

November 9, 2020

Attn: Federal, Provincial and Territorial Ministers Responsible for Human Rights

Re: FPT Meeting of Ministers Responsible for Human Rights

Dear Ministers:

Three years ago, you gathered in a historic meeting to discuss the key priorities and responsibilities of federal, provincial and territorial governments in ensuring the domestic implementation of Canada's international human rights obligations. In preparation for that meeting, 26 Indigenous peoples' and civil society organizations joined together and presented "**Moving Forward: A Vision for Strengthened International Human Rights Implementation in Canada**". This vision outlined key principles and concrete actions needed to close Canada's international human rights implementation gap.

In the 2017 meeting, your governments agreed to very important [commitments](#) to strengthen intergovernmental collaboration and civil society engagement on human rights including holding future FPT Human Rights Ministerial meetings, enhancing this collaboration through a senior level mechanism, modernizing the mandate of the Continuing Committee of Officials on Human Rights, and developing a protocol for following up on the recommendations that Canada receives from international human rights bodies, as well as a stakeholder engagement strategy. The federal government affirmed its commitment to the full and effective implementation of the UN Declaration on the rights of Indigenous Peoples, including ongoing discussions with provinces and territories. Federal, provincial and territorial Ministers Responsible for Human Rights also highlighted the importance of economic, social and cultural rights, reaffirming their commitment to the progressive realization of these rights and agreeing to promote human rights principles in developing social policy. They also agreed to consider accession to important international treaties dealing with the rights of persons with disabilities, the prevention of torture and ending enforced disappearances.

We welcome the decision to hold a follow-up meeting this year. In advance of your meeting on November 9 and 10, we are writing to remind you of the principles and recommendations that were presented to you in 2017, all of which remain relevant and increasingly urgent, and to urge you to follow up with respect to the undertakings that you set out in your final communiqué. We also reiterate the [Call for human rights oversight of government responses to the COVID-19 pandemic](#), from 302 civil society groups, Indigenous peoples' organizations and experts on April 14<sup>th</sup> of this year. Co-ordinated action by all levels of government is urgently needed in order to fulfill Canada's international human rights obligations and the commitments made three years ago. We look forward to hearing your report on progress since 2017 and commitments going forward.

Sincerely,

Action Canada for Sexual Health and Rights  
Amnesty International Canada (English)  
Amnistie Internationale Canada Francophone  
British Columbia Aboriginal Network on Disability Society  
Canada Without Poverty  
Canadian Association of Refugee Lawyers  
Canadian Coalition for the Rights of Children  
Canadian Council for Refugees  
Centre for Israel and Jewish Affairs  
Chinese and Southeast Asian Legal Clinic  
Colour of Poverty - Colour of Change  
Feminist Alliance for International Action  
Ontario Council of Agencies Serving Immigrants  
Quebec Native Women  
Social Rights Advocacy Centre  
South Asian Legal Clinic of Ontario  
Women's Legal Education and Action Fund

*Attachment: Moving Forward: A Vision for Strengthened International Human Rights  
Implementation in Canada*

## **MOVING FORWARD:**

### **A VISION FOR STRENGTHENED INTERNATIONAL HUMAN RIGHTS IMPLEMENTATION IN CANADA**

Almost seven decades ago Canada joined other states in adopting the Universal Declaration of Human Rights, agreeing that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” The Declaration and other principles of international law, make it clear that these universal human rights principles are binding on all levels of government within a country. That is why this meeting of federal, provincial and territorial Ministers responsible for human rights in Canada is of such importance.

Despite obvious human rights advances in Canada over the 69 years since the Universal Declaration was adopted, there remain many significant and glaring gaps and failures. Those shortcomings have been repeatedly highlighted over the years in examinations of Canada’s human rights record carried out by treaty-monitoring committees, independent experts and other governments, through the many human rights review processes states have developed within the United Nations and Inter-American human rights systems. Important, constructive recommendations for reform have been made to Canada. But Canada’s record of taking up those recommendations and thus complying with the country’s international human rights obligations has been inconsistent at best and an abject failure at worst. International bodies have consistently called on Canada to develop a better approach.

