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## Human Rights Council

Working Group on the Universal Periodic Review

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### Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

#### Canada\*

The present report is a summary of 48 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translation services.

## **I. Information provided by the accredited national human rights institution of the State under review in full compliance with the Paris Principles**

### **A. Background and framework**

1. The Canadian Human Rights Commission (CHRC) noted that in order for treaties to have full legal effect in domestic law, Canada must, as a “dualist” state, incorporate them by relevant legislation. Human rights commissions, tribunals and courts are increasingly applying international human rights law to aid the interpretation of domestic human rights law.<sup>2</sup>

2. The CHRC, created in 1977, was accredited in 1999, 2006 and 2011 with ‘A’ status. Pursuant to the *Canadian Human Rights Act* (CHRA), CHRC has federal jurisdiction. Provincial and territorial governments have their own human rights codes and are responsible for provincially/territorially regulated sectors.<sup>3</sup>

3. CHRC welcomed Canada’s ratification of the Convention on the Rights of Persons with Disabilities (CRPD). It noted that it is not clear which organizations are specifically tasked with fulfilling the role of independent monitoring mechanisms. CHRC recommended that Canada make the means by which Canada intends to operationalize article 33(2) of the CRPD explicit to the Committee on the Rights of Persons with Disabilities.<sup>4</sup> It further recommended that it develop a process for regular consultations on the implementation of the CRPD with persons with disabilities, Aboriginal organisations, civil society, as well as with the CHRC.<sup>5</sup>

### **B. Cooperation with human rights mechanisms**

4. CHRC noted that Canada partially accepted recommendations regarding consultations on the follow-up to the UPR (Recommendations 14, 55, 62, 63).<sup>6</sup> CHRC echoed NGOs’ and parliamentarians’ concerns on the need for improvements in dialogue on the promotion and protection of human rights. CHRC recommended that all federal, provincial and territorial departments demonstrate leadership, including with respect to follow-up to treaty body and UPR recommendations, and engaging civil society, Aboriginal organizations and human rights commissions in those processes.<sup>7</sup>

5. With regard to follow-up to recommendations on national security (Recommendations 26 and 61),<sup>8</sup> CHRC recommended that parliaments introduce legislation that requires national security organizations and law enforcement agencies to have accountability structures.<sup>9</sup>

### **C. Implementation of international human rights obligations**

6. CHRC recommended encouraging Canada to facilitate awareness, capacity and implementation of the *Guiding Principles on Business and Human Rights*, endorsed by the Human Rights Council in 2011.<sup>10</sup>

7. Regarding follow up to recommendations on equality of Aboriginal peoples before the law (Recommendations 19-20, 24, 27-28, 33-38, 45-46, 52,54), CHRC indicated that in 2010, Canada gave its qualified support to the *United Nations Declaration on the Rights of*

*Indigenous Peoples*. CHRC recommended that Canada strengthen its leadership role on the issues of violence against Aboriginal women, girls, two-spirited and LGBT persons.<sup>11</sup>

8. CHRC indicated that in response to complaints of discrimination it had recently received, the Government is arguing for the narrowing of the application of the CHRA, maintaining that the provision of funding for on-reserve child welfare services does not meet the definition of a “service” within section 5 of the CHRA. CHRC recommended that Canada endeavour to ensure that the repeal of section 67 is a catalyst for positive change for Aboriginal children on reserves, and that Canada support the application of the CHRA with respect to the provision of funding and other on-reserve services.<sup>12</sup>

9. CHRC recommended the provision of adequate resources to First Nations governments operating services under the Indian Act, to ensure that their obligations under the CHRA can be met.<sup>13</sup>

10. CHRC recommended the abolition of the use of disciplinary and administrative segregation (solitary confinement) for persons with serious or acute mental disabilities; and increase in the capacity and effectiveness of mental health treatment centres for prisoners, taking into account the needs of Aboriginal peoples in prisons.<sup>14</sup>

## **II. Information provided by other stakeholders**

### **A. Background and framework**

#### **1. Scope of international obligations**

11. The International Commission of Jurists (ICJ) and Amnesty International (AI) recommended that Canada become party to the Optional Protocols to the ICESCR and CAT, the Optional Protocol to CRC on communications (OP-CRC-IC), ICRMW and CPED.<sup>15</sup> AI and Canada without Poverty-Centre for Equality Rights in Accommodation (CWP-CERA) recommended that Canada ratify the OP to the Convention on the Rights of Persons with Disabilities (OP-CRPD).<sup>16</sup>

12. Human Rights Watch (HRW) recommended that Canada ratify and implement the Convention on Cluster Munitions.<sup>17</sup>

13. ECPAT encouraged Canada to ratify ILO Minimum Age Convention 138 and the OP-CRC-IC, as soon as possible.<sup>18</sup>

14. NGO Coalition referred to the 2009 UPR recommendations<sup>19</sup>, indicating that Canada’s approach to implementation is one of the most serious obstacles in advancing the protection of human rights in Canada.<sup>20</sup> NGO Coalition recommended that Canada establish a mechanism to implement its international human rights obligations; developing an International Human Rights Implementation Act through a process of consultation with civil society groups and providing the Human Rights Council within one year a report on the plans for implementation of UPR recommendations.<sup>21</sup> ICJ also recommended that Canada present a plan of action for the implementation of recommendations and voluntary pledges/commitments and two years thereafter, a mid-term report on the status of implementation.<sup>22</sup>

15. Sheldon Chumir Foundation and Vibrant Communities Calgary (SCFEL-VCC) applauded Canada’s commitment to civil society involvement in the 2009 UPR, but indicated that implementation remains problematic.<sup>23</sup>

## **2. Constitutional and legislative framework**

16. Canadian Coalition for the Rights of Children (CCRC) recommended that Canada adopt legislation for the implementation of Canada's international human rights obligations and monitoring through regular reporting to parliamentary committees.<sup>24</sup>

17. Charter Committee on Poverty Issues and Social Rights Advocacy Centre (CCPI-SRAC) recommended that Canada amend legislation ensure coverage of all areas of international human rights, including economic and social rights, providing for complaints mechanisms and hearings before independent human rights tribunals.<sup>25</sup>

18. AI was concerned that Canada restricts the extra-territorial implementation of Canada's international human rights obligations because treaties ratified by Canada can only be legally enforced in Canada through domestic legal instruments, such as the Charter of Rights.<sup>26</sup>

19. HRW recommended Canada adopt legislation to prohibit the use, production, transfer and stockpiling of cluster munitions.<sup>27</sup>

20. CCRC recommended making the Convention on the Rights of the Child part of Canadian law.<sup>28</sup>

21. ECPAT reported that although Canadian legislation addressing child prostitution is consistent with the CRC and the OP-CRC-SC, it does not explicitly protect a child from prosecution or punishment for prostitution offenses, leaving children vulnerable to being treated as criminals instead of victims.<sup>29</sup>

22. Voices-Voix (VV) indicated that in 2012, legislation was passed repealing Canada's legislative human rights protection against hate speech (Section 13 of the Canadian Human Rights Act), thus eliminating an administrative and regulatory response to hate speech and leaving a criminal remedy only. It should be noted that this has occurred despite court decisions upholding the constitutionality of such provisions and their conformity with Articles 19 and 20 of the ICCPR.<sup>30</sup>

