

INTERNATIONAL HUMAN RIGHTS LAW

The growing public awareness of the international aspects of the protection of human rights has focussed increased attention on the legal dimensions of this important question, with respect to both the responsibilities of the United Nations and the obligations of states.

Human rights are the subject of increasing attention in the United Nations, to an extent almost unprecedented in the international organization since its earliest years, when human rights seemed to be its main preoccupation. An example of this interest can be seen at the last elections to the U.N. Commission on Human Rights in the spring of 1978. Despite the fact that many governments maintain a cautious if not negative attitude toward human rights questions in general, fourteen states competed for eight positions on the Commission.

In the Western industrialized countries this development can be accounted for by at least three factors: (1) the coming into force of a number of important multilateral human rights instruments; (2) President Carter's human rights policy, and (3) the perception of the Final Act of the Conference on Security and Cooperation in Europe (CSCE) as a vehicle for the promotion of human rights.

From a strict international law point of view the first is the most significant. The U.N.'s Compilation of International Instruments related to Human Rights includes the texts of 32 multilateral agreements now in force. The most comprehensive of these are the two Covenants which entered into force in 1976: The International Covenant on Economic, Social and Cultural Rights ratified by 52 states; the International Covenant on Civil and Political Rights, with 50 states parties, and the Optional Protocol to the Civil and Political Rights Covenant, ratified by 19 states.

These instruments came into force for Canada in August 1976. It is only within the last year that the Canadian Government has had to confront the practical ramifications of Canada's accession to these instruments from the point of view of measures required for their implementation. The requirement to report on implementation of the Civil and Political Rights Covenant, for example, has necessitated a comprehensive analysis of federal and provincial legislation involving extensive federal-provincial consultations and resulting in the preparation of a document of four hundred pages. This report, a year overdue, will soon be submitted to the U.N. Human Rights Committee, also established under the