



# Poverty and Parliament

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## **Reaffirming Canada's Commitments to International Human Rights**

By Bruce Porter and Leilani Farha

**I**n February 2009 the Government of Canada was, once again, urged by the United Nations to address the growing gap between its international human rights obligations and the reality facing vulnerable groups in Canada. This time the concerns and recommendations came from a wide range of states participating in the UN Human Rights Council's Universal Periodic Review (UPR) of Canada.

The UPR is a new peer review process, championed by Canada at the UN Human Rights Council, through which States review the human rights records of other States. Canada has the opportunity to engage meaningfully in the process that it helped to create by responding constructively to the important concerns and recommendations that were expressed. But this will mean treating our international human rights obligations here at home much more seriously than has been done in recent years (*continued on page 2*).

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**T**wo central concerns have come to dominate reviews of Canada's human rights record before international bodies. The first is that Canada has no effective mechanism in place for responding constructively to concerns and recommendations from UN human rights bodies and procedures. A second concern, linked to the first, is that in light of Canada's affluence, the persistence of extensive poverty, homelessness and hunger constitute human rights violations that are in need of human rights responses.

**During the UPR, many states recommended that Canada implement a national poverty eradication strategy that incorporates a human rights framework.** Similar recommendations were also made recently by the United Nations Special Rapporteur on the Right to Adequate Housing, in the Report he recently submitted to the UN Human Rights Council of his Visit to Canada. The Special Rapporteur recommended a national housing strategy and at all levels of government improved legislative protections of the right to adequate housing.

In recent years, Canada has become isolated at the United Nations for its lack of support for strengthening the implementation of social and economic rights such as the right to housing, to water or to food. Civil society and Indigenous organizations across the country are united in their concern about Canada's lack of implementation of international human rights

obligations, particularly in relation to poverty, hunger and homelessness. This was clearly expressed in the lead-up to the UPR when the Department of Canadian Heritage, with the assistance of civil society organizations, hosted regional meetings with over 125 civil society and Indigenous organizations [including Canada Without Poverty] in Ottawa, Toronto, Winnipeg, Vancouver and Halifax.

Never before have so many organizations across the country mobilized to express their concerns regarding Canada's human rights record in civil, cultural, economic, political and social realms.



At the next session of the UN Human Rights Council in Geneva, in June 2009, Canada will inform the Council which recommendations it accepts and which it rejects. Acceptance of recommendations is expected to be accompanied by a clear implementation plan; outcomes will be reviewed at the next periodic review in four years. **The next few weeks therefore offer a unique opportunity for parliamentarians and civil society to re-engage with Canada's international human rights commitments – and to insist on effective implementation at the domestic level.**

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## POVERTY

***A human condition characterized by sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights.*** UN Committee on Social, Economic and Cultural Rights

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## ***What Can Parliamentarians Do?***

**If international human rights are to be more fully implemented in Canada, they will need to be more actively engaged by parliaments and legislatures, as well as by civil society, human rights institutions and the courts.** Parliamentarians have a critical role to play in the follow-up to the UPR. Practical suggestions of what can be done came out of the cross-country civil society meetings and are consistent with the specific recommendations made in the UPR. These include:

- 1) A meeting of federal, provincial and territorial ministers responsible for human rights (which would be the first in over 30 years), convened to review the UPR recommendations and adopt a shared implementation plan;
- 2) Parliamentary and legislative committees (e.g., House of Commons Sub-Committee on Human Rights and Development) actively and publicly reviewing the UPR recommendations;
- 3) Consultations with provinces and territories to achieve provincial/territorial engagement and commitments;
- 4) A new inter-governmental process for implementing international human rights obligations and for responding to UPR concerns and recommendations; and
- 5) A comprehensive review of application and enforcement of international human rights obligations before national, provincial and territorial courts, administrative tribunals and human rights commissions, and corrective action to ensure that there are meaningful and accessible remedies available when human rights are violated.

Civil society organizations look forward to working with parliamentarians in the coming weeks to implement these recommendations. We also look forward to re-engaging with human rights commitments that, at this time of increased social and economic vulnerability for many Canadians, are even more critical.

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## SECURITY OF THE PERSON

***Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.***

From Article 7 of the Canadian Charter of Rights and Freedoms