## **3. Institutional and human rights infrastructure and policy measures**

23. VV reported a trend of eroding human rights protections offered by Canadian human rights institutions. The Canadian Human Rights Commission has been underfunded and there has been no Chief Commissioner for more than a year.<sup>31</sup>

24. CCRC recommended that Canada replace the Continuing Committee of Official on Human Rights with a body that has a mandate to monitor and report regularly on implementation of Canada's human rights obligations and on implementation of UPR and treaty bodies' recommendations; and implementing a Child Rights Impact Assessment of all proposed laws and policies that affect children to ensure full compliance with the Convention on the Rights of the Child.<sup>32</sup>

25. CCRC recommended the establishment of a national Ombudsperson for Children, to work with provincial Children's Advocates to ensure that the best interests of children are given priority in all policies and programmes that affect children.<sup>33</sup>

26. Canadian Federation of University Women and National Council of Women Canada (CFUW-NCWC) recommended that Canada develop an action plan to end violence against women.<sup>34</sup>

27. AI recommended that Canada develop plans or strategies to address homelessness and poverty.<sup>35</sup>

28. AI recommended that Canada develop a plan of action to implement the Declaration on the Rights of Indigenous Peoples and a plan of action to address violence against indigenous women.<sup>36</sup>

29. John Humphrey Centre for Peace and Human Rights (JHCENTRE) referred to a lack of understanding of human rights and unfamiliarity with the United Nations International Human Rights System among community service providers. JHCENTRE recommended prioritizing far-reaching human rights education.<sup>37</sup>

## **B. Cooperation with human rights mechanisms**

30. NGO Coalition expressed concern at a pattern of assertions by Canada that United Nations human rights experts and review processes should give less or even no scrutiny to Canada's record because other countries may face more serious human rights problems.<sup>38</sup> NGO Coalition recommended that Canada publicly confirm that it fully accepts that Canada's record must regularly be assessed by United Nations human rights experts, bodies and other processes.<sup>39</sup> CWP-CERA called on Canada to re-establish a respectful relationship with human rights treaty bodies and special procedures mandate holders.<sup>40</sup> CCPI-SRAC noted that concerns about a diminished commitment to constructive dialogue and meaningful accountability for human rights standards, both in respect of stakeholders within Canada and international human rights bodies and special procedures, should be raised during Canada's UPR.<sup>41</sup>

### **1. Cooperation with treaty bodies**

31. ICJ recommended Canada to provide without delay its sixth periodic report to the Human Rights Committee.<sup>42</sup>

### **2. Cooperation with special procedures**

32. ICJ recommended that Canada accepted the requests of the Special Rapporteur on the human rights of migrants, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the sale of children, child prostitution and child pornography to undertake official visits to Canada and extend them all cooperation.<sup>43</sup>

## **C. Implementation of international human rights obligations**

### **1. Equality and non-discrimination**

33. African Canadian Legal Clinic (ACLC) recommended that Canada introduce legislation on protection against anti-Black hate propaganda and create an offence of racial violence.<sup>44</sup> ACLC called on Canada to re-commit to a national anti-racism strategy and participate in events addressing the implementation of the Durban Declaration and Programme of Action.<sup>45</sup>

34. The Centre for Research-Action on Race Relations (CRARR) reported on discriminatory policies of the province of Quebec, such as racial profiling in law enforcement actions and racial discrimination in employment. CRARR expressed concern at the pledges made by the new government of Quebec to adopt a *Charter on Secularism*, which would ban religious symbols except Christian symbols from provincial public institutions; and enact a *Quebec Identity Act*, leading to identity debates and discriminatory actions directed at immigrants.<sup>46</sup>

35. Canadian Feminist Alliance for International Action (FAFIA) submitted that Canada has not implemented treaty bodies recommendations regarding equality of women made

over the last fifteen years. It recommended that Canada implement the recommendations of treaty bodies, invite and fully assist the CEDAW Committee to visit Canada.<sup>47</sup>

36. Noting the acceptance of recommendation 29<sup>48</sup> on the Yogyakarta Principles in respect to LGBT rights, Egale reported that there are no federal (national) laws that explicitly prohibit discrimination on the basis of gender identity.<sup>49</sup>

37. Egale indicated that Canada continues to enforce a lifetime ban on donating blood on men who have sex with men, perpetuating stereotypes and prejudice, while ignoring scientific advances.<sup>50</sup>

38. Egale noted that the Canadian criminal law governing age of consent discriminates against LGBT community.<sup>51</sup>

39. Facing homophobia, trans-phobia and violence in their communities, Egale reported that LGBT and two-spirited Aboriginal youth often have no support or safeguards.<sup>52</sup>

## **2. Right to life, liberty and security of the person**

40. AI recommended that Canada amend the Guidelines for the Use of Conducted Energy Weapons to require that conducted energy devices be used only in situations involving an imminent threat of death or serious injury.<sup>53</sup>

41. Canadian Civil Liberties Association (CCLA) noted that overcrowding in correctional institutions is a critical concern.<sup>54</sup> British Columbia (B.C) CEDAW GROUP referred to accepted UPR recommendations<sup>55</sup> and noted that British Columbia has moved backwards on the protection of girl prisoners' since the last UPR.<sup>56</sup> The International Human Rights Programme (IHRP) raised concerns on the treatment of federally-sentenced women with mental health issues.<sup>57</sup> AI recommended the establishment of an independent oversight body for federally-sentenced women prisoners.<sup>58</sup>

42. CFUW-NCWC indicated that Canada has not implemented recommendations from treaty bodies or from the 2009 UPR regarding violence against Aboriginal women and girls.<sup>59</sup> CFUW-NCWC recommended that Canada invite CEDAW to visit the country.<sup>60</sup> B.C. CEDAW Group noted that despite accepted UPR recommendations<sup>61</sup> the Canadian and British Columbia Governments have yet to implement a strategy to address the causes or consequences of violence against Aboriginal women and girls.<sup>62</sup> HRW questioned the commitment of Canada to engage meaningfully with indigenous communities on the issues of police accountability for responding to such violence.<sup>63</sup> The Assembly of First Nations (AFN) noted that the involvement of indigenous women and girls, indigenous communities and their leadership is critical to addressing the rights of indigenous women and girls.<sup>64</sup> The Native Women's Association of Canada (NWAC) called upon Canada to conduct a national inquiry regarding disappearances and murders of Aboriginal women and girls.<sup>65</sup>

43. While noting Canada's acceptance of recommendation 34,<sup>66</sup> Global Initiative to End All Corporal Punishment of Children (GIEACPC) hoped that States will raise the issue and recommend that legislation be enacted to explicitly prohibit corporal punishment of children in the home and all forms of care as a matter of priority.<sup>67</sup>

44. IFOR-CPTI also reported on juvenile recruitment and militarization in schools, and referred to the Committee on the Rights of the Child recommendation to raise the age of voluntary recruitment to 18 years.<sup>68</sup>

