

*Human Rights*

offer its constructive suggestions toward the drafting of such a declaration for all nations of good will.

Our participation in that important task will at the same time be of great assistance to us if we ever find it useful to enact our own bill of rights; for I believe that there cannot exist different principles in the determination of such rights by a nation in particular or by the world at large. I would go farther and say that it is necessary for a nation itself to possess a bill of rights, comprising more specific definitions of rights and obligations of a purely local nature and applying to that nation in particular. On the other hand, when it comes to considering a declaration which would be suitable and acceptable to all other nations, the principles are necessarily wider and, in some cases, different and specially applicable to the international field. But in no case should it be permissible for a nation to possess a bill of rights, the principles of which would be different from and contrary to those expressed in an international declaration of the same kind.

There are in the world of today many nations which already possess their distinctive bill of rights. Some of these nations, in the course of their history, have been called upon to modify and even to repeal some of the provisions of their own bill. In fact, this remark applies to nearly all those nations which, through a longer and more agitated existence, have undergone various transformations resulting from both internal and external events. And, of course, there are nations which appear to be fonder, by temperament or otherwise, of this sort of declaration, although sometimes they might forget more often than others to put its contents into practice.

But for all nations, those which have their own bill of rights as well as those like Canada which did not find it necessary to adopt such codification, the duty is the same, and the principles enunciated in their own bill should be identical with the contents of an international bill of rights.

For this reason, it will become necessary to study the bills of rights already in existence, so that they may be modified if they contain a definition of principles which would be contrary to the basic declarations which the world would wish to incorporate in an international bill of rights. In other words, all the united nations must again find themselves in complete agreement, and none of them must be allowed to advocate doctrines to their own people and defend ways of life which the world at large cannot accept but will be bound to condemn.

[Mr. Pinard.]

In order to be clear on that point, it is my contention that every nation must conform in its internal policies as well as in its international dealings to the same inviolable rules and orders. It cannot be authorized to preach at home theories that are rejected in the international arena. Neither can it impose upon its people a way of life or restraints on its liberties which are internationally disapproved.

I am sure that attitudes of that kind cannot be permitted and any nation which would persist in their practice should be subject to international sanctions; it is not my opinion that actions of that kind should remain unchallenged under the cover of the principle defined in article 2 of the charter of the united nations. If, for instance, freedom of worship or liberty of individuals is threatened by any act of any state, such injustice should not be tolerated simply because the matter would appear to be within domestic jurisdiction. Nations must also conform to article 55 of the charter, which imposes upon all members the obligation to promote respect for and observance of human rights and fundamental freedoms. That is where it appears essential to obtain for the guidance of every nation of good will a clear definition of the rights of nations and individuals. And it is to meet this necessity that the commission on human rights was established by the economic and social council.

The delegation of Panama submitted, at the first part of the final meeting of the general assembly held at London, a draft declaration, which the hon. member for Lethbridge (Mr. Blackmore) read some time ago. Such drafts were prepared by a committee of the American Law Institute in 1943 and 1944; that is, long before UNO was created and before the charter of San Francisco was signed. For this reason, they have the merit of not being influenced by political considerations. The commission on human rights is to consider such drafts as submitted by the Panama delegation, and is to report the whole matter for consideration by the general assembly. Although Canada was not represented on the commission itself, we find that Doctor P. E. Corbett, formerly dean of the faculty of law at McGill university, who was attached to the league of nations as legal adviser of the international labour office, was a member of the committee appointed by the American Law Institute.

I have read carefully the statement as drafted by this committee, which was submitted by the delegation of Panama as a basis for the preparation of an international bill of rights. I must admit that the document, although incomplete, is quite impressive. In its