

John Humphrey Centre for  
Peace and Human Rights  
*Building Human Rights  
Communities*



**John Humphrey Centre**  
*for Peace and Human Rights*  
*pour la paix et les droits de la personne*



**ACGC**   
Alberta Council for Global Cooperation



# A human rights community

## section 2

The lessons in this section provide a simulation that is used to introduce students to a variety of topics associated with human rights and the connection between human rights and quality of life. This section is based on the concept of a human rights community – a community in which citizens commit to the importance of human rights to their daily lives.

Lessons situate students in a fictional community and require them to learn about issues that underlie many human rights violations. Activities ask students to develop a vision for a “model” human rights community, one that is dedicated to improving conditions and human rights. The lessons provide many Canadian examples, however, they can also be used to explore global human rights issues.





# section contents

Overview	101
LESSON 1	
How do human rights contribute to quality of life in communities?	103
Introduction	103
Resources	104
Approximate time	104
Teaching and learning strategies	105
LESSON 2	
What is a human rights community?	108
Introduction	108
Resources	108
Approximate time	108
Teaching and learning strategies	109
LESSON 3	
To what extent should individuals, organizations and government support and promote human rights?	114
Introduction	114
Resources	114
Approximate time	114
Teaching and learning strategies	115
Backgrounders	123
Human rights communities (PDHRE)	125
Canadian projects and initiatives	127
Student handouts	129

\*Curriculum links for this section are provided in Appendix B.



## SECTION 2

# A human rights community

## overview

Curriculum links for this section are provided in Appendix B.

### Lesson

How do human rights contribute to quality of life in communities?

#### Focus

##### This lesson:

- Explores scenarios relating to human rights in a community setting
- Asks students to investigate and research how these topics relate to human rights
- Has students create research files that explore topics
- Asks students to present research to other students

#### Approximate time

5-8 classes

#### Resources and handouts Curriculum links

##### Student handouts:

- II-1: concerns
- II-2: research inventory
- II-3: topic research questions
- II-4: briefing notes

##### file folders

- ##### Learning tools:
- retrieval chart
  - cause and effect map

This lesson introduces and develops outcomes relating to:

- Multiple perspectives on human rights
- The link between human rights and quality of life
- Responding as a citizen to human rights and globalization issues
- Equity, economic, work, freedom of expression, women's, children's, Aboriginal and language rights
- Canadian and international human rights contexts

### Lesson

What is a human rights community?

#### Focus

##### This lesson:

- Explores the concepts of community and human rights communities
- Investigates organizations that exist in communities, in Canada and internationally and the extent of their influence on human rights
- Asks students to construct a representation of a human rights community, identifying facilities, services and organizations that support human rights topics and issues

#### Approximate time

5-8 classes

#### Resources and handouts Curriculum links

##### Backgrounder:

Human rights communities (PDHRE)

##### Student handouts:

- II-5: communities and quality of life
- II-6: human rights communities
- II-7: human rights organizations

acetate sheets for an overhead projector or PowerPoint

- ##### Learning tools:
- retrieval chart
  - frame of reference map

This lesson introduces and develops outcomes relating to:

- Quality of life and communities
- Societal values
- Organizations that protect human rights

## overview

Curriculum links for this section are provided in Appendix B.

### Lesson

To what extent should individuals, organizations and government support and promote human rights?

#### Focus

This lesson:

- Explores the ways in which individuals, organizations and government can support and promote human rights
- Has students participate in a town hall meeting
- Develops a plan of action for improving and celebrating human rights

Approximate time

4-6 classes

#### Resources and handouts

Backgrounder:

Canadian projects and initiatives

Student handouts:

I-8: people in communities

II-9: plan of action

Learning tools:

biography profile

retrieval chart

frame of reference map

#### Curriculum links

This lesson introduces and develops outcomes relating to:

- Implications of human rights on individuals and communities
- Civic responsibilities of individuals, communities, organizations and government

## How do human rights contribute to quality of life in communities?

Students can be asked to review the appropriate human rights documents and legislation that support these topic areas. Internet links for these documents are provided in Section I.

Student handouts are provided at the end of this section. The Learning tools referenced in this section can be found on pages 17 to 30.

### Introduction

Human rights are something students learn through their own experiences. They are concerned with issues relating to their personal lives and examples they discuss can reflect concerns over human rights abuses in areas such as race, sexual orientation and gender as well as religion, freedom of speech and equality. Often, infringements or abuses of rights are associated with an identification of what constitutes that right.

One of the main challenges in teaching units of study focused on human rights is in reaching beyond a more conventional conception of how human rights should be taught, and doing so within the parameters of the existing curriculum. As many human rights teaching resources and programs focus primarily on universal “rights” as rules, regulations and legislation, students tend to learn about human rights as a prescribed set of rules that often have little relevance or impact on their beliefs, actions or behaviours.

This lesson provides activities that center upon responses to human rights issues. It then asks students to work collectively to learn about topics related to human rights issues that interest them, and to focus on actions that people have taken to address human rights in these areas. It asks them to make decisions about human rights issues and construct a vision of a model human rights community. The general topic areas that students are asked to select from include:

- Freedom from poverty (including economic and social rights)
- Equality rights (including issues of discrimination and racism)
- Right to work (including the right to sustenance and environmental rights)
- Freedom of expression and the media
- Rights of women
- Rights of children
- Aboriginal rights
- Language rights

## Resources

student handout II-1: concerns

student handout II-2: research inventory

student handout II-3: topic research questions

student handout II-4: briefing notes

file folders

learning tool: retrieval chart

learning tool: cause and effect map

## Approximate time

5 to 8 class periods

## Teaching and learning strategies

Select from or adapt the activities most suitable for students' and curriculum needs.

### to do

#### Human rights issues

Have students share their perspectives on what human rights are, reviewing key concepts from the activities in the previous section of this resource or from previous units in classes. Ask them what they think constitutes a human rights issue by discussing the following questions:

- What is an issue? What is a human rights issue?
- Does a human rights issue involve a violation of rights? What does “violation” mean?
- Does a human rights issue involve the need for a solution?
- Does a human rights issue generate a need to protect rights?

Tell students that they will be exploring human rights and the quality of life in a fictional community over the next few days. They will start by examining situations that exist or have occurred in this community and considering whether these situations represent violations of rights.

Provide students with **student handout II-1** (pages 131-132). Identify which of the concerns involve human rights issues and explain why.

Work in small groups to identify the area(s) that each concern relates to:

- Security (protection from, or freedom from, a context of violence that poses a threat to one's life or to one's physical and mental well-being)
- Subsistence (having secure access to the resources one needs to meet biological needs – nutritious food, clean water, fresh air, some clothing, shelter and basic preventative health care)
- Equality (our need to be regarded as equal in initial status with others, and not to suffer from social discrimination)
- Freedom (the need to follow one's own path in life, and not be subject to coercion or interference with one's life choices)
- Recognition (our need as social beings for acknowledgement from others of our own humanity, our own worth, and of our own belonging to, and full membership within, the human community)

Then, identify whether or not the issue reflects a human rights violation, or if there is a need for change implied by the issue. Discuss how human rights are related to the quality of life in a community and how human rights violations can impact quality of life.

## to live and work together

### Selecting a focus

Students will work with a Topic Focus Group to investigate and explore a human rights topic in more depth. They will be responsible for displaying their research for other groups in the class.

Provide students with **student handout II-2** (pages 133-136) and use the research inventory to select three topics they are most interested in. Then, have students find classmates who are interested in their top choice by asking them to move to an area of the classroom that has been assigned to each topic. These groups will become students' Topic Focus Groups.

*If the Topic Focus Groups are of unequal size, redistribute students according to their second and third choices. All groups do not have to be exactly equal in size; it is more important that students have the opportunity to research a topic that interests them.*

## to know

### Applying the research process

Each Topic Focus Group will address the inquiry question: How do human rights contribute to quality of life? They will use the topics they have selected to focus on a specific area for their research. Discuss the following related questions and have students contribute their own ideas for specific questions to guide their research:

- Can protection of human rights ensure that people's daily lives meet a "minimally decent" standard?
- To what extent should communities be concerned with human rights violations?
- What kinds of programs, services, facilities or organizations do you think support human rights? How do they contribute to quality of life?

Provide each group with **student handout II-3** (pages 137-138) and a visual organizer such as a **retrieval chart** (page 28) to initially help them organize their research. Questions and a format for research are provided on the student handout. Groups will organize information using the retrieval charts, and then create their final research projects in file folders.

Provide each Topic Focus Group with the relevant briefing notes from **student handout II-4** (pages 139-180). These briefing notes include a discussion of each topic, website references and examples. Each handout is organized into four sections:

- Introduction
- Exploration of what the right means
- The right and the *Universal Declaration of Human Rights*
- Examples (including references to websites that provide case studies and other examples related to this right)

*Each group is expected to do some of their own research. This research can be more locally based and groups can be encouraged to find examples that illustrate their topics from local media sources.*



Each Topic Focus Group will create a final research report that includes both written summaries and visuals:

- Use both the inside and outside of the file folders to cut and paste summaries and visuals
- Organize and display research using visual organizers
- Use more than one file folder if necessary to complete the research

The inquiry question should be narrowed down by each group to reflect their research area and used as a concluding paragraph for their research project.

## to live and work together

### Sharing perspectives

Have each Topic Focus Group share the results of their research using a carousel (small group presentation) format. Have each group display their research files in an area of the classroom. Provide a blank sheet for comments beside each display.

*A carousel presentation format is a cooperative learning structure that asks groups to set up a project display, then rotate through each display to view, read and make comments.*

Have all Topic Focus Groups rotate through each of the displays. Provide time for each group to review the research project that other groups have created. Have each group write responses and comments on the comment sheet. Then, have groups return to their research files and provide time for them to read, discuss and reflect on the comments that other students have made.

## to live and work together

### Revisiting issues

Have each Topic Focus Group use a visual organizer such as a **cause and effect map** (page 23) to brainstorm possible responses to two or three of the human rights situations they discussed in the first activity of this section. Have them place the situation in the middle of the cause and effect map and describe possible actions and responses in the other squares of the map.

## to be

### Human rights scrapbook (ongoing activity)

Have students reflect on how the human rights they explored in their research affect:

- The individual
- The community as a whole

# What is a human rights community?

Student handouts are provided at the end of this section.  
The Learning tools referenced in this section can be found on pages 17 to 30.

## Introduction

For many students, human rights are reflected in the values of fairness, equity, equality, and with issues such as access and abuses. Examples of human rights that they provide can reflect both personal experiences and diverse backgrounds. Different cultures, traditions, upbringings and settings can elicit different definitions or understandings of what human rights are about. Human rights, to many students, can be intensely personal and, in some instances, stated as an assertion – having the right to dress as you please, the right not to be made fun of, the right to safety, the right to express yourself and the right to make your own decisions. Some students connect rights with responsibilities and privileges; some connect rights with restrictions.

In this activity, students focus on the concept of community and examine how human rights are enacted within a community, focusing on rights and accompanying actions, behaviours and responsibilities. Students investigate organizations that exist in their communities, in Canada and internationally and the extent of their influence on human rights. They then form community groups to construct a representation of a human rights community, identifying facilities, services and organizations that support human rights topics and issues.

## Resources

student handout II-5: communities and quality of life

student handout II-6: human rights communities

student handout II-7: human rights organizations

learning tool: retrieval chart

learning tool: frame of reference map

acetate sheets for an overhead projector; or PowerPoint

The *teacher* backgrounder, **Human rights communities** (PDHRE), on pages 125 to 126, provides additional information relevant to this lesson.

## Approximate time

5 to 8 class periods

## Teaching and learning strategies

Select from or adapt the activities most suitable for students' and curriculum needs.

### to be

#### What is a community?

Work with students to brainstorm responses to the question: What is a community? Have them consider how communities are reflected in all of the following: large cities, small towns and rural settlements. Create a list of their responses on the board. Alternatively, have small groups brainstorm responses, recording them on a sheet of poster paper. Have each group share their ideas with the rest of the class.

### to do

#### Recipe for a community

Then, ask students to consider how quality of life is reflected by what they see and find in communities. Review how quality of life in a community can be determined – the indicators of quality of life. Discuss examples – personal, social, environmental, and services and facilities that may exist in a community that contribute to its quality of life. Provide each group with **student handout II-5** (pages 181-182). Have groups create a recipe for a community with a good quality of life.

### to know

#### What is a human rights community?

Ask students how they think a community, such as the one that experienced the situations they examined in the previous activity, could make a commitment to improving human rights. Introduce students to the concept of a human rights community. Provide **student handout II-6** (pages 183-184) and discuss the questions included in the handout. Visualize what a human rights community would look like by answering the following questions:

- What kinds of organizations, facilities and services should be available to people?
- What kinds of programs or projects could help promote human rights?
- What responsibilities do people have in a human rights community?

## to live and work together

### Building a human rights community

Have students use a visual organizer such as a **retrieval chart** (page 28) to list the characteristics of a human rights community – one in which they think the basic human rights of people are met.

Remind students to review the five categories of human rights that they have used in previous activities, as well as what they have learned about the benefits of these human rights principles from their research on different human rights topics.

- Security (protection from, or freedom from, a context of violence that poses a threat to one's life or to one's physical and mental well-being)
- Subsistence (having secure access to the resources one needs to meet biological needs – nutritious food, clean water, fresh air, some clothing, shelter and basic preventative health care)
- Equality (our need to be regarded as equal in initial status with others, and not to suffer from social discrimination)
- Freedom (the need to follow one's own path in life, and not be subject to coercion or interference with one's life choices)
- Recognition (our need as social beings for acknowledgement from others of our own humanity, our own worth, and of our own belonging to, and full membership within, the human community)

The retrieval charts should list the essential elements of a human rights community in the first column; what these elements mean for goods, services, programs, facilities and organizations in the second column; what the responsibilities of the people of the community are in the third column; and what would happen if these elements were not present, in the fourth. Remind students to consider a range of:

- Facilities
- Services
- Organizations, including government, businesses, media, education, health care, child care
- Organizations that help people with special needs (seniors, immigrants, youth)
- Organizations, activities and programs that help people meet their needs

Use a format such as the example provided below.

Essential elements for a human rights community	What these elements look like in the community	What responsibilities people in the community have to human rights	What could happen if these elements were not present
Food and shelter	Food stores Areas set aside for residential houses and apartments Food banks and clean shelters for people who need assistance	Supporting those people who need assistance to maintain a minimally good life Volunteer programs	People who need support would not have access to food and shelter Homelessness Increased health costs
Clean air and health care	Equal access to hospitals and clinics Increased health costs	Government departments that deal with clean air issues Responsible use of the health care system Support for laws that monitor the environment Advocating for the abolition of second-hand smoke in public places	Decreased quality of life for people living in the community Increased health costs
Freedom to follow one's own choices	Educational institutions, such as schools, community centres and colleges or universities Child care facilities for working parents	Not interfering with others' freedom of choice	Inability to get into educational programs and /or follow career of one's choice Inequality for women with children
Security	Neighbourhood police stations Community watch programs	Contributing to community watch programs	Increased vandalism of public and private spaces

## to know

### Investigating organizations for human rights

Have students work with small groups and use various sources such as the yellow pages in the local phone book, newspapers and the Internet to identify organizations and facilities that support and promote human rights. These organizations can include the following:

- Organizations that specifically support human rights
- Local not-for-profit organizations and charities
- Government departments

Use **student handout II-7** (pages 185-186) as a starting point, and ask students to use a visual organizer such as a **two-column retrieval chart** (page 26) to identify and list the organizations they find.

Then, have students work in pairs to find out more about one organization. Ensure that a variety of organizations are represented, but encourage each pair to select one that interests them.

Create a one-to-three-page overview of the organization that includes:

- The purpose of the organization
- What the organization does (examples of programs and projects, any documents or resources created)
- Who the organization works with
- Contributions the organization has made to the promotion of human rights

The overview page(s) can be created using a visual organizer such as a **frame of reference map** (page 25). The circles in the frame of reference map can be used to list the purposes and activities of the organization. The outside square can be used to describe its contributions. Maps can be constructed on acetate sheets that can then be viewed on an overhead projector; or a PowerPoint presentation can be created.

~~to do~~

### ~~Presentation~~

Have pairs provide a five-to ten-minute presentation on their organization, using the overview report they have prepared. Discuss how these organizations can support initiatives to improve human rights in a local context, such as within their own communities.

~~to do~~

### ~~Yellow pages for human rights~~

Have pairs prepare the information they find on their organization into an advertisement for a yellow pages directory. Then, have the class compile the advertisements into a “yellow pages” booklet.

~~to do~~

### ~~Constructing a human rights community~~

Have students work in small groups called Community Groups to plan and construct a human rights community that includes the elements that they think are essential to meet peoples’ needs for a minimally good life. The community can represent a neighbourhood or area in a large urban centre, a mid-size city, a small town – this can be specified to students and they can be asked to construct what they are most familiar with.

