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NOTES FOR AN ADDRESS BY
MR. DAVID KILGOUR, M.P.,
PARLIAMENTARY SECRETARY TO THE
MINISTER FOR EXTERNAL RELATIONS,
TO THE
CANADIAN HUMAN RIGHTS FOUNDATION
CONFERENCE ON "HUMAN RIGHTS AND
CANADIAN FOREIGN POLICY"

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It is a pleasure for me to join you today to give you the Government's views on the current state of human rights on the international scene, and some indication of what we are doing about it. The Foundation's annual meeting provides an excellent opportunity for taking stock, and for giving a reckoning to some of our staunchest supporters and critics.

The Minister for External Relations has a special mandate for human rights, and as Parliamentary Secretary I mean to be active in these matters.

This is the first such event since the new government took office, and I assume that you will be looking and listening closely to detect any changes in Canadian policy. So I shall start by stressing continuity. The human rights problems out there in the world have not changed, and nor has the desire of Canadians to improve matters. I can assure you that in my constituency in Edmonton, a great many people care about these things. Many have relatives living under repressive regimes abroad; others are deeply involved with church groups, Amnesty International, or other organizations involved in international human rights matters. Their concerns, and their expectations for government action, are very real, and the Government is studying new ways to meet these expectations.

I am sure you know the importance which Prime Minister Brian Mulroney attaches to human rights. He made it clear in a speech to a recent Israel Bonds Dinner that as, and I quote, "children of liberty, it is up to us to protect the cause of human rights and minorities wherever they are challenged". We hold strongly that human rights must be defended wherever they are threatened. It is insincere or worse in my judgment to turn a blind eye to rights violations in one country if the same type of violations in another country produces a quite different reaction. In other words a human right must be a right regardless of the site of the violation.

You should expect new initiatives, and some increased efforts along existing avenues. The party now in government has never taken a back-seat in human rights. Prime Minister Diefenbaker gave Canada a Bill of Rights.

Internationally, it was his government that first sought and gained the election of Canada to the U.N. Commission on Human Rights, where we were ably represented by Margaret Aitken for one three-year term in the early 1960's. This was the first time Canada had served on the Commission and the only time until 1976. Under Mr. Clark's government, human rights found a new and spirited champion in Flora MacDonald, who as Secretary of State for External Affairs gave these issues the highest priority. Her efforts on behalf of the refugees from Indo-China added a new and strong note of compassion to Canadian foreign policy. So I think we address human rights on the international scene with good credentials, with a good track-record, and with true respect for the inherent rights of the individual and the rule of law.

The Government will be looking for more effective ways of using Canadian influence to encourage all states to live up to their international obligations on the protection of human rights. I am sure that many of you here today will wish to participate in the consultations on the Green Paper, and I assure you that the Government will welcome your views on promoting human rights as an established and important element in our foreign relations. I should be very surprised if Canadians cannot come up with new thoughts and new inspiration.

One of the most significant developments of the past year in the international human rights field has been the adoption by the U.N. General Assembly of the Convention Against Torture. Canada was active in its drafting, and you may recall that in his address to the General Assembly, Mr. Clark made a strong plea for its adoption. It represents an international consensus to take action against torture, and steps are now being taken to permit Canada to sign in the near future. I should add that the Government is making a further contribution of \$50,000 to the U.N. Voluntary Fund for the Victims of Torture, in addition to Canada's continuing annual support for that Fund. This Fund is supporting the psychological and physical rehabilitation of torture victims at several international centres, including one in Toronto.

The Forty-First Session of the U.N. Commission on Human Rights finished its work in Geneva two weeks ago today. This was the first session in ten years at which Canada was not present as a full voting member. We were, however, represented by a very active Observer delegation, that was able to accomplish a great deal by its own efforts, and in collaboration with many member delegations.

While the Forty-First Session was not marked by any outstanding advances, it led to the consolidation of existing mechanisms and initiatives, and to a few new proposals. Reports were presented for the first time on the situations in Iran and Afghanistan, and it was decided that interim reports on these countries would be made to the General Assembly, in line with the procedure followed for Guatemala, El Salvador and Chile. The resolutions on El Salvador and Guatemala were significantly improved, and both were adopted without a negative vote.

