

A rarely-reported forum

Canada co-sponsored, along with Austria, France, Ireland, Netherlands and Spain, a resolution condemning Guatemala. However, during the debate, the resolution was modified to the point that Ireland withdrew as a co-sponsor. The original resolution had "called upon governments to refrain from supplying arms and other military assistance to all parties in conflict in Guatemala, in order to contribute to the improvement of the human rights situation in that country." The US delegation objected to the wording and proposed the following amendment: "requests all states to contribute to the improvement of the human rights situation in Guatemala by refraining from any type of intervention in the internal situation of that country that might prolong and intensify the armed conflict." The resolution as amended was adopted.

Apparently the Canadian delegation went to great lengths to accommodate the US delegation's objections to the draft resolution. The Canadian delegation's action on that point was in conflict with the recommendation made to the government in January 1985 by the Inter-Church Committee on Human Rights in Latin America, which asked "the government of Canada, through its observer delegation to the UN Human Rights Commission, taking note of the above recommendations, to continue to co-sponsor a resolution *strongly* condemning human rights violations in Guatemala."

Native Peoples and self-determination

Canada's treatment of its Native Peoples was criticized at the Commission by representatives of three international organizations who spoke mainly under agenda Item 9 — the right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.

Speaking under the aegis of the Four Directions Council, Ben Andrew of the Innu National Council of Labrador, stated that his people have been colonized and subjugated over the past thirty years by foreigners, including successive governments, missionaries and police. He also mentioned the high rate of deaths due to accidents, poisoning and violence among his people, brought about by living under foreign domination. He also said that far from wanting to lose their land or to receive compensation for being dispossessed of it, they wanted freedom from foreign domination, the right to be self-determining, and decolonization.

The Commission also heard from Ed Burnstick of Alberta, a board member of the International Indian Treaty Council, who is also a member of Treaty Six Alliance and of the Coalition of First Nations. He described the situation of poverty and degradation afflicting the Native populations both in Canada and in the United States. Referring to the indigenous populations of Canada, represented by the Coalition of First Nations, he said that they would continue to assert their right to self-determination despite Canada's assertion to the contrary. He added that, as a people in a colonized country, they had the inalienable right to choose freely and on terms of equality their own political, economic and social system, and their own international status. The Canadian government, he said, con-

tinued to insist on its right to define the citizenship of Indian communities.

Finally, Clem Chartier, a Métis from Saskatchewan, described the plight of Natives in various parts of the world. Speaking on behalf of the World Council of Indigenous Peoples, of which he is the President, he mentioned the problem in Canada of the transference of Native children from their families to government institutions, foster homes or adoption agencies. He also described the high rate of suicide among Native youth in Canada.

Replying to the statements made by the Native groups, a member of the Canadian delegation at the Commission mainly addressed the issue of self-determination, indicating that the Canadian government's traditional position on the question was that there is not in international law a right to self-determination for minorities within a nation-state. He then briefly described the constitutional process of consultation on aboriginal rights which is now taking place in Canada.

Israel

The issue of the violation of human rights in occupied Arab territories, including Palestine, was addressed by the Commission for the first time at its 1968 Session. At the following Session, in 1969, the Commission created a Special Working Group of Experts to inquire into alleged human rights violations in occupied territories, as a result of the "Six-Day War."

After seventeen years of discussion at the Commission, it remains one of the most politicized issues on the agenda. It is also an occasion for countries to state their positions vis-à-vis Israel.

While Israel was being heavily and bitterly attacked from all sides for five days at the 41st Session, the Canadian delegation remained silent throughout and did not express the government's position or offer any views on the whole question.

Canada could do more

As an elected member of the Commission from 1976 to 1984, Canada gained the respect of other countries and was well viewed by NGOs who could rely on the Canadian delegation to raise their issues at the Sessions and to lobby on their behalf. But something has changed. Canada, either as a full member or as an Observer, should certainly play a more active and a more convincing role than it did at the 41st Session. A first step would be to endeavor to regain a seat on the Commission, for if it continues to sit as an Observer, Canada could lose the momentum and the credibility it had gained during its period of membership.

As a second step the government should not only go through the annual exercise of consulting NGOs, but it should take the groups' recommendations more seriously when it speaks out on human rights issues in international forums.

Finally, Canada should take the lead at the Commission in presenting and lobbying for its own positions on major human rights issues, rather than following what other countries say on these issues. Canada could also play a role in promoting at the UN a more humanitarian approach to issues rather than a purely diplomatic one. □