

Press Release

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Canada's record on human rights is tarnished, say governments during UN review

Canada's human rights record is flawed, noted many governments involved in a ground-breaking review of Canada's human rights record by the United Nations' Human Rights Council that wrapped up today in Geneva. Under the Council's new Universal Periodic Review process, 68 governments went on the record with comments, concerns and recommendations. They outlined a wide range of pressing Canadian human rights challenges, including the rights of Indigenous peoples, poverty and homelessness, enforcing economic, social, and cultural rights, women's rights, children's rights, the rights of persons with disabilities, counter-terrorism practices, and the plight of refugees, migrants and racial minorities.

Though Canada was commended by many as a human rights leader many states were concerned that there is no effective procedure in place for governments to respond to concerns and implement recommendations of UN bodies about human rights failures in

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Canada. John Sims, Deputy Minister of Justice, leading a large delegation of Canadian officials at the UN in Geneva assured the Human Rights Council on Tuesday that the Government of Canada will ensure meaningful follow-up to this Review and facilitate effective participation by affected groups in reviewing and implementing recommendations.

“Canada does have a good reputation within UN human rights circles. However, for years independent UN human rights experts have expressed increasing frustration that Canada fails to live up to its own obligations. A growing list of important recommendations addressing serious human rights failings for vulnerable groups in Canada have simply gathered dust,” said Leilani Farha, of the Centre for Equality Rights in Accommodation. “Canada took the lead in promoting this new universal review of the human rights records of all states. The other states are pointing out that Canada, too, can benefit from some reflection on its own shortcomings in human rights, particularly when it has the resources necessary to ensure the fulfillment of all human rights.”

A long list of concerns and recommendations were put to the Government delegation, which the Government of Canada must decide to accept or reject between now and the next meeting of the Human Rights Council in June.

A number of States called on Canada to immediately reverse its opposition to the UN Declaration on the Rights of Indigenous Peoples, adopted by overwhelming majority at the United Nations in 2007. “Canada is clearly out of step with the international community

when it comes to the international framework of protecting Indigenous rights,” noted Beverley Jacobs, President of the Native Women’s Association of Canada. “Surely now Canada will acknowledge that it stands ready to promote and uphold this universal human rights instrument.”

The Government of New Zealand noted that 55% of working age adults with disabilities and a whopping 75% of women with disabilities are unemployed or out of the labour market. New Zealand urged Canada to adopt the Convention on the Rights of Persons with Disabilities and adopt a national action plan for its implementation. “Canada did take the important first step of signing the Convention, but it is vital that Canada move beyond symbolism and formally ratify the Convention and its Optional Protocol,” stated Steven Estey of the Council of Canadians with Disabilities. “Canadians, including those living with disabilities, are looking to the government to move rapidly on this recommendation.”

A number of states expressed concern that despite Canada’s affluence, poverty and homelessness continues to be a serious problem. Several recommended that Canada implement a national strategy to eliminate poverty, and better address the problems of homelessness and inadequate housing. Portugal and a number of other countries recommended that the right to adequate housing and other economic and social rights dealing with poverty, access to education, healthcare and social security should be made enforceable human rights in Canada. “Canada has long treated economic, social and cultural rights to be

second-class rights,” remarked Bruce Porter, Director of the Social Rights Advocacy Centre. “Other governments are calling on Canada to recognize that there must be effective remedies for all human rights violations in Canada.”

Many States urged Canada to determine the root causes of violence against women, particularly Indigenous women, and to adopt a national action plan to end the high levels of violence, discrimination, and marginalization experienced by Indigenous women;

Other issues raised by States included:

- Ratifying UN human rights treaties and complaints mechanisms dealing with torture prevention; persons with disabilities; economic, social and cultural rights; migrant workers; and enforced disappearances.
- Ensuring the timely and just resolution of outstanding Indigenous land and Treaty disputes;
- Scrutinizing the use of tasers;
- Reinstating Canada's policy of consistently seeking clemency for Canadians sentenced to death in other countries.
- Adopting measures to protect the rights of migrant workers, including live-in domestic caregivers; and to better safeguard the rights of victims of trafficking.
- Taking measures to ensure there is no racial, ethnic or religious profiling in Canada's national security practices;
- Reforming Canadian law to conform to the absolute ban on deporting individuals to face a serious risk of torture; and
- Substantially increasing social assistance rates to ensure access to food, housing and other requirements.

Canada has not yet indicated which recommendations it will accept and which it will reject. The government has just over four months to establish a credible process to reach decisions as to which ones it will take on board. Indigenous Peoples, representative organizations, nongovernmental groups and other levels of government must be brought into

those considerations. "As a first step, a meeting of federal, provincial and territorial Ministers responsible for human rights should be convened on an urgent basis to review and respond to these recent UN recommendations. Indigenous Peoples, representative organizations and nongovernmental organizations should play a meaningful role in such a meeting," said Alex Neve, Secretary General of Amnesty International Canada. "Ministers have not met to discuss human rights in Canada since 1988. That failure of attention to human rights is unacceptable. Such a meeting is long overdue, and today's recommendations from Geneva should set the agenda."

Over the next four months, and when Canada appears before the Human Rights Council in June, Canadians will know whether the government has decided to once again take human rights seriously.

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