

## HUMAN RIGHTS IN CANADIAN FOREIGN POLICY

Last December, the World celebrated the 35th anniversary of the Universal Declaration of Human Rights, which proclaimed those human rights and fundamental freedoms which governments had already undertaken to respect and to promote in their signature of the U.N. Charter in 1945.

As many of you know, Dr. John Humphrey spoke for Canada at the General Assembly's commemoration of this anniversary, with a statement which pulled no punches, and was so well received that he was given the honour of presiding over part of the day's session.

As we all know Prof. Humphrey was in at the beginning of the process by which human rights have been established as a subject for continuing international concern. As President of the Foundation, he is still pursuing the "cause" with all his youthful vigour. His name is almost synonymous in Canada with international human rights, another demonstration of the theory that, to progress, great "causes" must be incarnated in dynamic and generous individuals.

### A Revolution

Let me make first a few general remarks on the place of human rights in international law and practices.

What has happened in these past forty years has been truly revolutionary. Before the Second World War there was little if any challenge to the established doctrine that the individual and his rights were a matter of purely national, domestic, intra-state responsibility. The League of Nations, you will recall, had no mandate to consider human rights except in the case of those minorities for which some special treaty arrangements had been made at Versailles, an exception which only confirmed the general rule that governments enjoyed a sovereign freedom to deal with their citizens as they wished. In legal terms, as I used to say in my professorial days, individuals were sometimes the "object", but never the "subject" of international law.

Out of the terrible events of World War II have come, in relatively rapid succession, the UN Charter (1945), the Universal Declaration of Human Rights, the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights (which entered into force in 1976), and those other multilateral declarations and conventions which have established the rights of the individual in the framework of international law.