

The Inception of an International Grand Committee

Many issues studied by parliaments cross borders and boundaries. Concern about a major data breach involving social media users prompted similar parliamentary committee studies in both Canada and the United Kingdom. Information exchanged between the two committees and their willingness to work together paved the way for the inception of an International Grand Committee (IGC) – a series of meetings held by existing national-level parliamentary committees where parliamentarians from other countries are invited to participate. In this article, the authors outline the process to create the IGC, summarize two IGC meetings, and present comments on the IGC’s work by three Canadian parliamentarians who participated in these meetings. They conclude by noting the IGC meetings enabled parliamentarians from various countries to work together on issues of shared concern and importance, using existing national parliamentary committees as hosts and conduits for these international meetings; this structure differs from the work of multilateral interparliamentary assemblies.

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Introduction

On March 17, 2018, *The Guardian* and the *New York Times* reported a data breach involving Cambridge Analytica, a company founded in the United Kingdom (U.K.), and Facebook.¹

With the help of Christopher Wylie, a Canadian whistleblower who was a former employee of Cambridge Analytica, the papers revealed that the company had scraped the data of over 50 million Facebook users. The personal information collected had been used in various campaigns, including the 2016 presidential elections in the United States and the referendum on the U.K.’s exit from the European Union (a process nicknamed “Brexit”).²

Responding to this situation, Canada’s House of Commons Standing Committee on Access to Information, Privacy and Ethics (the Canadian Committee) adopted a motion on March 22, 2018, to study “the privacy implications of platform monopolies and possible national and international regulatory and legislative remedies to assure the privacy of citizens’ data and the integrity of democratic and electoral processes across the globe.”³

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Later reporting revealed that the number of Facebook profiles acquired by Cambridge Analytica was closer to 87 million and may have included the profiles of approximately 600,000 Canadians.⁴

When the data breach was reported in March 2018, the U.K. House of Commons Digital, Culture, Media and Sport Select Committee (the DCMS Committee) was already conducting an inquiry on disinformation and “fake news.”⁵ News of the breach led the DCMS Committee to focus part of its inquiry on Cambridge Analytica and other parties involved in that scandal.

The similarities between the Canadian and U.K. parliamentary studies, in addition to the fact that the whistleblower at the origin of the scandal was Canadian and that a Canadian company – AggregateIQ – was also involved, convinced the two committees to collaborate.⁶ Damian Collins, the Chair of the DCMS Committee, appeared before the Canadian Committee in April 2018 and both committees exchanged information regarding their respective work.⁷

The unprecedented collaboration between the U.K. and Canadian parliamentary committees and their will to collaborate at an international level in a parliamentary setting led to the inception of an “International Grand Committee” (IGC).

The term “grand committee” is not novel in the U.K. Parliament. It is the name attributed to an existing forum. Current grand committees in that country include the Welsh Grand Committee, the Scottish Grand Committee, the Northern Ireland Grand Committee, the Grand Committees: House of Lords and the Regional Grand Committees.⁸ The purpose of a grand committee is to allow U.K. members of Parliament “to debate issues affecting their region.”⁹ In a similar fashion, the purpose of the IGC was to allow parliamentarians from various countries to debate common issues affecting their respective jurisdictions.

The first meeting of the IGC was held in London, U.K., in November 2018. Despite its name, the IGC is not a stand-alone entity. It represents, in fact, a series of meetings held by existing national-level parliamentary committees where parliamentarians from other countries are invited to participate.

In London, the IGC was hosted by the DCMS Committee and occurred in the context of its inquiry on disinformation and “fake news.” The meeting was therefore named “IGC on Disinformation and ‘Fake News’.” As host, the DCMS Committee invited Canada and seven other countries from Asia, South America and Europe to participate.

After the success of the first IGC meeting in London, the participating parliamentarians agreed that there should be another meeting in a different country. The second IGC meeting was hosted by the Canadian Committee in May 2019, in Ottawa, and called the “IGC on Big Data, Privacy and Democracy.”

That three-day meeting culminated in the “Ottawa Declaration,” a joint statement signed by the participating parliamentarians on May 28, 2019. The signatories resolved to continue the work of the IGC in order to “foster market competition, increase the accountability of social media platforms, protect privacy rights and personal data, and maintain and strengthen democracy.”¹⁰

At the end of the meeting, Ireland was mentioned as a possible host for the next edition of the IGC, which should be held in November 2019.¹¹

The shared concern over international issues surrounding data protection, privacy and data monopolies has allowed parliamentary committees to bring more attention to these issues and to work cooperatively to identify possible solutions.

Meeting of the International Grand Committee in the United Kingdom

Held on November 27, 2018, the inaugural IGC meeting included parliamentarians from Argentina, Belgium, Brazil, Canada, France, Ireland, Latvia, Singapore and the U.K.