*Communities can be sketched or created on poster paper or constructed as a three-dimensional model.*

Have groups introduce their communities to the other groups in the class, describing the characteristics of the community they have constructed and identifying issues relating to quality of life.

- **An alternative process for constructing an ideal city is provided on the United Nations Cyber School Bus website. This process can be followed and adapted for this activity.**

**WEBSITE: [www0.un.org/cyberschoolbus/habitat/ideal/ideal1.asp](http://www0.un.org/cyberschoolbus/habitat/ideal/ideal1.asp)**

~~to be~~

~~Human rights scrapbook (ongoing activity)~~

Have students individually reflect on what they have learned about human rights choices in a journal entry. Describe what they believe their individual responsibilities are to human rights.

~~to do~~

~~Illustrated dictionary of human rights~~

Have each group use the information they have researched to create an illustrated glossary of terms and concepts related to human rights.

# To what extent should individuals, organizations and government support and promote human rights?

Student handouts are provided at the end of this section. The Learning tools referenced in this section can be found on pages 17 to 30.

## Introduction

Human rights education should be based on active, participatory learning and should engage students in issues and topics relevant to their daily lives. The approach should also, however, consider how personal and local issues and topics connect to global ones. Although students find relevance and meaning in those issues and topics that initiate locally, they also need to make the connections to the larger world and find commonalities and perspectives that they can relate to.

In this sense, an emphasis on activities and strategies that encourage collaborative and cooperative skill development are critical to a resource that promotes learning around human rights. As students react cognitively and emotionally to what they are learning, they build ownership to larger issues, and commitment to acting on their beliefs. Recognizing and respecting the importance of values connected to human rights topics, such as safety and security, fairness, equity and equality, reinforces the importance of learning about human rights.

This lesson asks students to explore the ways in which individuals, government and organizations can support and promote human rights. Students participate in a town hall meeting and develop a plan of action for improving and celebrating human rights.

## Resources

student handout II-8: people in communities

learning tool: biography profile

learning tool: retrieval chart

learning tool: frame of reference map

student handout II-9: plan of action

The *teacher* backgrounder, **Canadian projects and initiatives**, on pages 127 to 128, provides additional information relevant to this lesson.

## Approximate time

4 to 6 class periods



## Teaching and learning strategies

Teachers are encouraged to select from or adapt the activities most suitable for their students' and curriculum needs.

### to be

#### Taking on a role

Students will explore human rights from the perspective of different citizens who live in the fictional community they constructed in the previous activity. Provide **student handout II-8** (pages 187-188) and have students take on the role of an individual who lives in the community. Have students use the **biography profile** (page 29) to explore human rights issues relevant to this individual.

### to live and work together

#### Perspectives on human rights

Have students work in Community Groups to discuss human rights that are important from the perspective of their roles. Ask each group to brainstorm and create a master list of rights, ensuring that they represent all the priorities important to their group members.

Once each group has completed their list, present the rights to the rest of the class. Combine similar rights so that a class list of rights results. Then, discuss the following questions:

- What rights are important to you as an individual member of your community? Why are these rights important?
- What rights might be important to other members of your group? Why would these rights be important to these individuals?
- How do these rights affect quality of life within the community?
- How might individual rights conflict with collective rights (those held by all members of the group together)?
- What should be done to support individual human rights?

### to do

#### Mind map

Have students use a visual organizer such as a **mind map** (page 22) to identify and list the implications of the rights they have developed from two perspectives – the individual and the community. Discuss the following questions

- How do the decisions and behaviours of individuals affect quality of life in a community?
- How can the decisions and programs of organizations affect the quality of life in a community?

## to live and work together

### Making group choices

Have each Community Group revisit the human rights concerns (student handout II-1) they discussed in the first lesson. Create questions that reflect the human rights needs reflected by these concerns. For example, start with the following partial list of questions.

- Is there a need for more organizations or services that promote activities for youth?
- Does the community need new or different organizations or services to help new immigrants in the community?
- Is there a need to develop programs that address and improve security and safety in the community?
- Is there a need for better access to public facilities for people with disabilities?
- Is there a need to build more childcare centres?

Have each group re-examine their fictional communities, and decide on organizations, services and facilities that need to be added to improve human rights and address these concerns. Make a list of the organizations, facilities and services that are needed. Remind students to ensure that they consider what they learned about human rights topics from the previous lesson.

## to live and work together

### Making economic choices

Provide groups with economic conditions that they must use as they make decisions about what should be provided in their fictional communities. Groups will be provided with an overall budget and asked to make choices that address concerns and needs of their communities. Discuss and develop these conditions with the class by creating a **retrieval chart** (page 26) that outlines a budget for each type of facility, program or service.

Students could be presented with the following question: If you had 200 economic units to spend in your community, what would you spend it on? The following chart, from which students make their choices, provides an example of economic values (in units) that can be allocated to different types of facilities, programs and services.

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Type of facility, program or service	Costs in units
<b>Housing</b>	<b>50</b>
<b>Community centres</b>	<b>10</b>
<b>Facilities for people with disabilities</b>	<b>10</b>
<b>Neighbourhood police</b>	<b>30</b>
<b>Any type of government program, such as environmental quality programs</b>	<b>40</b>
<b>Community services, such as shelters and food banks</b>	<b>20</b>
<b>Health care facilities</b>	<b>40</b>
<b>Service facilities and organizations, such as child care or women's shelters</b>	<b>30</b>
<b>Educational facilities</b>	<b>40</b>
<b>Educational programs</b>	<b>10</b>

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Have each group make choices about the facilities, programs or services that should be added to their fictional communities. For example, the budget of 200 units could be spent on 4 housing units; or 2 housing units and 5 community centres; or 2 housing units, 1 community service facility, and 2 health care facilities.

Consider the following questions and justify the choices students make in their communities.

- How do economic limitations necessitate choices?
- What difficulties were experienced when choices had to be made?
- What strategies were used to prioritize the choices made?

to do

### Identifying indicators of quality of life

Have Community Groups identify the indicators in their community that represent its quality of life – ask them to consider political, economic, social and personal indicators. Discuss questions such as:

- Did we build enough facilities to support the different needs of people – for example, seniors, working mothers, those who need economic support?
- Did we build some of these at the expense of other facilities and services that are needed? (For example, did we build childcare centres at the expense of food banks?)
- Were these justifiable decisions?

to do

### Responsibilities to human rights

Ask each student to use a visual organizer such as the **frame of reference map** (page 25) to write about what they know about responsibilities that individuals have to their communities and as citizens. Use the outside box to write about experiences that have taught them about responsibilities.

Tell students that the mayor of their fictional communities has called a town meeting to discuss the community's responsibility to human rights. Share perspectives and experiences that relate to the concept of responsibility:

- What are the responsibilities of people living together in communities?
- To what extent do responsibilities relate to human rights?

to do

### Developing a plan of action

Each Community Group will become a Citizens' Action committee that will investigate different ways that human rights can be improved, supported, promoted and celebrated in the community. They will present their reports at the town hall meeting. Ask each group to start with the following questions:

- What human rights concerns exist in your community?
- What do your community's organizations and services do to support human rights?
- How has your community already addressed human rights concerns?
- What more should be done?

Brainstorm ways that citizens can commit to, and promote, the improvement of human rights in the community. Each Community Group will act as a committee, organizing a plan of action to declare their community a "Human Rights Community." Each plan of action should involve a project idea that would address human rights concerns.

Provide each group with the **student handout II-9** (pages 189-190) and have them decide on an initiative that would address a human rights concern in their fictional community. Remind students to consider the problems and issues they addressed in previous activities.

Create a plan of action on a small poster-sized paper. Each plan of action should be presented to the class and similarities and differences discussed.

to do

#### **Town meeting**

Have each Community Group present their plan of action for improving human rights in the community in the town meeting. Encourage other groups to ask questions of the group presenting. Discuss questions such as:

- What is the role of individuals in this community to support and promote human rights?
- What is the role of organizations and the community as a whole in supporting and promoting human rights?
- How would you describe a “human rights community”?

to be

#### **Human rights scrapbook (ongoing activity)**

Have students create an individual plan of action that outlines ways that they can promote and encourage human rights in their daily lives, environments, activities and involvements. Consider whether they would be interested in making a commitment to one human rights project or activity in their own communities, and describe what they would be most interested in doing.

to be

#### **Position statement**

Have each student prepare a written position statement on the question: To what extent should governments, organizations and individuals actively promote human rights? Help students clarify their positions by providing them with a scale such as the following.

- 
- **Always**      • **Quite a bit**      • **Sometimes**      • **Not very often**

Provide three to five examples from previous research and activities that support the position they choose to take.

## to live and work together

### Horseshoe class discussion

Arrange students' desks in a horseshoe shape around the classroom. Ask one student who supported each position on the scale to present their statements. Then, tally the number of students who supported each position on the board. Bring the discussion back to the question: To what extent should governments, organizations and individuals actively promote human rights? Consider whether or not it is possible to reach a consensus of agreement on this question.

### NOTE

Section III of this resource provides a process and resources for classes and schools to develop a plan to become a Human Rights School or Community. The John Humphrey Centre for Peace and Human Rights is currently in the process of developing a plan to support Edmonton, Alberta in its movement towards becoming a Human Rights City.

## Additional resources and sources

The following websites and sources offer additional background information and research sources:

### Tolerance.org

Tolerance.org is a principal online destination for people interested in dismantling bigotry and creating communities that value diversity. Although the site and its content are American, it provides a comprehensive list of links to other human rights related sites. There is also an excellent model for locating human rights related organizations in the United States.

- [www.tolerance.org](http://www.tolerance.org)

### What Kids Can Do

What Kids Can Do is a national non-profit organization founded in 2001. It documents the value of young people working with teachers and other adults on projects that combine powerful learning with public purpose for an audience of educators and policy makers, journalists, community members and students. The site provides compelling examples of schools and communities working together to:

- Challenge young people intellectually
- Enlist their help with real problems
- Nourish their diverse talents
- Support their perseverance
- Encourage their contributions as citizens
- [www.whatkidscando.org](http://www.whatkidscando.org)

### Human Rights Internet

This website is designed for all individuals and groups interested in teaching or learning about human rights and development. The website provides information on development and human rights at an introductory level and therefore allows individuals or groups to familiarize themselves with the topics and then to further research areas of interest.

- [www.hri.ca/education/development/](http://www.hri.ca/education/development/)





A human right is a reason to treat persons in certain ways. Human rights cannot be seen. They involve values that guide us in treating each other in ways that we think we all deserve. Human rights do not tell us who or what we are. They tell us how we should treat other human beings. Rights are reasons to treat persons in certain respectful ways.

## section 2

A human right is not just a justified claim to treat others in certain ways.

A right is an important, serious and powerful claim that is considered more important than other values or actions. Rights have a high priority, often higher than anything else, that people claim they are entitled to.

# Backgrounders

Teacher backgrounders provide additional information on topics that are explored in Section 2.

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## human rights communities (PDHRE)<sup>13</sup>

<sup>13</sup>This backgrounder describes the human rights cities project of PDHRE, People's Movement for Human Rights Learning. See website: [www.pdhre.org/projects/hrcommun.html](http://www.pdhre.org/projects/hrcommun.html) for more detailed information on the project.

The project description and summary is adapted from [www.comminit.com/pdskdv42003/sld-7648.html](http://www.comminit.com/pdskdv42003/sld-7648.html).

Human rights communities are a project of PDHRE, *People's Movement for Human Rights Learning*. Founded in 1988, PDHRE is a non-profit, international service organization that works directly and indirectly with its network of affiliates – primarily women's and social justice organizations – to develop and advance pedagogies for human rights education relevant to people's daily lives in the context of their struggles for social and economic justice and democracy. The United Nations Development Program supports the Human Rights Cities project of PDHRE to promote human rights as guiding principles for the development of local communities.<sup>14</sup>

<sup>14</sup> See website

[www.undp.org/dpa/statements/administ/2003/december/10dec03.html](http://www.undp.org/dpa/statements/administ/2003/december/10dec03.html).

### A human rights community

A human rights community is one in which all its members, from policy makers to ordinary citizens, learn about and adhere to human rights obligations. Relating international human rights norms to their own immediate and practical concerns, they join and make a commitment to initiate a community-wide dialogue for the purpose of developing the guidelines of their Human Rights Community. Public and private organizations join to monitor violations and the implementation of human rights at all levels of society. They develop a methodology to ensure that all decisions, laws, policies, resource allocation and relationships are bound by human rights norms and standards at all levels of the decision-making and problem-solving process. They ensure that human rights serve as guiding principles by which the community develops its future plans and institutions. The goals of the program include instilling in communities a sense of ownership over human rights as a way of life; enhancing democracy, peace, security and social justice; and strengthening the infrastructure that supports human, social and economic development.

### The importance of community participation

Community participation is a key element in the effort to establish "the holistic human rights framework" in people's daily lives and to help them see its potential as a tool for action.

Inhabitants, governing bodies, law enforcement agencies, public sector employees, religious groups, NGOs and community groups in the city (especially those working on issues concerning women, children, workers, indigenous people, poverty, education, food, housing, healthcare, the environment and conflict resolution) are asked to join in the process of learning about and reflecting on human rights as a means of accomplishing their own development. As part of this process, various stakeholders engage in dialogue designed to relate the human rights framework to their traditional beliefs, collective memory and aspirations with regard to environmental, economic and social justice issues and concerns. This process is intended to foster mapping and analysis of the causes of human rights violations and the design of solutions to avoid them.

This process of establishing a human rights community includes the following steps.

**one**

**A steering committee representing all sectors of society develops specific programs for various groups of people.**

**two**

**Learning and planning sessions are held in which committee members examine, from a gender-sensitive perspective, laws, policies, resource allocation strategies and relationships that structure their city. For that purpose, the committee creates a "training of trainers" program with, by, and for their constituencies, which include parliamentarians, municipal workers, law enforcement officers, the judiciary, business people, teachers, health care providers, social workers and government officials. This program is designed to help people understand and uphold their obligations and commitments to human rights. For example, people gather in meetings to scrutinize the laws of the city against the background of the Convention and covenants that their country has ratified.**

**three**

**Citizens are requested to play a part in human rights advocacy in the community by becoming mentors, monitors, documenters and advocates. They are encouraged to give testimonies and participate in community and city hall meetings, street theatre and informal community discussions.**

**four**

**These and other activities are publicized throughout the community to raise awareness of human rights.**

The PDHRE website at [www.pdhre.org](http://www.pdhre.org) provides descriptions of the human rights cities currently part of the project, as well as discussions of many human rights topics and issues.

Human rights cities as of march 2005 include Rosario, Argentina; Thies, Senegal; Nagpur, India; Kati, Kayes and Timbuktu, Mali; Nimamobi, Walewale and Bongo, Ghana; Graz, Austria; Edmonton, Canada; Bucuy Municipality, Phillipines; Mogale, South Africa; and Porto Alegre, Brazil. Details about projects in each of these communities are available on the PDHRE website.

## Canadian projects and initiatives

There are many initiatives in Canadian cities and communities that address human rights concerns and accomplish goals similar to those of the Human Rights Cities project of PDHRE. These projects work to improve quality of life in cities and communities.<sup>15</sup>

- **Other examples are available on the website**  
[www0.un.org/cyberschoolbus/habitat/dogood/dogood.asp](http://www0.un.org/cyberschoolbus/habitat/dogood/dogood.asp).

<sup>15</sup>The examples that follow are from the website [www0.un.org/cyberschoolbus/habitat/dogood/dogood.asp](http://www0.un.org/cyberschoolbus/habitat/dogood/dogood.asp).

### Concerns with neighbourhoods, shelter and infrastructure in Canadian communities

#### Co-operative Housing: A Model for Empowered Communities:

Co-operative housing flourished in the early 1970s, in response to discontent with government low-income housing programmes. Co-op housing activists encouraged the federal government to support smaller scale, mixed-income housing to be built, owned and managed by community-based not-for-profit groups. 200,000 people in all parts of Canada now live in co-op housing, generally recognized as the most cost-effective form of government-assisted housing in Canada. Because many co-op households are led by single parents, mostly women, many co-ops help provide child care for their members. As a result, women participate actively at all levels of the housing movement. All co-ops contain units and common areas for the people with disabilities. Co-op members share their knowledge and experience internationally.

**New Downtown Waterfront, Vancouver:** New waterfront neighbourhoods will house 20,000 residents, all within 2 km of the metropolitan business core. This means that many residents will choose to travel by non-auto modes of transportation. All new neighbourhoods are designed to be pedestrian friendly. A further 20% of the 12,000 units will be social housing, and will provide low-cost housing for about 5,000 residents. A quarter of the units will be designed for families with children, a group that has traditionally had difficulty finding inner-city housing. These measures ensure the neighbourhoods are diverse places to live.