45. IMMA-VIDES International welcomed the support of Canada to UPR recommendations 39<sup>69</sup> and 40<sup>70</sup>, agreeing to conduct a review of the effectiveness of its legislation relevant to trafficking in human beings and implement reforms to strengthen the protection of victims; and strengthen enforcement of legislation and programs regarding prohibition of commercial sexual exploitation of children.<sup>71</sup> It commended Canada for the

ratification of the Palermo Protocol and the adoption of a National Action Plan to Combat Human Trafficking.<sup>72</sup> IMMA-VIDES recommended that Canada make indicators of human trafficking for labour and sexual exploitation widely available, modify the Temporary Foreign Worker Program to ensure a better protection for victims of human trafficking, provide lawyers with adequate training on human trafficking legislation; and continue its efforts to support the role of NGOs in addressing gaps in the protection of trafficked non-citizens in Canada.<sup>73</sup>

46. ECPAT indicated that Canada should enhance coordination with respect to anti-trafficking law enforcement.<sup>74</sup> It should develop a comprehensive national plan to address all forms and manifestations of commercial sexual exploitation of children and establish coordinated assistance and support services for victims.<sup>75</sup>

### **3. Administration of justice, including impunity and the rule of law**

47. B.C. CEDAW Group reported that legal aid is in crisis in British Columbia, and concerns have been raised by the courts, lawyers' associations, and non-governmental organizations. It referred to UPR accepted recommendations<sup>76</sup> on access to justice and noted that CEDAW, as well as the committees that monitor the implementation of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, have all raised concerns about access to justice issues in Canada.<sup>77</sup>

48. CFUW-NCWC recommended that Canada revitalize its commitment to legal aid.<sup>78</sup> FAFIA also recommended that Canada ensure that Aboriginal women have access to legal representation.<sup>79</sup>

49. Joint submission 6 noted that when indigenous peoples seek a legal remedy in domestic courts, the Canadian Government finds ways to delay such cases for years by arguing technicalities.<sup>80</sup>

50. AI recommended that Canada ensure that extradition or criminal prosecution will be pursued over deportation with respect to individuals accused of committing international crimes subject to universal jurisdiction and amend the State Immunity Act to allow civil suits involving crimes that are subject to universal jurisdiction.<sup>81</sup>

51. AFN recommended that Canada move towards a restorative and rehabilitative model of youth justice.<sup>82</sup>

52. The Hassan Diab Support Committee (HDSC) urged Canada to reform its extradition law to protect individuals in Canada from unjust and abusive extradition proceedings. It called for the application of Canadian standards of evidence to extradition cases, taking account of Canada's human rights obligations including due process rights.<sup>83</sup>

### **4. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

53. International Fellowship of Reconciliation and Conscience and Peace Tax International (IFOR-CPTI) reported on deportations of conscientious objectors to military service to a country where they face persecution.<sup>84</sup>

54. Joint submission 4 (JS4) referred to shortcomings in Canada's law and policy regarding freedom of expression. JS4 recommended Canada enact legislation in favour of protection of sources, provide training on international standards to officers policing at demonstrations, repeal Sections 299-304 of the Criminal Code, which criminalize defamation, bring the *Access to Information Act* in line with international standards; and recognize a freestanding constitutional right to information.<sup>85</sup>

55. Joint submission 7 (JS7) recommended that Canada *inter alia* update the federal *Access to Information Act*, taking into account the impact of new technology, work with local communities to expand internet access in rural areas; and withdraw proposed Bill C-30, that jeopardizes the privacy and security of online users.<sup>86</sup>

56. JS4 recommended the repeal of the Public Works Protection Act and Bill 78, which imposes restrictions on where and how protesters may demonstrate and; refrain from passing legislation that is unduly restrictive of freedom of assembly.<sup>87</sup>

57. AI reported that there are credible allegations of the use of excessive force by the police in response to student protests, and potential arbitrary arrests in the context of mass arrests, in the province of Quebec.<sup>88</sup> Concordia Student Union Legal Information Clinic (CSULIC) reported on the obstacles faced by students' to access justice, as well as on the deficiencies and delays in the processing of human rights complaints by the Quebec Human Rights and Youth Rights Commission.<sup>89</sup> AI recommended withdrawing the Quebec emergency laws, suspended in September 2012, and conducting a public inquiry into the policing of Quebec student protests.<sup>90</sup>

58. VV recommended that Canada ensure equitable government funding for human rights, women's equality, and social justice organizations, as well as for Indigenous child and family services agencies; and ensure an enabling environment for civil society. VV further recommended the cessation of public statements that intimidate human rights defenders and social justice activists.<sup>91</sup>

## **5. Right to work and to just and favourable conditions of work**

59. FAFIA recommended designing a labour force strategy that will address long-standing structural inequalities experienced by women.<sup>92</sup>

60. SCFEL-VCC recommended that Canada uphold the constitutional right to freedom of association and form unions and strike, and set measurable goals to utilize internal labour sources in low unemployment areas including Aboriginal communities.<sup>93</sup>

## **6. Right to social security and to an adequate standard of living**

61. CCPI-SRAC noted that during its first UPR Canada refused to accept some recommendations that would have provided a human rights framework for efforts to address poverty, hunger and homelessness. It noted that in the rare instances where Canada accepted recommendations related to economic, social and cultural rights, there has been no effective implementation. CCPI-SRAC recommended ensuring that all human rights, including economic and social rights, are subject to effective remedies and independent review and oversight by courts and other independent bodies.<sup>94</sup>

62. CFUW-NCWC reiterated the importance of UPR recommendation 17<sup>95</sup>, not accepted by Canada, on the development of a national strategy to eliminate poverty.<sup>96</sup> Citizens for Public Justice (CPJ) recommended that Canada act on the recommendations of the Senate Subcommittee on Cities and the House of Commons and put into action a national poverty elimination strategy that incorporates a human rights framework; to promote social development.<sup>97</sup>

63. The Ontario Provincial Advocate for Children and Youth (Ontario-Advocate's Office) noted that many First Nations children and youth live in extreme poverty and have no access to basic education, housing or health care. It recommended that Canada develop a plan to ensure permanent, equitable funding for First Nations children.<sup>98</sup> AFN recommended that Canada ensure that First Nations actively participate in all processes.<sup>99</sup>



64. FAFIA recommended that Canada address women's poverty and disadvantage, with specific attention to the particular conditions of poverty and disadvantage experienced by Aboriginal women, racialized women, women with disabilities, and single mothers.<sup>100</sup>

65. The Ontario-Advocate's Office recommended implementing a Child Poverty Elimination Strategy by 2020, and a long-term national housing plan.<sup>101</sup>

66. SCFEL-VCC and also CCPI-SRAC called on Canada to develop a comprehensive plan to eliminate food insecurity.<sup>102</sup>

67. The Right to Housing Coalition (RHC) indicated that Canada has failed to enact federal legislation to develop a rights-based affordable housing strategy.<sup>103</sup> Housing Justice Project noted Canada's failure to respect, protect, and fulfill international human rights commitments to adequate housing.<sup>104</sup> CPJ recommended that Canada secure adequate, accessible, and affordable housing by adopting the *Affordable Housing Act*.<sup>105</sup> Wellesley Institute (WI) recommended implementing a multi-year affordable housing investment plan.<sup>106</sup> CFUW-NCWC recommended developing a housing and homelessness strategy.<sup>107</sup> HJP noted that the Federal Government has yet to adopt a unified approach for defining homelessness.<sup>108</sup> Alliance to End Homelessness Ottawa (AEHO) also reported on Canada not fulfilling its commitments to recognize the right to adequate housing.<sup>109</sup>