Parliamentarians from other countries were formally listed as witnesses to allow them to participate in a meeting of a U.K. House of Commons committee. In practice, however, the foreign parliamentarians were co-opted members of the DCMS Committee and invited to sit at the table with the regular members of that committee and ask questions to the witnesses. Foreign parliamentarians did not, however, have voting rights or any other rights of a formal member of the DCMS Committee.

Topics discussed at the London IGC included the disinformation and “fake news” inquiry of the DCMS Committee, the Cambridge Analytica data breach and its links to Brexit, Facebook’s business practices and its complicity in the spreading of disinformation, and the non-attendance of Facebook Chief Executive Officer Mark Zuckerberg, as well as the U.K. Information Commissioner’s investigation into the use of data analytics in politics.

Finally, as part of their participation in the IGC meeting in London, parliamentarians signed a document entitled *International Principles on the Regulation of Tech Platforms*.¹²

The final report of the DCMS Committee on its disinformation and “fake news” inquiry was published in February 2019.¹³

Meeting of the International Grand Committee in Canada

The Canadian Committee and – by extension – the IGC on Big Data, Privacy and Democracy, held an IGC meeting in Ottawa on May 27–29, 2019. In addition to Canadian members of Parliament, IGC participants included parliamentarians from 10 other countries, namely Costa Rica, Ecuador, Estonia, Germany, Ireland, Mexico, Morocco, Singapore, St. Lucia and the U.K.

Foreign parliamentarians participating in the IGC in Canada were presented as witnesses under the title “Members of Other Parliaments.” The Canadian Committee agreed to a formula that diverged from its

usual practice when hearing witnesses to allow the members of other parliaments participating in the proceedings a greater opportunity to participate in the activities of the committee and to ask questions of other witnesses.

During the IGC meeting, witnesses included experts and academics, as well as regulators. The IGC also heard from representatives of the following technology companies: Facebook, Google, Twitter, Amazon, Apple, Microsoft and Mozilla. Mark

Zuckerberg was formally invited to appear but declined to do so.

On June 18, 2019, Canadian Committee Chair Bob Zimmer presented a report in the House of Commons on the IGC hearings held in Canada, which invited future members of the Standing Committee on Access to Information, Privacy and Ethics in the 43rd Parliament to continue pursuing the issues raised during the meeting and to continue the work of the IGC in collaboration with parliamentarians from other countries.¹⁴



“When news broke of the personal data breach involving Cambridge Analytica and Facebook, the Standing Committee on Access to Information, Privacy and Ethics took it upon ourselves to try to find answers for the over 600,000 Canadians that were affected.

The study grew into something much bigger than any of us had expected as we began to learn more about the amount of personal data digital platforms are able to collect – often without the users’ knowledge or consent – and this added a sense of urgency and relevance to what we were studying.

It also became clear that many of our international colleagues were also trying to find the same answers on behalf of their citizens and that many of the issues we all were grappling with were global in nature. This gave us the unique opportunity to work collaboratively with our international colleagues to try to find ways to protect the privacy of our citizens.

It was an honour to co-chair both the inaugural meeting of the International Grand Committee in London and the second meeting in Ottawa. Both meetings allowed us to hear from a variety of expert witnesses, from regulators, and from the platforms themselves. Each participating country also brought to the proceedings their own distinct experiences and questions.

These are important conversations that we must continue to have as we seek to find answers to the questions we have on behalf of those we represent. For me personally, my biggest concerns are for our citizens’ privacy, our democracy, and that our rights to freedom of speech are maintained according to our Constitution.

“As lawmakers, we are all examining ways to protect our citizens from threats to our democracies in the digital age. That is why it is important that we continue to come together as a group to share our knowledge and best practices for tackling these global issues.

It is clear that the work that we have been pursuing with regards to data privacy is far from over and I would urge the members that will form the Standing Committee on Access to Information, Privacy and Ethics in the next Parliament to continue to examine these issues and the collaborative work of the International Grand Committee.”

Bob Zimmer, M.P., Chair of the House of Commons Standing Committee on Access to Information, Privacy and Ethics

The International Grand Committee from the Point of View of Canadian Parliamentarians

Canadian parliamentarians who participated in both the U.K. and Canadian meetings of the IGC are the Chair of the Canadian Committee, Bob Zimmer, as well as the Vice-Chairs, Nathaniel Erskine-Smith and Charlie Angus. In this final part of the article, we share their perspective on the work accomplished by the IGC.

First, Mr. Zimmer explains the importance of participating in the International Grand Committee meetings and how he hopes the work of the IGC will continue in the next Parliament. Second, Mr. Erskine-Smith underlines two reasons why the work of the International Grand Committee has been important. Finally, Mr. Angus emphasizes the need for international cooperation which was reflected in the work of the IGC and his hopes for the future of citizens rights in the digital world.



“In the wake of the Cambridge Analytica scandal, there’s been a growing realization that stronger rules are needed to better protect our privacy, defend our democracies from interference, and hold big tech companies to account. The International Grand Committee has been important for two principal reasons.