## Developing sustainable communities in Canada

### Metro Toronto's Changing Communities: Innovative Re-

sponses: Metro Toronto is Canada's major immigrant reception centre with a racial minority population that had risen to 25% of total population in 1995. By 2001, this figure increased to 50%. Metro Toronto decided to adopt a proactive approach in response: ethno-specific agencies have been established in the Community Service Sector to provide services for immigrants and refugees that recognize and respect their cultures and languages; in the Social Services Division, changes have been made to enable customers to receive service in their neighbourhoods in their own languages; childcare programs have anti-racism policies and training for staff.

### Innovative projects

**Alternative Energy, Quebec:** The Cree Aboriginal community of Ouje-Bougoumou has constructed a new village within its traditional territory in northern Quebec which is based on the dual concepts of self-determination and suitable development. One of the innovative initiatives in this new village is the installation of a "district heating system," an alternative energy technology in which wood waste is burned in a central plant where water is heated and then transported through underground pipes to all of the buildings in the village.

Essentially, while providing important heating energy to the houses and buildings, the community is converting industrial waste into energy with many long-term benefits to the community.



## teaching and learning ABOUT HUMAN RIGHTS

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# Student handouts

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## TO DISCUSS

**Are these concerns human rights issues? Why or why not?**

**Are these concerns addressed in the *Charter of Rights and Freedoms* and addressed in the *Universal Declaration of Human Rights*?**

**If so, how? If not, should they be?**

**How are these concerns affected by other human rights legislation or declarations?**

**Who is impacted by these concerns?**

**How important do you think they are? Why?**

**What do you think would need to be done to make a change?**

**What are some possible courses of action that the community might take to make a change?**

**What help might be needed to make this change?**

These concerns have been reported by citizens groups in a community. Are these human rights issues?

- A person in a wheelchair is unable to access public transportation and the public washrooms in a public building.
- There are homeless people living on the streets; boxes are found that homeless people use for shelter when the weather gets cold.
- Two 19-year-old teenagers are refused an apartment available for rent; they find out it was later rented to someone older.
- A neighbouring community has to be called to provide ambulances in an emergency. The ambulances take 30 minutes to arrive.
- A child comes to school hungry and without a lunch.
- A new immigrant arrives in the community with very few skills in speaking English and French; the new immigrant has trouble finding a place to live and a job.
- There has been no budget allocated for mosquito control for the coming summer.
- The current landfill site is close to capacity. There is much debate over where a new landfill site will be located, and this is delaying construction of a new garbage facility.
- There is a lack of adequate streetlights in some areas of the community.
- The rate of teenagers leaving school at the age of 16 before finishing their high school diploma has been increasing over the past five years.

- The local community-based newspaper has had to shut down because of budget concerns; now there is only one major newspaper in the community.
- Employees who are apprenticing for a trade with some companies in the community are not paid for their first three weeks on the job. There are no minimum wage requirements for the first year of their apprenticeship.
- A teenager is arrested for a crime. People are questioning if the rules and penalties should be different for youth offenders or the same as those for adults.
- There are ongoing protests in the community regarding the federal governments' stance on same sex marriages.
- A young single mother cannot afford to take her 3-year-old daughter to the only childcare facility in her neighbourhood. She has no car to take her daughter to an affordable childcare centre on the other side of the city. There are no limits placed on childcare fees, and no help available from the government.

## TO DISCUSS

**Do you think there are some human rights that are more important than others?**

**What types of human rights related issues are you aware of today?**

## one

Terri Schiavo collapsed in 1990 when she was 26 years old. She suffered brain damage and doctors described her condition as being in a persistent vegetative state. She survived because of a feeding tube that provided her with water and nutrients. Her parents stated that she continued to interact with them. Her husband wanted the food tube removed because he said she would not want to continue to live in this condition. Many people took sides with either her family or her husband. In 2005, a Florida judge ruled that Terri Schiavo's husband could have her feeding tube removed.

## two

Some Canadians have been fighting for the right for homosexual couples to legally marry, and have the same benefits and responsibilities as traditional opposite-sex couples. In July 2003, the federal government put forward a proposal for legislation that would ensure these rights. The legislation changed the definition of marriage to include marriage of same-sex couples. In December 2004, the Supreme Court of Canada ruled that the federal government has the power to pass legislation that affects the definition of marriage. The Supreme Court also ruled that religious groups do not have to perform marriages that are against their beliefs.

Canadians have strongly opposing viewpoints about this issue. Some Canadians believe that the government should not have the ability to change the definition of marriage. Others believe that same-sex couples should have the same access to marriage and its benefits as opposite-sex couples. The Alberta government has indicated that the province's marriage laws will not be changed if the federal government passes this legislation.

- **Articles and sources related to the issue of same-sex marriages can be found at**

**[www.cbc.ca/news/background/samesexrights/](http://www.cbc.ca/news/background/samesexrights/)**

**Are these examples of human rights infringements? Why or why not? What legal rights are involved in these examples? What moral rights are involved?**

You have already explored five categories of human rights that can be considered essential needs for a minimally good life:

- Security (protection from, or freedom from, a context of violence that poses a threat to one's life or to one's physical and mental well-being)
- Subsistence (having secure access to the resources one needs to meet biological needs – nutritious food, clean water, fresh air, some clothing, shelter and basic preventative health care)
- Equality (our need to be regarded as equal in status with others, and not to suffer from social discrimination)
- Freedom (the need to make one's own choices, and not be subject to coercion or interference)

- Recognition (our need as social beings for acknowledgement from others of our own humanity, our own worth, and of our own belonging to, and full membership within, the human community)

All five of these categories of human rights are essential to ensure a minimally good quality of life for every human being. But what do these five categories mean in relation to the items that we want and expect to have in our lives? What do they mean in terms of laws that protect us and responsibilities we should have?

## TO RESEARCH

To help you explore these questions, you will be asked to select a topic area on which to focus your research. Each topic area may relate to one or more of the essential five needs listed above. Each topic area contributes in some way to the quality of life that people have in their communities.

1

**Freedom from poverty** is a human rights concern. Poverty can be examined from a number of perspectives: economic, social and political. According to the United Nations, poverty means that opportunities and choices most basic to human development are denied. People who live in poverty are unable to lead a long, healthy life and enjoy a decent standard of living, freedom, dignity, self-respect and the respect of others.

**What is this topic about? Does this topic relate to quality of life issues? To freedom? Or to security issues? What other topics is freedom from poverty connected to?**

2

**Equality** rights are a fundamental human rights principle, and are represented by both the attitudes and actions of individuals.

The principle that all human beings have equal rights and should be treated equally is a cornerstone of human rights and evolves from the inherent and equal human dignity of every individual. Nevertheless, discrimination has occurred against peoples such as indigenous people and minorities, working migrants, refugees and asylum seekers, children who are bullied or abused, women treated as less valuable human beings, people infected with HIV / AIDS and those with physical or psychological impairments or who have other sexual orientations. Discrimination appears in many forms and it can be presumed that everyone has been affected by it to varying extents.

**What does this right mean? How does it connect to many other human rights topics – working conditions, women’s and children’s rights, the treatment of minorities and security issues? Is it more important to examine equality rights from the perspective of what they are or how they are abused?**

**The role of work** in ensuring a minimally good life for all people is an important topic in human rights. Both the right to work and work-

related human rights are addressed in many human rights documents and legislation.

**Is the right to work only an economic right? How is the right to work connected to the concept of human dignity? What are the differences between the right to work and work-related human rights?**

**Freedom of expression** – including the “freedom to receive and impart information and ideas for any media and regardless of frontiers” (Article 19 of the *Universal Declaration of Human Rights*) – is one of the basic civil and political rights, which is accordingly laid down in all respective human rights instruments.

**Why is freedom of expression and the press considered an essential right? How is freedom of expression important to the people living in a community? In what ways can it affect quality of life?**

**Rights of women** is an international issue, as all nations have not provided equal rights for women compared to men. These inequalities are part of most human rights issues and topics and are connected to other issues such as equality, freedom from poverty and health issues. An examination of the rights of women is also connected to the bigger issue of equality for all human beings.

**Are laws and regulations enough to guarantee equal opportunities for all human beings? What else can ensure the equal treatment of women and men? Are there differences or gaps between reality and the human rights legislation that protects the rights of women?**

**Rights of children** are based on the need to protect children. It is important to find ways to keep children safe from harm, provide for their basic needs, and to help them become healthy and to educate them so that they become productive members of society. “Rights of the child” means that children, whether in Canada or around the world, have guaranteed rights, including:

- Child empowerment and protection
- Participation by children and provision for children
- Non-discrimination of children
- Adults acting in the best interests of the child

**Are there exceptions or limitation to children’s rights? If so, under what circumstances?**

**Aboriginal rights** are collective rights that come from the history of



aboriginal peoples in Canada. When aboriginal peoples talk of land rights, they are talking not only of legal concepts, but of a worldview and way of life. Aboriginal peoples' rights stem from their long-standing relationship to the land and its resources. Issues relating to self-determination and self-sufficient economies are intrinsically linked to access to land and resources. Aboriginal rights are protected in the *Canadian Charter of Rights and Freedoms*.

Over the past 30 years, aboriginal rights have slowly been defined through the Canadian courts. So far, Canadian law has confirmed that aboriginal rights:

- Exist in law
- May range from rights not intimately tied to a specific area of land, to site-specific rights, to aboriginal title, which is a right to exclusive use and occupancy of land
- Are site, fact and group-specific
- Are not absolute and may be justifiably infringed by the Crown

**How is aboriginal peoples' worldview an important aspect of human rights? Are the laws in our Constitution enough to guarantee these rights? Are there differences or gaps between the reality for aboriginal peoples and the human rights legislation that protects their rights?**

**Language rights** are protected in the *Charter of Rights and Freedoms*.

Language is the foundation of communication and is fundamental to cultural and historical heritage and identity. Canadians are a bilingual people, with two official languages, English and French, but many other languages are spoken as well— including aboriginal languages, Italian, German, Ukrainian, Spanish, Chinese and others. All these languages reflect the two founding peoples: aboriginal peoples and those who immigrated to Canada from the time of Confederation to the present. Language rights connect to many other human rights issues – from equity and freedom from discrimination to freedom of expression.

**How are language rights protected in Canada? How do language rights affect the daily lives of people living in a community?**



# topic research questions

## TO DISCUSS

**Do we have the right to know our rights? Why or why not?**

The *International Bill of Rights* (the *Universal Declaration of Human Rights*, along with the *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights*) emphasizes the importance of education in learning about human rights.

How do human rights contribute to quality of life? You will be exploring this question and learning more about how human rights applies to daily life, from the perspective of the topic you selected.

## TO RESEARCH

- Investigate a human rights topic by exploring the research questions on the next page. You will receive briefing notes on your topics.
- Find some of your own sources – look in your local newspaper to find articles that are connected to your topic. Use the Internet sites found in the briefing notes to search for information on your topic.
- Use a retrieval chart to gather information on each research question. Write each question in the first row of the retrieval chart. Then record information you find from each source in the columns of the chart.

Research question	What I already know	Source and information	Source and information	Questions I still have
<b>Which of the five categories of essential needs does this topic relate to?</b>	Your own knowledge	Source 1	Source 2	Questions for further research
<b>How does this topic reflect things (items, choices, goods and services) to which every person has a human right?</b>	Your own knowledge	Source 1	Source 2	Questions for further research
<b>How are these things currently protected by human rights legislation (such as the Canadian Charter of Rights and Freedoms)?</b>	Your own knowledge	Source 1	Source 2	Questions for further research

## THE RESEARCH QUESTIONS

**Which of the five categories of essential needs does this topic relate to?**

**How does this topic reflect things (items, choices, goods and services) to which every person has a human right?**

**How are these things currently protected by human rights legislation (such as the *Canadian Charter of Rights and Freedoms*)?**

**How are they specified in human rights declarations (such as the *Universal Declaration of Human Rights*)?**

**What kinds of programs, services, facilities or organizations can be found in a community that help ensure these rights are provided for every human being?**

**What conflicts or disagreements might arise over issues related to this human rights topic?**

**What responsibilities or duties do people have related to this topic?**

## THE INQUIRY QUESTION

**How do human rights contribute to quality of life?**



Briefing notes on each of these human rights topics follow:

1 Freedom from poverty

2 Equality rights

3 The role of work

4 Freedom of expression

5 Rights of women

6 Rights of children

7 Aboriginal rights

8 Language rights

## Freedom from poverty

one

## TO DISCUSS

**Why is freedom from poverty a human right?**

**How does poverty affect the individual in a community? How does it affect a community?**

**Why should poverty be considered from more than an economic point of view?**

**How might poverty affect the decisions governments make?**

**How do you think poverty is affected by globalization?**

## introduction

Poverty exists all over the world. It affects people in the most developed countries as well as the poorest. Despite this, the United Nations and other international and national agencies and governments have declared freedom from poverty a human right. Poverty can be described from a variety of perspectives.

exploration<sup>16</sup>

What is poverty? From a human rights perspective, the Office of the High Commissioner for Human Rights views poverty as “a human condition characterized by the sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other fundamental civil, cultural, economic, political and social rights.”

From an economic perspective, poverty defines a person as poor if his or her yearly income level is below the defined poverty line. Many countries have adopted income poverty lines to monitor progress in reducing the incidence of poverty. The cut-off poverty line is defined in terms of having enough income for a specified amount of food.

According to the United Nations, “poverty means that opportunities and choices most basic to human development are denied – to lead a long, healthy, creative life and to enjoy a decent standard of living, freedom, dignity, self-respect and the respect of others.”

The Human Poverty Index uses indicators of the most basic dimensions of deprivation – a short life, a lack of basic education and a lack of access to public and private resources. This acknowledges that human poverty is more than income poverty.

If poverty is examined from the perspective of subsistence issues, or the ability to meet basic needs, different issues can be identified. The denial of food, education, healthy living and housing (through privatization, unequal access to resources or health care, etc.) can push the prices of

<sup>16</sup>Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: pp. 63-65.

essential services beyond the reach of the poor, forcing them to sell their assets and live below the standards many consider acceptable for a minimally good life. People can have a job (sometimes, more than one) and still be poor when minimum wage levels do not allow people to meet their basic needs.

Poverty can also be examined from a security perspective. Poverty can lead to serious food and social insecurities. This is a direct infringement of human security. It not only threatens the existence of a great number of people but it can increase their vulnerability to violence, mistreatment and lack of interest and participation in society.

## UDHR

### Poverty and the Universal Declaration of Human Rights

The *Universal Declaration of Human Rights* (Articles 22, 23, 25, 26) has a number of articles that address the issue of human rights and poverty: the right to the basics of life, the right to education, the right to adequate health care and the right to work.

## examples

### Poverty or inequality?

The word “poverty” is associated with conditions relating to scarcity or lack of basic needs. The word “inequality” is a measurement – it compares one measure of a condition relating to the distribution of resources to another. For example, inequality in access to health care may exist in some places.

In Canada, many anti-poverty activists use the concept of “poverty line.” They describe the poverty line using Statistic Canada’s definition of a “low income cut-off.” The low income cut-off represents the number of Canadians who spend 20 percent more of their gross income (total before taxes are deducted) on food, shelter and clothing than the average Canadian.

However, as Statistics Canada indicates, the low income cut-off can also be considered a measure of income inequality. These types of measurements tell us more about inequality, or the way the wealth is distributed, than they do about poverty.

- **For a more detailed discussion of poverty indicators in Canada, check the website [www.mapleleafweb.com/features/general/poverty/poverty.html](http://www.mapleleafweb.com/features/general/poverty/poverty.html). For an overview of where the political parties in Canada stand on the issue of poverty, see [www.mapleleafweb.com/features/general/poverty/parliament.html](http://www.mapleleafweb.com/features/general/poverty/parliament.html).**
- **Read media articles on poverty, the homeless, and social programs. Start with the CBC backgrounder on poverty, found on the website [www.cbc.ca/news/features/poverty\\_line.html#top](http://www.cbc.ca/news/features/poverty_line.html#top). There are numerous links to other articles, backgrounders and websites on this site.**

## Poverty in Canada

Poverty is an issue that affects all segments of the Canadian population, including children, young adults and seniors.

One report that looks at the problem of poverty in Canada is entitled *Urban Poverty in Canada: A Statistical Profile*. This report outlines how poverty occurs in our cities.

- **A partial summary of this report's findings as well as a more complete look at the study can be found on the Canadian Council on Social Development website: [www.ccsd.ca/pubs/2000/up/](http://www.ccsd.ca/pubs/2000/up/).**

There are many organizations that are trying to solve the problem of poverty in Canada. One example of such an organization is the National Anti-Poverty Organization (NAPO). NAPO's goal is to ensure that the concerns of low-income people in Canada are heard and respected.

NAPO is recognized by governments, media, the United Nations, coalition partners and the general public as the one national organization directed by and representing low-income people.

- **More information on NAPO can be found on the website [www.napo-onap.ca](http://www.napo-onap.ca).**

## Canada's record

The UN Committee on Economic, Social and Cultural Rights has criticized Canada's record over the last five years, saying Canada has not ensured that its citizens enjoy economic and social rights guaranteed by a UN covenant to which Ottawa is a signatory.

