Statement by Mrs. M. Konantz,
Canadian Representative on the Third Committee of
the United Nations, in Explanation of Vote in Plenary

...By adopting the Declaration on the Elimination of all Forms of
ial Discrimination, the Assembly has given greater expression to the
nouncement in the Universal Declaration of Human Rights that all human
ngs are born free and equal.

The right of the individual to protection of the law without dis-
mination by reason of race, national origin, colour, religion or sex is
rined in the Canadian Bill of Rights and elsewhere in Canadian law.
refore there can be no question about the attitude and action of Canada to
eclaration of the United Nations which elaborates the provisions of the
ter intended to promote respect for human rights and fundamental freedoms.
ever, in the Canadian view a declaration should concern itself primarily
n principles to guide the conduct and behaviour of nations. Since it creates
legal obligation it should be designed to exert the maximum moral influence.
language used should commend itself to the widest possible support.

My Delegation continues to regret that the Assembly should have found
desirable to depart from the text carefully drafted by the Commission on
an Rights at its nineteenth session. When this draft was being considered
the Third Committee, some views were expressed and some language included
ch, in the Canadian Government's view, were inappropriate for a declaration
which involve for Canada considerations related to provincial jurisdiction.

Canada has been particularly concerned about the implications in
icle 9, Sub-Paragraph 3, since it could have been interpreted as restricting
n well established rights as freedom of opinion and expression and freedom
association. We fully recognize the aims of those who wish to provide new
equards against the evil of racial discrimination, but we must guard against
/temptation to pursue one desirable aim at the expense of others equally
irable. The laws of Canada have long provided for the punishment of those
would incite or use violence in pursuit of racial discrimination. To
mplate in addition the persecution and punishment of groups or individuals,
the ground that they seek to promote any particular view even one as offensive
cial discrimination, is to go too far. This would encroach on one of the
t cherished human rights in our society, the right to express opinion freely.
wever, such an approach can hardly be reconciled with Articles 19 and 20 of
Universal Declaration of Human Rights, by which everyone has a right to
edom of opinion and expression, as well as the right to freedom of peaceful
mbly and association.

For these reasons and in the hope of persuading the General Assembly
modify this article, the Canadian Delegation in the Third Committee abstained
the vote on the declaration as a whole. On the other hand we in Canada have
ays fully supported the intent and purposes of the declaration and for this
son the Canadian Delegation has voted for the declaration in this Assembly.
would have been a sad reflection on the United Nations if the declaration
d not have been adopted (unanimously). Lack of complete agreement would
y serve to encourage those who would practice racial discrimination...