to cut off the unregulated flow of Canadian weapons to the U.S. and on to Israel. You have made it clear that the Canadian masses support an arms embargo and oppose our government's ongoing complicity in war crimes.

Your incredible organizing forced 15 Liberal MPs to break rank and join the NDP in voting YES on the *No More Loopholes Act* -- and 15 other Liberals abstained, refusing to vote with Carney. Many of these votes were only flipped because of persistent local organizing -- and they are each hard-fought and important achievements. This represents a significant fracture in the Liberal caucus -- as noted by the CBC, it's the first time that most of these MPs have split from the government line since Carney became Prime Minister.

Ultimately, the vote on the *No More Loopholes Act* was a litmus test. And the Carney government failed. They picked the side of militarism and American weapons companies. The side of Trump and Netanyahu. The side of genocide and war crimes.

Letters to the Editor

Re: MPs' Disrespect for Canadians Who Oppose Militarization and War Preparations

The result of the vote on the *No More Loopholes Act* is a shameful showing by the MPs who voted against it, even voting against studying the bill in committee. It confirms once again that there is no discussion of any substance by the cartel parties on such serious matters related to Canada's stands on international affairs.

Reader in Toronto's Anti-War Movement

The Canadian government has self-righteously claimed that it is not supplying arms to Israel while the work of Arms Embargo Now exposed precisely how this is being done. The fact that the MPs who voted to defeat the bill to close loopholes ignore this shows how irresponsible they are. They can justify anything because they live in a world where they do not have to answer for anything they do. It is all passed off as "politics" as if matters of concern to the body politic are inherently sordid whereas it is the cartel party system which is sordid. Shame on all of them.

Anti-War Activist in Toronto

The fact that Bill C-233 made it as far as it did is a testament to the determination of the movement opposing the U.S./Israeli genocide in Palestine and its reach which is becoming ever more broad. Congratulations! Good work!

The MPs and their parties who spoke against the bill did so with such arrogance and condescension -- that the protection of human life cannot stand in the way of the needs of the U.S. war machine and "good Canadian jobs." It is unconscionable! Claiming to defend sovereignty on the basis of such arrangements is profoundly anti-human. The fact that one of those who did so is the Parliamentary Secretary to the Minister of Industry Mélanie Joly, who is the one overseeing the Carney government's Defence Industrial Strategy, underscores the outlook behind these plans and the unacceptable militarization of Canada's economy to enrich the war producers. Not only does Canada's complicity in the U.S./Israeli genocide need to be ended, but the entire aim to militarize the economy for private gain must be opposed and Canada must be removed from being a part of the U.S. war machine.

York University Student

Floor Crossings and Seat Desertions Other Vacancies Expected Soon

A by-election is possible in the Toronto electoral district of Beaches-East York following Liberal MP Nate Erskine-Smith's announcement that he intends to contest the provincial Liberal nomination in Scarborough Southwest and seek a seat in the Ontario legislature. A by-election is also possible in Rosemont-La Petite-Patrie as NDP MP Alexandre Boulerice is considering a Québec solidaire nomination in Gouin for the next Quebec provincial election, expected in October 2026.

