

Human Rights Review of Canada



In early February a United Nations panel called on Canada to improve the treatment of its Aboriginal people, citing a particular need to protect Aboriginal women who face discrimination in various areas including “employment, housing, education and health care.”

This “Universal Periodic Review” is a new process of the United Nations Human Rights Council and every country under review was required to submit a 20-page national report. The panel that reviewed Canada’s record consisted of representatives from 47 countries.

Earlier in 2008, relevant stakeholders were permitted to make submissions to the final 20 page report. Every country under review is required to submit such a report.

The Canadian Human Rights Commission made a submission to this process and all provincial Non-Governmental Organizations as well as Provincial and Territorial Human Rights Commissions, including Manitoba, had the opportunity to contribute.

Part of its submission dealing with Canada’s Aboriginal Peoples included the following:

In 2008, Canada formally apologized to former students of Indian Residential Schools for past policies of assimilation.

Aboriginal peoples, who, in 2006, formed 3.8% of the Canada’s population, continue to represent one of its most disadvantaged segments, as well as one of its fastest growing. In economic terms, Aboriginal peoples face a much higher unemployment rate and have a much lower personal income than the Canadian average. Aboriginal peoples are also clearly disadvantaged in education, in health status and in overall quality of life.

For a significant number of Aboriginal communities, access to drinking water is not assured.

In addition, the incarceration rate among Aboriginal peoples in Canada is five to six times higher than the national average. Furthermore, according to Canada’s Correctional Investigator, Aboriginal inmates often face systemic and institutional discrimination.

Accessing justice is a major concern for Aboriginal women, who experience high rates of violence ranging from assault to murder.

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The Rights Connection by Jerry Woods - Chairperson Speaking up against racism

The internet, blogs, free speech vs. hate speech; this month people took up the debate on what should and what should not be allowed in a public discussion on a local media’s blog. After the offending remarks were published in the mainstream media, the debate immediately turned to hate speech vs. freedom of expression.

The Human Rights Commission received calls from the media, asking us to draw a line between the two. The line is an extremely fine one and only the courts, and in some cases human rights tribunals, and the many appeals that follow those rulings, can determine its width.

But this is where we go off track to the central point of the concerns raised. It became a discussion about free speech vs. hate speech, and the issue of racism was buried.

Racism is the mistaken belief that one ethnic group, race or religion is superior to others and the other groups are not worthy of respect and recognition, and then acting on that belief. Racial discrimination can enter into all aspects of our lives - at work, at school, or on the internet. Racism can be subtle, or by viewing some of the offensive comments on blogs, it can be blatant. It is however, never acceptable.

And it doesn’t really matter if you believe in freedom of speech or limits to that freedom, most people know that blogs can be a haven for racism. Often it is the anonymity that encourages racists to put their thoughts into words. It seems everyone agrees that racists are using this avenue of communication and most disagree with the message.

Many, however, find themselves opposing or defending free speech. Don’t get caught up in that peripheral argument. If you believe in freedom of speech, then speak up. The discussion should be about racism. Let the blogger know that the comments are racist and on that point alone, without merit. Don’t let one person hang out there on their own just because they are on the opposite side of the free speech argument. People holding opposite opinions can unite. Join forces and state that racism is never an informed viewpoint.

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The complete report "Social Equality in Canada: A Submission from the Canadian Human Rights Commission to the United Nations Human Rights Council as part of the Universal Periodic Review (UPR) of Canada's Human Rights Obligations can be found on the Canadian Commission's website. http://www.chrc-ccdp.ca/legislation_policies/othersubmission_autrememoire/socialequality_egalitesociale-en.asp?highlight=1

Human Rights Banner Travels to Thompson



The Peace by Piece Banner will be unveiled on April 14, 2009 at R.D. Parker School in Thompson. The event takes place the evening before a day long human rights youth conference.

The banner was created by students from across the province to recognize the 60th anniversary of the Universal Declaration of Human Rights. To date, it has been unveiled in Winnipeg and Brandon.

The Northern Human Rights Youth Conference returns to Thompson on April 15, 2009. Special guests include Betty Vallejo who lived in a very dangerous province in Colombia but delivers a message of hope and encouragement.

Workshops include: Rights = Responsibilities and Human Rights - The Quiz. Both workshops are facilitated by Manitoba Human Rights Officers.

For more information about the Manitoba Human Rights Northern Youth Conference, or to register, please contact our Northern Office in The Pas at 204-627-8270 or visit our website www.manitoba.ca/hrc and click on Northern Youth Conference. Registration is free.



Betty Vallejo will be the keynote speaker at the "Celebrate Your Rights Youth Conference" in Thompson.

Decision is Welcome News for Deaf and Blind Persons

Ottawa – In a decision issued in late January 2009, the Canadian Human Rights Tribunal upheld a decision involving Mr. Eddy Morten and Air Canada. Mr. Morten's complaint alleged that Air Canada had discriminated against him on the basis of his disability, by requiring him to travel with an attendant. Mr. Morten, who is Deaf-Blind, convincingly testified that he was well able to travel independently.

"This decision is important in reaffirming the cornerstone principle of human rights legislation that all individuals should be given the same opportunities and chances in society," said the Commission's Senior Counsel, Philippe Dufresne. "It sends a clear message that persons with disabilities have a right to equality, respect and dignity, and a right to make for themselves the lives they are able and wish to have."

The Canadian Human Rights Commission fully participated in the hearings. The Commission argued that Air Canada came to the conclusion that Mr. Morten required an attendant without assessing his individual circumstances.

The Tribunal agreed with the Commission that individual circumstances must be taken into account when dealing with a disability rather than arriving at a blanket conclusion.

The Tribunal ordered Air Canada to work with the Commission to develop a new policy which does not discriminate against Deaf-Blind persons. The complete decision can be found on the Canadian commission's website:

<http://www.chrc-ccdp.ca>

New Publication for Employers

A new, updated Manitoba Human Rights Commission publication regarding pre-employment inquiries will be invaluable for anyone in the position of hiring new employees. The guidelines cover what you can do and what you can ask when hiring.

For example, did you know that asking questions on an application form that reveal such things as an applicant's age, ancestry or marital status could be a contravention of *The Human Rights Code*? A person who is asked such questions, whether it be on the application form or during the interview, could file a complaint of discrimination. Basically these are not appropriate questions unless the answers are reasonable requirements or qualifications of the job.

Sometimes, employers aren't sure what questions can be asked without a contravention of *The Code*. If you were interviewing a potential employee would you ask the following questions?

Can you speak French?

Are you related to anyone who already works here?

Will you take a drug and alcohol test?

The answers to these and many more questions are in the Commission's pre-employment guidelines, which is now available on its website at www.manitoba.ca/hrc under publications.

The Honourable Nancy Allan
Minister responsible for the Status of Women
invites you to a celebration of
International Women's Day
"Together We are Better -
the Contributions of Immigrant Women to Manitoba"
Monday March 9, 2009 11:45 a.m. - 1:00 p.m.

The Rotunda at the
Manitoba Legislative Building

Please RSVP by
March 5, 2009
945-6281 or
1-800-263-0234

International
Women's Day

