

**141st Inter-Parliamentary Union Assembly – General Debate Speech – Canadian Group of the IPU
Hon. Salma Ataullahjan, Senator**

- Fellow parliamentarians, Madame President, Mr. Secretary General.
- Thank you for the opportunity to discuss this important topic.
- Since the end of the Second World War, the international legal order has developed into a powerful force for peace and prosperity around the world. From the international recognition and protection of human rights, to the non-proliferation of nuclear weapons and the regulation of international trade, the international legal order embodies our collective aspiration for a better world.
- However, these international aspirations must be translated into domestic realities. The international legal order does not reside in Geneva or New York. It does not consist of high-level forums or global conferences. It belongs to us all, and it is up to us to give it meaning.
- In this regard, we as parliamentarians have an important role to play. As legislators, we are responsible for translating the aspirations embodied by international law into domestic action.
- I wish to use my time today to share some of my experiences doing just that. In particular, I want to share my experience as a member of the opposition, because it is important to remember that we can all make a difference, that we all have the responsibility to do our part.
- In Canada, as I am sure is the case elsewhere, most legislation comes from the government. Nonetheless, individual parliamentarians, including members of the opposition, also have the opportunity to propose bills. In the 42nd Canadian Parliament, which ended last month, I proposed two such bills. They concerned issues close to my heart and sought to strengthen Canada's adherence to international legal norms.
- The first bill I introduced looked to ban Canadians from investing in foreign companies that produce cluster munitions. In 2008, Canada joined over 100 countries in recognizing the unacceptable costs inflicted on civilian populations by the use of cluster munitions, in some cases decades after conflicts have ended. The *Convention on Cluster Munitions* of that year prohibited the production, acquisition and use of cluster munitions; Canada implemented legislation to give effect to those provisions.
- For many, that was the end of the story. States got together to address a global problem, they created a new international legal instrument to address that problem, and each state implemented what had been decided.
- But as advocates have continuously pointed out, investors in some states party to the Convention, including Canada, have continued to finance foreign companies that produce cluster munitions. My bill intended to close this loophole by expressly prohibiting such investments, thereby ensuring that Canada abides by both the intent of the Convention and a broad interpretation of its provisions.
- The second bill I introduced dealt with a similarly difficult issue. While medical and technological advances in recent decades have improved our lives in ways previously unimaginable, they sadly have also created new means of exploiting the world's most vulnerable.

- One of the most awful new forms of such exploitation is the non-consensual harvesting and illegal trafficking in human organs. The international character of this problem - which often sees vulnerable people in the global South exploited to meet the demand for organ transplantation in more prosperous countries like Canada - has led to global action on the issue, including through the *Palermo Protocol* and the *Declaration of Istanbul*.
- As with cluster munitions, Canada has dutifully prohibited organ trafficking domestically in line with its international obligations. Yet Canada has done nothing to criminalize so called “transplant tourism” that sees Canadians travel internationally to receive organ transplants, often in circumstances that could lead to exploitation. My bill looked to punish those who ignore or are reckless to the possible harm done by such procedures.
- It is very difficult for individual parliamentarians to successfully carry out such initiatives. It often takes several attempts. My bill on organ trafficking was one of six on the topic in the last decade.
- While neither of my bills passed during our recent parliament, I am undeterred. I intend to reintroduce both bills when parliament reopens and will continue to advocate for these important issues.
- Because the international legal order is what we make of it. It is up to us to give domestic reality to the international aspirations embodied by international law. And we as parliamentarians, whether in government or in opposition, can and must do our part.
- Thank you.