Murky World of Campaign Rebates to Floor Crossers and Seat Deserters

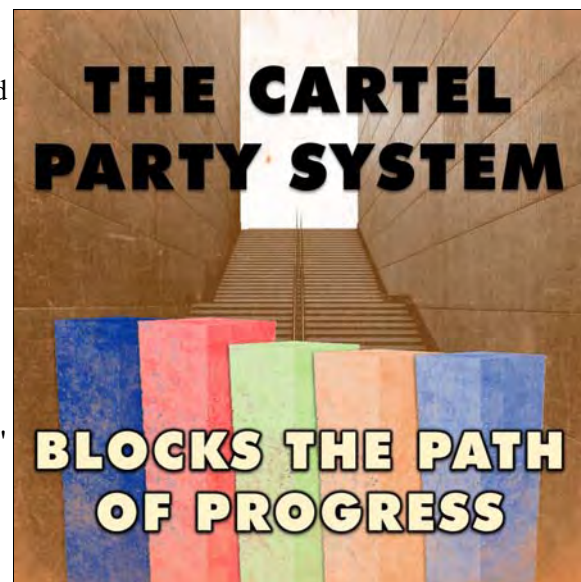
Canada's system of publicly funding the campaigns of what are called political parties and their candidates, instead of funding a democratic electoral process, is becoming murkier and murkier as campaign rebates are given to floor crossers and seat deserters. Two Liberals who have deserted their seats for greener pastures, Scarborough Southwest MP Bill Blair and University--Rosedale MP Chrystia Freeland, are both in the process of receiving a refund from public coffers of a minimum of sixty per cent of their election campaign expenses incurred during the 45th general election. Given that they have chosen not to serve out their terms, one would expect that they should return the money to the public purse or at the very least prorate it in some way. But no, they consider it their due. So too for the floor-crossers who campaigned for an entirely different party and now say they are exercising their right of free choice to join the Liberals.

These campaign expense refunds are typically either turned over to the candidate's riding association, kick-starting the accumulation of funds for the next election, or to the party's national office, replenishing their government-funded election and inter-election war chests. Why riding associations should get such funds for the next election is a question that deserves asking. Riding associations are no longer even mandated or entrusted or permitted to select candidates in an election, let alone candidates who can be trusted to serve their four-year stint before moving on for whatever reason.

A similar question applies to MPs who ran as Conservatives or, in the case of Lori Idlout, the NDP, and obtained reimbursements earmarked for the riding associations and/or the national headquarters of the Conservative Party or the NDP. Come the next election, they will have to rely on the Liberal riding associations to use the funds they were reimbursed for the second-place Liberal candidate's expenses. Keep in mind that the 60 per cent reimbursement is paid out in installments linked to campaign finance returns. Does this mean that the Conservative and NDP candidates who have now become Liberals should be called on to hand over their reimbursement to the Liberal riding association they now claim they belong to -- the same riding associations which exist in name only and were not even consulted about their new MP?

All of this is so murky that nobody even bothers to think it is worth mentioning. This is to say nothing about the Canadians who have given political contributions to a candidate with the expectation that if they won, they would sit in the House of Commons as a Conservative or New Democrat.

If public funds were used to fund a democratic political process instead of political parties and candidates all this murkiness -- both financial and moral -- could be dispensed with. The cartel parties use public funds in a murky unscrupulous way and, in many cases, so do the candidates of the cartel parties. And to think that all this financial and moral murkiness is carried out in the name that it enhances the democracy! It becomes increasingly obvious that it is a democratic electoral process which should receive public funds, not candidates and not political parties. Most laughable are the "reasons" given by the cartel parties when they pass legislation increasing the amount of public funds they receive, claiming that this guarantees "free and fair" elections and an "equal playing field"



because presumably campaigning is not a matter of possession of or access to personal wealth!

Funding a democratic political process, not the parties, would begin with a process which enables constituents to select candidates on a non-partisan basis from amongst their peers who stand for an agenda they themselves determine. Political parties could also present their candidates but would not receive state funds for campaigning, paying marketing firms to manipulate information, spread disinformation and carry out all kinds of dirty deeds. State funds would be used to guarantee an informed vote by providing the body politic with access to information they need to deliberate on the problems facing the country, in terms of both national and foreign policy, and the solutions under consideration.

This needs to be combined with other democratic measures, such as fixed election dates which Prime Ministers cannot self-servingly manipulate and, between elections, permanent non-partisan bodies in every riding through which constituents and people in the ridings can engage with those who claim to be their representatives and make them accountable to them, not to cartel parties over which they exercise no control.

The need is to *Fund a Democratic Electoral Process, Not Political Parties*.

Letter to the Editor
**Re: Floor Cross of Ontario NDP Member
of the Provincial Parliament**

Doly Begum, former Deputy Leader of the Ontario New Democratic Party (NDP) and Member of the Provincial Parliament (MPP) resigned in early February and was immediately appointed as the Liberal candidate in the by-election to take place April 13.

