

### BACKGROUND

The fortieth anniversary of the adoption, by the United Nations General Assembly, of the Universal Declaration of Human Rights, was celebrated on 10 December 1988. Professor John Humphrey, a member of two drafting committees which prepared the original Declaration and the first Canadian to be awarded a United Nations human rights prize<sup>1</sup>, was invited to join the Canadian delegation at the United Nations in New York for the celebration. In his speech to the UN, Humphrey noted:

[The Universal Declaration of Human Rights] quickly became a standard by reference to which the conduct of governments in their relations with individual men and women is judged. Its influence is reflected in the law and jurisprudence of many countries. And it has inspired a whole new body of international law, including the two United Nations Covenants on Human Rights.... Human rights are directed to the protection of the dignity and worth of the human purpose. But human rights law also has another purpose. History tells us that there is a close relationship between respect for human rights and the peace of nations.<sup>2</sup>

The principles proclaimed in the Universal Declaration of Human Rights have been legally codified in the International Covenant on Civil and Political Rights (ICCPR) of 1976. These include the rights to life, liberty and security of persons, freedom from torture and arbitrary arrest, equality before the law, and freedom of thought and expression. The International Covenant on Economic, Social and Cultural Rights (ICESCR), also of 1976, includes the right to work, the right to an adequate standard of living, and the right to education. The "Optional Protocol" to the ICESCR allows individuals to press complaints against their own government through the UN Human Rights Committee. Other conventions on specific rights include the Convention on the Prevention and Punishment of the Crime of Genocide (entered into force in 1951), the International Convention on the Elimination of All Forms of Racial Discrimination (1969), the Convention on the Suppression and Punishment of the Crime of Apartheid (1976), the Convention on the Elimination of All Forms of Discrimination Against Women (1981), the Convention Relating to the Status of Refugees (1954) and its 1967 Protocol, and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987). Canada is a party to all of the above Conventions, with the exception of the Convention on Apartheid.<sup>3</sup>

<sup>1</sup> Department of External Affairs, *News Release* No. 244 (8 December 1988).

<sup>2</sup> Professor John Humphrey, "Intervention of Canada...Item 38: Fortieth Anniversary of the Universal Declaration of Human Rights, New York, 8 December 1988." New York: Canadian Delegation to the United Nations, *Press Release* No. 65, pp. 1 and 2.

<sup>3</sup> Compiled from Gerald Schmitz and Victoria Berry, *Human Rights: Canadian Policy Toward Developing Countries*. Ottawa: North-South Institute, *Briefing Paper* No. B-21e (December 1988), pp. 2-3.