Linking the Domestic and the International: Human Rights into the 21st Century
October 2-4, 1998, Faculty of Law, University of Toronto

Summary of Key Recommendations

On October 2-4, 1998, the University of Toronto Faculty of Law held a three-day conference marking the 50th anniversary of the Universal Declaration of Human Rights and the 10th anniversary of the law school's International Human Rights Programme. The conference attracted 275 human rights scholars, academics, activists and governmental/United Nations representatives, under the theme of Linking the Domestic and the International: Human Rights into the 21st Century. Much of the discussion focused on Canada's role in the creation, promotion and implementation of international human rights law. The attached Final Report outlines in detail the foreign policy recommendations arising from each plenary and panel discussion, a brief summary of which follows:

- The government's present focus on human security is praiseworthy and forward-looking, as preventing human rights abuses is the best way to prevent conflict. Canada should continue its leadership role on humanitarian law issues, such as the ban on landmines and the promotion of an effective International Criminal Court. In addition, Canada must continue to be involved in developing global preventive measures and emergency procedures for refugee crises. Canada should support means of seeking justice and building a lasting peace in post-conflict societies, which requires a nuanced, multifaceted response such as facilitating the return of refugees, creating rule of law, reckoning on economy, providing technical expertise for domestic prosecutions or the founding of truth and reconciliation commissions. Dialogue, education and training about rights are key to rebuilding a war-torn society. Canada should support such initiatives whenever it provides transitional countries with financial or other assistance packages.

- Canada must continue to think laterally about human rights - for example, how can the laws of war further incorporate the rights set out in the Convention on The Elimination of All Forms of Discrimination Against Women? It is important that Canada recognizes the impact that non-human rights organizations such as the International Monetary Fund can have on human rights implementation. In addition, Canada should take a leadership role in encouraging the cooperative integration of the different United Nations and regional human rights bodies. The Department of Foreign Affairs has already taken the first step in this by sponsoring the publication of On the Record. As well, Canada should support research into the possibility of expanding non-traditional institutions, such as ombudspersons, to provide a viable avenue of complaint at the international or regional levels about particular human rights violations. Canada should continue to promote provision of human rights information on the internet, as well as widespread internet access.

- Trade, development and labour standards are inextricably linked. For Canada's foreign policy of "constructive engagement" to work, it must actively promote reporting on human rights; selectively purchase from companies concerned with human rights and labour standards; ensure that the benefits from trade missions are dependent on human rights observance; and actively pursue the link between free trade, labour standards and human rights.

- Nongovernmental organizations and other members of civil society are crucial partners in promoting human rights and human security. Canada should continue - and expand - its policy of active consultation with civil society on these issues, particularly with respect to monitoring and accountability.

- Many countries agree to fairly treaties because they have no effective enforcement mechanisms. Canada should therefore focus on implementation and effective enforcement of existing treaties when it is examining human rights situations in other countries. It is important for Canada to continually monitor international law dealing with emerging rights, for example, rights relating to disabilities, housing, sexual orientation and genetic technologies.