The Commission's working group on the draft convention on the Rights of the Child made good progress, reaching agreement on five further articles in that document. This continues to be a matter of great interest to Canada, and our delegation contributed fully to this progress. It was, however, regrettable that the working group on the Declaration on the Rights of Minorities once again failed to come to grips with their task because of the lack of an agreed definition of what constitutes a minority. In his speech to the recent conference in Quebec on the Rights of Minorities, the Secretary of State for External Affairs indicated that Canada would support efforts in this important, but rather neglected field. It is a subject in which Canada has considerable experience, and a continuing interest. The work on a definition is now in the capable hands of Judge Jules Deschênes, and the other members of the Subcommittee will have the benefit of his research and consideration before them at their August meeting. So there is some progress. Once this watershed is passed, we hope for more rapid progress towards some general standards on the rights of distinct communities which may exist within national borders.

At this session of the Commission, Canada cosponsored no fewer than 12 resolutions, compared to 13 at the previous session, when we were full members. These included resolutions on Cambodia, Guatemala, Iran, Afghanistan, Mass Exoduses of people due to human rights violations, disappearances, freedom of expression, prisoners

of conscience, religious intolerance, technical assistance on human rights through the U.N. Advisory Services programs, and a possible declaration on the right of individuals to promote human rights. We shall continue to pursue these issues.

The delegation played an active part in negotiating all these resolutions, and played a leading role in several. There are some limits to how much an observer should speak, but the Canadian delegation spoke on most important issues.

One item in which Canada played an important negotiating role was that of the right of individuals to promote and protect their universally-recognized human rights. While we take this for granted, as part of the freedom of speech, it is a proposal which frightens many regimes, and meets with considerable opposition at the Commission. A resolution was nevertheless adopted establishing a working group to draft a declaration on this subject, and Canada will contribute to this work at the Forty-Second Session.

Another notable action of the Commission was the appointment of a Special Rapporteur on Torture. Coming hard on the heels of the adoption of the Convention against Torture, this demonstrates clearly the recognition in the Commission that it is not enough to enshrine rights in legal instruments; active measures must be taken to protect these rights. This action by the Commission may help to compensate for the lack of more complete implementation arrangements within the Convention itself.

While it was established that Canada did not have to be a member to play a full role, it remains the policy of the government to seek re-election to the Commission as soon as possible. I know that many would prefer that Canada was continuously a full member, but the limited membership of the Commission and the allocation of seats by regional groups makes this impossible. We shall be limited to observer status for at least another year, but our experience at the recent session has shown that this will give us ample scope for maintaining Canada's interests, and for expressing our views.

Canada has played an effective role in expanding the capacity of the Commission to focus the collective political power of the United Nations on human rights violations. In addition to the continuing role of the Commission in establishing agreed international standards in human rights, a number of useful techniques have emerged to encourage compliance with these standards. The system of appointing Special Rapporteurs to liaise with, and report upon countries having difficulties is now firmly established, and its use is expanding. The Working Group on Disappearances, and the Special Rapporteur on Summary Executions are dealing effectively with particular issues on a global basis, and this technique has now been applied to torture. Although inescapably something of a mirror of the political realities in the world today, the Commission is undoubtedly proving to be an increasingly useful instrument. We must look for ways in which Canada might contribute to further increasing the influence of the Commission. This is one area in which the United Nations, in small incremental steps, is gathering strength, and the Canadian Government will lend its full support.

In addition to the Commission, and of course the General Assembly, there are other forums in which Canada will pursue its objectives. One month from now we shall be well into the first stages of the Human Rights Experts Meeting being held as part of the continuing process of the Conference on Security and Cooperation in Europe. This meeting is being held in Ottawa as a result of a Canadian initiative at the Madrid Follow-up Meeting, and reflects the high priority which Canadians have accorded to human rights throughout the CSCE process. It would be risky to predict how this first meeting devoted solely to human rights may develop, or what its outcome may be. It is our hope that it will make a real contribution to improving human rights, and that it will thus be a positive step in the long and complex process of improving relations among the participating states. Canada recognizes that human rights problems have been a significant impediment to better relations, and believes that a frank examination of these problems must be the basis for any eventual solutions. We intend to face squarely the difficult issues involved, but we and like-minded countries see no useful purpose in heated accusations. This realistic but determined approach appears to offer the most promise for making tangible progress at this meeting, and for pointing the way for future progress.