68. The Council of Canadians (CC) urged Canada to put in place a national action plan which includes adequate funding for First Nations communities to operate their own water and sanitation services; and the recognition of water and sanitation as a human right in domestic law and providing recourse for communities whose rights are violated.<sup>110</sup>

## **7. Right to health**

69. Canadian HIV/AIDS Legal Network (AIDSLAW) reported that high rates of incarceration of people, who use drugs, and unsafe injection drug used in prisons, pose an urgent threat to the health and safety of prisoners.<sup>111</sup>

70. Canadians for Choice and The Sexual Rights Initiative (CFC-SRI) referred to obstacles to access services, faced by women who choose to terminate their pregnancies.<sup>112</sup> According to CFC-SRI, in the last four years, Canada has not taken any actions to address the discriminatory abortion policies of provinces that contravene the Canada Health Act.<sup>113</sup>

71. The At-sik-hata Nation of Yamassee Moors (ASHNY) recommended that Canada support indigenous community-based responses to the HIV and AIDS epidemics for indigenous youth.<sup>114</sup>

## **8. Right to education**

72. Egale reported that bullying of LGBT or perceived LGBT students' remains a problem in educational facilities and called on Canada to institute changes in the education curricula to address the realities faced by LGBT youth.<sup>115</sup>

## **9. Persons with disabilities**

73. The Ontario-Advocate's Office indicated that Canada must adopt a policy framework that ensures social inclusion, including disability supports, learning and skills development, employment opportunities, secure income, services to support health and wellbeing and strategies to strengthen capacities within the disability community.<sup>116</sup>

74. The Council of Canadians with Disabilities (CCD) was pleased that the Office for Disability Issues within the Federal Department of Human Resources and Social Development was designated as the focal point on disability. CCD was however concerned about the decision not to designate an independent monitoring mechanism, as required by

the United Nations Convention on the Rights of Persons with Disabilities.<sup>117</sup> CCD noted the need for a regulatory accessibility framework.<sup>118</sup>

#### **10. Minorities and indigenous peoples**

75. CPJ recommended that Canada implement commitments made through the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*, developing more participatory and partnership-based approaches, and increasing funding to Aboriginal people for housing, education, and social services, and address the clean water crises in First Nations communities.<sup>119</sup>

76. AI noted that in its 2009 UPR, Canada accepted to “establish policies to improve healthcare and general welfare of Indigenous children”.<sup>120</sup> The Native Youth Sexual Health Network (NYSHN) also referred to accepted recommendations<sup>121</sup> with regard to indigenous peoples and recommended that Canada fully implement UNDRIP and CRC recommendations pertaining to indigenous peoples.<sup>122</sup> NWAC indicated that Canada must follow the recommendations made by its Auditor General with respect to the national Aboriginal child welfare system<sup>123</sup> and the education shortfalls and services in First Nations schools.<sup>124</sup>

77. AFN recommended that Canada engage in a serious process of establishing relations with First Nations peoples in a manner consistent with the UNDRIP.<sup>125</sup> ASHNY recommended the domestic implementation of the UNDRIP.<sup>126</sup>

78. AI noted that Canada narrowly interprets the duty to consult as excluding the need to seek consent, and often fails to ensure Indigenous Peoples’ concerns are accommodated.<sup>127</sup> AI recommended that Canada enact and implement laws and policies to ensure that resource extraction activities and development was undertaken in consultation with affected indigenous peoples, implement Ipperwash Inquiry recommendations; ensure funding for child and family services meets the needs of First Nations children; and provide adequate resources for water and sanitation in First Nations communities.<sup>128</sup>

79. The Lands Claims Agreements Coalition (LCAC) noted that the situation of indigenous peoples remains the most pressing human rights issue facing Canadians. It urged Canada to affirm its commitment to the implementation of the spirit and intent, obligations and socio-economic objectives of land claims agreements entered into with indigenous peoples.<sup>129</sup>

#### **11. Migrants, refugees and asylum-seekers**

80. IMMA-VIDES welcomed the acceptance of recommendation 60<sup>130</sup>, which asked Canada, *inter alia*, to “make its immigration procedures more transparent and objective [...]”. It regretted that Canada only partially accepted recommendations 57, 58, 59<sup>131</sup> and Canada’s views on family reunification.<sup>132</sup> JS13 indicated that over the last two decades greater requirements have been imposed on those who wish to sponsor their families and “family class” immigration (with the exception of spouses) has become more narrowly defined.<sup>133</sup>

81. IMMA-VIDES recommended monitoring the Temporary Foreign Worker Program to prevent abusive living and working conditions in Canada and to use the Palermo Protocol definition of trafficking in decision-making.<sup>134</sup> CCLA indicated that it is intervening in a case that challenges the constitutionality of the programme.<sup>135</sup>

82. The Filipino Women’s Organization in Quebec (PINAY) reported on the situation of migrant workers in Canada’s Live-in Caregiver Program (LCP). PINAY recommended removing the “live-in” requirement, providing adequate compensation for overtime hours,

monitoring working and living conditions, and reducing the vulnerability of Live-In Caregivers to trafficking.<sup>136</sup>

83. The Ontario-Advocate's Office indicated that Canada must bring its immigration and asylum laws into full conformity with international standards reconsider its policy of detaining asylum-seeking, refugee and/or irregular migrant children, establish independent guardianships for unaccompanied migrant children, ensure timely progress of asylum-seeking children cases, and provide funding for resettlement organizations to meet the needs of children and adolescents.<sup>137</sup>

84. Joint submission 5 (JS5) highlighted concerns about provisions affecting refugees in amended legislation in Canada (Bill C-31, *Protecting Canada's Immigration System Act*).<sup>138</sup> JS5 recommended that Canada's refugee determination system be based on the facts of individual cases, regardless of the country of origin; that Canada rescind the power granted to the Minister of Public Safety to declare refugees to be "irregular arrivals"; that the 2009 UPR recommendation, accepted by Canada, to launch a comprehensive review leading to legal and policy reforms which protects the rights of refugees and migrants to family reunification be implemented; that Canada provide refugees with health care; and that it implement an 'Earned Regularization Program' to allow people in the backlog to remain in Canada on humanitarian grounds.<sup>139</sup>

85. Joint submission 13 (JS13) noted that the new refugee law separates children under 16 years from their parents and imposes a five-year bar on applying for permanent residence for "irregular arrivals", prolonging uncertainty and separating spouses and children until applications are processed.<sup>140</sup>

86. CCLA also expressed concerns about Bill C-31.<sup>141</sup> AI recommended the repeal of the provisions on mandatory detention of designated foreign nationals; that all refused refugee claimants be entitled to a meaningful appeal on the merits by the Refugee Appeal Division, without discrimination as to national origin or method of arrival and, that Canada ensure that refugees and refugee claimants have access to adequate health care, and provide absolute protection against refoulement to torture.<sup>142</sup> CCVT also noted that Canada must do more to address the principle of non-refoulement.<sup>143</sup>

87. Egale called for the introduction of an independent expert-panel, knowledgeable about LGBT human rights, to select countries to be placed on the Designated Country of Origin (DCO) list.<sup>144</sup>

## 12. Right to development and environmental issues

88. ICJ recommended that Canada adopt legislation and monitoring mechanisms enabling accountability of Canadian companies for human rights and environmental abuses perpetrated abroad; provide effective remedies to those affected; and undertake prompt, effective and independent investigations into allegations of human rights abuses by a Canadian company subsidiary operating in a third country.<sup>145</sup>

