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**Special Report to Parliament
incorporating recommendations from the National Conference
[“Human Rights in Canada”. . . The Years Ahead”
held in Ottawa, December 8-9-10, 1978.**

Presented by the

Canadian Human Rights Commission
January 1979



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**Rapport spécial au Parlement
sur les recommandations issues de la conférence
«Les droits de la personne au Canada . . . l'avenir»
tenue à Ottawa, les 8-9-10 décembre 1978.**

Soumis par la

Commission canadienne des droits de la personne
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FOREWORD

The Canadian Human Rights Commission presents this report to Parliament containing recommendations received from a Conference on Human Rights held in Ottawa, December 8-10/78. Section 22(1)(e) and 47(2) of the Canadian Human Rights Act state that the Commission

- 22(1)(e) "may consider such recommendations, suggestions and requests concerning human rights and freedoms as it receives from any source and, where deemed by the Commission to be appropriate, include in a report mentioned in section 47 reference to and comment on any such recommendation, suggestion or request".
- 47(2) "...may, at any time, transmit to the Minister of Justice a special report referring to and commenting on any matter within the scope of its powers, duties and functions where, in its opinion, the matter is of such urgency or importance that a report thereon should not be referred until the time provided for transmission of its next annual report under subsection (1), and the Minister shall cause each such special report to be laid before Parliament within fifteen days after receipt thereof or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting".

On the occasion of the 30th Anniversary of the Universal Declaration of Human Rights, the conference, "Human Rights in Canada - The Years Ahead" was sponsored by the Canadian Human Rights Commission in collaboration with the Department of the Secretary of State and the Department of External Affairs.

Since the Canadian Human Rights Commission is required under Section 22(1)(a) to "develop and conduct information programs to foster public understanding..." the participants were members of associations addressing issues of race, national or ethnic origin, colour, religion, age, sex, marital status, conviction for which a pardon has been granted and physical handicaps as well as a number of related human rights issues. A cross-section of organizations was invited to the conference with approximately 170 participants in attendance. (The Appendix contains a list of participants and the conference program).

The objectives were:

- to review the progress of human rights in Canada
- to exchange views and ideas on current problems and trends
- to consult on strategies and priorities in the future
- to define mutual objectives of non-governmental organizations and the Canadian Human Rights Commission in the years ahead.

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Because the participants represented a diversity of interest groups, the Canadian Human Rights Commission accepted the recommendation that their concerns be forwarded to Parliament. The following recommendations evolved from the five conference workshops. For the purposes of clarity, the recommendations of this report are condensed and categorized with full attention paid to transmitting the original content and meaning.

A number of recommendations are clearly relevant to the Canadian Human Rights Commission's mandate and will be considered in developing the Commission's priorities. Others are so broad, that they require coordinated involvement from a number of sources - all levels of government, the voluntary sector, industry, unions, churches etc. As a whole, this body of recommendations illustrate the diversity of human rights concerns and the need for new and comprehensive approaches.

These recommendations are not listed in order of importance. The recommendations as they were presented by each workshop are available on request.

Respectfully submitted,



R.G.L. Fairweather,
Chief Commissioner,
Canadian Human Rights Commission.

III. HUMAN RIGHTS LEGISLATION (CONTINUED)

- (5) that their monitoring be made possible by including in the Act such provisions as the requirement that "human rights impact studies" be filed regarding new government and non-governmental economic policies or strategies, such as new budgetary proposals, plans for price and rate increases such as rent, telephone, energy, and investment transfers.
- (6) It is recommended that all legislation providing support for the handicapped be amended to include, as part of the definition of handicapped, the physically and mentally handicapped and also those with emotional and learning disabilities.
- (7) It is recommended that all human rights legislation be revised to specifically include the disabled within their jurisdiction and that such legislation be extended beyond matters of employment.
- (8) It is recommended that the present Canadian Human Rights Act should be amended to include in Section 2(a):

"Every individual, of whatever age, should have an equal opportunity with other individuals to make for himself or herself the life that he or she is able and wishes to have, and thereby realize all the human rights enumerated in the Universal Declaration on human rights, consistent with his or her duties and obligations as a member of society, without being hindered in or prevented from doing so by discriminatory situations arising from economic, educational, or political policies or strategies, or by discriminatory practices based on race, national or ethnic origin, color, political belief, sexual orientation, any form of disability and without restricting the generality of the foregoing, religion, age, sex or marital status, physical, mental, emotional, learning disabilities, conviction for an offence for which a pardon has been granted or for which a sentence has been served;" (the remaining nine words should be deleted).

III. HUMAN RIGHTS LEGISLATION (CONTINUED)

- (9) Section 2(a) of the Canadian Human Rights Act reads "conviction for an offence for which a pardon has been granted" and the Immigration Act uses the same wording, and persons not having a pardon may be refused both their guaranteed human rights as well as immigration rights. The pardon process requires knowledge of the system, time, influence and probably financial cost and such a system of pardon disadvantages persons lacking the above-named attributes. Therefore, it is recommended that the Canadian Human Rights Commission investigate a system of a statute of limitations whereby a pardon is granted automatically at the end of a defined period of time without reference to the power or prestige of the individual and without the need for the pardon process to be initiated by the individual.
- (10) It is recommended that pressure be brought to bear on all legislation so that they are extended to include the rights of children and the aged.
- (11) It is recommended that sexual orientation be added to the prohibited grounds of discrimination in all human rights legislation.
- (12) It is recommended that Human Rights Commissions commit themselves to the protection of complainants by:
- (a) A statement at the time of the hearing that the Commissions have the right to protect an individual from reprisals.
 - (b) A follow-up system to ensure that reprisals have not been committed against a complainant.