The committee's report suggested that Canada focus more attention and funds toward citizens with low incomes. They say that there are "crisis" levels of homelessness, skyrocketing usage of food banks, deep cuts in welfare rates and inadequate funding for battered women's shelters.

- **The above information comes from an organization called The Canadian Women's Health Network.**
- **For perspectives on how poverty affects women, check the website: [www.cwhn.ca/network-reseau/2-1/unitednations.html](http://www.cwhn.ca/network-reseau/2-1/unitednations.html).**

## Child poverty

Some estimate that more than one million Canadian children are living in poverty.

The rate of child poverty in Canada has fallen, but it's still far from what federal politicians hoped it would be when they presented a unified front on the issue in 2003. Campaign 2000 has compiled statistics annually since the House of Commons unanimously passed a motion introduced by former NDP leader Ed Broadbent in 1989. The motion said the government should try to eliminate child poverty by the year 2000.

- **This information comes from an article about a campaign to reduce child poverty. The article can be found on the website: [www.cbc.ca/stories/2003/11/24/child\\_poverty031124](http://www.cbc.ca/stories/2003/11/24/child_poverty031124).**

## TO DISCUSS

**Does racism and xenophobia cause poverty?**

**How are equality issues related to freedom of expression? What about freedom of expression on the Internet?**

**How are equality issues important to daily life in a community?**

**Should equality be considered a security issue?**

**To what extent should global citizens work together to ensure equality?**

**“As we see all around us, racism and racial discrimination continue unabated. Although we refer to our world as a global village, it is a world sadly lacking in the sense of closeness towards neighbour and community, which the word village implies. In each region, and within all countries, there are problems stemming from either a lack of respect for, or lack of acceptance of, the inherent dignity and equality of all human beings.”**

**Mary Robinson**, United Nations High Commissioner for Human Rights, March 24, 1999

introduction<sup>17</sup>

<sup>17</sup>Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: pp. 83-90.

Think of one single person you know who has never been subject to any form of discrimination in her or his life. You will probably not find one. The principle that all human beings have equal rights and should be treated equally is a cornerstone of human rights and evolves from the inherent and equal human dignity of every individual. But this natural right to equality has never been fully provided to all human beings, neither in the past nor in the present.

Discrimination in one form or another has been a problem since the beginning of humankind. Discrimination has occurred against peoples such as indigenous people and minorities, working migrants, refugees and asylum seekers, children who are bullied or abused, women treated as less valuable human beings, people infected with HIV / AIDS and those with physical or psychological impairments or who have other sexual orientations. It is even found in our language. Discrimination appears in many forms and it can be presumed that everyone has been affected by it to varying extents.

## exploration

When equality is not upheld for all human beings, discrimination occurs. Discrimination can be based on race, colour or ethnic origin (racism or racial discrimination). It can be displayed through the related attitudes of xenophobia and intolerance. What do these types of discriminations and attitudes mean?

Discrimination can be described as any distinction, exclusion, restriction or preference aimed at the denial or refusal of equal rights and their protection. It is the denial of the principle of equality. Three elements common to all forms of discrimination can be identified:

- Actions that are discriminatory, such as distinction, exclusion, restriction and preference
- The basis of discrimination, such as personal characteristics such as race, colour, descent, national/ethnic origin, gender, age, physical integrity
- The purposes and consequences of discrimination, which have the aim or effect of preventing victims from exercising or enjoying their human rights and fundamental freedoms

Subsequently, a distinction can be made between direct discrimination (describing the purpose), where a person intends to discriminate against a person or group; and indirect discrimination (related to consequences), where an apparently neutral action favours one person or group over others.<sup>18</sup>

**Racial discrimination** happens when someone is discriminated against on the basis of their race, colour, nationality, descent, or ethnic, ethno-religious or national origin.

**Discrimination** can be based on one's social and economic class, geographic origin or cultural and religious background. Racism is a conscious belief in the inherent superiority of one race over another. Racism is different from racial discrimination in that racism is directed at a cultural, religious or racial group, rather than at an individual. Racism can lead to an unthinking hatred of that group.

**Discrimination based on gender** comes from a belief that one's gender is superior. Throughout history the focus of this type of discrimination has been a belief that exists in places and throughout different periods of time that men are superior to women.

**Discrimination based on language** can be a serious form of discrimination. The fact that there can be intolerance over someone's inability to speak the dominant language can lead to severe difficulties in finding employment or communicating problems and concerns over employment or living conditions.

**Xenophobia** is defined as a fear of foreigners or foreign countries. This can lead to someone having attitudes, prejudices and behaviours that reject, exclude and often put down persons because they are outsiders or foreigners to the community, society or national identity.

The impact of racist or xenophobic behaviour and actions on the victims is always the same. It robs people of their potential and of the opportunity to pursue their plans and dreams; it deeply damages their self-esteem and self-assessment; and in millions of cases it has even cost them their lives. A particularly devastating influence of racism or racial discrimination can be seen on children, because witnessing racism causes severe feelings of fear and confusion among them.

- **A definition of terms related to discrimination and intolerance can be found on the**

<sup>18</sup> Ibid: p. 85.

CBC's website at [www.cbc.ca/news/indepth/background/racism\\_definitions.html](http://www.cbc.ca/news/indepth/background/racism_definitions.html).

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## Equality and the Universal Declaration of Human Rights

Article 2 of the *Universal Declaration of Human Rights* says everyone can claim the same rights, despite a different gender, a different skin colour, speaking a different language, thinking different things, believing in another religion, owning more or less, being born in another social group or coming from another country.

examples

### Racism on the Internet<sup>19</sup>

The Internet has become an important form of communication, used extensively by potentially 300 million people around the world. Although the Internet can inform and entertain people who use it, there are many potential risks and problems. Racist, violent and extremist organizations and groups can use the Internet. There are thousands of known sites with racist content and messages. The volume of sites on the Internet makes it almost impossible to monitor these types of issues.

### A perspective on discrimination in Canada

Canada has an international reputation as a promoter and protector of human rights. In spite of this, Canada does have human rights problems – particularly for those individuals and groups who can be vulnerable targets of discrimination. On paper, Canada has a well-established human rights protection system. Our Constitution contains the *Charter of Rights and Freedoms* which, among other things, grants every individual in Canada equal protection and equal benefit before and under the law.<sup>20</sup>

The *Canadian Charter of Rights and Freedoms* applies to all laws and government actions. Apart from the *Charter*, individual victims of discrimination can also seek protection and redress under federal and provincial human rights laws.

- **This information comes from a report called** Racial Discrimination in Canada, **compiled by the National Anti-Racism Council of Canada. The full report, which includes chapters that address the issue of racism from a variety of perspectives – employment and poverty, immigration, health, media, education and the criminal justice system – can be accessed at** [www.hrea.org/lists/wcar/markup/doc00000.doc](http://www.hrea.org/lists/wcar/markup/doc00000.doc).
- **In-depth examples of rights abuses and issues in Canada can be found on the CBC's website:**  
**Aboriginal Canadians:** [www.cbc.ca/news/indepth/firstnations/](http://www.cbc.ca/news/indepth/firstnations/)  
**Chinese Immigration:** [www.cbc.ca/news/indepth/chinese/migrants1.html](http://www.cbc.ca/news/indepth/chinese/migrants1.html)  
**Children of the Doukhobors:** [www.cbc.ca/national/news/doukhobors/index.html](http://www.cbc.ca/national/news/doukhobors/index.html).

<sup>19</sup> Ibid: p. 95.

<sup>20</sup> Section 15 of the *Canadian Charter of Rights and Freedoms*, 1982.



## Discrimination facing people with disabilities

Nearly all major international human rights treaties contain non-discrimination clauses – provisions that prohibit discrimination against an individual to exercise and enjoy universal human rights. A high proportion of human rights violations against individuals occur on the basis that individuals differ in some way. Discrimination implies an action or conduct that denies individuals equality of treatment with others because they belong to a particular group in society.

People with physical, mental and sensory disabilities may face discrimination based on their disability. In addition, membership in other groups that are subject to discrimination often results in increased discrimination. For example, women living in poverty who also have a disability frequently suffer multiple forms of discrimination. In some instances, the media can encourage further discrimination by using stereotypes and portraying people with disabilities, or disability issues, in a negative light.

- **This information comes from a report called** Understanding the Potential Content and Structure of an International Convention on the Human Rights of People with Disabilities, **compiled by the National Council on Disability. The full report can be accessed at** [www.ncd.gov/newsroom/publications/understanding\\_7-30-02.html](http://www.ncd.gov/newsroom/publications/understanding_7-30-02.html).

## International perspectives

The *World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance* was held in Durban, South Africa from August 31 to September 7, 2001. This world meeting was held to discuss new strategies to fight racism and intolerance in the modern world. It resulted in the *Durban Declaration and Program of Action*.

- **Information on the** World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance **can be found on the website** [www.unhchr.ch/html/racism/](http://www.unhchr.ch/html/racism/).
- **Tolerance.org is an American website that promotes tolerance and anti-bias activism. For information and perspectives on equality issues, check the website at** [www.tolerance.org/about/index.html](http://www.tolerance.org/about/index.html).

## Equality of women

There is a growing recognition that different types of discrimination do not always affect women and men in the same way. Gender discrimination can occur at the same time as other forms of discrimination, such as racial, ethnic or religious discrimination. Efforts to address gender discrimination should incorporate approaches to eliminate all forms of discrimination, including racial discrimination.

- **The Office of the High Commissioner of Human Rights provides a website focused on women's rights at** [www.unhchr.ch/women/](http://www.unhchr.ch/women/).



## TO DISCUSS

**Should all people have a right to work? What does this right mean?**

**How do work-related human rights affect life in the community? Are working conditions a human right? Why or why not?**

**How is the concept of equal pay for equal work important to equity issues in human rights?**

**Are there any circumstances where there should be a difference in pay for men and women doing the same job?**

**Should work-related human rights apply to every human being, regardless of circumstances? Or are there exceptions? How is age an exception in Alberta's legislation? Is this justifiable?**

**Should work-related rights be the same across Canada or should provincial governments be free to make their own laws regarding these rights?**

## introduction

The role of work is a topic that is relevant to people in their everyday lives. Working conditions, the ability to find and do work that helps people meet their basic needs, and the ability to make choices about the type of work they do are all part of work-related human rights.

Both the right to work and work-related human rights are addressed in many human rights documents and legislation. Is the right to work a fundamental entitlement of all persons?

One of the most influential factors in work-related human rights is change. New technologies, globalization and the role of information technology are changing the world of work. More and more people work part-time, are self-employed or face unstable working conditions. Globalization is resulting in wide differences between those with the education, skills and mobility to flourish in a changing society, and those without. Those people without education and skills are often not able to move around to find better jobs. They often face discrimination. These new inequalities and insecurities are leading to problems in different parts of society.

exploration<sup>21</sup>

Why do we need a human right for something that is often considered to be a responsibility, related to intellectual or physical effort? There can be debate and disagreement over the right to work as a human right.

Work is closely related to human dignity and to a person's participation in society. Unemployment can lead to frustration and depression. Work can also be a means of self-realization and can

<sup>21</sup> Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: p. 236.

contribute to an individual's growth and development.

The right to work ensures that nobody is excluded from the world of work. This right can mean that all have access to work, but it also involves protection for people who are unfairly dismissed. However, this right does not include a guarantee of work. In fact, unemployment exists in many places.

### Pay equity

What are work-related human rights? Many human rights documents and legislation address these rights. One of the most important concepts to work-related human rights is pay equity.

Equal pay for work of equal value is not a new idea. The United Nations *Convention on the Elimination of All Forms of Discrimination Against Women* addresses this issue, as does the *International Labour Organization Convention 100 on Equal Remuneration*. Canada ratified *Convention 100* in 1972 and currently there are laws addressing equal pay in every jurisdiction in Canada.

What do we mean by pay equity? There are three important, but different ideas associated with pay equity. They are:

- Equal Pay for Equal Work – addresses discrimination in wages on the basis of gender. It involves the direct comparison of jobs occupied by the opposite genders where the job is the same or nearly the same.
- Equal Pay for Work of Equal Value – provides for the reduction of the wage gap by comparing jobs of a different nature that are considered “male” or “female” jobs.
- Pay Equity Laws – refers to the legislation that aims to achieve equity in pay. Pay equity laws are most often proactive because they don't require a complaint to be filed in order to achieve their goal. They use processes such as collective bargaining to achieve pay equity.

### Pay equity in Canada

Pay equity can be found in three types of laws: human rights legislation, employment standards legislation and pay equity legislation. Canada ensures some type of equal pay in human rights legislation, although it refers more to job discrimination than pay equity. In some provinces and territories, there are pay equity provisions under the employment standards law. Most provinces and territories have more than one law that deals with equal pay.

“Generally, human rights laws and employment standards laws address the most overt forms of discrimination, the differences in wages between men and women who hold the same, or similar, employment.”

- **This information comes from the website [www.workrights.ca/Human+Rights/Pay+Equity.htm](http://www.workrights.ca/Human+Rights/Pay+Equity.htm). More information on work rights, created by the Canadian Labour Congress, can be found on this site. Links that allow you to identify the legislation that ensures pay equity can be accessed on this site.**
- **More information on the concept of equal pay for equal work can be found on the**

Alberta Human Rights and Citizenship Commission website at [www.albertahumanrights.ab.ca/publications/Information\\_Sheets/Text/Info\\_Equal\\_Pay.asp](http://www.albertahumanrights.ab.ca/publications/Information_Sheets/Text/Info_Equal_Pay.asp) and [www.albertahumanrights.ab.ca/publications/Information\\_Sheets/Text/Info\\_Employ\\_Equity.asp](http://www.albertahumanrights.ab.ca/publications/Information_Sheets/Text/Info_Employ_Equity.asp). Exceptions to employment equity are described on the website [www.albertahumanrights.ab.ca/publications/Information\\_Sheets/Text/Info\\_Duty-toAccom.asp](http://www.albertahumanrights.ab.ca/publications/Information_Sheets/Text/Info_Duty-toAccom.asp).

- A thorough examination of the concept of “equal pay for equal work” is provided on CBC Online News In Review, found at [www.cbc.ca/newsinreview/Dec%2099/Pay%20Equity/Intro.html](http://www.cbc.ca/newsinreview/Dec%2099/Pay%20Equity/Intro.html).

### Work-related human rights violations<sup>22</sup>

Work-related human rights violations can range from children working in coal mines to the commercial sexual exploitation of children. Human rights issues also deal with bad working conditions such as an unhealthy or dangerous working environment or exploitative hours of work. Issues falling under this topic cover the protection of particularly vulnerable individuals, for example, women or migrants.

- A historical overview of workers’ strikes as well as links to labour organizations and other work-related rights are provided on the website [www.cbc.ca/news/indepth/strike/#top](http://www.cbc.ca/news/indepth/strike/#top).

### The International Labour Organization (ILO)

The International Labour Organization was created in 1919. It was founded to give expression to the growing concern for social reform after World War I. It is based on the strong belief that poverty is a danger to prosperity and security everywhere. It aims to improve conditions for working people all over the world without discrimination as to race, gender or social origin.

- Information on the International Labour Organization can be accessed on the website: [www.ilo.org/public/english/about/iloconst.htm](http://www.ilo.org/public/english/about/iloconst.htm).

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### Work-related rights and the Universal Declaration of Human Rights<sup>23</sup>

The *Universal Declaration of Human Rights* contains a wide range of human rights relating to work. All these rights are further developed in the Covenants, which make them binding. Articles 4, 20, 23, 24 and 25 deal with rights related to work and working conditions.

Article 8 in the *International Covenant on Civil and Political Rights* deals with freedom from slavery. Although universally condemned, slavery and forced labour practices are still in existence in various forms today. According to the ILO, there is an alleged link between forced labour and undemocratic systems. Millions of men, women and children around the world work for little or no pay in poor working conditions. Although this exploitation is often not called slavery, the

<sup>22</sup>Adapted with permission from the European Training and Research Centre on Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: p. 233.

<sup>23</sup>Ibid: p. 235.

## examples

conditions are the same.

### Workers' environmental rights

The idea of workers' environmental rights are fairly new in Canada. The few rights that have been set in law are the right to refuse to pollute and the right to report workplace pollution. The right to refuse to pollute allows a worker to stop working when the work causes environmental damage. The right to report workplace pollution secures a worker from being fired for reporting environmental damage that originates in the workplace. Known as "whistle blower protection," the right to report is found in environmental law in some provinces and territories, and in labour law elsewhere. Workers' right to refuse to pollute is found in Yukon's environmental law and in federal environmental law that applies in the provinces and territories across the country.

Workers' environmental rights are still developing and differ among the provinces, territories and the federal government. In some areas, these rights are more developed and clearer than in others.