I would not wish to speculate on the likely results of the current review of foreign policy, but the Government has indicated at least two areas concerning human rights which will be given close attention. One of these is the relationship between human rights and Canada's development assistance, and the other is South Africa.

In more than twenty-five years of development assistance, Canada has formed some firm and continuing links with our development partners in the Third World. We have come to have a real interest in their peaceful progress, and when things go wrong, we share their problems. In the worst cases, Canadian assistance has had to be curtailed when the rule of law and public order have deteriorated to a stage where disorder made development meaningless, and human rights violations became wide-spread.

Perhaps with such regrettable occasions in mind, some Canadians have suggested that our development assistance programmes be made more conditional upon the human rights situation in the recipient states - that Canada use its aid as leverage. Canada is committed to using its influence to protect and promote human rights abroad, but we are also committed to ending the crushing oppression of poverty. We are thus caught squarely on the horns of a dilemma: to protect human rights, should we further penalize the victims of a particular government's oppressive violations by denying them the benefits of our development assistance? Equally, and turning the issue to view it from a more positive aspect, it is clear that respect for human rights is itself an important element of development, and the question therefore exists of how improvements in this area can be meshed with processes of economic developments. I think I have said enough to illustrate how tangled the relationship may be, but with your help we hope to clarify it in our review of foreign policy.

Mr. Clark has also announced that the Government will be looking at further means of expressing Canadian repugnance to the apartheid policies of the government of South Africa. Prime Minister Diefenbaker played a key role in expelling South Africa from the Commonwealth because of that nation's constitutional denial of human rights. Since then, Canadian governments have moved to prohibit arms sales, and to cut drastically the use of public funds to promote trade. Through various U.N. and Commonwealth schemes and through bilateral programs, Canada has contributed increasingly large sums of money to help the

non-white majority in South Africa. We are looking for yet other measures which will underline the total opposition of the Canadian Government to apartheid and everything it represents. Our objective is peaceful change. Canada must bring additional pressure on the South African regime to introduce meaningful reform, and not simply tinker with the edges of the problem. The twenty-fifth anniversary of Sharpeville, and the further tragic events that marked that anniversary, have given new impetus to our efforts.

Canada's objective must be an international system of human rights standards, and mechanisms for their protection on a universal basis, in all states. But we cannot, nor should we, rely solely on efforts at the United Nations to make progress towards this goal. Human rights must be an important element in Canada's bilateral relations with other states. They can be either an impediment - at times a major impediment - or an element of cooperation.

In its bilateral relations with many states Canada will continue to make quiet and persistent official representations on behalf of persons whom we believe have been unjustly treated, according to international standards. While resented by some states as an intrusion into affairs which they consider domestic, these efforts will be maintained as an integral part of Canada's relations with the states concerned. These relations may be based on a complex mix of political, economic, security, and development factors, but within this mix there will be a definite place for human rights.

The weight carried by our private representations on human rights will depend upon upon Canada's overall relations with the state concerned. Conversely, the respect which governments show for the rights and freedoms of their citizens will remain a vital consideration in the general development of Canadian relations with individual states. The international protection and promotion of human rights is not a moralistic ornament to the world stage, it is a critical element in the improvement of relations among states, and in maintaining the peace. In our review of Canada's foreign policy, we shall be looking to you for advice on how this element may find its best expression.

In short the new government believes that the inherent dignity and worth of every individual must have major foreign policy implications. We know very well that neither the world nor Canada are perfect places, but we also know that walking away from human suffering and inhumanity is unlikely to result in substantial progress. We also know that the preservation and enhancement of human liberty around the world must not be at the periphery of our external policy, but a central focus of it. The Canadians people desire it and we intend to deliver the goods.