The Crimes against Humanity Act And War Crimes Act.

This part discusses the establishment of law in Canada, specifically referencing the Crimes Against Humanity and War Crimes Act alongside international human rights documents

1. Unfortunately, many individuals are unaware of the extent of this corruption and the ongoing crimes against humanity within the legal system, particularly affecting those who have had to engage with courts, court officers, attorneys, or police officers.
2. It is crucial to recognize that bar attorneys, police officers, and Crown agents, and many individuals are either knowingly or unknowingly involved in these crimes. This involvement often arises from a lack of legal knowledge due to compartmentalization of information, rendering them unwittingly complicit in facilitating such actions. Supporting evidence for this assertion can be found in international human rights documents, alongside the Crimes Against Humanity and War Crimes Act.
3. The preamble For the Act reads; An act respecting genocide., crimes against humanity and war crimes, and to implement the Rome Statute of the International Criminal Courts, and to make consequential amendments to other acts.”
4. This preamble establishes that the Act pertains to genocide, crimes against humanity, and war crimes. It enables the implementation of the Rome Statute concerning these crimes within the jurisdiction of the International Criminal Court. Furthermore, the Act has the authority to amend other acts that are in violation of its provisions. This indicates that the Crimes Against Humanity and War Crimes Act takes precedence over other legislation. In the event of a conflict between this Act and another, the provisions of this Act will prevail.
5. The authority of the Act is further established in section 13 of the Act.

**Conflict with eternal law**  
*13. Despite section 15 of the Criminal Code, It is not justification, excuse or defence with respect to an offence under any of sections 4 to 7 that the offence was committed in obedience to or in conformity with the law in force at the time and place of its Commission.*

1. Section 13 clearly indicates that no one can violate sections 4 to 7 of the Act, and it is not a valid justification, excuse, or defense for anyone who does so to claim they were abiding by any other laws that were in force at the time of the offense.
2. This principle is also reflected in the American Jurisprudence;

*Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it… no one is bound to obey an unconstitutional law and no courts are bound to enforce it”* ***16 Am jur 2nd s.177***

1. In essence, even if the provisions of the criminal code, local rules of the court, corrections institutional policy or by-laws violate the provisions of the Crimes Against Humanity and War Crimes Act; there is no justification, excuse or defence for any officer, agent or bar attorney to violate, conspire to violate, or be an accessory after the fact in relation to any act which constitutes a crime against humanity in accordance to the Crimes Against Humanity and War Crimes Act.
2. To Further simplify this, if law “A” violates law “B”, law “A” no longer applies as law “B” supersedes law “A” in application. A person enforcing law “A” is liable for breaking law “B” as they are presumed to know the law. Law “A” being the criminal code, local rule of the court, correctional institutional policy, by-laws, etc.. Law “B” being the Crimes Against Humanity and War Crimes Act.
3. This principle of liability is also found in the American Jurisprudence; “The general rule is that un unconstitutional Act of Legislature protects no one. It is said that all persons are presumed to know the law, meaning ignorance of the law excuses no one; if a person acts under an unconstitutional statute, he does so at his own peril and must assume the consequences. **16 Am. Jur. 2d s.178**
4. The principle established during the Nuremberg trials asserts that the defense of 'Just doing my job' is not a valid excuse for committing crimes against humanity
5. . This legal concept is further reinforced in section 19 of the criminal code, which states that ignorance of the law does not excuse a person from committing an offense.
6. Section 3 of the Crimes Against Humanity and War Crimes Act further confirms that the Act is binding on Her Majesty or the Crown. By extension, this binding nature applies to any agent of the Crown acting in an official capacity under or on behalf of the Crown.
7. The authority, purpose, and application of the Crimes Against Humanity and War Crimes Act have been established. Now, let’s examine the crimes defined in Section 4 of the Act, with a particular focus on section 4(1)(b), which addresses crimes against humanity (exhibit 'A').
8. Section 4(3) defined “Crimes against humanity” as meaning murder, extermination, **enslavement**, deportation, **imprisonment, torture**, sexual violence, **persecution or any other inhumane act** or omission **that is committed against any civilian population or any identifiable group** and that, at the time and in the place of its commission, **constitutes a crime against humanity** **according to customary international law or conventional international law** or by virtue of its being criminal according to the general principles of law recognized by the community of nations, **whether or not it constitutes a contravention of the law in force at the time and in the place of its commission**.
9. 'Section 4(3) outlines specific crimes against humanity and highlights additional inhumane acts recognized as crimes under both customary and conventional international law. We also see expressed section 4(3), like section 13 of the Act, the superseding authority of customary and conventional international law over any law that may also be in force.
10. “Conventional international law” is found defined in the interpretation section of the Crimes Against Humanity and War Crimes Act section 2(1);

