

## **Policy Recommendation:**

***In order to effectively prevent, monitor and address grave human rights abuses and mass atrocities, the Government of Canada should create an institutional apparatus that is capable of carrying out this mission on a permanent basis. Stand calls on the government to:***

- ***Convert the All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity into a standing joint committee.***

## **Summary of why this is important:**

- At present, the issue of preventing mass atrocities falls within the remit of several parliamentary committees, which has led to a fragmentation of efforts.
- The All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity is self-mandated to ensure that the Canadian government does all it can to prevent mass atrocities, but it does not have the status, privileges, or authority of a regular parliamentary committee.
- Converting the All-Party Parliamentary Group for the Prevention of Genocide into a standing joint committee composed of Senators and Members of Parliament will give the all-party group the necessary power and resources to effect change on a national level.
- The committee could conduct hearings on Canada's civilian and military capacity to prevent mass atrocities.
- The committee could formulate regular reports on Canada's anti-genocide strategies and monitor the government's steps to implement *R2P*.
- Reports could be tabled in Parliament advocating increased funding for departments aimed at building preventive capacity.
- The committee could pass motions calling for preventive or responsive action and refer them to Parliament.

## **Further details**

Parliamentarians can play a crucial role in the prevention of mass atrocities. The importance of parliamentary leadership cannot be overstated. As national leaders in Ottawa, they carry out the key responsibilities of representing Canadians and holding the government accountable. Their work in Canada's legislature has brought national attention to crimes against humanity, and has led to concrete government action.

Parliamentary committees provide an important platform for Members of Parliament and Senators to operationalize *R2P*. At present, the issue of preventing mass atrocities falls within the remit of several parliamentary committees, which has led to a fragmentation of efforts. For example, the House of Commons Committee on Foreign Affairs and International Development, and the Senate National Security and Defence Committee study and discuss issues related to genocide prevention. In addition, the House of Commons Subcommittee on International Human Rights engages in important work on mass atrocities, and in early 2009, held hearings on the troubling human rights violations suffered by the Bahá'í community in Iran). For all their

good work, not one of these permanent committees has an exclusive mandate to study the global destabilizing threats of mass atrocities.

The All-Party Parliamentary Group for the Prevention of Genocide and Other Crimes Against Humanity provides a locus for Members of Parliament and Senators to hold non-partisan discussions on this important issue. The all-party group, founded by Senator Roméo Dallaire, is self-mandated to ensure that the Canadian government does all it can to prevent mass atrocities, but it does not have the status, privileges, or authority of a regular parliamentary committee. This means that it has no legal power to summon government officials or expert witnesses, does not have a budget for staff and travel, and lacks the authority to table committee reports.

In order to encourage responsibility and enable leadership within Parliament, we recommend that the Canadian Parliament convert the All-Party Parliamentary Group for the Prevention of Genocide into a standing joint committee composed of Senators and Members of Parliament. This crucial step will give the all-party group the necessary power and resources to effect change on a national level. Although standing joint committees are rare, there is a precedent for this kind of arrangement. The Standing Joint Committee on the Library of Parliament and the Standing Joint Committee for the Scrutiny of Regulations are comprised of Members of Parliament and Senators.

In November 2005, Bill C-81 was introduced in the House of Commons to create a standing joint committee called the National Security Committee of Parliamentarians; it proposed that the committee receive all the necessary powers of a regular parliamentary committee. Under similar terms, Parliament should create a new standing joint committee with the authority to call upon Cabinet ministers and senior officials to testify and the resources necessary to bring Canadian and international experts to Parliament Hill to brief parliamentarians. The committee could conduct hearings on Canada's civilian and military capacity to prevent mass atrocities. Furthermore, it could formulate regular reports on Canada's anti-genocide strategies and monitor the government's steps to implement *R2P*. Reports could be tabled in Parliament advocating increased funding for departments aimed at building preventive capacity. The committee could pass motions calling for preventive or responsive action and refer them to Parliament; it would provide a much-needed forum for civil society organizations, government officials, and parliamentarians to explore how to improve Canada's foreign policies in the sphere of prevention. This new committee would give parliamentarians a permanent mechanism to discuss and advocate a made-in-Canada anti-genocide agenda.

### **How can this be accomplished?**

- 1) According to a Procedural Clerk at the House of Commons, the establishment of a standing joint committee of Parliament would require amending both the Rules of the Senate and the Standing Orders of the House of Commons.
- 2) A motion stating that the Rules of the Senate and the Standing Orders of the House of Commons be amended to add a joint committee, in this case the Standing Joint

Committee on the Prevention of Genocide and Other Crimes Against Humanity, could be introduced in either house. The motion would have to include within its text that, upon being passed by one chamber, a message be sent to the other chamber to inform its members that this house desires that they consider and pass an identical motion. The Procedural Clerk advised that counsel ought to be sought from the Journals branch of either house as to the proper wording of such a motion.

- 3) The manner in which one would then proceed would depend upon whom is proposing the amendments. If it is a government proposal introduced in the House of Commons, a motion would emanate from the government, and the process would unfold according to the rules that govern the rubric Government Orders (please see Chapter 10 of O'Brien and Bosc's *House of Commons Procedure and Practice*: <http://www2.parl.gc.ca/procedure-book-livre/Document.aspx?Language=E&Mode=1&sbdid=AF057BD0-F018-4FB4-BD75-4A2200729F05&sbpid=A6E4BFFD-A0FE-406E-8306-E3D412B40BE7> (website accessed 18 February 2010)).
- 4) If the motion were to be introduced by a private Member in the House of Commons, it would need to be done in accordance with the rules that govern private Members' business (please see *Private Members' Business A Practical Guide*, Ninth Edition, [http://www.parl.gc.ca/information/about/process/house/PMB\\_PracticalGuide/PractGuide\\_4PMB-e.htm](http://www.parl.gc.ca/information/about/process/house/PMB_PracticalGuide/PractGuide_4PMB-e.htm) (website accessed 18 February 2010)).
- 5) Should the motion be introduced in the House of Commons, passed and then sent to the Senate for consideration, a sponsor for the motion in the Senate would need to be identified.

\* It is important to note that motions express a resolution, and by adopting them the House is only stating an opinion, and the government is not bound to adopt a specific policy or course of action as a result. Therefore, it is very important that a desire exist on the part of the government, if not on the part of all parties, for such a motion to be passed and for it to accomplish its intended effect. If all the parties assent to such a motion, it could be passed with unanimous consent, and the political will would exist for its purpose to be realized.