89. AI recommended the establishment and implementation of an effective regulatory framework for holding companies registered in Canada accountable for the human rights impact of their operations; and adoption of a policy of carrying out independent human rights impact assessments of all trade agreements.<sup>146</sup>

90. HRW recommended the establishment of an ombudsman's office or other mechanism to monitor the human rights conduct of Canadian oil, mining, and gas companies operating abroad and investigation of credible allegations of human rights abuse, and introduction of legislation to implement the recommendations of the 2007 National Roundtables on Corporate Social Responsibility and the Canadian Extractive Industry in Developing Countries.<sup>147</sup>

**13. Human rights and counter-terrorism**

91. Canadian Centre for Victims of Torture (CCVT) concluded that the implementation of the Anti-Terrorist Act and Public Safety Act, 2002 and the impending implementation of the Balanced Refugee Reform Act pose serious concerns. There are provisions in these acts that limit fundamental rights, and can lead to the imposition of cruel, inhuman or degrading treatment against non-citizens.<sup>148</sup>

92. AI noted that the Human Rights Committee, Committee against Torture and public inquiries in 2006 and 2008 have all raised concerns about the role of Canadian officials in the torture of Canadian nationals abroad. AI is concerned that Canada has not implemented a recommendation to establish a comprehensive review and oversight mechanism for Canadian agencies involved in national security.<sup>149</sup> AI recommended implementing the recommendation for review and oversight of national security activities from the Maher Arar Inquiry; providing Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin with redress; reforming the immigration security certificate system to meet international fair trial standards; replacing the Ministerial Direction with a policy on intelligence and information sharing consistent with international standards; and ensuring that Omar Khadr receives redress for the human rights violations he has experienced.<sup>150</sup>

93. HRW reported that the Canadian Security Intelligence Service, the RCMP, and the Canada Border Services Agency have all received a ministerial-level directive permitting, in some circumstances, the use of information obtained by other States through torture, or information that once shared, may result in torture or other ill-treatment.<sup>151</sup>

94. International Civil Liberties Monitoring Group (ICLMG) raised concerns about the “No-Fly Program”, granting discretionary powers to the Minister of Transport to place the names of persons on a list of individuals prevented from boarding flights, without any judicial process. Many listings appear to have been influenced by racial and religious profiling.<sup>152</sup>

## Notes

- <sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a national human rights institution with “A” status)

*Civil society*

ACLC	African Canadian Legal Clinic, Ontario, Canada;
AEHO	The Alliance to End Homelessness, Ottawa, Canada;
AFN	Assembly of First Nations, Canada;
AI	Amnesty International, London, United Kingdom;
AIDSLAW	Canadian HIV/AIDS Legal Network, Canada;
ASHNY	At-sik-hata Nation of Yamassee Moors, Canada;
B.C.CEDAW GROUP	<b>Joint submission 1</b> By B.C. CEDAW Group: The Poverty and Human Rights Centre; Aboriginal Women’s Action Network; Coalition of Child Care Advocates of B.C.; Hospital Employees’ Union; Justice for Girls; Vancouver Committee for Domestic Workers and Caregivers Rights; Vancouver Rape Relief and Women’s Shelter; Canadian Association of Sexual Assault Centres, B.C. and Yukon Region; West Coast Women’s Legal Education and Action Fund The Poverty and Human Rights Centre, British Columbia, Canada;
CC	Council of Canadians’ Blue Planet Project, Canada;
CCD	Council of Canadians with Disabilities – CCD, Manitoba, Canada;
CCLA	Canadian Civil Liberties Association, Ontario, Canada;
CCPI-SRAC	<b>Joint submission 2</b> by Charter Committee on Poverty Issues and Social Rights Advocacy Centre , Canada;
CCRC	Canadian Coalition for the Rights of Children;
CCVT	Canadian Centre for Victims of Torture;
CFC-SRI	<b>Joint submission 3</b> by the Canadians for Choice and The Sexual Rights Initiative, Canada;
CFWU-NCWC	<b>Joint submission 8</b> by the Canadian Federation of University Women (CFUW) and National Council of Women Canada (NCWC);
CPJ	Citizens for Public Justice, Ottawa, Canada;
CRARR	Centre for Research-Action on Race Relations, Montreal (Quebec), Canada;
CSU LIC	Concordia Student Union Legal Information Clinic, Montreal, Canada;
CWP-CERA	<b>Joint submission 9</b> by the Canada Without Poverty (CWP) & the Centre for Equality Rights in Accommodation (CERA), Canada;
ECPAT	<b>Joint submission 10</b> by ECPAT International and ECPAT Canada;
EGALE	Egale Canada, Toronto, Canada;
FAFIA	<b>Joint submission 11</b> by the Canadian Feminist Alliance for International Action (FAFIA);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, United Kingdom;
HDSC	Hassan Diab Support Committee, Canada;
HJP	Housing Justice Project of the University of British Columbia;
HRW	Human Rights Watch;
ICJ	International Commission of Jurists, Geneva, Switzerland;
ICLMG	International Civil Liberties Monitoring Group

IFOR-CPTI	<b>Joint submission 12</b> by International Fellowship of Reconciliation, The Netherlands and Conscience and Peace Tax International, Belgium;
IHRP/UT	International Human Rights Program of the University of Toronto, endorsed by the Canadian Association of Elizabeth Fry Societies, Canada;
IMMA-VIDES	<b>Joint submission 14</b> by IMMA-VIDES;
JHCENTRE	John Humphrey Centre for Peace and Human Rights, Alberta, Canada;
JS13	<b>Joint submission 13</b> by Ontario Council of Agencies Serving Immigrants; The Metro Toronto Chinese & Southeast Asian Legal Clinic; Colour of Poverty - Colour of Change, Canada;
JS4	<b>Joint submission 4</b> by the Centre for Law and Democracy (Halifax); Canadian Journalists for Free Expression (Ontario); Lawyers' Rights Watch Canada (Vancouver); BC Freedom of Information and Privacy Association (Vancouver); PEN Canada (Toronto);
JS5	<b>Joint submission 5</b> by the Edmund Rice International, on behalf of a Coalition of the following groups: Canadian Religious Conference; Basilian Centre for Peace and Justice; Becoming Neighbours - a Joint Apostolic Ministry; Carty House, Ottawa; Congregation of Notre Dame – Visitation Province; Congregation of the Sisters of the Presentation Newfoundland and Labrador; FCJ Refugee Centre; Institute of the Blessed Virgin Mary (Loretto Sisters) Canada; Jesuit Forum of Social Faith and Justice; Mary Ward Centre for the Promotion of Justice and Spirituality; Mustard Seed, Fontbonne Ministries Sisters of St. Joseph of Toronto; Order of St. Augustine, Province of St. Joseph, Canada; Our Lady's Missionaries; Presentation Brothers; Priests of the Sacred Heart; Redemptorists; Romero House; Scarboro Foreign Missions; Sisters of St. Joseph of London; The Sisters of St. Joseph of Peterborough Sisters of St. Joseph of Ste. Marie; Ursuline Sisters of the Chatham Union Xaviere Sisters (Toronto);
JS6	<b>Joint submission 6</b> by the Grand Council of the Crees (Eeyou Istchee); First Nations Summit; Federation of Saskatchewan Indian Nations; Union of British Columbia Indian Chiefs; Chiefs of Ontario; Native Women's Association of Canada; Canadian Friends Service Committee (Quakers); Treaty Four First Nations; Assembly of First Nations of Québec and Labrador/Assemblée des Premières Nations du Québec et du Labrador; Atlantic Policy Congress of First Nations Chiefs Secretariat; Hul'qumi'num Treaty Group; KAIROS: Canadian Ecumenical Justice Initiatives; Maritime Aboriginal Peoples Council; IKANAWTIKET; First Peoples Human Rights Coalition, Canada;
JS7	<b>Joint submission 7</b> by the Association for Progressive Communications (APC), the Canadian Internet Policy and Public Interest Clinic (CIPPIC), OpenMedia.ca, TeleCommunities Canada, and Web Networks, Canada;
JS18	<b>Joint submission 18</b> by The Native Youth Sexual Health Network, First Nations Child and Family Caring Society of Canada, The First Nations Child and Family Caring Society of Canada (the Caring Society) Canada;
LCAC	<b>Joint submission 15</b> by Land Claims Agreements Coalition, Ottawa (Ontario), Canada;
NGO Coalition	<b>Joint submission 16</b> by NGO Coalition (62 organizations): Aboriginal Council of Winnipeg; Action Canada for Population and Development; Amnesty International Canada