- **This information comes from the website [www.workrights.ca/Work+Environment/Environmental+Rights.htm](http://www.workrights.ca/Work+Environment/Environmental+Rights.htm). Links to each province and information on its environmental rights are provided on this site.**

### Multinational companies and work-related human rights<sup>24</sup>

Multinational companies are increasingly asked to be accountable for their activities. Consumers and non-government organizations place pressure on them to improve working conditions in their companies. This pressure results in more adoption of codes of corporate conduct, including human rights, labour standards as well as environmental concerns.

- **A list of human rights codes and policies can be found on the website [www.umn.edu/humanrts/links/sicc.html](http://www.umn.edu/humanrts/links/sicc.html).**

### Labeling of items<sup>24</sup>

The labeling of consumer items that are produced in accordance with human rights principles is increasingly demanded. This type of labeling permits consumers to influence production practices by using their purchasing power in support of good labour practices. Today there are labeling initiatives in 17 countries, mainly throughout Europe and North America, and products labeled now include coffee, drinking chocolate, chocolate bars, orange juice, tea, honey, sugar and bananas.

Rugmark is an example of a global non-profit organization using labeling to end child labour. It offers educational opportunities for children in India, Nepal and Pakistan. The Rugmark label assures that

<sup>24</sup>Ibid: pp. 240-241.

no illegal child labour was employed in manufacturing carpets or rugs.

### Youth unemployment<sup>25</sup>

**“Youth make up more than 40 cent of the world’s total employed. There are an estimated 66 million unemployed young people in the world – an increase of nearly 10 million since 1965. Underemployment is also another growing concern. The majority of jobs are low-paid and insecure. Increasingly, young people are turning to the informal sector for their livelihood, with little or no job protection, benefits, prospects for the future.”**

**Kofi Annan, United Nations Secretary-General, 2001**

One of the most serious problems faced by developed and developing countries alike is the large and growing number of unemployed youth.

The consequences of youth unemployment can be serious. Youth unemployment can lead to social problems such as violence, crime, suicide and abuse of drugs and alcohol, thereby encouraging a vicious cycle. Effective youth policies and programs need to take account of specific capabilities, needs and differences.

### Child labour

Did you know that..<sup>25</sup>

- ■ ■ some 250 million children between the ages of 5 and 14 work either full-time or part-time. This means out of 100 children in this world, 16 work for a living. ...almost half of those, some 120 million, work full-time, every day, all year round.
- ■ ■ 70 % of them work in agriculture.
- ■ ■ 70 % of them work in a dangerous environment.
- ■ ■ of the 250 million children concerned, some 50 to 60 million are between 5 and 11 years and work, by definition, in hazardous circumstances, considering their age and vulnerability.
- ■ ■ child labour is also common in developed countries. For example, in the United States, more than 230 000 children work in agriculture and 13 000 in sweatshops.
- ■ ■ over 510 million young women and 540 million young men live in the world today according to United Nations estimates.
- ■ ■ this means that approximately one person in five is between the ages of 15 and 24 years, or youth comprises almost 18 per cent of the world’s population.
- ■ ■ on average, and almost everywhere, for every unemployed adult, two young persons find themselves without a job.
- ■ ■ about 70 million young people are unemployed throughout the world according to ILO estimates.
- ■ ■ in countries as diverse as Colombia, Egypt, Italy and Jamaica, more than one in three young persons are classified as “unemployed” – declaring themselves to be without work, to be searching for work and/or to be available for work.

<sup>25</sup>Ibid: pp. 240-241.

## **Examples of legislated working conditions in Alberta<sup>26</sup>**

### **Drug and alcohol testing**

Employers sometimes test employees for drugs and alcohol use, either through pre-employment testing, random testing or testing of individuals suspected of using drugs or alcohol. It is legal for an employer to do this under certain circumstances. The law regarding testing is changing constantly based on cases that come before the courts.

- **Information on cases that have influenced laws relating to human rights and drug and alcohol testing are found on the website [www.albertahumanrights.ab.ca/publications/Information\\_Sheets/Text/Info\\_Drug\\_Testing.asp](http://www.albertahumanrights.ab.ca/publications/Information_Sheets/Text/Info_Drug_Testing.asp).**

### **Employment standards**

Employers have a right to establish appearance, grooming and dress standards if they believe they are necessary for safe or appropriate conduct of business. Such standards of employment should not be used as a basis for hiring.

- **Information on standards for appearance can be accessed on the Alberta Human Rights and Citizenship Commission website at [www.albertahumanrights.ab.ca/publications/Information\\_Sheets/Text/Info\\_Appear\\_Dress\\_codes.asp](http://www.albertahumanrights.ab.ca/publications/Information_Sheets/Text/Info_Appear_Dress_codes.asp).**

### **Minimum wage and age**

All provinces, including Alberta, have minimum wage laws. These minimums are an hourly rate and apply to all employees, regardless of age. The separate minimum wage for students in Alberta was eliminated on October 1, 1998.

### **Harassment**

Harassment occurs when someone is subjected to unwelcome verbal or physical conduct. Harassment is a form of discrimination, which is prohibited in Alberta. It is a legislated right that every person in Alberta is protected from discrimination on the following grounds:

- Race
- Marital status
- Religious beliefs
- Family status
- Colour
- Age
- Gender
- Ancestry
- Physical disability
- Place of origin
- Mental disability

<sup>26</sup>The examples of working conditions legislated by Alberta were excerpted from the *Alberta Human Rights, Citizenship and Multiculturalism Act*.

- Source of income
- Sexual orientation

### **Sexual orientation**

The *Alberta Human Rights, Citizenship and Multiculturalism Act* prohibits discrimination based on sexual orientation. Although it is not directly stated, as of April 2, 1998, sexual orientation is “read in” the Act by the Supreme Court of Canada as a protected ground of discrimination in Alberta.

This includes protection from differential treatment based on a person’s actual or presumed sexual orientation or his or her association with a person who is homosexual, heterosexual or bisexual. Under the Act, discrimination based on sexual orientation is prohibited in all of the following workplace areas:

- Employment practices - refusing to hire, promote or provide equal treatment to someone because of his or her sexual orientation. Employees have the right to work in an environment free of harassment based on their sexual orientation
- Employment applications or advertisements; membership in trade



# Freedom of expression and the media

## TO DISCUSS

- Why is freedom of opinion, the press and the media so important?
- What could be done to better protect those freedoms?
- What are some challenges to freedom of expression? Freedom of the media?
- Have you experienced any form of censorship in your life?
- Are there persons or institutions that should not be criticized?
- Should certain limitations on freedom of expression and the media be allowed in order to preserve democratic stability and security? In order to preserve peace?
- How do “monopoly of ideas” and the concept of “convergence” challenge the freedom of the press?
- Why do violations relating to freedom of expression on the Internet have an increasing impact on society?
- How do you think freedom of expression and freedom of the press can be related to security issues?

## introduction<sup>27</sup>

Freedom of opinion and expression – including the “freedom to receive and impart information and ideas for any media and regardless of frontiers” (Article 19 of the *Universal Declaration of Human Rights*) – is one of the basic civil and political rights; it is included in all human rights instruments. It has its roots in the struggle for personal freedoms in the 18th and 19th centuries, when it was enshrined in the American and European constitutions. It is also a constitutive right for a democratic system in which everyone, not only the citizens of a nation, has the human right to say what they think and to criticize the government.

## exploration<sup>27</sup>

Freedom of expression is a right that includes several elements, such as freedom of information and freedom of the press and the media in general. It is based on and intrinsically linked to freedom of opinion. Its meaning ranges from individual expression of opinions to freedom of the media. Freedom of opinion is an absolute civil right, while freedom of expression is a political right, which can be subjected to certain restrictions. The main elements of freedom of expression include:

- Freedom to hold opinions without interference (freedom of opinion)
- Freedom to seek, receive and impart information and ideas (freedom of speech, freedom of information) – orally, in writing, or in print, in the form of art through any media (freedom of the media) – regardless of frontiers (freedom of international communication).

A country’s borders must not be used to interfere with this right. Consequently, freedom of expression is an important part of the “right to

<sup>27</sup>Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: pp. 252-262.



communicate." Since this right is a combination of already existing human rights (such as freedom of expression, the right to freedom of thought, conscience and religion, the right to participation in cultural life and the right to privacy) rather than a new right in itself, people still have different understandings of this right.

Certain aspects of the right to expression are also connected with other human rights:

- The right to freedom of thought, conscience and religion (*International Covenant on Civil and Political Rights*, Article 18)
- The right of authors to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production, i.e., copyright (*International Covenant on Economic, Social and Cultural Rights*, Article 15(2))
- The human right to education (*International Covenant on Economic, Social and Cultural Rights*, Article 13 ). Freedom of expression results in academic freedoms and the autonomy of institutions of higher learning to protect those freedoms.

A major qualification of freedom of expression is contained in Article 20 of the *International Covenant on Civil and Political Rights*. This article prohibits war propaganda and any advocacy of national, racial or religious hatred that encourages discrimination, hostility or violence. Countries are under an obligation to enforce those prohibitions through their national legislation.

The freedom of a particular society can be determined by the freedom of the press and the media. The first step that many authoritarian governments or dictatorships usually take is to limit or abolish freedom of expression for all, including the media.

Freedom of the media and economic development are linked as are freedom from fear and freedom from want. The interdependence and indivisibility of all human rights can also be seen in the importance of freedom of expression and freedom of the media for economic development, elimination of poverty and meeting basic social and economic rights of people. Without the media, for example, problems such as redistribution of resources and corruption may remain unnoticed.

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### ~~Freedom of expression and the media and the Universal Declaration of Human Rights~~

According to Article 29 of the *Universal Declaration of Human Rights* the individual exercise of rights and freedoms is subject to limitations as are determined by law, in particular "for the purpose of securing due recognition and respect for the rights and freedoms of others..."

Article 19(3) of the *International Covenant on Civil and Political Rights* reminds us that these rights come with special duties and responsibilities. Freedom of expression and the media is a very sensitive right, which

should be handled with proper care. Duties and responsibilities are not indicated in the *Covenant on Civil and Political Rights*, but can usually be found in codes of professional ethics or state legislation, which must not restrict the content of the human right. Typical duties and responsibilities relate to the duty of objective information, i.e., to seek for the truth or at least allow for different opinions.

- **International examples of human rights issues related to freedom of expression can be found on the website of International Freedom of Expression eXchange at [www.ifex.org/en/content/view/full/21](http://www.ifex.org/en/content/view/full/21).**
- **An organization called Article 19, named after Article 19 of the Universal Declaration of Human Rights, works to combat censorship by promoting freedom of expression and access to official information. Additional information, articles and issues can be found on their website at [www.article19.org/](http://www.article19.org/).**

## examples

### In Canada

In Canada, the *Canadian Charter of Rights and Freedoms* guarantees certain freedoms for everyone. Under Section 2 of the *Charter*, Canadians are guaranteed freedom of thought, belief and expression. “Since the media are important means of communicating thoughts and ideas, the *Charter* also protects the rights of the press and other media to speak out. This, and the other freedoms guaranteed under Section 2, such as the freedom of religion and the freedom of association, forms the basic activities of individual liberty. They are important because in a democratic society like Canada, people must be free to discuss matters of public policy, criticize governments and offer their own solutions to social problems.”

- **This information is from the website of the Canadian Human Rights Foundation, found at [www.chrf.ca](http://www.chrf.ca). Links to sites related to freedom of expression are found in the Links section of this site.**

### The media in Canada

Issues relating to freedom of the media and expression in Canada can sometimes involve journalists and reporters. The organization, Reporters Sans Frontières, reports on the status of this right in Canada.

One example is the change in Canadian legislation with the September 11, 2001 attacks in the United States. In December of 2001, a new anti-terrorist law was passed. It included several clauses that threatened the protection of sources. Publication of “sensitive” material can now be considered an offence on grounds that it gives information to “a foreign entity or terrorist group,” for which the penalty is life imprisonment.

Some issues can escalate into conflicts and disputes. An American photographer was arrested in April 2001 while covering clashes between police and anti-globalization demonstrators at the Americas Summit in Quebec. Police may have mistaken him for a protestor who had thrown stones at a police officer. Despite the intervention of his employers and of the Quebec Professional Journalists’ Federation and US consular of-

ficials, the photographer was not freed until three days later. This was despite the fact that he was properly accredited to cover the summit. His helmet also had a sign saying he was a journalist. He was released on bail and accused of taking part in a riot, insulting a police officer, resisting arrest and concealing his identity by wearing a gas mask. Four months later, a Quebec criminal court dismissed all four charges.

In a similar incident, the RCMP arrested Todd Lamirande, a reporter of the Aboriginal People's Television Network (APTN) in British Columbia on June 24, 2002, confiscating his film and notebook. He had been covering clashes near the town of Kamloops between members of an aboriginal organization and local supporters of a plan to build a sports centre. When he refused to hand over his film, he was arrested and his material seized on grounds that his film could contain proof of criminal activity. He was freed shortly afterwards. Police returned his film in early July after using it as evidence in the trial of a person charged with "disturbing public order."

• **This information is from the Annual Report 2002 from the website of Reporters Sans Frontières, an organization that promotes and fights for freedom of the press. Other annual reports, organized by world region and country, are accessible by following the links on the home page to the latest annual report. The website is found at [www.rsf.fr](http://www.rsf.fr).**

**For detailed information on human rights violations and issues associated with freedom of expression and the media, see the website [www.rsf.fr/rubrique.php?id\\_rubrique=280](http://www.rsf.fr/rubrique.php?id_rubrique=280) and follow the links to various countries to obtain their yearly reports.**

### ~~Freedom of the press in Canada~~

In the world affected by globalization, there is a growing concern about a monopoly of ideas. Reporters argue that increased concentration of ownership can threaten democracy. Owners of companies say it is the only way the Canadian press can survive in the new global economy. Press ownership has been officially debated and studied in Canada since the 1969 Royal Commission on Newspapers. In Canadian cities, one or two major companies own many newspapers. Is freedom of the press guaranteed only to those who own a newspaper?

• **For articles on media ownership and issues related to freedom of the press, go to the CBC's Online Archives at <http://archives.cbc.ca/300c.asp?id=1-73-790>.**

### ~~Freedom of expression and the Internet~~<sup>28</sup>

According to the UN *Human Development Report 2001*, the Internet is growing exponentially, from 16 million users in 1995 to more than 400 million in 2000. In 2005, it was predicted that more than 1 billion people would use the Internet. This has had a significant impact on the media, offering a variety of new options to both journalists and publishers.

<sup>28</sup>Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: p. 262.

Even smaller media enterprises have a chance to reach the global public now. State control and censorship can more easily be avoided.

- **Articles relating to Internet censorship can be found at [www.ifex.org/en/content/view/full/235/](http://www.ifex.org/en/content/view/full/235/).**

### ~~The right to know~~

Freedom of information involves citizens' right of access to government information. Freedom of information is related to the processes of democratic governance. Freedom.org is an organization that reports on issues relating to these rights. The following excerpt from their website discusses some issues related to freedom of information.

“More than 50 countries now have guaranteed their citizens the right to know what their government is up to, and more than half of these freedom of information laws were passed in the last decade (seven in the last year alone), according to a new global study posted on the Web by the virtual network of access advocates, [www.freedominfo.org](http://www.freedominfo.org).

The new openness laws are making headlines around the world on subjects ranging from public safety to corruption to human rights; and the [freedominfo.org](http://freedominfo.org) posting includes a sample of more than 40 such news stories from around the world based on records released through the access laws, including radiation contamination and refugee medical care in Australia, mercury poisoning and official entertainment expenses in Japan, secret police surveillance in Mexico, offshore company profits from a South Africa-Nigeria oil contract, and a long-delayed sewer in New Delhi that suddenly was finished when residents asked for the documents under a new access law.”

- **This information is from the [freedom.org](http://freedom.org) website, found at [www.freedominfo.org](http://www.freedominfo.org). It is excerpted from 50+ Countries Pass Freedom of Information Laws, More than Half in Last Decade. **Article on website [www.freedominfo.org/survey.htm](http://www.freedominfo.org/survey.htm) (April 2003).****
- **The global survey referenced in the information above can be found at [www.freedominfo.org/survey/survey2003.pdf](http://www.freedominfo.org/survey/survey2003.pdf) and includes a chapter on Canada.**
- **A list of “International Right to Know News Stories” can be found at [www.freedominfo.org/survey/foianews.pdf](http://www.freedominfo.org/survey/foianews.pdf) and includes stories from Canada.**

## five

## TO DISCUSS

**Are human rights for men different from those for women?**

**Do you think there are differences between women's freedom and women's equality? If so, what are they? If not, why?**

**What does the *Charter of Rights and Freedoms* say about women's rights? Are there differences between what really happens and this document?**

**Are laws and regulations enough to guarantee equal opportunities for all human beings?**

**What else can ensure the equal treatment of women and men?**

introduction<sup>29</sup>

The issue of human rights for women is an international one, as all nations have not provided equal rights for women. These inequalities are part of most human rights issues – for example, equal pay for both men and women.

Women have had to fight for their recognition as full human beings and for basic human rights for a long time, and unfortunately the fight is not yet over. Although their situation has improved in many ways, societal structures and discrimination still limit the implementation of human rights for women throughout the world.

