

complain without fear of reprisal – remains valid. In addition, a majority of the members of the Commission have refused to accept evidence of gross violations of human rights except in the cases of Chile and South Africa, and attempts at the last session of the General Assembly to appoint a High Commissioner for Human Rights were frustrated. A majority of UN members remain wary of any body or agency likely to engage in what they view as interference in their internal affairs, and prefer that the UN be restricted to drafting standards and legal instruments such as the covenants.

Nevertheless, there was some evidence at the last session of the UN General Assembly of a greater willingness to strengthen such standards. India and Nigeria, for example, introduced resolutions on torture and regional human-rights machinery respectively; there was agreement to initiate a review of UN efforts; greater publicity will be given to the Universal Declaration; work will soon begin on a convention to prohibit torture; and drafting is continuing on conventions to prohibit discrimination against women and to discourage religious intolerance. Thus, while the influence of UN agreements and machinery on concrete violations of human rights round the world may not be significant, the trend is in the direction of strengthening the role of the United Nations in this field.

### Two policies

What, then, can governments that take human rights seriously do about the actions of other governments that violate human rights flagrantly and persistently? Broadly speaking, there are two kinds of policy that such governments can follow. The first kind is to work through the United Nations towards the improvement of the existing machinery and the drafting of new instruments. The idea of a UN High Commissioner for Human Rights may not have enough support at the UN to become a reality soon but there are variations of the idea that might stand a better chance, including the greater use of commissions of fact-finding and enquiry. Furthermore, the confidential procedures of the Commission on Human Rights might be re-examined with a view to finding some compromise between the need for protection of the opinions of individuals and the need for open debate on situations that appear to involve gross violation of human rights.

Governments can also be urged to make better use of the instruments we now have – to ratify the covenants and the other major UN conventions if they have already signed them, and to reconsider the signing of those that may cause difficulties for them,

though not all the UN conventions are of equal merit (Canada, for example, has not found it possible to sign the International Convention on the Suppression and Punishment of the Crime of *Apartheid*, which includes an unacceptably-broad definition of *apartheid* in conjunction with provisions for legal prosecution by any state of those charged with having practised it).

It has also been recommended that the international financial institutions take account of human rights in their decision-making procedures. As mentioned above, this approach encounters peculiar difficulties, including the danger that these institutions will become embroiled in political disputes that may undermine their capacity to operate effectively. It may be that further time will be required to develop an international consensus on what is meant by gross violations of human rights before such institutions are able to cope with the introduction of new criteria. In the meantime, of course, governments are free to vote as they see fit on the applications before the boards of these institutions.

Secondly, governments can reassess the nature of their interest in relations with countries that take a different view of the protection of human rights from their own. Countries such as Canada, for example, where there are significant numbers of political refugees, have a clear interest in promoting co-operation for the reunification of families and in stimulating conditions of relative freedom for those who remain. Most Western countries also give development assistance to countries where human rights may often be violated, and it is not unreasonable for them to acknowledge that support for such assistance by their citizens will be affected by the treatment of human rights in recipient countries. The dangers of denying aid on these grounds alone are obvious. But the danger of denying that any link exists, in times of budgetary austerity and growing domestic unemployment, is also clear.

Relations between countries differ significantly, both in terms of traditional diplomatic and other ties and in terms of the nature of the violations of human rights that are at issue. At best, only countries with significant weight in world affairs are likely to have much influence on the conduct of others. Even in cases where direct interests may be at stake, such as family ties and investments, the results of any action contemplated will not always be predictable. A public protest, for example, may stiffen resistance if it is made without warning and in isolation. If it is made in concert with others and after careful consideration, it may achieve effective results. A

*Interest  
in promoting  
reunification  
of families*