"I've had the privilege to earn the trust and fight for the people of Scarborough Southwest for more than seven years as our MPP," she said. "I understand the priorities of our community, and at this crucial moment for our country, I believe we must come together to build a stronger, more united, and more prosperous Canada."

Begum does not say what she thinks the priorities of her community are, just that she understands what they are. Her fawning adoration for Canadian democracy does not extend to even consulting her constituents, because, she says, she understands the priorities of her community. What would this be? That her community is okay with the attacks on immigrants, migrant workers and visa students? That her constituents agree with Mark Carney's support for U.S./Israeli war against Iran? For handing over billions of dollars in pay-the-rich schemes to narrow private interests at the expense of health care, education and other crucial social programs? Is that it?

Her fawning adoration for Canadian democracy has nothing to do with the reality that, like all members of parliament, Begum will first have to swear allegiance to the King. Then she will take her seat and dutifully vote for whatever legislation Mark Carney puts forward on behalf of the global oligarchs who are setting the agenda. How is this reality in any way connected to her simpering declarations about a "stronger, more united, and more prosperous Canada."

What is clear is that none of this has anything to do with representing the people in her riding, and that the need for democratic renewal becomes clearer with each passing day.

Reader in Alberta

Supreme Court of Canada Upholds a Right of Asylum Seekers in Quebec

Excluding Refugee Claimants from Subsidized Childcare Discriminates Against Women

– Diane Johnston –

On Friday, March 6, the Supreme Court of Canada released its decision in *Attorney General of Quebec v. Bijou Cibuabua Kanyinda*, ruling that excluding refugee claimants from subsidized childcare discriminates against women. The appeal involved a *Charter* equality challenge asking whether Quebec's exclusion of refugee claimants with work permits from government subsidized childcare discriminates under s. 15 (Equality rights), and if so, what the remedy should be.

The case dealt with access to subsidized childcare for refugee claimants in Quebec. For government programs or benefits to comply with the *Canadian Charter of Rights and Freedoms*, they must not discriminate against particular groups. The Court was asked to decide whether excluding refugee claimants from subsidized childcare is discriminatory and, if so, whether the government can justify the exclusion.



Ms. Kanyinda, originally from the Democratic Republic of Congo, entered Quebec in October 2018 via Roxham Road with her three young children and made a claim for refugee protection. While awaiting the decision, she obtained a work permit and tried to get subsidized childcare so that she could work. This was denied to her because Quebec's Reduced Contribution Regulation limits subsidized childcare to certain categories of residents that do not include refugee claimants.

Ms. Kanyinda applied for judicial review of the Regulation, arguing that the exclusion of refugee claimants was discriminatory on three grounds: sex, citizenship, and a new analogous ground of immigration status. Sex and citizenship have long been recognized as possible grounds of discrimination, but immigration status has not. The judge concluded that the Regulation did not create a sex-based distinction between male and female refugee claimants.

The Court of Appeal of Quebec allowed Ms. Kanyinda's appeal, concluding that the Regulation did create a distinction based on sex and that it was discriminatory because it perpetuates women's historical disadvantage and under-representation in the workforce. The Attorney General of Quebec appealed to the Supreme Court of Canada, which allowed the appeal in part.

Supreme Court Finds Regulation Has a Greater Impact on Women Refugee Claimants Because Access to Childcare Affects Their Ability to Work

Writing for the majority, Justice Andromache Karakatsanis of the Supreme Court of Canada concluded that the Regulation discriminates based on its effects. She wrote that although the rule applies to all refugee claimants, it has a greater effect on women refugee claimants. Women are more likely to have primary childcare responsibilities and their ability to work is closely tied to access to affordable childcare, the Supreme Court judge determined. As a result, the Court found that the exclusion reinforces and worsens the disadvantage experienced by women refugee claimants.

Justice Karakatsanis also concluded that the discrimination was not justified under section 1 of the *Canadian Charter of Rights and Freedoms*. Section 1 allows governments to limit *Charter* rights if

the limits can be reasonably justified. While she found that Quebec's goal of limiting subsidized childcare to people with a sufficient connection to the province was important, she found no real link between that goal and excluding refugee claimants. Therefore, parents residing in Quebec who are refugee claimants should be eligible for subsidized childcare. While the Court of Appeal limited the access to work permit holders, Justice Karakatsanis concluded that this requirement was not necessary.