Women's rights continue to be an issue of concern. There have been many events since the end of the Second World War to raise awareness of the continuing inequality of women in different areas of the world. For example, March 8 was first declared International Woman's Day in 1977. Since that time, there have been numerous conferences to discuss the advancement of women's rights.

## exploration

There are a number of ways in which the rights of both men and women are protected, including the *Universal Declaration of Human Rights* and the *Canadian Charter of Rights and Freedoms*. Due to a history of inequalities, there are a number of international human rights instruments that highlight the need for an emphasis on women's rights. These include the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) and the *Elimination of Violence against Women*.

Gender equity is an important concept related to women's rights. It means being fair to both women and men. To ensure fairness, measures are often needed to compensate for historical and social disadvantages that prevent women and men from being equals. Equity leads to equality.

<sup>29</sup>Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: p. 121.

Gender equality means that women and men enjoy the same status and have equal opportunity to realize their full human rights and potential to contribute to national, political, economic, social and cultural development, and to benefit from the results of that participation.

Originally it was believed that equality could be achieved simply by giving women and men the same opportunities. This did not always work. Today, the concept of equality acknowledges that women and men may sometimes require different opportunities to achieve similar results, due to different life conditions or to compensate for past discrimination. It is this notion of equality that is embedded in the *Canadian Charter of Rights and Freedoms*.

UDHR

### **Rights of women and the Universal Declaration of Human Rights**

Article 2 of the *Universal Declaration of Human Rights* makes it clear that a person's gender cannot be a reason for discrimination against a person. Throughout history, discrimination based on gender was almost exclusively discrimination against women.

The *Convention for the Elimination of All Forms of Discrimination against Women* is the most important human rights instrument for the protection and promotion of women's rights. For the first time, women were recognized as full human beings in CEDAW, which contains civil and political rights as well as economic, social and cultural rights, uniting these two groups of human rights that are otherwise divided into two categories.

- **The United Nations Division for the Advancement of Women provides detailed information on the Beijing Platform for action and is found at [www.un.org/womenwatch/daw/followup/beijing+5.htm](http://www.un.org/womenwatch/daw/followup/beijing+5.htm).**

### **What rights is the Convention for the Elimination of All Forms of Discrimination against Women based on?**

"Discrimination shall mean any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." (Article 1 CEDAW)

- **The United Nations provides websites that offer information on women's rights: The Development Fund for Women can be found at [www.unifem.org/](http://www.unifem.org/). The Gateway on the Advancement and Empowerment of Women can be found at [www.un.org/womenwatch/](http://www.un.org/womenwatch/).**



## examples

### Women's rights and security issues<sup>30</sup>

Human security and the status of women are closely connected, as conflicts tend to worsen gender inequalities and differences. Refugees and people without homes in their own countries, many of whom are women, the elderly and children, need to be given particular attention and assured special protection. Human security also involves ensuring equal access to education, social services and employment for everybody in times of peace. In some places women can be denied full access to these sectors.

### Women and violence<sup>30</sup>

In some societies, women and girls are subject to physical, sexual and psychological violence. Women can be victims of rape, sexual abuse, sexual harassment or intimidation and other acts of violence.

All acts of violence violate and impair or nullify women's enjoyment of human rights and fundamental freedoms. The *Declaration on the Elimination of Violence against Women*, approved by the United Nations General Assembly by consensus in 1993, is an important tool for preventing violence against women. In addition, a Special Rapporteur on violence against women was introduced in 1994.

- **A fact sheet on women and violence in Canada can be found at [www.criaw-icref.ca/indexFrame\\_e.htm](http://www.criaw-icref.ca/indexFrame_e.htm).**

### Women and poverty<sup>30</sup>

Poverty can have a different effect on women than on men. To understand these differences, it is important to look at the division of most of the world's labour markets on the basis of gender. Very often women work in the household and care for children, the sick and elderly without receiving payment. There are few programs that provide social support for these responsibilities. The division of labour based on gender is an aspect of poverty that affects women.

Poverty is also created through unequal payment for equal work and through denied or restricted access to education or public and social services or to inheritance rights and ownership of land.

- **The CBC Online Archives provides a feature on women in the labour force in Canada at [http://archives.cbc.ca/IDC-1-73-86-412/politics\\_economy/status\\_women/clip3](http://archives.cbc.ca/IDC-1-73-86-412/politics_economy/status_women/clip3).**
- **A fact sheet on women and poverty in Canada can be found at [www.criaw-icref.ca/indexFrame\\_e.htm](http://www.criaw-icref.ca/indexFrame_e.htm).**

<sup>30</sup>Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: p. 124.

## The fight for women's rights in Canada

Many women have been involved in the fight for women's rights.

"The Famous 5 created legal history in women's rights by contesting the notion that legal definitions of persons excluded females. If women were not legally persons, then they had no rights.

The women who pursued the petition were journalists, magistrates and politicians. Their legal quest reached the highest level of appeal, the British Privy Council, which ultimately pronounced women 'persons'.

The Governor General's Awards in Commemoration of the Persons Case honour the Famous 5. In 1979, on the 50th anniversary of the decree that women were 'persons', the Canadian government made the first medal for this award. It is presented to women as a tribute to those who worked to promote gender equality and the full participation of women in Canadian society."

- **This information is from the Government of Canada's Status of Women website, found at [www.swc-cfc.gc.ca](http://www.swc-cfc.gc.ca).**
- **A number of sites provide information about the struggle for women's rights in Canada. For more detailed information on the Persons Case, go to the website [www.swc-cfc.gc.ca/dates/persons/case\\_e.html](http://www.swc-cfc.gc.ca/dates/persons/case_e.html). The Women of Aspenland project features a section on women's fight for equality and rights in Alberta politics. See [www.albertasource.ca/aspenland/eng/society/activism.html](http://www.albertasource.ca/aspenland/eng/society/activism.html) and [www.albertasource.ca/aspenland/eng/society/activism\\_rights.html](http://www.albertasource.ca/aspenland/eng/society/activism_rights.html). A history of the vote in Canada, including that related to women's political rights, can be found at [www.civilization.ca/hist/elections/el\\_001\\_e.html](http://www.civilization.ca/hist/elections/el_001_e.html).**

## Equality first

On February 16th, 1967, Prime Minister Lester Pearson established the Royal Commission on the Status of Women. The Commission was authorized to inquire into and report upon the status of women in Canada, to recommend steps the Federal Government could take to ensure equal opportunities in all aspects of Canadian society, and to assess, in the context of the legislative powers under the constitution of Canada, the federal statutes, regulations and policies that concerned or affected the rights and activities of women.

The Commission based its actions on the *Universal Declaration of Human Rights*: "All human beings are born free and equal in dignity and rights." It established four principles:

- That women should be free to choose whether or not to take employment outside their homes
- That the care of children is a responsibility to be shared by the mother, the father and society
- That society has a responsibility for women because of pregnancy and child-birth, and special treatment related to maternity will always be necessary
- That in certain areas women will for an interim time require special treatment to overcome the adverse effects of discriminatory practices



“In assessing the impact of the Report and reviewing the progress made by women over the past three decades, it is important to acknowledge the context and the times in which the Commission did its work:

- Violence against women was such an untold story in the late 1960s that the Commission did not examine it at all.
- The work of the Commission was undertaken at a time when there was a much less acknowledged presence of immigrant and visible minority women.
- Aboriginal issues had yet to be acknowledged in a meaningful way.
- Women with disabilities were virtually invisible.
- Protection of basic rights for lesbians, or any discussion of sexual orientation, was not on the public or political agenda.
- The *Charter of Rights and Freedoms* was still nearly two decades away from being written, so there were few legal foundations on which the Commission could rest its work.

Despite these and other limitations (married female Commissioners were listed as, for example, “Mrs. John Bird, Chairman”), the work of the Commission was groundbreaking and resulted directly in significant improvements to the lives of many Canadian women and as a result to Canadian society as a whole.

In particular, many of the recommendations dealing with employment, education and middle-class economic and political issues were implemented relatively quickly.

A disturbing number of recommendations, often those dealing with women in the most vulnerable situations, remained entirely or partially unaddressed in 1990, when Dawn Black of the federal NDP wrote her 20-year update, and many of those have still to be implemented.”

- **This information is from Cross, Pamela (2000). “Introduction.” From the Report of the Royal Commission on the Status of Women: Where Are We After Thirty Years? Ontario Women’s Justice Network. From website [www.owjn.org/issues/equality/thirty.htm#Intro](http://www.owjn.org/issues/equality/thirty.htm#Intro).**
- **More information on where Canadian women’s rights are, 30 years after the Royal Commission on the Status of Women, can be found on the websites [www.owjn.org/issues/equality/thirty.htm#Intro](http://www.owjn.org/issues/equality/thirty.htm#Intro); <http://herstory.womenspace.ca/RCSW.html> and [www.gov.ns.ca/news/details.asp?id=20021022001](http://www.gov.ns.ca/news/details.asp?id=20021022001).**



## TO DISCUSS

**Are children's rights connected to human security issues? How?**

**In more than 85 countries worldwide children up to 18 are being recruited into national armies or armed opposition groups; and children are actively participating in armed conflicts. What may be the reasons for using children to fight the wars of adults?**

**Do you think that children have a right to be saved from harm?**

**How should and can children be protected from forms of exploitation?**

**Are there exceptions or limitation to children's rights?**

**If so, under what circumstances?**

**There are a number of problems identified with children's rights. What are some possible solutions for so many wide-ranging problems?**

## Introduction

One issue that most people agree upon is the need for protection of children. It is important to find ways to keep children safe from harm, provide for their basic needs, help them become healthy and educate them so that they become productive members of society.

All children, whether in Canada or around the world, have guaranteed rights, including:

- Child empowerment and protection
- Participation by children and provision for children
- Non-discrimination against children
- Adults acting in the best interests of the child

## exploration<sup>31</sup>

At first thought, most agree that children have the right to a home, to live with family and friends, to have opportunities to develop personality and talents and to be respected and taken seriously.

Although children's rights look easy to protect on the surface, there are many difficult issues. Enforcing the rights of the child, and deciding who should enforce them, can involve controversial questions. The recent United Nations and United Nations' Children's Fund (UNICEF) end-of-decade review for the UN Special Session on Children in 2001 revealed, for example, that chances for child survival in sub-Saharan Africa have deteriorated. Globally, 149 million children remain undernourished, and 100 million children do not receive formal education.

<sup>31</sup>Adapted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: p. 193.

## What do children's rights involve?

- Children's rights are human rights – respect for human dignity regardless of age.
- Children's rights shift focus of attention – to the individual child and to children as a group in society.
- Children's rights are comprehensive and inter-related – no free speech without prohibition of violence, no right to education without an adequate standard of living.
- Children's rights are legal rights – with corresponding state obligations for their protection and realization.
- Children's rights empower children – they require a new culture of interaction with children, based on their recognition as subjects and bearers of rights.

UDHR

## Rights of children and UNICEF

The first promotion of the rights of children came in 1956 with the establishment of the United Nations' Children's Fund. UNICEF, the only organization of the United Nations dedicated exclusively to children, works with other United Nations agencies, governments and non-governmental organizations to provide community-based services in primary health care, nutrition, basic education and safe water and sanitation in over 140 developing countries. Despite many successes, by the 1980s human rights for children were still not recognized by many countries and were not the reality for many of the world's children.

To address this situation, in 1989 the United Nations passed the *Convention on the Rights of the Child* (CRC). This legally binding international treaty has been ratified by 192 countries around the world. It is the most complete statement of children's rights and is the first to give these rights the force of international law. (The United States and Somalia are two countries that have not ratified this treaty.)

- **A number of publications relating to children's rights are available on the UNICEF website at [www.unicef.org/publications/index.html](http://www.unicef.org/publications/index.html).**

## Key provisions of the Convention on the Rights of the Child

The main provisions of the *Convention on the Rights of the Child* focus on four areas:

### 1/ Non-discrimination

Non-discrimination is outlined in Article 2 of the *Convention on the Rights of the Child* and means that no child should be injured or punished by, or deprived of, any right on the grounds of his or her race, colour or gender; on the basis of his or her language or religion, or national, social or ethnic origin; on the grounds of any political or other opinion; on the basis of caste, property or birth status; or on the basis of a disability.

## **2/ Best interests of the child**

Article 3 of the *Convention on the Rights of the Child* states that the best interests of the child shall be a primary consideration in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies. In each and every circumstance, in each and every decision affecting the child, the various possible solutions must be considered and due weight given to the child's best interests.

“Best interests of the child” means that legislative bodies must consider whether laws being adopted or amended will benefit children in the best possible way. For example, courts that must settle a conflict of interest should base their decisions on what is best for the child.

## **3/ Right to life, survival and development**

The *Convention on the Rights of the Child*, in Article 6, addresses the right to life, survival and development. Countries must adopt appropriate measures to safeguard life and must refrain from any actions that intentionally take life away. These include measures to increase life expectancy and to lower infant and child mortality, as well as prohibitions on the death penalty, executions and situations of enforced disappearance. A nation's actions should promote a life of human dignity – that is, nations should fully ensure the right to an adequate standard of living, including the right to housing, nutrition and the highest attainable standards of health. Nations are required to ensure these rights “to the maximum extent possible” – they must do their utmost to give the highest priority to these principles.

The “survival and development” principle has a physical perspective (adequate standard of living, including the right to housing, nutrition and the highest attainable standards of health) as well as the need to ensure full development of the child through education. This means that children must be able to develop talents and abilities to their fullest potential and that children must be prepared for a responsible life.

## **4/ Participation**

Several provisions in the *Convention on the Rights of the Child* reflect children's right to participation. In particular, Article 12 affirms that children are full-fledged persons who have the right to express their views in all matters affecting them and requires that those views be heard, depending on the child's age and maturity.

The *Convention on the Rights of the Child* envisions a changed relationship between adults and children. Parents, teachers, caregivers and others interacting with children are seen no longer as mere providers, protectors or advocates, but also as negotiators and facilitators. Adults, especially teachers, are expected to create spaces and promote processes designed to enable and empower children to express views, be consulted and influence decisions.

## examples

### Children's issues in Canada

It is said that a nation's respect for human rights begins with the way it treats its children. In Canada, most people probably assume that the rights of the child are well protected. However, issues concerning children's development do exist. These issues concern poverty, healthcare and family support.

#### 1/Poverty

More than 1.1 million children are living in poverty in Canada.

Child poverty remains a problem and contradicts the right of the child to adequate nourishment. A House of Commons resolution to seek to eliminate child poverty by the year 2000 was not achieved. Although the numbers of children in poverty have declined in recent years, vulnerability and deep poverty in Canada have remained persistently high.

#### 2/Healthcare and safety

Poverty has an effect on other rights of the child. Children who live in poverty have risks that affect healthy development and are at risk for a wide range of problems with their health and well-being. These can include lower functioning vision, hearing, speech, mobility, dexterity and cognition. Low-income families often cannot afford to buy nutritious foods, putting children's growth and development at risk. Poor children are also less likely to live in safe neighbourhoods.

#### 3/Family support

There are still many low-income, working parents who struggle financially. Jobs that pay a decent income are the key to ending child poverty. However, many parents work for near-minimum wages that leave them far below the poverty line. Significant changes to the labour market have also meant that part-time jobs and temporary positions are growing at a faster rate than full-time and permanent work that is more secure.

Most children living in poverty have parents who are working but find it difficult to provide adequate food, clothing and shelter. Cuts to services over the past decade have had a major impact on families who are forced to rely on social assistance. Since 1991, welfare benefits for families with children fell by more than 23 per cent.

Canada continues to face issues regarding children's rights, even though Canada has signed both the *Convention on the Rights of the Child* and the *Universal Declaration of Human Rights*.

- **These examples are from the Campaign 2000 End Child Poverty in Canada website, found at <http://campaign2000.ca/rc/rc02/intro.html>. This site has numerous links to other articles relating to children's rights issues in Canada.**
- **Information on children and poverty can be found in UNICEF's State of the World's Children report found at [www.unicef.org](http://www.unicef.org).**

### Free the Children

Free the Children is an international network of children helping

children at a local, national and international level through representation, leadership and action. The primary goal of the organization is not only to free children from poverty and exploitation, but to also free children and young people from the idea that they are powerless to bring about positive social change and to improve the lives of their peers.

Free the Children is unlike any other children's charity in the world, as it is an organization by, of and for children that fully embodies the notion that children and young people themselves can be leaders of today in creating a more just, equitable and sustainable world.

