

# Canada at the UN Human Rights Commission

by Philippe LeBlanc

**C**anada's performance at the 41st Session of the UN Human Rights Commission, held in Geneva from February 4 to March 15, 1985, was characterized by hypocrisy and diplomatic maneuvering. The delegation was silent or kept a low profile on major human rights issues and its statements were low-key and non-committal, reflecting diplomatic niceties rather than a strong commitment to human rights.

It was in contrast to Canada's past performances at the Commission, especially between 1976 and 1984 when Canada was there as an elected member. During that period, Canada was viewed by many as one of the leading and most active of the delegations. Canada attended the 41st Session as an Observer. However, even as an Observer, a country can play an important role at the Commission, since it may intervene on any item, co-sponsor resolutions and be active on a number of fronts.

This approach would have been more consistent with the assurance given by the Minister of External Relations at a meeting attended by a number of voluntary groups, one week before the opening of the 1985 Session. The Minister, Ms Vézina, had stated then that "even though Canada is not a member of the Commission this year, our delegation will continue to play an active role as an Observer and will contribute to the debates and will speak on resolutions." Canada's subsequent performance at the Commission was difficult to understand both in terms of Canada's reputation internationally and in view of the gravity of human rights violations in the world.

## Human Rights Commission

The UN Human Rights Commission was created by the General Assembly in 1945. Its role was to carry the UN's human rights responsibilities. At its first full Session, held at Lake Success, N.Y., in January 1947, the Commission brought together thirteen member countries with two non-governmental organizations and two specialized agencies present as Observers.

This year's Session consisted of forty-three elected member countries and sixty-nine Observer countries; approximately eighty-six Non-Governmental Organizations (NGO) and national liberation movements, all present as

Observers. The attendance of so many countries and NGOs and other groups truly makes the Commission the most important human rights body at the international level. It is also the only organ with the responsibility for the *universal* protection and promotion of human rights in the world.

Many of the major human rights issues in the world were included on the agenda of the 41st Session of the Commission. The topics covered the violation of human rights in occupied Arab territories (including Palestine); human rights violations in South Africa, Chile, Afghanistan, Guatemala, Uruguay, El Salvador, Iran, Cyprus and other countries; the right to development; the right of peoples to self-determination; torture and other cruel, inhuman or degrading treatment or punishment; situations which indicate a consistent pattern of gross violations of human rights; and apartheid.

## South Africa

Canada's first intervention at this year's Session was on the topic of apartheid and human rights violations in South Africa.

The issue of South Africa was first addressed in a significant way by the Commission at its 1967 Session. Apartheid and the situation in South Africa remain among the most serious human rights problems which the Commission must grapple with each year. At the United Nations countries are unanimous in condemning the policies of apartheid, but differ in their approaches to solving the problem. Countries such as Canada which maintain commercial or other ties with the South African regime must justify their dual policies. For example, at the 41st Session the Head of the Canadian delegation stated, on the one hand, his country's abhorrence of apartheid and, on the other, that his government did "not accept the premise of the Khalifa report that the presence of Canadian companies represented economic support of apartheid." When Canada was a full member of the Commission, it usually voted against or abstained from voting on most resolutions dealing with South Africa. In explanation of its votes, the Canadian delegation would cite the "intemperate" language of the resolutions or the fact that the government of Canada was committed to seeking a peaceful settlement of disputes, in accordance with the Charter of the United Nations, and thus could not support an armed struggle.

A similar problem exists when the Commission deals with the implementation of the International Convention

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