(English Branch); Amnistie Internationale Canada francophone; Asian Canadian Labour Alliance; Assembly of First Nations; Barbra Schlifer Commemorative Clinic; Campaign 2000; Canada Without Poverty; Canadian Association of Elizabeth Fry Societies; Canadian Association of Refugee Lawyers; Canadian Association of University Teachers; Canadian Auto Workers; Canadian Auto Workers Local 88 Human Rights Committee; Canadian Coalition for the Rights of Children; Canadian Council for International Cooperation; Canadian Council for Refugees; Canadian Feminist Alliance for International Action; Canadian Friends Service Committee (Quakers); Canadian Labour Congress; Canadian Union of Public Employees; Centrale des Syndicats du Québec; Centre for Equality Rights in Accommodation; Coalition of Black Trade Unionists; Communications, Energy and Paperworkers Union of Canada; Confédération des Syndicats Nationaux; Council of Canadians; Disabled Women's Network; First Call: BC Child and Youth Advocacy Coalition; First Nations Summit; Front d' Action Populaire en Réaménagement Urbain; Grand Council of the Crees (Eeyou Istchee); Halifax Initiative; Inter Pares; International Association of Machinists and Aerospace Workers; International Civil Liberties Monitoring Group; International Human Rights Program, University of Toronto Faculty of Law; Justice, Peace and Integrity of Creation Committee, Sisters of Providence of St. Vincent de Paul; Kairos: Canadian Ecumenical Justice Initiatives; Latin American Trade Unionists Coalition; Law Union of Ontario; Lawyers' Rights Watch; Maritimes-Guatemala Breaking the Silence Solidarity Network; McLeod Group; Mining Watch; National Union of Public and General Employees; Native Women's Association of Canada; Native Youth Sexual Health Network; New Brunswick Common Front for Social Justice; Oxfam Canada; Pivot Legal Society; Public Interest Alberta; Public Service Alliance of Canada; Refugee Forum; Social Issues Networking Group; Social Rights Advocacy Centre; Society for Children and Youth BC; Table de Concertation des Organismes au Service des Personnes Réfugiées et Immigrantes; Treaty Four First Nations; United Church of Canada; Wellesley Institute; Yukon Status of Women Council, Canada;

NWAC	<b>Joint submission 17</b> by the Native Women's Association of Canada, Canada;
OPACY	Office of the Provincial Advocate for Children and Youth, Ontario, Canada;
PINAY	The Filipino Women's Organization in Quebec, Canada;
RHC	<b>Joint submission 19</b> by the Right to Housing Coalition of Toronto, Ontario, Canada;
SCFEL-VCC	<b>Joint submission 20</b> by the Sheldon Chumir Foundation for Ethics Leadership, Calgary, Alberta and Vibrant Communities Calgary, Alberta;
Voices-Voix	Voices-Voix Communications, Canada;
WI	Wellesley Institute, Ontario, Canada.

  

<i>National human rights institution</i>	
CHRC	Canadian Human Rights Commission*

<sup>2</sup> Canadian Human Rights Commission submission, p. 1.

<sup>3</sup> Canadian Human Rights Commission submission, p. 1.

<sup>4</sup> Canadian Human Rights Commission submission, pp.2-3.

<sup>5</sup> Canadian Human Rights Commission submission, p.3.

<sup>6</sup> *Recommendation 14. Create or reinforce a transparent, effective and accountable system that includes all levels of the government and representative of the civil society, including indigenous people, to monitor and publicly and regularly report on the implementation of Canada's human rights obligations (Portugal); establish a mechanism that will meet regularly with the effective participation of civil society organizations and indigenous peoples, and have national reach to implement all Canada's international obligations and facilitate the acceptance of pending commitments, (Mexico); consider measures to make the Continuing Committee of Officials on Human Rights more operational, ensure its better accessibility for the civil society enabling thus a permanent dialogue process on international human rights obligations including those from the Universal Periodic Review (Slovakia), A/HRC/11/17, para. 86.*

*Recommendation 55. Ensure that all consultation and consent duties are respected by all responsible government agencies at federal and provincial level as well as to ensure that the relevant recommendations of United Nations treaty bodies are fully taken into account and that the specific claims processes do not restrict the progressive development of Aboriginal rights in the country (Austria), A/HRC/11/17, para. 86.*

*Recommendation 62. Widely publish the outcome of this universal periodic review and to make regular and inclusive consultation with civil society an integral part of the follow-up to the universal periodic review and also of the preparation of the next national report to the universal periodic review (Czech Republic), A/HRC/11/17, para. 86.*

*Recommendation 63. Establish an effective and inclusive process to follow-up on the universal periodic review recommendations (Norway); that civil society be actively involved in the further universal periodic review process of Canada (The Netherlands), in a thorough and timely (Denmark), meaningful and participatory (Philippines) manner and, in the implementation of the review (United Kingdom), A/HRC/11/17, para. 86.*

<sup>7</sup> Canadian Human Rights Commission submission, p.4.

<sup>8</sup> *Recommendation 26. Review its discriminatory national laws on security and adopt sensitization campaigns to protect against racial profiling and stereotyping on the grounds of nationality, ethnicity, descent and race, with regards to terrorism, as suggested by CERD (Indonesia), A/HRC/11/17, para. 86.*

*Recommendation 61. Start awareness campaigns aimed at protecting certain persons and certain groups against stereotyping that associates them with terrorism and to envisage an amendment to the anti-terrorism law to improve a specific clause against discrimination, and to amend relevant legislation or to adopt legislation to criminalise acts of racist violence, consistent with article 4 of ICERD (Algeria), A/HRC/11/17, para. 86.*

<sup>9</sup> Canadian Human Rights Commission submission, p.5.

<sup>10</sup> Canadian Human Rights Commission submission, p.6.

<sup>11</sup> Canadian Human Rights Commission submission, p.6.

