



Canada's Human Rights Record Reviewed at the United Nations

May 11th 2018 - Lawyers Without Borders Canada (LWBC) and Lawyers' Rights Watch Canada (LRWC) are closely following Canada's appearance before the Universal Periodic Review (UPR) Working Group of the United Nations Human Rights Council (UNHRC) today in Geneva. In this review session, Canada must respond to questions and observations of other UN member states regarding Canada's human rights performance.

LWBC and LRWC have participated in this process through the submission in October 2017 of a [civil society report](#) for consideration on issues we view to be fundamental for the improvement of Canada's respect of human rights.

LWBC and LRWC highlight three main human rights areas

First, we stated that Canada must do a better in addressing the negative human rights impacts of its extractive industry abroad, and ensuring access to justice for foreign victims with claims against Canadian corporations. We highlighted the importance of the creation of an independent ombudsperson with the power to investigate such allegations. Since the submission of our report in October, the Government of Canada has announced the creation of an [ombudsperson](#), an achievement we celebrated. However, this new mechanism is not yet operational, and questions remain as to whether it will be truly effective.

Second, we highlighted the need for Canada to increase its participation in and support for the Inter-American human rights system –which has been of great importance for many of our partners throughout the Americas–, including by adhering to the [American Convention on Human Rights](#), the main legal instrument of the system. There is no indication that Canada intends to do so in the foreseeable future. However, in April 2018, Prime Minister Justin Trudeau [announced](#) Canada's intention to join the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women, which we applaud.

Third, we argued that Canada should take all measures necessary to ensure the full implementation of the [United Nations Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#), which enshrines the rights of indigenous peoples everywhere to freedom from discrimination, self-determination, and to being consulted in order to obtain their free, prior, and informed consent before the adoption of measures or projects that may affect them. Federal Private Member's [Bill C-262](#), on the full harmonization of Canada's laws with the UNDRIP, is currently under committee study after having passed second reading in the House of Commons.

We look forward to seeing whether our observations are incorporated into the UPR Working Group's recommendations for Canada, and will continue to monitor Canada's attention to these critical human rights issues.



More information on the UPR

The UPR process is a global human rights mechanism, created in 2008, that provides for the peer examination of the human rights situation of all UN member states. States must submit reports detailing the human rights situation in their country and fulfilment of international legal obligations, and must answer questions of other states regarding their human rights record. States' observations and recommendations are included in a UPR outcome report.

Civil society organizations can contribute to the UPR process by providing additional information on a state's human rights performance, through the submission of written reports. This information is compiled by the Office of the High Commissioner for Human Rights into a summary of stakeholder information, which is considered in the review process alongside the state's report and UN information on the state under review. The overall aim of the UPR process is to improve the respect of human rights through constructive dialogue.

This is Canada's third Universal Periodic Review.

About us

Lawyers Without Borders Canada (LWBC) is a nongovernmental international development organisation, whose mission is to support the defence of human rights for the most vulnerable groups and individuals, through the reinforcement of access to justice and legal representation.

Lawyers' Rights Watch Canada (LRWC) is a committee of lawyers and other human rights defenders who promote international human rights and the rule of law through advocacy, education and legal research.