*Conventional International law” means any convention, treaty or other international agreement, that is in force and to which Canada is a party.*

1. Canada became a signatory to the international treaties know as International Covenant on Civil and Political Rights on March 23, 1976 (exhibit “B”)
2. Further evidence of Canada’s obligations under international law is found on the government of Canada’s website under the Canada’s system of Justice. (Exhibit “C”)
3. For the bar attorneys who claim the are “bar-red” from citing any Rights and Freedoms instrument in a “criminal” matter besides the Charter, section 26 of the Charter expresses the existence of other Rights beyond the Charter in Canada.

**Other Rights available in Canada  
Section 26**  
*“The guarantee in this Charter of certain Rights and Freedoms shall not be construed as denying the existence of any other Rights and Freedoms that exist in Canada.”*

1. We see in section 26 the Charter guarantees only certain Rights and Freedoms in Canada and expresses the existence of other Rights and Freedoms available in Canada. This raises a critical question: why do Bar attorneys often overlook other Rights and Freedoms instruments in criminal matters, focusing solely on the Charter, which offers limited Rights and Freedoms? It appears as though there is an attempt to suppress the acknowledgment of other Rights and Freedoms available to the People within the context of criminal courts.
2. There is no doubt that Canada, along with any entity operating within its jurisdiction, is bound by the protections and guarantees outlined in international law instruments. Violating these laws amounts to committing crimes against humanity.
3. The international Human Rights instruments establish the limitations of government authority. In Canada, the people have never possessed constitutional rights; instead, they are governed by a system that imposes limitations to safeguard their natural or inherent rights. International law has consistently served as an established framework in Canada, restricting the Crown and any individuals acting in an official capacity on behalf of the Crown.

24. Several Supreme Court of Canada decisions confirm that Canada is bound by international treaties, emphasizing the country’s obligations under international law and its incorporation of international covenants into its domestic legal framework. Here are the key cases identified from your documents:

1. The case of **Zingre v. The Queen et al., [1981] 2 SCR 392** establishes that

* a country cannot use its internal laws as a justification for failing to fulfill its international obligations. This principle is a recognized aspect of customary international law, and Canada is obligated to uphold its commitments under international treaties such as the ICCPR and ICESCR.
* The court clarified that Canada, functioning as a juristic federal unit, operates under a system of statutory governance. This ruling is consistent with international obligations, as it acknowledges that the Canadian legislative framework must uphold human rights as outlined in international covenants.

3. In the case of **Slaight Communications Inc. v. Davidson, [1989] 1 SCR 1038**, the court determined that statutory authorities and their actions must adhere to the Charter of Rights and Freedoms, which in turn must be consistent with international human rights obligations. This decision underscores the supremacy of human rights within both Canadian and international law.

4. **The case of Canada (Attorney General) v. Sam Lévy et Associés Inc., 2005 FC 171,** reaffirms that any law that conflicts with Canada’s constitutional obligations, including those arising from international treaties, is rendered void. This decision highlights the binding nature of international agreements on domestic law.

5. Divito v. Canada (Public Safety and Emergency Preparedness), 2013 SCC 47: The court highlighted the importance of Canada’s international obligations in interpreting and applying the Charter, noting that the Charter should be presumed to provide at least as much protection as similar provisions in international human rights documents .