<sup>12</sup> Canadian Human Rights Commission submission, p.7.

<sup>13</sup> Canadian Human Rights Commission submission, p.8.

<sup>14</sup> Canadian Human Rights Commission submission, p.9.

<sup>15</sup> ICJ, p.3; AI, p.5. See also submission from CCVT.

<sup>16</sup> AI, p.5; CWP-CERA, p.11.

<sup>17</sup> HRW, p.5.

<sup>18</sup> ECPAT, p.2.



<sup>19</sup> *Recommendation 12. Seek to demonstrate that challenges presented by relationships between its federal, provincial and territorial governments do not present unnecessary obstacles to the fulfilment of treaty obligations (United Kingdom), A/HRC/11/17, para. 86.*

*Recommendation 13. Streamline its domestic legislation for the smooth and immediate implementation of its international obligations by all levels of government (Pakistan); A/HRC/11/17, para. 86.*

*Recommendation 14. Create or reinforce a transparent, effective and accountable system that includes all levels of the government and representative of the civil society, including indigenous people, to monitor and publicly and regularly report on the implementation of Canada's human rights obligations (Portugal); establish a mechanism that will meet regularly with the effective participation of civil society organizations and indigenous peoples, and have national reach to implement all Canada's international obligations and facilitate the acceptance of pending commitments, (Mexico); consider measures to make the Continuing Committee of Officials on Human Rights more operational, ensure its better accessibility for the civil society enabling thus a permanent dialogue process on international human rights obligations including those from the Universal Periodic Review(Slovakia); A/HRC/11/17, para. 86.*

*Recommendation 15. Effectively implement United Nations treaty bodies' recommendations (Azerbaijan) and as appropriate on indigenous people (Jordan); implement in national norms, the commitments made when ratifying the ICESCR and the CERD through the implementation of the recommendations which have come out of their respective Committees (Bolivia); analyze United Nations treaty bodies recommendations in consultation with representatives of the civil society, including indigenous people, and implement them or publicly report on the reasons why it considers no implementation is more appropriate (Portugal); include participation of civil society (in mechanisms and procedures that are in place for national follow up to recommendations of treaty bodies) and publication of the concluding recommendations of treaty bodies (Czech Republic); A/HRC/11/17, para. 86.*

*Recommendation 62. Widely publish the outcome of this universal periodic review and to make regular and inclusive consultation with civil society an integral part of the follow-up to the universal periodic review and also of the preparation of the next national report to the universal periodic review (Czech Republic); A/HRC/11/17, para. 86.*

*Recommendation 63. Establish an effective and inclusive process to follow-up on the universal periodic review recommendations (Norway); that civil society be actively involved in the further universal periodic review process of Canada (The Netherlands), in a thorough and timely (Denmark), meaningful and participatory (Philippines) manner and, in the implementation of the review (United Kingdom); A/HRC/11/17, para. 86.*

*Recommendation 64. A similar system (as for treaty bodies) be created for the analysis and implementation of the recommendations resulting from the universal periodic review exercise (Portugal);A/HRC/11/17, para. 86.*

<sup>20</sup> NGO Coalition, pp.1-2.

<sup>21</sup> NGO Coalition, pp 1-3.

<sup>22</sup> ICJ, p.3. See also AI, p.5.

<sup>23</sup> SCFEL-VCC, p.2.

<sup>24</sup> CCRC, p.2.

<sup>25</sup> CCPI-SRAC, pp.1-2. See also AI, p.5.

<sup>26</sup> AI, p.1.

<sup>27</sup> HRW, p.5.

<sup>28</sup> CCRC, p.3.

<sup>29</sup> ECPAT, p.2.

<sup>30</sup> VV, pp.5-6.

- <sup>31</sup> VV, pp.5-6.  
<sup>32</sup> CCRC, p.3.  
<sup>33</sup> CCRC, p.3.  
<sup>34</sup> CFUW-NCWC, p.4.  
<sup>35</sup> AI, p.6.  
<sup>36</sup> AI, p.5.  
<sup>37</sup> JHCENTRE, p.1 and 5.  
<sup>38</sup> NGO Coalition, pp. 4-5.  
<sup>39</sup> NGO Coalition, pp.5.  
<sup>40</sup> CWP-CERA, p.11. See also SCFEL-VCC.  
<sup>41</sup> CCPI-SRAC, p.5. See also Joint Submissions 6 and 7.  
<sup>42</sup> ICJ, p.3.  
<sup>43</sup> ICJ, p.3.  
<sup>44</sup> ACLC, pp. 1-5. See also Joint submission 7.  
<sup>45</sup> ACLC, p..6.  
<sup>46</sup> CRARR, pp.1-5  
<sup>47</sup> FAFIA, pp.10-11.  
<sup>48</sup> *Recommendation 29. Apply the Yogyakarta principles as a guide to assist in further policy development (The Netherlands), A/HRC/11/17, para. 86.*  
<sup>49</sup> Egale, p. 1.  
<sup>50</sup> Egale, p. 3.  
<sup>51</sup> Egale, p. 4.  
<sup>52</sup> Egale, p. 5.  
<sup>53</sup> AI, p.5.  
<sup>54</sup> CCLA, p.5.  
<sup>55</sup> *Recommendation 16. Closely monitor the situation of other disadvantaged groups such as [...] women prisoners and [...] (Turkey), A/HRC/11/17, para. 86.*

*Recommendation 42. Alter detention and prison facilities as well as standards of treatment for juveniles so that they are gender sensitive and ensure effective protection of detainees' and prisoners' personal safety (Czech Republic), A/HRC/11/17, para. 86.*

- <sup>56</sup> B.C. CEDAW Group, pp.6-7. See also submission JS13.  
<sup>57</sup> International Human Rights Programme, pp.1-2. See also submission for cases cited.  
<sup>58</sup> AI, p.5. See also submission from CCLA, p.5.  
<sup>59</sup> CFUW-NCWC, pp.6-7.  
<sup>60</sup> CFUW-NCWC, pp.6-7.  
<sup>61</sup> *Recommendation 33. [...] and adequately investigate and sanctioning those responsible for the death and disappearance of indigenous women (Mexico) [...],A/HRC/11/17, para. 86.*

*Recommendation 36. Adopt further measures to ensure: accountability of the police for their proper, sensitive and effective conduct in cases of violence against women; and better protection of in particular aboriginal women against all violence, including through addressing their low socio-economic status and discrimination against them; better accessibility of alternative/protected housing for victims of domestic violence (Czech Republic), A/HRC/11/17, para. 86.*

*Recommendation 35. Take the necessary measures to end violence against women including domestic violence and against aboriginal women, and implement CEDAW and the Human Rights Committee recommendations in this context (Syrian Arab Republic), A/HRC/11/17, para. 86.*

*Recommendation 27. Takes further measures to ensure effective implementation of CEDAW at the federal, provincial and territorial levels, giving particular attention to the Aboriginal women and girls (Turkey) [...],A/HRC/11/17, para. 86.*

- <sup>62</sup> B.C. CEDAW Group, pp. 2-4. See also SCFEL-VCC recommendations, p.7. See also recommendation made by ASHNY, p.11.