(Source: *Judgement of Supreme Court of Canada*)

Candidate Seeking Position of Quebec Premier Proposes Use of Notwithstanding Clause to Circumvent Supreme Court Decision

– Pierre Soublière –

Right after the Supreme Court of Canada ruled in favour of asylum seekers' access to public daycare in Quebec, Christine Fréchette, a contender for the leadership of the ruling party in Quebec, the Coalition Avenir Québec (CAQ), announced that she would use the notwithstanding clause to override the ruling. She declared that what was paramount for her was that the children of Quebecers have priority access to the network of educational childcare services and that she would take all necessary means to defend this principle.

She did not have in mind improving the daycare and childcare systems which are sadly lacking. The working conditions of those who work there require serious improvements which would go a long way to ending the retention problem and to ending the endless waiting lists affecting the entire population. Rather, she was thinking about preserving her power to continue closing the door to asylum seekers, thereby running counter to any human considerations and to principles grounded in international law, without resolving the problem of waiting lists.

The other candidate for the leadership of the CAQ, Bernard Drainville, readily joined the anti-refugee chorus saying that some 6,000 places are currently occupied by children of asylum seekers, a figure yet to be verified by *TML* which suspects it is misinformation because it is contrary to why the case of lack of access was taken to the Supreme Court in the first place. He said that the Supreme Court's decision was a slap in the face to thousands of Quebecers who are waiting for daycare placements for their children, often for years.

The two CAQ representatives are once again showing their reactionary colours by trying to mobilize Quebecers against newcomers. Their mantra is to blame newcomers for society's problems directly exacerbated by the ongoing anti-social offensive implemented by governments using their positions of power and privilege. Problems related to housing, health care and education are not caused by newcomers. Even if the figure put forward by Mr. Drainville, which is difficult to verify, were accurate, it would not explain what is preventing parents in Quebec from finding daycare for their children. Asylum seekers do not have privileged access but must add their names to the list of at least 30,000 parents in Quebec who are waiting for subsidized daycare.

The origin of the notwithstanding clause is in the 1982 patriation of the *Constitution* and the creation of the *Canadian Charter of Rights and Freedoms* by the Government of Canada. For many years in Quebec, it has been considered an essential element of parliamentary sovereignty and of a third constitutional path, despite the fact that it begs the question that basic human and civil rights must be provided with guarantees.

The premiers and other political figures of the time did not want to commit to enshrining these

rights in the *Charter* or be forced by the courts to give them concrete effect. They accepted the *Canadian Charter of Rights and Freedoms* on the condition that it would contain a clause offering them a way out. That way out was the notwithstanding clause -- Section 33.



Canada's way out of committing to guarantee the rights and freedoms of the people as stipulated in Section 1 of the *Charter* is to say that the rights entrenched in the *Canadian Charter of Rights and Freedoms* may be restricted by law "within such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." This short phrase asserts that rights and freedoms are not guaranteed in Canada and can be suspended at any time when those in positions of power and privilege deem it serves them to do so.

The contenders for the leadership of the CAQ and therefore the premiership of Quebec carry on their anti-refugee vitriol despite the fact that members of the public know that one of the main causes of the lack of access to daycare spots is the shortage of educators. To address this staffing shortage, people working in this sector -- largely women -- are seeking to improve their working conditions precisely in order to prevent people from leaving their jobs and to attract new recruits. Instead, the CAQ prioritizes programs that pay the rich, such as investing in companies that produce armaments, rather than investing in social programs.

The rights of asylum seekers and migrants are increasingly being violated both by Quebec and by Canada, despite the fact that the Supreme Court ruled in their favour in this particular case. In fact, it is not only the rights of asylum seekers that are being violated, but also those of the entire Quebec population in terms of their right to education, health care and housing.

The question that must be posed and answered is how to put an end to this situation and build the fraternal unity of peoples on the basis of recognizing and defending the rights of all, under all conditions and circumstances, no exceptions.

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