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NOTES FOR AN ADDRESS BY
THE SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
DR. MARK MACGUIGAN,
TO THE UKRAINIAN CANADIAN
CONGRESS,
WINNIPEG, OCTOBER 11, 1980

"THE MADRID CONFERENCE AND
THE DEFENCE OF HUMAN RIGHTS

Let me first express my thanks to you for the invitation to address this Thirteenth Ukrainian Canadian Congress. I particularly want to extend my congratulations to the Ukrainian Canadian Committee on the occasion of its fortieth anniversary -- a longevity which demonstrates the vitality of the Ukrainian community in this country, as does the presence here tonight of delegates representing 28 national member organizations as well as 25 branches of the Committee from seven provinces.

Tonight I want to review with you a number of issues related to the forthcoming meeting in Madrid on the Conference for Security and Cooperation in Europe, and in particular on the question of Human Rights. These are matters in which I have had an abiding interest for some years and for which I have a particular responsibility in my present cabinet portfolio. I realize, also, that they are matters in which many of you are vitally interested for many reasons. As evidence of this, you have made your views known through numerous briefs and a major submission from the Ukrainian Canadian Committee to the parliamentary sub-committee which is presently conducting hearings in preparation for our participation at Madrid. We are confident that these submissions will assist the sub-committee in the report it will present to Parliament which will provide essential input for the government in formulating Canadian government policy on its approach to Madrid.

I can well understand why Canadians of Ukrainian origin have a strong interest in what happens in negotiations to promote détente in Europe. As this anniversary evening indicates, you have long been a part of the multicultural fabric of Canada and have made a remarkable contribution to the building of our country. You have helped to develop the institutions in Canada that give to individuals here a freedom of mobility and expression which is matched in few countries of the world. In this, you have helped to project internationally the values which ensure the dignity of the individual in Canada.

At the same time, many of you understandably have strong emotional ties with your homeland in Europe. Some of you have family members still in the Ukraine, or in other parts of Eastern Europe, whose circumstances may give rise to personal grief and anguish. Regrettably, this heritage is shared with many citizens of Canada who have come as immigrants from other Eastern European countries. You have, therefore, a special interest in the state of affairs in your European homelands as well as in East-West relations and the reality or unreality of détente in Europe.

It is no secret that there is scepticism by many about the value of the CSCE process. When the leaders of 33 European countries, as well as Canada and the United States, subscribed in 1975 to the Helsinki accords, they knew they were not signing a perfect or legally binding agreement. Rather, the Helsinki Final Act is a political document which, inevitably, embodies a balance of interests, of East and West, of small countries and large, of those in alliances and those who are non-aligned, and of societies which are open and others which are closed. The fact remains, however, that what the Soviet Union and its allies had originally proposed as a European security conference became, in fact, a conference not only on security but also on cooperation in Europe.

What the CSCE process was attempting to do was to break the cycle of intermittent wars in Europe which have become increasingly destructive in the course of the last couple of centuries, and which could be terminal the next time. It is an attempt to get to the roots of tension which have generated the wars in Europe by establishing a climate of confidence between the parties involved -- so that they might acknowledge their differences, understand each other better, and draw on a common set of standards in resolving their problems.

The Helsinki Final Act, as you know, contained undertakings in the fields of economic cooperation and on the freer flow of people and information across borders. Among its principles were those dealing with human rights and fundamental freedoms. The states that participated in the conference freely entered into political and moral obligations to implement all the provisions of the Final Act. They agreed to participate in follow-up meetings not only to develop further the process of détente, but also to engage in a review of the manner in which they had implemented their undertakings at Helsinki. This was particularly important, because the special character of the CSCE lies in the fact that standards were set for reviewing the actions of participating states, and this review became the legitimate activity of an international forum, such as the one that will take place in Madrid.

We recognize now that the states participating in the CSCE -- and some in particular -- have fallen sadly short in implementing the provisions of the Final Act. The first Review Conference, held in Belgrade in the latter part of 1977 and early 1978, pointed up so many of these failings. In the embittered atmosphere of the Belgrade Conference, CSCE was considered by many to be a failure.