Indigenous peoples organization and civil society groups have, on many occasions, called for a strengthened and improved system for ensuring effective international human rights implementation in Canada. We have always stressed it is important to improve the protection of human rights domestically and also to demonstrate strong global leadership in a world desperately in need of countries prepared to meet their international obligations.

We have repeatedly urged that federal, provincial and territorial ministers responsible for human rights must meet, to commit to that goal and launch a reform process. We welcome this historic meeting as offering precisely that opportunity. Without action by you, the inter-governmental coordination needed to ensure that Canada’s international human rights obligations are meaningfully and consistently implemented will remain elusive.

On behalf of the organizations represented here today and acutely aware that there are countless other organizations that would have welcomed an invitation to participate in this long-awaited and overdue meeting, we offer the following recommendations as to key principles and concrete action we hope you will commit to in agreeing to close Canada’s international human rights implementation gap.

#### **1. Recognize that you are Canada’s international human rights implementation leadership team**

- Take responsibility for ensuring a whole of government approach to international human rights implementation.
- Establish an inter-governmental working group at deputy ministerial level tasked with developing a new legal framework for international human rights implementation in Canada, in close consultation with Indigenous peoples organizations and civil society groups.
- Agree to meet again in December 2018 to mark the 70<sup>th</sup> anniversary of the Universal Declaration of Human Rights and report on progress towards a new model.
- Commit to meet regularly going forward.

**2. Embrace the following six principles at the heart of a new human rights-based framework for international human rights implementation in Canada**

- Recognize and respect the rights of Indigenous peoples, guided by the UN Declaration on the Rights of Indigenous Peoples.
- Adopt an intersectional feminist approach to upholding human rights
- Apply a racial equity impact lens and a disability-based inclusion lens to Canada's international human rights implementation framework
- Commit to substantive equality to address systemic discrimination and marginalization
- Address intersecting forms of sexism, racism, ableism and other forms of discrimination
- Acknowledge that the fulfillment of economic, social and cultural rights is a threshold requirement for the enjoyment of civil and political rights, particularly for those groups that are most disadvantaged, and that all human rights are universal and interdependent.

**3. Provide a genuine and meaningful role for the following groups and institutions in implementing international human rights in Canada**

- Indigenous peoples organizations, including Indigenous women's organizations
- Civil society groups, especially those working directly with marginalized and subordinated communities and groups
- Parliament and legislatures
- Federal, provincial and territorial human rights commissions and tribunals

**4. Ensure that accountability and access to justice and effective remedies are the hallmarks of Canada's approach, at all levels of government, to international human rights implementation**

- Canada must recognize that access to justice and effective remedies is critical for all human rights, including economic, social and cultural rights.
- In addition to ratifying the Optional Protocols to the Convention on the Rights of Persons with Disabilities and Convention against Torture, Canada should ratify the optional complaints procedures for the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of Racial Discrimination and the Convention on the Rights of the Child.
- Collect and publish data disaggregated with respect to sex and gender, Indigenous, racial and ethnic identity, disability and other characteristics relevant to identifying, understanding and addressing patterns of human rights abuse.
- Establish mechanisms for ongoing inter-governmental coordination at a level of authority that allows for accountable decision-making.
- Regularly report publicly on implementation, against timelines and benchmarks.
- Institute an independent oversight body to report on Canada's progress toward meeting its international human rights obligations.

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British Columbia Aboriginal Network on Disability Society  
Canada without Poverty  
Canadian Association for Community Living  
Canadian Association of Black Lawyers  
Canadian Association of Refugee Lawyers  
Canadian Coalition for the Rights of Children  
Canadian Council for Refugees  
Centre for Israel and Jewish Affairs  
Chinese and Southeast Asian Legal Clinic  
Colour of Poverty - Colour of Change  
Congress of Aboriginal Peoples  
Council of Canadians with Disabilities  
DisAbled Women's Network of Canada (DAWN)  
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