

PRIVATE MEMBERS' BUSINESS--MOTIONS

[English]

HUMAN RIGHTS

SUGGESTED DESIGNATION OF HELSINKI HUMAN RIGHTS DAY

Mr. Andrew Witer (Parkdale—High Park) moved:

That, in the opinion of this House, the government should consider the advisability of designating August 1, 1987, as "Helsinki Human Rights Day"; and

That, further, in recognition of the importance of the twelfth anniversary of the signing of the final act of the Conference on Security and Cooperation in Europe, and to demonstrate Canada's commitment to the principle of universal human rights, this House encourage the government to continue efforts to achieve full implementation of the human rights provisions of the Helsinki Accords by raising the issue of non-compliance with the offending nations at every available opportunity; to increase efforts to effect the release of all political prisoners, including Helsinki monitors; and to work to provide people of all nations with the most basic of human rights, freedom of speech, movement and religious worship.

He said: *The Oxford Companion to Law* describes human rights or the rights of man or fundamental freedoms as "conceived of as rights inherent in individuals as rational, free-willing creatures, not conferred by positive law, nor capable of being abridged or abrogated by positive law".

The guiding principles of the final act of the Conference on Security and Cooperation in Europe, better known as the Helsinki Accords, were to establish security in Europe, and to promote mutual co-operation in areas of economics, science, technology, the environment, and humanitarian concerns.

It is the humanitarian concerns, the human rights provisions of the Helsinki Accord which are the subject of this motion, and the importance of those provisions is underscored by the precedents set by the agreement. Never in modern history have the heads of state of 35 countries come together to agree on a statement of principles which guide the conduct of countries to their own people. This was done in the case of the Helsinki Accords. My motion seeks to recognize the importance of that historic document by designating August 1 as "Helsinki Human Rights Day".

There are many compelling and significant reasons for such action, reasons which exemplify the very heart of the accord. The principle of respect for the inherent dignity of the human person, and the human rights and fundamental freedoms which derive from recognition of that principle.

While the Final Act of the Conference on Security and Cooperation in Europe is not a perfect document, it is significant in the history of human rights by its very nature. It must be viewed in context. It is not a legal document but a statement of principle, and therefore open to criticism for its lack of enforcement provisions. Nonetheless, while there is no enforcement mechanism in this agreement, no police, no judge to ensure compliance, there is, in fact, a jury. The humanitarian provisions of the Helsinki Accords have elicited a strong public response, particularly in the Eastern Bloc countries

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where Helsinki monitoring groups were organized by courageous individuals responding to the noble principles embodied in the accords. Along with the international attention focused on the CSCE conferences, they form a court of world opinion to which even the most intransigent of offenders must pay heed.

The importance of the final Act is that it placed respect for fundamental human freedoms squarely within the East-West framework, as a basic element of government to government relations. Through good faith, observance of the Final Act's standards for responsible and humane international conduct, signatory states were to advance along the difficult road toward mutual trust and co-operation.

It was an ambitious agenda involving an evolutionary process. In essence, by signing the Helsinki Final Act, the western democracies pledged to keep faith with the persecuted in the East. It is telling to recall that the West failed to anticipate the impact that the human rights provisions of the Final Act would have on East Bloc citizens. We in the West were not the first to act upon the Accords as a means to expose human rights violations in the East. East Bloc citizens seized upon the Helsinki provisions as a program for human rights advocacy. Many of them have paid a high price for their actions.

The reason the Accords have generated such a response is clear from a reading of the document itself. In the accords the participating states express the commitment to "recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation among themselves as among all states".

The document further commits the signatories to "respect human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion", and to "promote and encourage the effective exercise of civil, political, economic, social, cultural, and other rights and freedoms, all of which derive from the inherent dignity of the human person and are essential for his free will and full development".

Additionally, the document recognizes the rights of the individual to profess or practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience, and the signatories express their commitment to respect the rights of persons belonging to a minority to equality before the law.

To those individuals living under a repressive regime, the wording of the principles of this document is a poignant expression of their hopes, dreams, and aspirations, and it is a reminder of all that is sadly lacking in their society.

It is this document that has spurred the efforts of individuals such as Yuri Orlov, Meral Kostava, Victor Pyatkus, Aleksey Tykhy, Mikolay Malusevych, Mirolsar Marynovych, Petro