We should recognize, however, that the Belgrade Conference -- even more than the long negotiations in Helsinki and Geneva -- firmly established the fact that respect for the principle of human rights and fundamental freedoms by participating states was a proper and necessary subject for review by other states participating in the CSCE. And Canada and other Western countries firmly intend to carry forward this accomplishment to the Second Review Conference in Madrid.

Another important aspect of the review process stems from one of the provisions of the human rights principle as enunciated in the Final Act. That is that the participating states -- and I quote -- "confirm the right of the individual to know and act upon his rights and duties in this (that is, the human rights) field". This provision makes it clear that the principle was included in the Final Act not only to promote good relations between states, but also to touch the lives of private citizens and to improve the lot of ordinary people.

If any justification were needed, it was provided for the Helsinki watch groups which sprang up in the Soviet Union and in Eastern Europe to monitor their countries' implementation of the Final Act. It legitimized their right to follow and comment on progress in such CSCE undertakings as family reunification, family meetings, facilitation of marriage between nationals of different countries, the reduction of barriers to travel and to the free flow of information and ideas. These groups have a legitimate province to protest the violation of human rights in their countries.

Canada and other Western countries are profoundly concerned that these monitoring groups -- including the group in the Ukraine -- have been harassed, and that in so many cases their members have been imprisoned or exiled for activities quite legitimate under the terms of the Final Act. I assure you tonight that Canada will have these violations very much in mind as we approach the Madrid Review Conference. We shall insist on respect for the solemn undertakings of the Final Act, including the principle of human rights and fundamental freedoms.

One of our main goals will be to induce the Soviet Union and the countries of Eastern Europe to bring their human rights practices into line with their commitments under the CSCE. We shall strive, however, to achieve this goal without creating the kind of public antagonisms which, in fact, could endanger or worsen the plight of those we are attempting to help.

Given the present state of tension in international relations, we are approaching Madrid without illusions about the degree of progress we can expect to achieve. With our allies, we shall take a balanced approach. We shall seek to further military security and economic cooperation, as well as achieve progress in human rights, the freer flow of people, information and ideas. We shall insist on a thorough review of the behaviour of participating states regarding their commitments to CSCE. We hope in this way to give new vigour to the CSCE process.

But we also realize that in the course of the Madrid meeting we may have to make some hard and realistic judgements about the usefulness of our proceedings. I sincerely hope, however, that this unique CSCE forum will prove to be worth-while, and that we shall be able to make progress in meeting the concerns which Canadians of Ukrainian and other origins have quite rightly put forward.

Before closing, Mr. Chairman, I want to refer briefly to other actions of the Government in regard to these issues which are of such importance to you.

The question of human rights has long been a preoccupation of the Government of Canada. It is a cause we have tried to advance internationally in the various fora where we feel useful influence can be exerted. One of these is the United Nations and its various organs. In February of this year, for example, we put before the United Nations Human Rights Commission a Resolution regarding alternative approaches and ways and means within the United Nations' system to improve the effective enjoyment of human rights and fundamental freedoms. Essentially, the Resolution -- which the Commission adopted by consensus -- re-emphasized the provisions of the Universal Declaration of Human Rights, appealed to governments to encourage and support individuals and organs of society which promote the effective observance of human rights, and pointed out that the unlawful limitation or persecution of anyone exercising his human rights and fundamental freedoms is at variance with the obligations of states under a number of United Nations' instruments.

More recently, Mr. Chairman, during the course of the General Assembly of the United Nations, I had occasion to discuss with Mr. Gromyko the question of family reunification. I pointed out that many people in Canada had come here from the Soviet Union and hoped to be re-united with members of their families still in the U.S.S.R. Mr. Gromyko told me that was not the first time the question had been raised. He informed me that in the future all cases

will be considered in full accordance with Soviet laws and that in each case where there is no obstacle from the point of view of Soviet legislation, such cases will be resolved. Only time will tell how that commitment will be honoured. But our government intends to raise this matter with the Soviet government at every opportunity.

In closing, Mr. Chairman, I want to assure you again of our vital interest in resolving the difficulties which touch Ukranian-Canadians -- in some cases in a very personal way. Your submissions to us provide intelligent and sensitive insights that can help to guide us in our policies. I hope for your sake -- and for the sake of all freedom-loving people -- that we can continue and enrich that association.