

international law which they undertake to prevent and to punish.

The next article goes on to define what is genocide, and the language used in Article II of the convention is almost word for word that of paragraphs (a), (b), (c) and (d) of the new section 267A (2) in the bill which is now before us. Paragraph (e) deals with forcibly transferring children of the group to another group.

The bill then goes on to define what acts shall be punishable. The enumeration is, genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide, and complicity in genocide.

Then we come to the undertaking of the parties. Article V of the convention reads:

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in Article III.

Then, Article VI reads:

Persons charged with genocide or any of the other acts enumerated in Article III shall be tried by a competent tribunal of the state in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Here we have an international body proscribing the offence of genocide and providing a way through our international court of law for dealing with this particular crime.

Canada was a signatory and filed its ratification, and therefore assumes certain obligations. However, in Canada we have always had in our Criminal Code the offence of murder, and I think it is murder, no more, no less, to kill one, two, six or more persons.

We have in our Criminal Code at the present time, and have had for many years—perhaps for as long as the Code has existed—the offence of counselling or promoting or attempting or conspiring to commit an indictable offence—and killing is an indictable offence. We have different penalties provided where the offence involves counselling, or conspiring, or attempting, or being an accessory after the fact, and the penalty is life imprisonment. There is a substantial penalty

provided for one who does the counselling, etc., and where the sentence for the offence committed is under 14 years, a lesser penalty is provided.

Therefore, the broad field in relation to killing is covered, and probably has been, for as long as our Criminal Code has been in existence, and applies merely because the subjects are human beings and life has been taken in violation of our criminal law.

Paragraph (b) of section 267A (2) speaks of "causing serious bodily or mental harm to members of the group." That might involve assault or an attempt to assault, or counselling or advocating assault. All of those are offences now covered by the Criminal Code.

Paragraph (c) reads:

Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction.

That puzzles me, because I do not know how that would be possible unless you had a ruling class and the government in control was forcing this sort of situation. Short of that, I do not know how the actual offence could be committed.

On counselling or advocating or promoting this sort of thing, there are in the law at the present time provisions for the offence of encouraging a breach of the peace, and other similar provisions.

In 1960 we enacted a Bill of Rights, and I wonder how much thought has been given to it. In that Bill of Rights we declared certain rights as having always existed and continuing to exist. I will read the opening words of Part I:

It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely,

(a) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;—

Then the other freedoms continue, and since all are familiar with them I do not need to read them.

May I suggest for your consideration that here is a statute of the Parliament of Canada and a declaration of the rights of persons who compose Canada in relation to each other and