

some members of the committee questioned whether Canada was fully implementing certain provisions of the covenant, relating for instance to the Indian Act, the prohibition of propaganda for war, the adequacy of remedies for violations of the covenant, and so on. Although we know that Canada's record is better than most, this does not mean that we should take exception to honest queries and criticisms, or that we can relax our efforts to ensure that Canadian law and practice conform to the terms of the covenant.

**Complaints to
UN Committee**

Under the optional protocol to the covenant, Canadian citizens may lodge complaints with the UN Committee regarding alleged violations of their human rights. The government is obliged to respond to these complaints and the Human Rights Committee states its views on the issue and sometimes makes recommendations. The committee's findings are not like a judgment of a court of law, and there is no mechanism to enforce them. Nevertheless, they have a great deal of persuasive value.

The covenants and the protocol provide a yardstick and a form for Canadians to judge the actions of the federal and provincial governments and take action against them, in a limited sense. Certainly Canadians do not hesitate to use this yardstick and this forum. And certainly these international agreements have contributed to the promotion of human rights in Canada, and have encouraged the establishment of statutory human rights agencies at both the federal and provincial levels.

Foreign governments, of course, can also judge Canada's conduct under the covenants. It says something about Canadians — something good, on the whole — that when we have criticized the performance of others in the field of human rights we have been taken to task more by Canadians than we have been criticized by others, whether in the UN Committee or elsewhere. Yet this reticence can be carried too far. When we ratified the UN Charter, we undertook to promote human rights abroad as well as at home. Moreover, the UN Charter as well as the covenants give us a solid legal basis for taking any country to task when it grossly infringes fundamental human rights in clear violation of international obligations it has freely assumed. Governments may repudiate their human rights obligations if they do not like being open to criticism. So far as I am aware, however, none has ever done so.

Human rights debates can be highly political, and even counter-productive, but I believe that they are going to become an increasingly significant phenomenon, and a positive one in the end. We must be careful, of course, in determining when to use quiet diplomacy and when to "go public", or when to adopt a judicious blend of these two approaches. We must also be prepared to take into account legitimate, honest differences of perception of human rights priorities as between Western democracies and some other members of the United Nations. A starving man, naturally, may be more interested in obtaining food than the right to vote. On the other hand, we all know that some countries put forward a variety of transparent pretexts to dodge the obligations they profess to honour. There are distinctions to be made here — some easy ones, and some hard ones — but we must not allow such distinctions to become further pretexts for general inaction.

Canada's actions

Before closing, let me review very briefly some of our recent multilateral activities in
