MHR Connections

Published by the Manitoba Human Rights Commission

Volume 4 Number 9

September 2004

THE MANITOBA HUMAN RIGHTS COMMISSION LACOMMISSION DES DROITS DE LA PERSONNE DUMANTOBA

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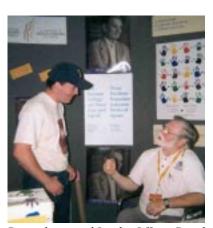
Delegates Discuss Strategies at DPI Conference

By Yvonne Peters Manitoba Human Rights Commissioner



For three days in September I was intrigued, inspired and encouraged by the many participants at the Disabled Peoples' International Summit in Winnipeg. I had not attended a DPI summit since I was a Canadian delegate at its founding meeting in Singapore in 1981. DPI represents people with disabilities in approximately 137 countries. Winnipeg is the birthplace of DPI and is now home to its international headquarters.

The overall theme of the Summit was "Diversity Within". This theme was discussed in workshops dealing with



Recently retired Intake Officer Derek Legge discusses human rights issues with both delegates and volunteers at the Commission's booth in the Summit's Global Disability Village.

indigenous peoples, women, youth and persons with disabilities in Arab nations. Issues discussed included creating a stronger voice for indigenous peoples within DPI, the role of bioethics in disability rights and women's reproductive choice, strategies to enhance opportunities for youth and the right of people with disabilities to organize in Arab countries.

In addition, plenaries were held to inform Summit participants on the progress of the United Nations to develop a convention on the rights of persons with disabilities. Ambassadors from Mexico, New Zealand, Ecuador and Canada provided an excellent overview of the work being done by the UN to introduce such a convention. It is hoped that a convention can be agreed to by UN member countries by the year 2006.

The next world summit is scheduled to be held in South Africa in 2006.

The Rights Connection by Janet Baldwin - Chairperson Youth's Right to Housing

The Board recently considered a complaint involving a landlord's refusal to rent to a young man of 17 years because of the youth's age. The landlord's position was that this refusal was reasonable, in that minors did not have the legal capacity to enter into contracts. Even though an adult was prepared to co-sign the lease, the landlord believed it would be difficult to evict the minor should he not meet his obligations under the lease.

The Human Rights Code prohibits discrimination on the basis of age in all protected activities, including rental of premises. Unlike some provinces, Manitoba extends this protection from unreasonable discrimination to all ages.

Legal advice to the Commission was that minors could be held liable with respect to contracts involving the necessaries of life, and that housing was one such necessary, especially, as in this case, where the minor was homeless. The situation of having to evict a minor was remote, and the procedure not overly complicated.

While the landlord believed that its earlier policy conformed to that of Manitoba Housing, Manitoba Housing confirmed that it does provide affordable housing services to minors who are "emancipated" (not living with a parent or guardian).

The landlord reached a settlement with the complainant. Terms included a change to its policy to allow for the non-discriminatory consideration of lease applications from persons under 18, an apology, an offer to assist the youth in finding suitable housing and financial compensation.

Article 27 of The United Nations Convention on the Rights of the Child recognizes the right of a child (person less than 18 years) to a standard of living "adequate for the child's physical, mental, spiritual, moral and social development." It requires Canada and other State Parties to take appropriate measures to implement this right "particularly with regard to nutrition, clothing and housing." Prohibiting unreasonable discrimination on the basis of age in the rental of premises is one such measure.

Bridging the Gap

New Outreach and Liaison Officer at the Commission

Beatrice Watson is no stranger to the immigrant and ethnocultural community in Winnipeg. As the Commission's new outreach liaison officer, she will be responsible for reaching out to these communities through their organizations

and service providing agencies.

Executive Director Dianna Scarth says that she hopes this new position will bridge the gap in service that she believes currently



exists. "Through Beatrice, we hope there will be a renewed interest in working with the Commission in helping new immigrants, refugees, employees, employers and community groups understand what their rights and responsibilities are under *The Manitoba Human Rights Code*," she says.

Beatrice says the Commission "is sensitive to the fact that many new immigrants may not feel comfortable walking into corporate offices for service." In her new position, she will be able to go to workplaces or service agencies to meet with people. She is also preparing a brief overview presentation on *The Manitoba Human Rights Code*.

If you are interested in talking to Beatrice or setting up an appointment with her, please call the Commission at 945-3007.

Upcoming Workshops

2004 –2005 schedule of the human rights workshops is now available on the Commission's website. Topics include: Human Rights in Employment, Reasonable Accommodation in the Workplace and Harassment in the Workplace.

Two new workshops will be added in January 2005. They are: Equity Employment and How to Investigate a Human Rights Complaint.

For more information call 945-3007.

Manitoba Human Rights Commission Applauds Historic Decision On Same-Sex Marriage

Winnipeg - The Manitoba Human Rights Commission applauds the decision by Mr. Justice Yard of the Court of Queen's Bench, which ordered that the definition of marriage in Manitoba include same-sex couples and that marriage licenses be immediately available to same-sex couples.

"It is exciting news that same-sex couples in Manitoba can now choose to legally marry in their home province," said Janet Baldwin, Chairperson. "These past few years have been truly historic in the recognition of the equality rights of gays and lesbians."

She said that the Commission has long-worked to advance equality rights for samesex couples in areas such as spousal benefits, adoption and property rights. "We emphasized that the right to equal marriage was the heart of the matter," said Ms Baldwin. "We now look forward to more positive change nationally and globally with respect to equality rights of gay, lesbian, bisexual and transgendered persons."

The Manitoba Human Rights Commission is intervening in support of same-sex marriage in the upcoming reference to the Supreme Court of Canada. The federal and Ontario human rights commissions are also intervening in support of equal marriage.

Commission's Vice-Chairperson Addresses Challenges Facing the Aboriginal Community

Aboriginal people in Canada have been disadvantaged in the past and the majority continues to be disadvantaged today. That was the message of Jerry Woods, Vice-chairperson of the Manitoba Human Rights Commission. Jerry delivered this keynote address at a one-day conference jointly sponsored by the Manitoba Federation of Labour (MFL) and the Interprovincial Association on Native

Employment (IANE). Jerry shared his personal story as an aboriginal person in a union and the challenges and barriers encountered by himself and his family. He also spoke on what unions and employers need to do to move forward.

"One way of doing this is to support equal opportunities in education, training and employment for Aboriginal people. Contrary to popular belief, Aboriginal people can and will be good productive citizens and employees."

Jerry urged employers and unions to live up to their own policy statements. He also encouraged them to identify systemic barriers, negotiate provisions into collective agreements on discrimination and anti-harassment and to promote cultural awareness.



"Anishinabe doesn't mean that you are Indian, as many people think. It means that you are 'one of the people' in your heart and your soul and accepted by the community." Jerry woods

The following week Jerry spoke at a Manitoba Hydro Management seminar on the same topic.