- **For information about Free the Children and its projects, go to the website [www.freethechildren.org](http://www.freethechildren.org).**

### Facts and figures<sup>32</sup>

- **Birth registration: Over 50 million births each year remain unregistered (75 per cent of them in sub-Saharan Africa). This means that governments do not know these children exist. Children may not know their birthdates. Because they are not registered, many of these children cannot go to school.**
- **Child mortality under five: Nearly 11 million children die per year, often from readily preventable causes (major "killer diseases": diarrhea, acute respiratory infections, diphtheria, tuberculosis, whooping-cough, measles, tetanus); more than 175 countries are now free of polio.**
- **Mothers dying at childbirth: The global average is 400 maternal deaths per 100,000 live births; sub-Saharan Africa: 1100; South Asia: 430; Middle East and North Africa: 360; Latin America/Caribbean: 190; East Asia/Pacific: 140; CEE/CIS/Baltic States: 55; industrialized countries: 12.**
- **Teenage pregnancies: 15 million infants born to under-18s annually; only 23 per cent of women (married or in union) in sub-Saharan Africa use contraceptives.**
- **HIV/AIDS: Estimated 13 million children had lost their mother or both parents to AIDS by 2000; 95 per cent of these children live in sub-Saharan Africa.**
- **Food: Estimated 150 million children are still undernourished.**
- **Poverty: 3 billion people subsist on less than \$2 a day, 1.2 billion (50 per cent of them children) on less than \$1 a day; but 1 in every 6 children also lives below the national poverty line in the world's richest countries.**
- **Child labour: Some 250 million children between the ages of 5 and 14 work; in developing countries, an estimated 70 per cent work in agriculture and the informal sector.**
- **Street children: An estimated 100 million children (from 4 up) live and work on the streets.**
- **Education: Primary school enrollment: 82 per cent globally, but 100 million children remain out of school, 53 per cent of them girls.**
- **Social services and political priorities: On average, developing countries spend more on defense than on either basic education or basic health care; industrialized countries spent about 10 times more on defense than on international development aid.**
- **Armed conflict: 1990s: 2 million children died in armed conflict, 6 million were injured or disabled; 300,000 were directly involved in conflict as child soldiers.**

<sup>32</sup>From the UN Secretary General's Report, *We the Children*, prepared for the Special Session on Children, September 2001, Excerpted with permission from the European Training and Research Centre for Human Rights and Democracy (2003). Wolfgang Benedek and Minna Nikolov (Eds.). *Understanding Human Rights: Manual on Human Rights Education*. Graz, Austria: Federal Ministry for Foreign Affairs in Austria & the ETC: p. 202.

- **Child refugees and displaced children: 11 million child-refugees worldwide.**
- **Disabilities: An estimated 120 million to 150 million children live with disabilities.**
- **Violence: Each year 40 million children under the age of 15 are victims of family abuse or neglect serious enough to require medical attention; 2 million girls are at risk of female genital mutilation annually.**
- **Child trafficking: In Africa & South East Asia 400,000 girls and boys are affected annually; worldwide, up to 2 million children and women are trafficked annually.**
- **Suicide: Some 4 million adolescents per year attempt suicide worldwide and at least 100,000 die.**
- **Ombudspersons for children: Established in at least 40 countries so far.**
- **National Plans of Action (NPAs): Following the 1990 World Summit for Children, some 155 countries prepared NPAs.**



# Aboriginal rights

# seven

## TO DISCUSS

**To what extent are the rights of aboriginal peoples in the *Canadian Charter of Rights and Freedoms* consistent with those outlined in the *Universal Declaration of Human Rights*?**

**How are aboriginal rights in Canada embedded in its history?**

**To what extent do you think aboriginal world views are reflected in the *Canadian Charter of Rights and Freedoms*?**

**Why are land claims an important aspect of aboriginal rights?**

## introduction

Human rights are universal; civil, political, economic, social and cultural rights belong to all human beings, including indigenous peoples. Indigenous peoples also enjoy certain human rights specifically linked to their identity, including rights to maintain and enjoy their culture and language free from discrimination, rights of access to ancestral lands and land relied upon for subsistence, rights to decide their own patterns of development, and rights to autonomy over indigenous affairs.

Aboriginal rights are collective rights that come from the history of the aboriginal peoples in Canada. When aboriginal peoples talk of land rights, they are talking not only of legal concepts, but of a worldview and way of life. Aboriginal people's rights stem from their long-standing relationship to the land and its resources. Issues relating to self-determination and self-sufficient economies are intrinsically linked to access to land and resources.

## exploration

### Rights of indigenous peoples

Over the past 20 years, indigenous peoples around the world have organized themselves to make international bodies like the United Nations aware of their situation. As a result of years of work, there is now a growing understanding in the international community of indigenous peoples' values, traditional knowledge, special relationship to the Earth, and the vital importance of their ongoing contribution in the world.



## The situation of indigenous peoples

“There are an estimated 300 million indigenous people living in over 70 countries around the world. The word ‘indigenous’ refers to the descendants of the original inhabitants of particular regions or territories.

Over thousands of years, the world’s indigenous peoples have developed their own distinct cultures, religions and economic and social organizations. These cultures are as unique and various as the Aborigines in Australia, Inuit in the Canadian Arctic, the Masai in Kenya, the Anka Hill Tribe in Thailand or the Mapuche in Chile.

Within the United Nations, the recognition of indigenous issues has been gathering momentum, spurred on by the activities of several UN agencies. Indigenous issues are also getting more attention as a result of the International Decade of the World’s Indigenous People coming into effect in 1995.”

- **This information is from Government of Canada: Indian and Northern Affairs (1998).** The International Decade of the World’s Indigenous People. **Author.** [www.ainc-inac.gc.ca/pr/info/info123\\_e.html](http://www.ainc-inac.gc.ca/pr/info/info123_e.html). **Additional information on rights of indigenous people can be accessed on this site.**

## Aboriginal rights are based in history

Before Europeans arrived, North America was home to First Nations peoples. Aboriginal rights are rights held as a result of longstanding occupancy of the land.

“Under the law, the unique legal and constitutional status of First Nations derives from the fact that they are the descendants of the people that were resident in North America long before Europeans arrived.

As early as the 18th century, Britain recognized that First Nations had claims to the land and major treaties were signed across Canada as settlement moved west.

In the 21st century, one of the first modern treaties came into effect in British Columbia – the *Nisga’a Treaty*. The last step needed to give legal effect to the *Nisga’a Treaty* took place on April 13, 2000, when Parliament passed the *Nisga’a Final Agreement Act*. The *Nisga’a Treaty* sets out and describes in detail how the rights of Nisga’a citizens will be exercised. Any aboriginal rights of the Nisga’a are modified to become rights set out in the Treaty.”

- **This information is from the Government of Canada: Indian and Northern Affairs (1998).** Fact Sheet: Aboriginal Rights in BC. **Author.** [www.ainc-inac.gc.ca/pr/info/abre.html](http://www.ainc-inac.gc.ca/pr/info/abre.html). **Additional fact sheets regarding aboriginal rights issues can be found on this site.**
- **More on the history of the Indian Act in Canada, and some of the human rights issues and abuses associated with it can be found at <http://sask.cbc.ca/archives/governance/>.**
- **Information on a number of issues and stories related to aboriginal peoples in Canada, from fishing rights to the creation of Nunavut, can be found on the CBC website at [www.cbc.ca/news/indepth/firstnations/](http://www.cbc.ca/news/indepth/firstnations/). An overview of the history of aboriginal land claims can be found at [www.newparksnorth.org/land.htm](http://www.newparksnorth.org/land.htm).**

## Aboriginal rights in the Canadian Charter of Rights and Freedoms

Section 15(1) of the *Charter* states every individual is equal before and under the law without discrimination. It is followed by Section 15(2):

- Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Section 25 makes sure the *Charter* is not “construed so as to abrogate or derogate from any aboriginal, treaty or other rights that pertain to the aboriginal peoples of Canada.” A renewed vision of *Aboriginal Inherent and Treaty Rights* is entrenched in the 1982 *Constitution*, section 35(1):

- The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

“This section acknowledges Canada’s history. Aboriginal peoples retain certain rights that other Canadians do not share. This is not unique to Canada. The legislation and policies of other governments, including the United States, Australia, New Zealand, and more recently Japan, entrench and recognize aboriginal inherent and treaty rights.”

- **This information is from Aboriginal Rights Coalition.** How to Challenge Misconceptions. **Author.** <http://home.istar.ca/~arc/english/insider.html>.  
**The Aboriginal Rights Coalition newsletter provides information and perspectives on aboriginal rights in Canada at <http://home.istar.ca/~arc/english/insider.html>.**
- **A discussion of Métis rights and the Powley case (Section 35 of the Charter of Rights and Freedoms) can be found on the Métis Nation website at [www.metisnation.ca](http://www.metisnation.ca).**

## Aboriginal rights exist in law

Aboriginal rights have been addressed in a number of court cases, as well as in Canada’s constitution.

“In 1982, Canada’s supreme law, the *Canadian Constitution*, was amended to recognize and affirm existing aboriginal rights. It is important to note that this change to the *Constitution* did not create or define any new aboriginal rights – rather, it recognized and affirmed already existing aboriginal rights, without spelling out what those rights were or where they may exist. The Crown has not been able to extinguish aboriginal rights since 1982 when aboriginal rights were given constitutional protection.

Over the past 30 years, aboriginal rights are slowly being defined through the Canadian courts. For example, in 1990 the Supreme Court of Canada concluded in the Sparrow decision that the Musqueam Indian Band had an existing aboriginal right to fish. This is just one example of an aboriginal right. So far, Canadian law has confirmed that aboriginal rights:

- Exist in law
- May range from rights not intimately tied to a specific area of land, to site-specific rights, to aboriginal title, which is a right to exclusive use and occupancy of land
- Are site, fact and group-specific

- Are not absolute and may be justifiably infringed by the Crown.”
- **This information is from a Government of Canada: Indian and Northern Affairs (1998).** Fact Sheet: Aboriginal Rights in BC: **Author. From website [www.ainc-inac.gc.ca/pr/info/abr\\_e.html](http://www.ainc-inac.gc.ca/pr/info/abr_e.html).**
- **Additional fact sheets dealing with aboriginal issues can be found on [www.ainc-inac.gc.ca/pr/info/index\\_e.html](http://www.ainc-inac.gc.ca/pr/info/index_e.html).**
- **A summary of aboriginal rights in law can be found in an article entitled Aboriginal Rights and Canadian Courts at [www.sfu.ca/~palys/Cousins-AborigRightsIn-Court.pdf](http://www.sfu.ca/~palys/Cousins-AborigRightsIn-Court.pdf). Links to constitutional enactments and court cases can also be found on the website [www.waseskun.net/law.htm](http://www.waseskun.net/law.htm).**
- **A fact sheet found on the website [www.ainc-inac.gc.ca/pr/info/index\\_e.html](http://www.ainc-inac.gc.ca/pr/info/index_e.html) also provides a timeline of aboriginal rights in British Columbia.**
- **Information on land claims in Yukon can be accessed on the Canada’s Digital Collections website at <http://collections.ic.gc.ca/yukon/>.**
- **Links to many treaties and other legal information related to aboriginal rights can be found at [www.schoolnet.ca/aboriginal/e/legal\\_e.asp](http://www.schoolnet.ca/aboriginal/e/legal_e.asp).**
- **A comprehensive list of links to websites dealing with aboriginal rights issues and cases can be found at [www.bloorstreet.com/300block/aborcan.htm](http://www.bloorstreet.com/300block/aborcan.htm).**

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### Aboriginal rights and the United Nations

The human rights of indigenous people and peoples are set out in the ILO *Indigenous and Tribal Peoples Convention (No. 169)*, the *Universal Declaration of Human Rights*, the *International Covenants*, the *Convention on the Elimination of All Forms of Racial Discrimination*, the *Convention on the Rights of the Child*, and other international human rights treaties and declarations.

### What is the UN Draft Declaration on the Rights of Indigenous Peoples?

“The United Nations has developed a number of legally binding human rights treaties and conventions to protect people’s rights, and to promote respect for the equality and fundamental dignity of all individuals and peoples. The *Declaration on the Rights of Indigenous Peoples* was drafted by a group of United Nations human rights experts as a first step towards a treaty or convention to improve international protection for indigenous peoples. The United Nations proclaimed the International Decade of the World’s Indigenous Peoples in December 1994. A key goal of the decade was the ratification of the draft *Declaration on the Rights of Indigenous Peoples*. However, near the end of the Decade, consensus has been reached on only two of the *Declaration’s* 45 articles.”

- **This information is from the Presbyterian Church in Canada.** Cultivating Just Peace KAIROS Education and Action Campaign 2004-2005 Factsheet on aboriginal rights. **[www.presbyterian.ca/justice/resources/CJPFactsheet%20AR.pdf](http://www.presbyterian.ca/justice/resources/CJPFactsheet%20AR.pdf). Additional fact sheets on human rights are provided on this website.**
- **Detailed information on Canadian participation in the International Decade is available on [www.ainc-inac.gc.ca/pr/info/info123\\_e.html](http://www.ainc-inac.gc.ca/pr/info/info123_e.html). For further information on the Decade, see the UN Decade Web site at [www.unhchr.ch](http://www.unhchr.ch).**

## examples

### The Report of the Aboriginal Justice Inquiry

The *Report of the Aboriginal Justice Inquiry* explores the experience of aboriginal peoples with the Canadian criminal justice system, and discusses the relations between aboriginal and non-aboriginal people in Manitoba and Canada. The Aboriginal Justice Inquiry recommended the establishment of an aboriginal justice system and the recognition and fulfillment of unmet treaty and aboriginal rights.

- **This information is from the Aboriginal Justice Implementation Committee website at [www.ajic.mb.ca/reports/final\\_s2.html](http://www.ajic.mb.ca/reports/final_s2.html). This website provides links to sections of the final report of the Committee.**

### Language rights for aboriginal peoples

"The First Nations Confederacy of Cultural Education Centres has a national initiative to secure recognition and resources for the preservation, maintenance, promotion and use of aboriginal languages in Canada. Through this legislation the Government of Canada is being encouraged to bring into law the recognition of the right and freedom of aboriginal peoples to the protection, revitalization, maintenance and use of their languages, and provide the necessary resources to implement this objective.

A 1992 survey of language conditions in First Nations communities revealed that 70 per cent were declining or endangered, 18 per cent were merely enduring and only 12 per cent were flourishing. Many aboriginal people under 30 years of age have little or no knowledge of their language."

- **This information is from the First Nations Confederacy of Cultural Education Centres' report, available at [www.schoolnet.ca/aboriginal/ab-lang/noframes/](http://www.schoolnet.ca/aboriginal/ab-lang/noframes/). Legislation related to language rights for aboriginal peoples and recommendations are provided in this report.**

### Aboriginal women's rights

Gender inequality was an issue during the fur trade. Fur traders often refused to do business with First Nations women, even though they were the ones who prepared the furs for market.

In the *Indian Act*, Indian was defined as male. Native women who married non-native men lost their Indian status while non-native women who married native men gained status. That didn't change until 1985 when Bill C-31 was introduced. This bill reinstated status for women and children who lost it through marriage. Until 1951, women weren't allowed to run for chief or council positions and couldn't vote in band elections.

- **Additional information and perspectives on the roles and rights of aboriginal women can be found at [www.cbc.ca/news/indepth/firstnations/roleofwomen.html](http://www.cbc.ca/news/indepth/firstnations/roleofwomen.html).**

### **Aboriginal voice as a right**

Aboriginal peoples are working toward an independent voice at international meetings and conferences for a variety of reasons.

“The first is to separate themselves from government actions. Second, aboriginal worldviews are different from those of Canadians. Aboriginal perspectives should be expressed by those who hold them rather than through others who do not share the same cultural heritages or experiences. Finally, First Nations have a right to represent their own views on their own behalf to ensure they will be heard.”

- **This information is from Aboriginal Rights are Human Rights, found on the Canadian Race Relations website at [www.crr.ca/EN/WhatsNewEvents/Events/WCAR/eWhaNew\\_EventsAboriginal.htm](http://www.crr.ca/EN/WhatsNewEvents/Events/WCAR/eWhaNew_EventsAboriginal.htm). Additional information and perspectives on aboriginal rights are found at [www.crr.ca](http://www.crr.ca).**

### **Aboriginal right to resources**

Two court decisions in Canada were precedent-setting for First Nations peoples, the Canadian forest industry and provincial governments. Courts in New Brunswick and British Columbia ruled that aboriginal peoples have a legal right to forests and trees on “Crown” land. The New Brunswick Court of Queen’s Bench ruled that Micmac Indians have a legal right to cut down trees on Crown land. Similarly, in a case brought by the Haida Nation, the B.C. Court of Appeal recognized that the aboriginal rights of First Nations can constitute a legal interest in trees which cannot be reconciled with the exclusive nature of a tree farm license.

In the 1990 Sparrow case, the Supreme Court of Canada recognized an aboriginal right to fish, subject only to conservation concerns. The Supreme Court’s decision was based on two main factors; the central importance of fish to First Nations cultures and the constitutional protection given to aboriginal rights in 1982 by the *Canadian Charter of Rights and Freedoms*.

