

human rights performance of a given country or countries would, in our view, be far outweighed by the following risks which seem to us inherent in the proposed approach it sets out.

First, sanctions against some governments may well lead to greater democracy but less. Second, if the bill were to be strictly implemented, meaningful Canadian relations with a large number of countries would be effectively curtailed; as many as 60, based on the latest Amnesty International list—

Mr. MacDonald (Egmont): Where is the proof?

Mr. Robinson: I think the information is there.

Mr. MacDonald (Egmont): Read it chapter and verse.

Mr. Robinson: I would be pleased to answer the hon. member's question after I complete my remarks.

If the bill were to be strictly implemented, meaningful Canadian relations with a large number of countries would be effectively curtailed—as many as 60, based on the latest Amnesty International list of countries practising torture, or even 100, based on the Freedom House list of “unfree societies”.

Further, given the absence of a clear national constituency in favour of developing assistance, implementation of such a law, particularly during a period of recognized domestic economic difficulties, could provide both an excuse and the means to press for significant reductions in foreign aid.

This, in our view, would be counterproductive. Moreover, decreased aid flows would certainly not help us bring Canadian influence to bear through quiet diplomacy on violating states where our aid is a significant factor.

This bill would, moreover, place Canada in the untenable role of an international moral arbiter. As such, I believe that our ability to exercise the kind of leadership we took at the Conference on International Economic Co-operation would be seriously undermined, if not destroyed. If implemented, this bill would force Canada to inject political and controversial issues into international development assistance institutions which, to date, have been largely free of such matters so that they could respect the fundamental developmental thrust of their activities. This in turn could lead to a serious impairment of their ability to function effectively—particularly international financial institutions—thereby creating serious roadblocks to third world development and ultimately provoking confrontation.

Finally, and of more immediate relevance to our domestic economic interest, is the importance to Canada of trade, which this bill would also affect. Restrictions placed on export financing facilities because of human rights violations, regardless of other considerations, would adversely affect our export capabilities and could lead to the potential loss to the Canadian economy of substantial income. Canada's ability to compete internationally would be inhibited if exporters and investors were no longer confident of the kind of government support necessary to promote good business relationships in given countries.

External Aid

The bill would have other trade consequences as well. The provisions in clause 3(c), depending on the countries concerned, could conflict with existing Canadian trade obligations, multilaterally with respect to GATT and to British preferential tariff treatment or bilaterally.

Turning to somewhat more technical considerations, in our view the bill would also cause the following administrative or operational problems to our development programs. Its implementation could easily disrupt millions of dollars of aid projects currently under way, particularly in those cases where further appropriations are required for completion. The ability to make long term commitments and to undertake forward planning, which is crucial to effective aid programming, would be seriously undermined.

With specific reference to clause 3(a) of the bill, Canada cannot prevent the use of its contributions by an international financial institution in any given recipient country, even if our executive director were to vote against a project up for consideration. In respect of the IBRD, moreover, where we do not have a single national vote, our constituency situation could cause political problems should we be compelled to vote on the basis of Canadian perceptions of human rights considerations. While Canada has a majority position, and could insist on a given response, such action might not be acceptable to the other constituency members and might even cause the break-up of the constituency, and hence the effectiveness of our participation in the financial institution.

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Finally, and most important, Canadian contributions to international financial institutions cannot, in any event, legally be made conditional on human rights considerations. To act in this manner would be in violation of the articles of agreement of the banks, which expressly forbid such politicization.

The administrative feasibility of the bill is also questionable, especially in relation to the definition of violations of human rights, gross or otherwise. While most of us would certainly agree that torture, murder and imprisonment without trial would violate human rights, the circumstances under which such actions might occur and the number of cases are surely also relevant. As I have already indicated, unfortunately there is no universally accepted definition of such matters. What constitutes a consistent pattern of gross violation? Must the evidence be first hand? Will the government in question be given an opportunity to rebut allegations of gross violation? On what tribunal could we confidently rely to sort out such problems and still protect our national sovereignty?

Even if it were possible to establish a clear, workable definition of what we as Canadians could consider to be relevant human rights violations, it seems to us that it would be administratively very complex to draw up and maintain a list of prohibited countries, and that the exercise could moreover become a vehicle for pursuing a variety of prejudice. The bill makes no provision for obtaining and evaluating the evidence on which the decision to denominate a country prohibited is based. Substantiated facts are not easy to come by. We