

But human rights standards for individuals cannot provide the positive elements, involving some special privileges, required to establish the rights of a minority.

These considerations may have been responsible for the very limited treatment the rights of minorities have received in the United Nations. Article 27 of the Covenant on Civil and Political Rights speaks only of the rights of persons belonging to minorities, rather than of any rights of the groups themselves. Minority rights being such a combustible subject in the European context, identical language had to be used in the Helsinki Final Act. It will no doubt come into play at the Meeting of Human Rights Experts which Canada will host in Ottawa from late April to early June as part of the process of the Conference on Security and Co-operation in Europe (CSCE). I might add that there was considerable difficulty in getting even this reference to minorities into the Helsinki Act, and the opposition did not come only from the Eastern states.

Within the U.N. Commission on Human Rights, a Working Group has been established and requested "to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious or linguistic minorities". This work has been delayed because there has been no agreed definition of what constitutes a minority. I admit this is a difficult matter and I shall not try my hand at it now. Two distinguished participants in this Conference, Professor Capotorti and Judge Deschênes, have made important contributions to framing such a definition, and I understand that the U.N. Sub-Commission will be discussing the conclusions of this work at its meeting in August.

I wonder if in this process we might not get rid of the word "minority" itself, which seems to me to denote something second-class, and is not generally acceptable to those groups who wish to retain their special identity. Perhaps the first right of a minority should be not to be called a minority. I have always preferred the term "community", which stresses the bond within the group, rather than the arithmetic of their situation.

One challenge is to define minority rights, and identify cases where they are not respected. The other challenge is to find practical ways to secure those rights, or stop their abuse. All of us must respond to both challenges, but the special responsibility of government is