

*Criminal Code*

That which is before the House today for consideration and passage will enshrine in our national legislation proof that we are ratifying and accepting the responsibilities of that convention and covenant.

I would like to call your attention to a report on the issue of human rights of all persons subjected to any form of detention or imprisonment, torture and other cruel, inhumane or degrading treatment or punishment by the Special *Rapporteur*, Mr. P. Kooijmans, in Geneva very recently. That important presentation will be part of the documentation of human history which is clawing its way slowly upward from primeval cruelty into a more civilized state. In that report the following observations were made:

Torture should be viewed objectively and seen by everyone, Governments and individuals alike, for what it is: the criminal obliteration of the human personality, which can never be justified by any ideology or overriding interest as it destroys the very basis of human society.

That is a very poignant way of putting the issue. He also made the following succinct statement:

—torture (is) contempt for the personality of the other individual which has to be destroyed and annihilated. It is for that reason that torture is one of the most heinous violations of human rights as it is the very denial of the essence of human rights, namely the recognition that each living being has a personality of his own which has to be respected.

These words have been addressed to all the nations of the world. I suggest that we in Canada have a very special role to play by setting an example for other countries by ratifying the covenant against torture. By adding the name of our nation to that list we will make it possible to bind the signatory nations together in a solemn covenant to work together to obliterate torture throughout the world.

Mr. Kooijmans also said that he wanted to stress the importance of limiting the period of incommunicado detention under national law since many of the allegations we have received refer to torture in countries where a detainee may be kept incommunicado for a prolonged period. As Mr. Kooijmans points out, we cannot only talk about the eradication of torture because in some countries torture is related to the way in which prisoners are detained, kept incommunicado, and cruelly treated. Therefore, that about which we are speaking goes beyond the nastiness of torture to the very conditions which make torture possible. We are, therefore, talking about a convention against torture and other cruel, inhumane or degrading treatment or punishment. It is in this wider context that we must speak today.

Mr. Kooijmans goes on to discuss the tragedy that in many countries where torture is used medical personnel, including doctors, are, if you will, recruited to carry out the effectiveness of torture by helping to resuscitate the victim and keep that person in such a condition that the torture may continue. It is to this extent that violations of human rights are seen in many nations. It is shocking that some nations which we hoped would have carried on legal, just and humane practices are in fact guilty of gross violations of human rights and of torture.

A list of nations in respect of which urgent action is required includes the following: Bahrain, Bangladesh, Chile, Colombia, El Salvador, Indonesia, Iran, Paraguay, Korea, South Africa, Suriname, Thailand, Turkey and Zimbabwe. These are only the official records. These nations have all been asked, in some cases time and time again over years, and in some cases decades, to report on demands that have been made for information with regard to people who have been tortured or executed and people who have disappeared. This is all part of the same lugubrious picture which exists in the nations I have mentioned. Some are far worse than others.

I brought to the attention of the House and the Secretary of State for External Affairs (Mr. Clark) the problems regarding to the violations of human rights which have been going on in Indonesia practically since its inception. There were vast gruesome occurrences there in the earlier years against their own population and from 1975 on against defenceless people in various areas as well as various minorities. The violations have been recorded over the years by Amnesty International. Amnesty International has brought to our attention and to that of the United Nations the reality of these offences against human rights. Probably no other organization on earth deserves as much credit and appreciation as does Amnesty International for the work it has been doing so patiently and painfully to document the suffering, the disappearances, and the torture that has taken place around the world.

I single out Indonesia because we have good diplomatic relations with that country and have been providing development aid to it. It is one of the core countries with regard to the receipt of CIDA aid. Therefore, I believe we have a special responsibility to carefully monitor the record of Indonesia, not only with regard to what it has done to its own people, its students, minorities and Islamic groups, but also what it has done in areas that were not originally part of Indonesia. I refer particularly to East Timor and Irian Jaya and other places which could also be cited.

• (1540)

I want to bring to the attention of the House and Canadians that Amnesty International published a book entitled *East Timor: Violations of Human Rights, Extra-Judicial Executions, Disappearances, Torture and Political Imprisonments*. They said the following:

In July, 1983, Amnesty International received a set of military manuals issued to Indonesian troops serving in East Timor. These manuals, among other things, contain guidelines which appear to permit the use of torture and the issuing of threats on the lives of prisoners being interrogated.

Although Indonesian officials have repeatedly tried to cast doubt on the authenticity of these documents, neither they nor anyone else has produced any evidence that might indicate that they are false. Indonesian officials have correctly stated that the Ministry of Defence and Security never published the manuals, but Amnesty International is not aware of any claims that the Ministry did so.

The book continues:

The manuals appear to have been written by officers of the Command for East Timor for local use and to have no application beyond East Timor.