“First, the collaboration across jurisdictions has helped to raise public awareness of these issues in a way that no single parliamentary committee would have been able to do. The collective effort has elevated the conversation in the media and with the public, and both companies and governments are now taking these issues more seriously than they were before.

“Second, global problems require global solutions. Data very easily moves across borders, and few jurisdictions have the standing to move unilaterally with great success. Co-operation among lawmakers from around the world is crucial to developing and implementing solutions, and through the IGC we’ve established a framework for continued co-operation.”

Nathaniel Erskine-Smith, M.P., Vice-Chair of the House of Commons Standing Committee on Access to Information, Privacy and Ethics

“Legislators across the world are grappling with the enormous power of transnational platforms and the corporations that run them. The refusal of Mark Zuckerberg to respond to political demands for accountability demonstrate why there must be international cooperation.

The work of the International Grand Committee is an unprecedented coming together of international legislators. It allowed us to put on the record serious questions about the growing power of surveillance capitalism. It is helping provide various jurisdictions around the world with a road map for protecting privacy, competition, democracy and labour rights.

It is my hope that this is the beginning of a lasting movement to restore the rights of the citizen in the digital realm.”

Charlie Angus, M.P., Vice-Chair of the House of Commons Standing Committee on Access to Information, Privacy and Ethics



Conclusion

The IGC meetings held in the U.K. and Canada enabled parliamentarians from various countries to work together on issues of shared concern and importance, using existing national parliamentary committees as hosts and conduits for these international meetings. This differs from such efforts at multilateral interparliamentary assemblies. So far, as Mr. Zimmer, Mr. Erskine-Smith and Mr. Angus have highlighted in sharing their thoughts on the meetings, the IGC has shown that national parliamentary committees have the capacity to demonstrate leadership on current issues and to engage publicly and effectively with their counterparts abroad.

Notes

- 1 M. Rosenberg et al., "How Trump Consultants Exploited the Facebook Data of Millions," *New York Times*, March 17, 2018; and C. Cadwalladr and E. Graham-Harrison, "Revealed: 50 million Facebook profiles harvested for Cambridge Analytica in major data breach," *The Guardian*, March 17, 2018.
- 2 Ibid.
- 3 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *Minutes of Proceedings*, March 22, 2018. The motion in question states:

"That, in light of the large data breach perpetrated by Cambridge Analytica and unreported by Facebook for several years, the Committee conduct a study of the privacy implications of platform monopolies and possible national and international regulatory and legislative remedies to assure the privacy of citizens' data and the integrity of democratic and electoral processes across the globe; including testimony from the Cambridge Analytica whistleblower, Christopher Wylie, the Privacy Commissioner of Canada, Daniel Therrien, as well as directors and executives of large platform companies such as Facebook, Amazon and Google."

See the Committee's report: *Report 17 – Democracy under Threat: Risks and Solutions in the Era of Disinformation and Data Monopoly*.
- 4 Nadeem Badshah, "Facebook to contact 87 million users affected by data breach," *The Guardian*, April 8, 2018; and Matthew Braga, "Facebook says more than 600,000 Canadians may have had data shared with Cambridge Analytica," *CBC News*, April 4, 2018.

- 5 United Kingdom, House of Commons, Digital, Culture, Media and Sport Committee, *Disinformation and 'fake news'*, Inquiry.
- 6 AggregateIQ is a small Canadian firm that worked on the Brexit campaign and that has alleged links to SCL Elections, a parent company of Cambridge Analytica.
- 7 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *Evidence*, May 3, 2018.
- 8 United Kingdom Parliament, *Grand Committees*.
- 9 Ibid.
- 10 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, "Appendix A: Ottawa Declaration, May 28, 2019," *International Grand Committee on Big Data, Privacy and Democracy*, June 2019.
- 11 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *Evidence*, 1135 (Mr. Bob Zimmer, Prince George–Peace River–Northern Rockies, CPC), May 28, 2019.
- 12 United Kingdom, House of Commons, Digital, Culture, Media and Sport Committee, *Disinformation and 'fake news': Final Report, Inquiry, Appendix 2*, February 14, 2019. The *International Principles on the Regulation of Tech Platforms* state the following:

The internet is global and law relating to it must derive from globally agreed principles;

The deliberate spreading of disinformation and division is a credible threat to the continuation and growth of democracy and a civilising global dialogue;

Global technology firms must recognise their great power and demonstrate their readiness to accept their great responsibility as holders of influence;

Social Media companies should be held liable if they fail to comply with a judicial, statutory or regulatory order to remove harmful and misleading content from their platforms, and should be regulated to ensure they comply with this requirement;

Technology companies must demonstrate their accountability to users by making themselves fully answerable to national legislatures and other organs of representative democracy.
- 13 United Kingdom, House of Commons, Digital, Culture, Media and Sport Committee, *Disinformation and 'fake news': Final Report*.
- 14 Canada, House of Commons, Standing Committee on Access to Information, Privacy and Ethics, 1st Session, 42nd Parliament, *International Grand Committee on Big Data, Privacy and Democracy*, June 2019.