



Jack Harris

Member of Parliament St. John's East
Député de St. John's-Est

Hon. François-Philippe Champagne
Minister of Foreign Affairs
Global Affairs Canada

June 26, 2020

Dear Minister Champagne,

On May 1, 2020, I wrote requesting a copy of the letter that Canada submitted to the International Criminal Court on February 14, 2020, regarding the jurisdiction of the Court to proceed with an investigation into alleged war crimes in Palestine, including occupied territory in Gaza, the West Bank and East Jerusalem.

As you know the Court was entertaining a preliminary question before the Pre-Trial Chamber on the question of the court's jurisdiction, and Canada's intervention through its letter has become the subject of controversy.

A Public Statement from Amnesty International on March 16, 2020, calls into question the intent of Canada's February 14th letter. It expresses concern over reports that Canada not only used the letter to reiterate its position that the Court does not have jurisdiction to investigate alleged war crimes in Palestine but also to 'remind the Court' of Canada's budgetary contributions. Amnesty goes so far as to say that the letter "appears to be a threat [from Canada] to withdraw financial support" to the Court.

All we have received so far from your office is a copy of a January 2015 "Note Verbale", copy attached, which was sent by the Harper Conservative government to the ICC shortly after it had acceded to the Rome Treaty. It's worthy of note that the Global Affairs website lists Palestine as a 'State Party' to the treaty. If Canada had objections to the jurisdiction of the Court to proceed it could have formally intervened and made legal arguments for a position, as other nations have done. This would be expected given the serious matters before the Court and the failure of progress on the serious and ongoing nature of the illegal settlements in the occupied territories. There is also the passage of time and change of government in Canada since they have been accepted as a party to the Rome Treaty, one which Canada played a pivotal role in bringing about.

The government's continued unwillingness to release the letter deepens our concern that these public claims may indeed be true, which would imply that Canada sought to undermine the independence of the International Criminal Court. Such claims are too serious to be ignored, especially now, in light of the US executive order to impose stringent measures to undermine the legitimacy of the Court, which Canada has rightfully opposed.

I wish you to reiterate my request for you to release a copy of the letter at your earliest convenience, as it is the only way to absolve Canada of such extraordinary allegations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jack Harris", with a large circular flourish on the left side.

Jack Harris, Q.C., M.P.
New Democrat Critic for Foreign Affairs

Attached: 2015 Note Verbale