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STATEMENTS AND SPEECHES

Statement by Her Excellency
Ms. A. Raynell Andreychuk,
Ambassador of Canada
in the Third Committee of the
43rd Session of the
United Nations

Canada

New York, United States

November 23, 1988

Mr. Chairman,

One of the dominant political themes of the past year has been "reconciliation". Major conflicts are gradually being resolved. Some longstanding internal and international disputes are growing closer to settlement. Amid all of these hopeful signs there are opportunities for emphasizing the importance of greater respect for human rights, and the need for ensuring that respect for human rights will provide a sound foundation for longer-term national and international harmony. Nonetheless, we must not let more dynamic political situations blind us to glaring human rights inadequacies. The systematic denial of fundamental human rights in South Africa, an abhorrent situation on which we spoke at length under an earlier item some weeks ago, remains an affront to mankind.

The importance of reconciliation is nowhere more evident than in Central America, where a number of countries are in the midst of difficult transitions from unrepresentative, repressive regimes to administrations committed to the development and protection of human rights. Canada has welcomed this trend. In El Salvador the government of President Duarte rolled back significantly the level of violence and human rights violations from the early 1980s. It is of deep concern, therefore, that the protection of human rights in El Salvador over the last year has weakened, and that number of human rights abuses has increased markedly. This has been most clearly documented in the report of the Special Rapporteur, Prof. Pastor Ridruejo.

In Guatemala, while human rights violations have diminished significantly since the beginning of the decade, the level of political violence is still unacceptably high and may be worsening. The resurgence of death squads and disappearances is a matter of profound concern. The Esquipulas accord of last year, agreed to by all five Central American Presidents, was most historic; it sought not only peace but respect for human rights and democratic values. It is a commitment made by all of the leaders of Central America, and we urge them to honour this commitment to regional reconciliation with renewed vigour.

Reconciliation is also a central theme in progress towards a comprehensive peace between Iran and Iraq. And here the human rights dimension needs to be kept centrally in view. The Canadian government is deeply concerned by the overall treatment by the Iraqi authorities of the Kurdish minority in Iraq, and particularly by the reports of the use of chemical weapons against civilians. Canada repeatedly condemned the use of chemical weapons during the war between Iran and Iraq, and

these reports underline, in our view, the importance of concluding a peace which will help to establish an environment which encourages greater respect for human rights in Iraq.

In Iran, available information indicates that widespread human rights abuses continue. Of particular concern are reports of summary arrests, torture and large-scale arbitrary executions of political detainees. We have noted in recent months that the discriminatory campaign against members of the Baha'i faith appears to have subsided. We believe that this is a positive trend which merits continuation. While we are appreciative of efforts by the Special Rapporteur on Iran for his interim report, we believe that the Special Rapporteur must be allowed to visit Iran in order to judge firsthand the validity of various allegations, as well as to verify the official Iranian response regarding allegations of various human rights abuses.

The international community has also been heartened over the past year by developments relating to Afghanistan, which represent significant progress in the search for a resolution of the long-standing conflict. For the moment, however, the human rights situation remains grim. Although the number of political prisoners has fallen and prison conditions have improved, allegations of torture and ill-treatment of prisoners are still being received. We support the recommendation that the International Committee of the Red Cross be granted full access to prisons and prisoners. We have also noted the continuing problem of lethal mines and booby-trap bombs. Canada welcomes the efforts of the Office of the U.N. Coordinator for Afghanistan to develop a program to deal with this serious and widespread problem, which represents a significant obstacle to the return of Afghan refugees.

The hope of reconciliation was also evident in discussions between Turkey and Bulgaria, which resulted earlier this year in a protocol to resolve problems related to the Turkish minority in Bulgaria. It is hoped that this agreement will contribute to a resolution of the problem of religious and cultural discrimination by the Bulgarian authorities.

National reconciliation was the essential theme of the recent plebiscite in Chile, conducted under conditions which were sufficiently fair and equitable to produce credible results. The people of Chile have spoken in favour of the restoration of democracy. It is our hope that the progress of the past several months, which included a resolution of the problem of exiles, will continue, especially with respect to investigation of past cases of disappeared persons and the reported involvement of security authorities in cases of

torture and other violations of human rights. The report of the Special Rapporteur contains a number of observations which should be reflected in the resolution before this Committee. Resolutions which fail to do so can only undermine the efforts of this organization to promote human rights objectively.

