

SUBDIVISION XI/SUBSECTION XI
CONVENTION SUR LE GÉNOCIDE
GENOCIDE CONVENTION

213.

PCO/Vol. 124

Note du secrétaire du Cabinet pour le Cabinet
Memorandum by Secretary to the Cabinet to Cabinet

CONFIDENTIAL

[Ottawa], October 12, 1949

SIGNATURE BY CANADA OF THE GENOCIDE CONVENTION

Background

The General Assembly of the United Nations of December 9, 1948, unanimously adopted the text of the Convention on the Prevention and Punishment of Genocide, the first international treaty ever prepared by the United Nations to be proposed for signature and ratification by the states of the world. "Genocide", a new name for an old crime, is defined as "an act committed with intent to destroy a national, ethnic, racial or religious group".

2. At the present time twenty-nine countries, including the United States, France, and Australia, have signed the Convention, while four have deposited their instruments of ratification with the United Nations.

3. Canada's representatives at the first part of the Third Session of the General Assembly in Paris last year were among those who supported the principle that the Genocide Convention should receive the widest possible application. The Canadian delegates to the current Session of the Assembly have been told that they could support any proposals to extend invitations to sign to sovereign states which are not members of the United Nations, and that such support is justified on the grounds that universal application of the Convention is in the interest of the development of international law and is desirable on humanitarian grounds.

4. The Department of Justice is of the opinion that there is no legal or constitutional objection to Canada becoming a party to this Convention and that no legislation will be required for the purpose of implementation since the provisions of the Convention are already covered by the criminal law of Canada.

5. In view of the above it would appear that there are cogent reasons why Canada should sign this Convention with the least possible delay.

Recommendation

6. It is therefore recommended that a submission to Council asking for the issuance of Full Powers for the Secretary of State for External Affairs or for his