- 63 HRW, pp.1-2.  
 64 AFN, p.2.  
 65 NWAC, p. 3.  
 66 *Recommendation 34. Implement in national legislation the prohibition and criminalization of all types of violence against women and children, specially indigenous women and children, in accordance with the commitments acquired in the corresponding Conventions (Bolivia), A/HRC/11/17, para. 86.*  
 67 GIEACPC, pp.1-2.  
 68 IFOR-CPTI, pp. 4-5..  
 69 *Recommendation 39. Conduct a review of the effectiveness of its legislation relevant to trafficking in human beings and implement reforms where necessary to strengthen the protection of the rights of victims of trafficking (Slovakia), A/HRC/11/17, para. 86.*  
 70 *Recommendation 40. Strengthen enforcement legislation and programmes regarding prohibition of commercial sexual exploitation of children (Philippines), A/HRC/11/17, para. 86.*  
 71 IMMA-VIDES, pp.1—2,  
 72 IMMA-VIDES, pp. 2-3.  
 73 IMMA-VIDES, pp.3-4.  
 74 ECPAT, p.2.  
 75 ECPAT, p.2.  
 76 *Recommendation 28 [...] ensure effective access to justice [...] (Islamic Republic of Iran), A/HRC/11/17, para. 86.*  
  
*Recommendation 33 [...] take measures to help effective access to justice for victims of domestic violence and provide immediate means of redress and protection (Austria), A/HRC/11/17, para. 86.*  
  
 77 B.C: CEDAW Group, pp. 5-6.  
 78 CFUW-NCWC, pp.8-9.  
 79 FAFIA, p.13.  
 80 JS6, p.5.  
 81 AI, p.5.  
 82 AFN, p. 5.  
 83 HDSC, p. 8. See submission for details on case cited.  
 84 IFOR-CPTI, pp. 1-4. See submission for cases cited.  
 85 JS4, pp.1-11.  
 86 JS7, p.10.  
 87 JS4, pp. 9-11.  
 88 AI, p.4.  
 89 CSULIC, pp.1-6. See submission for details of the case cited.  
 90 AI, p.5.  
 91 VV, p.8.  
 92 FAFIA, pp. 9-10.  
 93 SCFEL-VCC, p.10. See submission for cases cited.  
 94 CCPI-SRAC, pp.1-2.  
 95 *Recommendation 17. Develop a national strategy to eliminate poverty (Russian Federation); A/HRC/11/17, para. 86.*  
 96 CFUW-NCWC, p.10.  
 97 CPJ, para. 42. See also submission from CWP-CERA, p.11; SCFEL-VCC, pp. 4-6;  
 98 Ontario Provincial Advocate for Children and Youth, pp.1-2.  
 99 AFN,p.4.  
 100 FAFIA, pp. 7-8.  
 101 Ontario Provincial Advocate for Children and Youth, p. 3.  
 102 SCFEL-VCC, p.8; CCPI-SRAC, p.3.  
 103 RHC, pp.1-3.  
 104 HJP, pp.1-6.  
 105 CPJ, para. 44.  
 106 WI, pp. 1-5.

- 107 CFUW-NCWC, pp.9-10.  
108 HJP, p.6.  
109 AEHO, pp. 1-5.  
110 Canadian Council, p.15.  
111 AIDSLAW, pp. 3-4.  
112 CFC-SRI, pp.1-7.  
113 CFC-SRI, pp.1-7. See submission for cases cited.  
114 ASHNY, p. 11.  
115 Egale, p. 5.  
116 Ontario Provincial Advocate for Children and Youth, p.5.  
117 CCD, pp.1-2.  
118 CCD, p.4.  
119 CPJ, para.43.  
120 AI, p.2.  
121 *Recommendation 20. Continue policies and programmes aimed at reducing inequalities that still exist between the Aboriginal, recent immigrants and other Canadians (Vietnam)* , A/HRC/11/17, para. 86.

*Recommendation 28. Take effective measures to combat and put an end to discrimination against indigenous population and to elaborate and implement a National Action Plan to deal with this phenomenon (Azerbaijan); address root causes of discriminations, ensure effective access to justice, establish immediate means of redress and protection of rights of ethno-minorities, in particular, Aboriginals (Islamic Republic of Iran)* , A/HRC/11/17, para. 86.

*Recommendation 45. Integrate economic social and cultural rights in its poverty reduction strategies in a way that can benefit the most vulnerable groups in society, specially the Aborigines, afro-Canadians, migrants, persons with disabilities, youth, women with low incomes, and single mothers and adopt all necessary measures, including the full implementation of the United Nations Declaration on the Rights of Indigenous Peoples, to guarantee Aboriginals the full enjoyment of their rights including economic, social and cultural so that their standard of living was similar to that of the rest of the citizens in Canada (Cuba)* ; A/HRC/11/17, para. 86.

*Recommendation 51. Implement all international human rights instruments related to Aboriginals, women, Arabs, Muslims and other religious minorities, migrants and refugees and enhance and protect their rights against violations (Saudi Arabia)*, A/HRC/11/17, para. 86.

- 122 NYSHN, p.11.  
123 NWAC, p.4.  
124 NWAC, p.5.  
125 AFN, p.7  
126 ASHNY, p.5.  
127 AI, p.2.  
128 AI, p.5.  
129 LCAC, p.2.  
130 *Recommendation 60. Make its immigration procedures more transparent and objective and take concrete measures to avoid the misuse of procedures to profile on the basis of race, religion and origin (Pakistan)*, A/HRC/11/17, para. 86.

- 131 *Recommendation 57. Increase efforts to enhance the protection of the human rights of migrants and hold open consultations with civil society on the ICRMW (Philippines)*, A/HRC/11/17, para. 86.

*Recommendation 58. Launch a comprehensive review leading to legal and policy reforms which protect the rights of refugees and migrants, including rights to family reunification and enact legislation creating an offence for racial violence, and design and implement training for judges and prosecutors on the nature of hate crimes on the basis of race (Egypt)*, A/HRC/11/17, para. 86.

*Recommendation 59. Continue efforts to bring its system of security certificates concerning immigration into compliance with international human rights standards (Switzerland), A/HRC/11/17, para. 86.*

<sup>132</sup> IMMA-VIDES, pp-1-2.

<sup>133</sup> JS13, p.6.

<sup>134</sup> IMMA-VIDES, pp.6-7.

<sup>135</sup> CCLA, pp.2-3. See also submission JS13.

<sup>136</sup> PINAY, pp.1-6.

<sup>137</sup> Ontario Provincial Advocate for Children and Youth, p.6.

<sup>138</sup> JS5, pp. 1-5.

<sup>139</sup> JS5, pp. 1-5.

<sup>140</sup> JS13., p.5.

<sup>141</sup> CCLA, pp.2-3.

<sup>142</sup> AI, p.5. See also submission from CCLA, p.5.

<sup>143</sup> CCVT, p. 5. See conclusion.

<sup>144</sup> Egale, p. 5.

<sup>145</sup> ICJ, p.2. See submission for case cited.

<sup>146</sup> AI, p.5.

<sup>147</sup> HRW, p.5.

<sup>148</sup> CCVT, p. 5. See conclusion.

<sup>149</sup> AI, p.3.

<sup>150</sup> AI, p.5. See submission p.4 for details on case cited. See also submission from CCLA, ICLMG and HRW, including information on cases cited.

<sup>151</sup> HRW, p.3

<sup>152</sup> ICLMG, pp.2-3.

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