

Letter to the Honourable Minister Regarding Bill C-63 (The 'Online Harms Act')

Firstly, we want to applaud the Government of Canada for making the effort to address the challenges and issues we face as a country in relation to online harm. We are writing to present "Closing the Gaps: Youth Engagement in Bill C-63—Online Harms," prepared by the John Humphrey Centre for Peace and Human Rights (JHC) to articulate some concerns and recommendations related to Bill C-63. The concerns are rooted in the voices of young people we work with, the experience of the Social Stride project, and our research on the accessibility of remediation mechanisms in Canada.

At the John Humphrey Centre for Peace and Human Rights, we are committed to advancing dignity, freedom, justice, and security through collaborative relationships and transformative education on peace and human rights. The Social Stride project, initiated in 2020, aims to foster a healthier online environment by promoting peace and dignity through advocacy and support for young Canadians combating identity-based mis/disinformation on social media platforms.

The attached document highlights critical needs for systemic remediation, reparation, and support for victims of online hate and discrimination, particularly among young people who are disproportionately affected. Through our research and engagement efforts, we have identified several concerns regarding Bill C-63, which addresses online harms.

Participation: Our foremost concern is the lack of accessible and youth-friendly spaces within Bill C-63 for gathering input from the communities it aims to protect. As per the United Nations Convention on the Rights of the Child, children and young people have the right to participate in matters affecting them, and their voices must be heard in developing mechanisms designed to safeguard them from online harm.

Protection: While we appreciate the inclusion of a standalone definition for hate-motivated crimes, there are gaps in identifying motivating factors, especially concerning socio-economic conditions. Furthermore, the Bill falls short of addressing hate and discrimination in private communications and on gaming platforms, where such behaviour is rampant among young people.

Prevention: While Bill C-63 proposes a framework for standardizing reporting and remediation mechanisms, it primarily focuses on punitive measures rather than

preventive strategies like digital literacy education. Digital literacy is essential for fostering responsible citizenship and cultivating safe online spaces.

Balancing Protection with Civil Rights: While we support measures to combat hate speech, we are concerned about the broad and potentially restrictive definition of "harmful content" outlined in the bill. This definition could inadvertently curtail democratic rights to engagement and assembly, especially regarding online political discourse.

Remediation: The document addresses concerns regarding the preservation period for harmful content, penalties for perpetrators, and the capacity of the Canadian Human Rights Commission (CHRC). We emphasize the importance of extending the preservation period for harmful content and reinvesting penalties into victim support services.

Moving forward, we urge comprehensive discussion and socialization of Bill C-63 in schools and other accessible platforms. For this consultation to be effective, the Government must ensure the Bill is written in plain language for everyone to understand. Youth-led organizations should play a central role in consultations so that the bill effectively addresses the needs of young Canadians.

Thank you for considering our input. We look forward to further dialogue and collaboration to enhance the effectiveness of legislative efforts aimed at addressing online harms and protecting the rights of all Canadians.

Sincerely,

The John Humphrey Centre for Peace and Human Rights