1. These decisions collectively demonstrate that Canada’s adherence to international treaties is not optional; it is legally mandated, and its statutes and governmental actions are subject to judicial review for compliance with international human rights standards.
2. Having established that international law is operational in Canada, we turn our attention back to the Crimes Against Humanity and War Crimes Act. According to Section 4 (1)(1), any individual who conspires to commit,
   1. *Every person who conspires or attempts to commit, is an accessory after the fact in relation to, or counsels in relation to, an offence referred to in subsection 1, is guilty of an indictable offence.*
3. Here we see that not only is the person who violates international law guilty of an indictable offence, but anyone participating or facilitating the commission of the offence but also those who participate in or facilitate the commission of that offence share the same guilt.
4. The same rule of law is expressed in section 21 of the criminal code;

***Parties to an offence  
21. (1)*** *Every one is a party to an offence who  
a) actually commits it;*

*b) does or omits to do anything for the purpose of aiding any person to commit, or*

*c) abets any person in committing it.*

***(2)*** *Where two or more persons form an intention in common to carry out an unlawful purpose and to assist each other therein and any of them, in carrying out the common purpose, commits an offence, each of them who knew or ought to have known that the commission of the offence would be a probable consequence of carrying out the common purpose is a party to that offence.*

1. According to section 21 of the criminal code, anyone who participates in or facilitates a crime is deemed a party to that crime. Section 1 (a) specifies that failing to act to aid someone in committing a crime is also a form of participation. Therefore, when knowledge of crimes against humanity is reported to a public official, that official has a fiduciary duty to act. If they neglect this duty, section 21 indicates that they, too, are considered a party to the offense if they possess actual knowledge of it and do nothing to prevent it.'

*“If you see injustice and say nothing, you have taken the side of the oppressor”* ***Desmund Tutu***

1. Section 4 (2) of the Crimes Against Humanity and War Crimes Act (Exhibit “B”) states the consequences or violating international Law documents.

***4 (2)*** *Every person who commits an offence under subsection (1) or (1.1)*

1. *Shall be sentenced to imprisonment for life, if an intentional killing forms the basis of the offence; and*
2. *Is liable to imprisonment for life, for any other case.*

1. To summarize;

* As its title proclaims, the Crimes Against Humanity and War Crimes Act is an Act in regards in part to crimes against humanity
* The act expresses that any act committed in violation of International law constitutes crimes against humanity.
* Any person or group acting under or on behalf of the Crown is bound by this Act.
* It is not a justification, excuse or defence for any person or group to commit any act which violates international law even the act was committed in obedience to or in conformity to any other law in force at the time of it’s commission.
* The penalty for violating international law is life imprisonment.

1. To summarize further;

* Any police officer who enforces a criminal code in violation of international is liable for life in prison.
* Any court officer, including attorneys, who enforce and adjudicate the criminal code and rules of the court in violation of international is in violation of international law is liable for life in prison.
* Any correctional officer who enforces constitutional policy in violation of international law is liable for life in prison.

1. For those who doubt, deny, or disclaim the liability for life imprisonment outlined herein, it is important to note that the same legal principles are articulated in the criminal code, specifically in sections 46 and 47, which address high treason and its corresponding punishment.
2. The principle is straightforward: anyone serving in a fiduciary role as a 'public official' is mandated to take the specific oath outlined in Rule 2 of the Oath of Allegiance Act, and no other oath is acceptable. Additionally, Rule 5 of the Act specifies that even attorneys are required to take this oath.
3. The public oath serves as a subsidiary to the Queen's Coronation Oath, which emphasizes the importance of upholding the Rights and Sovereignty of the People. Many of these Rights are articulated in various Constitutional and Human Rights documents, including the international law instruments that are binding on Canada.
4. The documents serve to protect individuals from government overreach and to prevent any person or group from waging war against the legitimate government or its citizens. Anyone who swears to uphold the constitution but subsequently violates it is committing high treason, which carries a penalty of life imprisonment.

Exhibit “B”******