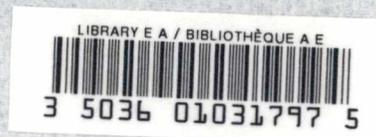


Canadian Statement in the Third Committee

December 10, 1965

by Professor R. St. John Macdonald



Mr. Chairman,

The Canadian delegation supports the proposal to dedicate 1968 as International Year for Human Rights, as well as the suggestion that an international conference be held during that year. We congratulate our friends and colleagues from Jamaica and from other parts of the world for the welcome initiatives which they have taken in regard to these two matters, and we can assure them that Canada is ready and willing to do what it can to ensure the complete success of both programmes. Our position is a flexible one, and we are anxious to be as helpful and useful as we can be to those who are charged with the task of developing the necessary arrangements.

We believe, Sir, that both proposals before us - the international year and the conference - hold promise of promoting respect for human rights and fundamental freedoms, in a meaningful and practical way. And it is indeed with the practical rather than the more ceremonial side of things that our delegation wishes to concern itself at this time. As a major contributor to the regular budget of the United Nations organization, Canada is naturally anxious to insure a maximum return for the expenditures incurred, and we are interested therefore in contributing to the task of articulating attainable and specific goals against a background of careful preparation.



We would hope of course that governments would send to the pre-planning groups, and to the conference, qualified experts who are normally involved in work relating to the human rights field in their home states. And we would reiterate our concern that the emphasis throughout 1968, as well as in the conference itself, should be on practical, down-to-earth steps for the here-and-now, rather than on the ceremonials of the situation.

It goes without saying that the individual governments must themselves decide what observances will be most appropriate for them during the international year, and how those measures are to be carried out. This is fairly obvious and it seems to us that there can be no gainsaying the point. On the other hand, Mr. Chairman, among the many suggestions that have been put forward there are some that appear to us to be more apposite than others, partly because they are specific and pragmatic, and partly because they go to the question of financing; and it is with some of these that I would now like to deal as being of particular interest to the Canadian delegation. I arrange these points in no particular hierarchy of importance. I simply suggest them, at this time, for what they are worth.

First, we would agree that the conference and the related programmes ought to examine and evaluate United Nations objectives, technique and procedures in the human rights area. Assessment and recommendations for the future are clearly at the heart of the matter. But the emphasis here, in our



judgment, ought to be more on procedures than on standards, for the no more complicated reason than that we have the former (by and large), but lack the latter; and that time and energy concentrated in this particular way on the further elucidation of standards may be misplaced. Highly generalized theorizing can hardly be said to be a matter of priority in the context we are talking about. We would think moreover that the conference and the programmes should not become bogged down in attempting a dreary catalogue of facts about human rights in each and every country. This is an impossible and often counter productive task. And, as we all know, it can have a very high nuisance value indeed.

Secondly, the conference might well think it worthwhile to consider afresh the relationship that ought to obtain between the Universal Declaration, the two proposed covenants, and the interlocking declarations that are in existence already, all this with a view to reviewing the unity, the orientation and the momentum of the total United Nations programme. This is a matter of principle rather than of fact gathering, and it would involve an appraisal of the broad course which the United Nations has charted for itself in this area of activity. A related inquiry might pertain to the possibility of co-ordinating all major human rights activities within the United Nations system itself. What one has in mind here - and we raise this point only for purposes of discussion - is the feasibility of harmonizing the policies and actions of the various organs and agencies that deal with human rights on the United Nations level, and of



guiding them towards common ends.

Thirdly, we would like to see the conference and the programmes produce the greatest possible impact on the public at large, while at the same time laying the basis for sound and solid advances of a more or less permanent nature. In this regard, the immensely important educational capacity that the United Nations enjoys in its institutional role in the world at large should be fully exploited; and, as the distinguished representatives of Iran and Venezuela have mentioned already, detailed attention should be given to ways and means of enlisting the co-operation of educational institutions, learned societies, foundations, non-governmental organizations, artistic groups and so forth. All of them should be induced to develop programmes of study in this area. The energies and resources of the academic community must be enlisted more fully than in the past. They should be brought in, in a very big way, for purposes of research, inquiry and popularization of the ideals of human rights. These institutions can provide a steady flow of significant ideas, without which advances on the practical level become difficult, if not impossible, to achieve; and their potential contribution should therefore not go unnoticed. New conferences of educators and especially experts in the communications media, are also worthy of very high priority. The press, the radio, the television all have essential roles to play in bringing home to the peoples of the world the essential connection between peace and security and human rights and fundamental freedoms.



Fourthly, we would support the idea of investigating the role of incentives, such as the award of special honours and awards, in promoting human rights and fundamental freedoms. The possibility might be examined of awarding one major international prize only, described perhaps as the Human Rights Prize, along the lines of the Nobel Peace Prize.

Fifth, where seminars, conferences and study groups are thought to be desirable, it probably would be preferable to concentrate on a single or a few closely related themes, rather than on generalized, broadly-gauged discussions, so as to reap the advantage of in-depth inquiry instead of discursive examination. Topics that readily come to mind are, for example,

- (i) fundamental liberties and the arrest and detection process;
- (ii) individual liberties and the administrative processes;
- (iii) freedom of information.

Sixth, in our view, the specialized agencies and non-governmental organizations should be associated closely with the preparation and implementation of the various programmes for 1968. The non-governmental organizations are often particularly close to the general public, the academic community, independent sources of information and inspiration, and this alone qualifies them as valuable contributors to the formulation of a meaningful programme on human rights.

These, Sir, are a few of the ideas that are representative of the thinking of my delegation in regard to the matter at hand. We have no illusions about their completeness, much less their perfection. We know that every delegation here could



add to this list in a useful and constructive manner; and we are conscious of the fact that even those items which we have put forward may have to be altered as our programme takes shape. We have made these suggestions, however, simply for what they are worth, and in a spirit of friendly co-operation. We will of course be prepared to discuss them in detail, as, if, and when our colleagues may wish to do so.

In the view of the Canadian delegation it would be unwise for any of us, at this time, to expect startling new progress in this highly sensitive and complicated field of human relations. But we believe that there is reason to think that new enthusiasms and energies - harnessed to the requirements of the situation - will deepen our understanding and awareness, and lead us on to clearer insights in the continuing task of crystallizing and promoting the effectiveness of our human rights programme on as wide a basis as possible.

The first part of the report is devoted to a general survey of the situation in the field of international law. It is a very interesting and comprehensive survey of the present state of international law, and it is a very valuable contribution to the study of international law. The author has done a very thorough and careful study of the subject, and his conclusions are well founded and convincing. The report is a very valuable contribution to the study of international law, and it is a very valuable contribution to the study of international law.

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