By contrast, prospects for a peaceful solution of the Arab/Israeli dispute continue to elude us. Quite apart from the legitimate political rights of the Palestinian people, the situation in the Israeli Occupied Territories presents serious human rights concerns. As we have stated previously, the Fourth Geneva Convention must be applied in the Occupied Territories. We believe that respect for human rights is an essential component of the peace process. Progress in this area is indispensable to building a climate of confidence for peace negotiations.

We stress the concept of reconciliation in these situations because so many conflicts originate, directly or indirectly, in human rights problems, or because divisive political conflicts have potentially disastrous consequences for respect for human rights. Some three months ago, for example, ethnic and tribal rivalries erupted in Burundi, resulting in at least some 5000 deaths and many more persons seeking refuge in neighbouring countries. We have been appreciative of the responses of international humanitarian organizations and neighbouring countries to this tragic conflict, which triggered another instance of the phenomenon called "mass exoduses". We would hope that the Burundian authorities would be responsive to U.N. initiatives designed to alleviate these concerns.

More than a decade ago, the United Nations began to recognize the significance of the theme of mass exoduses and to identify it as an issue of major importance. Recently, an early warning unit was established under the Secretary-General to come to grips with the political and humanitarian problems created by mass exoduses before they evolve into crisis proportions. The next phase is enhancing these good office functions, now that the essential priorities and information-gathering capacities have been established.

If the United Nations is to play an effective role in these and other situations, however, much work remains to be done to solidify its procedures. Earlier this year we drew attention to the problem of inconsistent fact-finding techniques and to the uneven reports on country situations. Some progress has been made in past years in gaining increased cooperation from governments. Iran alone is refusing to cooperate with special procedures.

Some steps have also been taken towards recognizing the need for strict objectivity of investigation and reporting, based on universally-recognized standards of human rights. But deficiencies remain. These problems were most recently discussed in the Commission on Human Rights earlier this year in determining action in the case of Cuba. Despite the Commission's departure from well-established practices, it is our expectation that the debate on human rights in Cuba can proceed in the Commission based on dispassionate examination of existing evidence.

A different problem, though equally serious, is the problem of timeliness. Effectiveness in many situations demands a rapid and timely response. Over the past six months, for example, several thousand persons have died in Burma, many because of attacks by Burmese authorities on peaceful demonstrators. The Burmese people expressed their strong desire for a return to democracy through massive and peaceful demonstrations which were met with violent suppression. Human rights abuses continue to be reported in Burma, and the army is reportedly continuing to carry out torture and summary executions. At the next session of the Commission, discussion should once again be initiated on ways of responding rapidly to such situations, perhaps by way of an inter-sessional role for the bureau. This is more than a procedural reform; it would be a significant advance towards greater effectiveness.

Canada has always been concerned with the selectivity inherent in much of the U.N.'s work in the area of human rights. There is a disparity of treatment between those few countries subject to special procedures and those whose human rights situations remain largely beyond examination. The Soviet Union, for example, has never figured prominently on the Commission agenda. Now, there are prospects of real change within the USSR itself. The government has repeatedly declared its intention of introducing major legal and constitutional changes. There has been a measure of progress in the treatment of religious and minority groups, the release of some political prisoners and greater tolerance of dissent and criticism. However, there continue to be political and religious prisoners. Large numbers of family reunification cases are outstanding. Many long-term refuseniks continue to be denied their right to leave their country. While developments in the Soviet Union and some other states of Eastern Europe are encouraging, some other countries in the area seem unable even to acknowledge many of the most basic rights enshrined in the Universal Declaration. A case in point is Romania, which has yet to resolve satisfactorily the case of Professor Dumitru Mazilu.

With respect to one major procedural difficulty which has been discussed at previous sessions of the Commission, my delegation believes that, in general terms, the mandates of special rapporteurs should be continued in all country-specific situations until there is a marked and recognized restoration of respect for human rights. We disagree with the idea of dropping special procedures at the first sign of political change. Political change, while important, is not always effective in ensuring that human rights are fully restored. Political change in Haiti was short-lived and disappointing, and the situation of human rights in that country remains highly disturbing.

To return to my opening theme Mr. Chairman, in any difficult political situation the process of "reconciliation" can never be truly concluded until the governments concerned are reconciled to fully respecting the rights and freedoms enshrined in the Universal Declaration of Human Rights.

Thank you, Mr. Chairman.