- **This information is from the British Columbia Environmental Network website, found at [www.bcen.bc.ca/bcerart/Vol8/aborigin.htm](http://www.bcen.bc.ca/bcerart/Vol8/aborigin.htm). Additional information and perspectives on aboriginal rights to resources are found on this website.**

## eight

## TO DISCUSS

To what extent are language rights in the *Canadian Charter of Rights and Freedoms* consistent with those outlined in the *Universal Declaration of Human Rights*?

How are Canada's language rights entrenched and safeguarded?

To what extent are minority language rights protected by the *Canadian Charter of Rights and Freedoms*?

Is there a difference between language rights and minority language rights?

What is this difference?

How are language rights connected to education? How are they connected to Canada's history?

How are language rights related to equity issues? What about freedom of expression?

How are language rights important to daily life in a community?

## introduction

Language is the foundation of communication and is fundamental to cultural and historical heritage and identity.

"Canadians form a bilingual population. Not only are there two official languages, English and French, but many other languages are also spoken, including aboriginal languages, Italian, German, Ukrainian, Spanish, Chinese and others. All these languages echo the two founding peoples: the First Nations and the various waves of immigration experienced by Canada from Confederation to the present."<sup>33</sup>

Language rights connect to many other human rights issues – from equity and freedom from discrimination to freedom of expression.

## exploration

## The diversity of language

What are language rights in Canada? Sections 16 to 23 of the *Charter of Rights and Freedoms* deal with language rights. The *Charter* provides the basis for the *Official Languages Act* of 1988. This legislation confirms the fundamental nature of language rights as human rights. It also reflects the way that language rights can change. This legislation encourages Parliament and provincial legislative assemblies to reinforce the equal status of English and French in Canadian society.

The diversity of issues associated with language rights in Canada range from minority language education to the use of official languages in the courts, to the language of work, to the provision of services by federal and provincial governments.

The courts play an important role in ensuring that language rights

<sup>33</sup>The Centre for Research and Information in Canada. *Languages in Canada*. Author. [www.cric.ca/en\\_html/guide/language/language.html#official](http://www.cric.ca/en_html/guide/language/language.html#official).



are properly implemented. For example, the courts have recognized that language rights mean that governments have duties to allocate resources and maintain institutions capable of operating in both official languages. A language right does not mean anything if governments do not take positive action to ensure its use.

- **This information is from a report called** *Language Rights 1999-2000*, **found on the Government of Canada's Office of the Commissioner of Official Language website at [www.ocol-clo.gc.ca/archives/lr\\_dl/1999-2000/1999-chap1-1\\_e.htm#Chap1](http://www.ocol-clo.gc.ca/archives/lr_dl/1999-2000/1999-chap1-1_e.htm#Chap1).**
- **A thorough overview of language rights and issues in Canada can be found on the website [www.pch.gc.ca/progs/lo-ol/perspectives/english/languages/index.html](http://www.pch.gc.ca/progs/lo-ol/perspectives/english/languages/index.html).**

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### Language rights and the United Nations

Although language rights are not set out in a distinct and separate article in United Nations declarations and covenants, they are entrenched in those articles dealing with discrimination and ethnic minorities. The human rights of ethnic minorities are set out in the *Universal Declaration of Human Rights*, the *International Covenants*, the *Convention on the Elimination of All Forms of Racial Discrimination*, the *Convention on the Rights of the Child*, the *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities* and other international human rights treaties and declarations. These documents address the following human rights:

- Freedom from any distinction, exclusion, restriction or preference based on race, colour, national or ethnic origin, language, religion, birth, or any other status, which has the purpose or effect of impairing the enjoyment of human rights and fundamental freedoms
- Enjoyment and development of their own culture and language
- The establishment and maintenance of their own schools and other training and educational institutions, and the right to teach and receive training in their own languages

Articles 3 and 5 of the *Convention against Discrimination in Education* state that nations should undertake to discontinue practices which involve discrimination in education. It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and the use or the teaching of their own language.

Article 2 of the *Universal Declaration of Human Rights* states that "everyone is entitled to all the rights and freedoms set forth in this *Declaration*, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

### Language rights in Canada

The Parliament of Canada adopted the first *Official Languages Act* in 1969. A new Act came into force on September 15, 1988. Its primary aim was to consolidate the equal status of English and French in federal institutions and ensure respect for the language rights guaranteed by the *Canadian Charter of Rights and Freedoms*. The 1988 *Official Languages Act* gives rights to Canadian citizens, including:

- Any member of the public can communicate with the head or central office of any federal institution subject to the Act, as well as with the other offices in either English or French.
- Federal employees have the right to work in the official language of their choice in certain regions of the country.
- The Government of Canada is committed to ensuring that English-speaking Canadians and French-speaking Canadians, without regard to their ethnic origin or first language learned, have equal opportunities to obtain employment and advancement in federal institutions.

The Canadian government also established a Commissioner of Official Languages. The Commissioner has the job of making sure that each statute of the *Official Languages Act* is carried out. This includes receiving complaints from the public and taking action on these complaints.

- **Links to sites dealing with a wide range of topics relating to Canada's official languages can be found on the Government of Canada website at <http://culture-canada.gc.ca/chdt/interface/interface2.nsf/engdocBasic/9.2.html>.**
- **The Official Language Act can be found on the Government of Canada website at <http://laws.justice.gc.ca/en/o-3.01/text.html>.**

### Language in Quebec

There has been a history of legislation governing the use of French in Quebec that started early in the 20th century.

“The first was the Lavergne Law, passed in 1910, which required that tickets for buses, trains and trams be printed in both French and English.

In 1974, the Quebec Liberals passed *Bill 22*, which made French the province's official language. It also restricted enrolment in English schools in Quebec. Three years later, the newly elected Parti Québécois, under the leadership of René Lévesque, introduced what it called the *Charter of the French Language* or *Bill 101*, as it became known.

Within that bill was the declaration that French was to be the only language allowed on commercial signs in the province. With few exceptions, the use of English was banned. Confronted with the angry demonstrations of those defending *Bill 101*, then-Premier Robert Bourassa invoked the 'notwithstanding' clause to override the *Charter of Rights and Freedoms*, and introduced *Bill 178*. It decreed that only French could be used on exterior signs while English would be allowed inside commercial establishments.

In 1993, the United Nations Human Rights Committee ruled that Quebec's sign laws broke an international covenant on civil and political rights.



In 1993, Bourassa introduced *Bill 86*, which allowed English on outdoor commercial signs only if the French lettering was at least twice as large as the English.

A Quebec court ruling in 1999 said the province could not continue to impose restrictions on the use of languages other than French on commercial signs unless it can prove the fragility of the French language in Quebec society. But the Quebec Superior Court overturned that decision in April 2000, citing Quebec's unique geographical situation as an enclave of French speakers on an English-speaking continent."

- **This information is from the article** *Language in Quebec*, **found on the CBC website** [www.cbc.ca/news/indepth/language/](http://www.cbc.ca/news/indepth/language/). **A wide range of articles relating to language rights and issues can be found on this site.**

### A more multilingual society

Canada has become more and more multilingual over time.

"Many people speak neither English nor French as their mother tongue according to new data from the 2001 census. Mother tongue is defined as the first language a person learned at home in childhood and still understood at the time of the census.

Canadians reported more than 100 languages in completing the census question on mother tongue. The list includes languages long associated with immigration to Canada: German, Italian, Ukrainian, Dutch, Polish and so on. However, between 1996 and 2001, language groups from Asia and the Middle East increased the most.

These language groups include Chinese, Punjabi, Arabic, Urdu, Tagalog and Tamil. But there are also many others: Dravidian, a family of languages spoken by the traditional inhabitants of parts of India, Sri Lanka and Pakistan; Pashto, one of the national languages of Afghanistan; Twi, a language spoken principally by people living in southern Ghana; and Konkani, a language spoken in India."

- **This information is from the Centre for Research and Information in Canada.**

Languages in Canada: **Author.** [www.cric.ca/en\\_html/guide/language/language.html#official](http://www.cric.ca/en_html/guide/language/language.html#official).

### Aboriginal languages

In 2001, the three largest aboriginal first languages were Cree (80,000 people), Inuktitut (29,700) and Ojibway (23,500). These three languages were in the same order in the 1991 and 1996 censuses.

Almost two-thirds (64 per cent) of the population with the Inuktitut first language live in Nunavut, and 30 per cent live in Quebec. Three-quarters of the Cree population live in the Prairie provinces.

- **Information on multilingualism in Canada and aboriginal languages is available from the Centre for Research and Information on Canada website at** [www.cric.ca/en\\_html/guide/language/language.html#official](http://www.cric.ca/en_html/guide/language/language.html#official). **Articles dealing with Canada's languages and language rights issues, and links to Statistics Canada, can be found on this site.**

## Language and the Internet

Language is the primary way we communicate knowledge and traditions. Therefore, the opportunity to use one's language on global information networks such as the Internet can determine the extent to which a person can participate in the emerging knowledge society.

Thousands of languages are absent from Internet content and no tools exist for creating or translating information. Huge sections of the world's population are prevented from enjoying the benefits of technological advances and obtaining information essential to their well-being and development. This could contribute to loss of cultural diversity on information networks and a widening of existing socio-economic inequalities.

To address this problem, UNESCO is actively pursuing three specific initiatives:

- Formulating policies to raise awareness of issues of equitable access and multilingualism
- The development and implementation of pilot projects to facilitate the access of languages to the Internet
- A wider, more equitable access to information by promoting multilingualism, ensuring the worldwide dissemination of information.

UNESCO also encourages its member states to develop strong policies which promote and facilitate language diversity on the Internet, create widely available online tools and applications (such as terminologies, automatic translators, dictionaries) for content in local languages and encourage the sharing of best practices and information.

- **This information is from the Communications and Information section of the UNESCO website, found at [www.unesco.org](http://www.unesco.org). Articles dealing with multilingualism in cyberspace can be found by following the links under Information by Theme and Society.**

### What is a community?

We all use the word community and all of us belong to and live in them, but what exactly is a community? A community can describe a geographic area, or it can describe a network or group of people with connections to each other. A community can be any place where people live – it can be a city, a rural village, a town or an area within a city.

A community can also refer to groups of people who are linked through common interests, activities and commitments. There can be communities of writers, of students and of athletes.

Although we might know or sense what a community is, there is often no exact definition of its boundaries, of where it starts and where it ends. In the past, walls may have defined cities or communities. In many ancient cities you can still see the ruins of those walls, but the walls do not mean the same things.

No matter how you define community, however, there is agreement that the idea of community is important to consider in many different contexts. It is important to think about in terms of where we belong and where we live. It can also help us describe what is important to us.

### Would you describe an entire city as a community?

How would you define a city today? Do you include all the outlying areas and suburbs (called the “metropolitan region”) or do you only include the city centre? After the industrial revolution, urban centres grew rapidly and over the past 50 years there has been an “explosion” in the growth of cities, both in their numbers and in their size. This is called “urbanization.”

Cities have always been at the centre of economic growth, technological advances and cultural production. But their rapid growth has also resulted in negative effects: urban violence and poverty, homelessness, overcrowding and health problems, pollution and waste.

Cities have had a great impact on our lives and on world civilization in general. They are becoming more and more important as their sizes and numbers grow. By the 21st century, it is estimated that half the world’s population will be living in cities.<sup>34</sup> In Canada, close to 80 per cent of the population lives in cities.

<sup>34</sup>United Nations  
Cyberschoolbus. *Cities of Today, Cities of Tomorrow*: Author.  
[www0.un.org/cyberschoolbus/habitat/units/un01pg01.asp](http://www0.un.org/cyberschoolbus/habitat/units/un01pg01.asp).

## TO DISCUSS

**How would the characteristics of a healthy city impact the human rights of that city?**

**How do these characteristics affect the quality of life?**

**How does a good quality of life within a community affect people locally? Nationally? Globally?**

**What does quality of life mean to you? Think about how you would respond to this question as you read the following examples.**

**What about quality of life in communities and cities?**<sup>34</sup>

Although quality of life can mean many different things to different people, human rights are concerned with ensuring that basic needs are met when people live together. Often, this translates into a concern about the issues that arise when people live together in urban centres.

Organizations such as the World Health Organization and the United Nations have programs and policies that they have developed regarding healthy and safe communities and cities.

**What is a healthy city?**

As part of its healthy city program, the World Health Organization (WHO) has come up with a set of criteria.

Among other things, a healthy city must:

- Provide a clean and safe environment
- Meet the basic needs of all its inhabitants
- Involve the community in local government
- Provide easily accessible health services

The United Nations Development Program (UNDP) has outlined these priorities as part of its urban strategy:

- Increasing shelter for the urban poor
- Providing basic urban services such as education, primary healthcare, clean water and sanitation
- Improving women's access to basic services and government facilities
- Upgrading energy use and alternative transportation systems
- Reducing air pollution<sup>35</sup>

## TO DO

Create a recipe for a community with a good quality of life. For your recipe, consider:

- The ingredients (what types of services, facilities, programs and activities would be needed for a good quality of life in the community)
- The quantity of each ingredient (how much or how many?)
- How the ingredients should be combined

Write your recipe by listing each ingredient and its quantity. Then, provide directions for how they should be combined or used by the people in the community. Look at some recipes to get an idea of how they are written.

<sup>34</sup>United Nations Cyberschoolbus. *Cities of Today, Cities of Tomorrow*: Author. [www0.un.org/cyberschoolbus/habitat/units/un01pg01.asp](http://www0.un.org/cyberschoolbus/habitat/units/un01pg01.asp).

<sup>35</sup>Ibid.

## TO DISCUSS

**How could each of the following contribute to a human rights community?**

- Individual citizens
- Businesses
- Organizations, such as community leagues, charities and clubs
- Local, provincial and federal governments
- Global communities

**What does it mean to be a human rights community?**

The idea of a human rights community is fairly simple. A human rights community is one in which the people who live there make a commitment to learn about and apply principles of human rights, such as those that are represented in human rights documents such as the *Universal Declaration*, or human rights legislation, such as the *Canadian Charter of Rights and Freedoms*.

A human rights community is one in which all its members, from policy makers to ordinary citizens, learn about and adhere to human rights obligations. All people make a commitment to carry out responsibilities and obligations related to human rights guidelines, as represented in the *Universal Declaration of Human Rights* and in their own country's human rights legislation. People in a human rights community:

- Relate and apply human rights practices to all of the community's immediate and practical concerns. They identify problems related to human rights that need to be solved and look for ways to help solve them.
- Join and make a commitment to meet and talk about the problems and challenges of their community.
- Make a commitment to develop the guidelines for making their community a better place to live and work.
- Make a commitment to develop their community into one that upholds human rights principles and values.
- Try to get all aspects of their community involved in these projects – community groups, businesses, government and organizations.
- Watch for human rights violations and think of ways to implement human rights at all levels of society. They ensure that human rights serve as guiding principles by which the community develops its future plans and institutions.

## TO DISCUSS

**How would the steps involved in starting a human rights community contribute to its quality of life?**

**How could community projects and improvements support human rights in a community?**

**What are the steps involved in starting a human rights community?<sup>36</sup>**

Different communities across the world have become human rights communities. What does this mean? They have all followed a process in which they examine how the people who live in the community can become involved with human rights on a daily basis. In these human rights communities, people:

- Identify individuals, groups, organizations and programs in the community who are concerned about and contribute to improving its quality of life.
- Organize meetings of representatives from these groups to talk about the needs of the community.
- Organize meetings and classes to learn more about human rights declarations and legislation.
- Organize meetings to identify problems and challenges in human rights that need improvement.
- Develop a plan of action for the community to follow.
- Identify ways to implement the plan of action. This often involves community discussion, town hall meetings and programs that teach others about human rights.
- Make plans for projects and improvements that will improve quality of life and address human rights issues.

<sup>36</sup>The steps outlined have been adapted from PDHRE, People's Movement for Human Rights Learning program for Human Rights Cities. [www.pdhre.org/projects/hrcommun.html](http://www.pdhre.org/projects/hrcommun.html).

## human rights organizations

There are hundreds of websites that deal with human rights and human rights organizations. The following sites highlight some of the key organizations that deal with human rights. Many of these sites provide links to other sites and sources of information about human rights and human rights organizations.

### TO DISCUSS

**How does each organization contribute to quality of life?**

#### Amnesty International

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of our work to promote all human rights.

- [www.amnesty.org](http://www.amnesty.org)

#### Alberta Human Rights and Citizenship Commission

The Alberta Human Rights and Citizenship Commission, an independent commission of the Government of Alberta reporting through the Ministry of Community Development, works to foster equality and reduce discrimination. They provide public information and education programs, and help Albertans resolve human rights complaints.

- [www.albertahumanrights.ab.ca](http://www.albertahumanrights.ab.ca)

#### Canadian Heritage Human Rights Program

The mission of the Human Rights Program is to promote the development, understanding, respect for and enjoyment of human rights in Canada.

- [www.pch.gc.ca/progs/pdp-hrp/index\\_e.cfm](http://www.pch.gc.ca/progs/pdp-hrp/index_e.cfm)

#### Canadian Human Rights Commission

The Canadian Human Rights Commission deals with employment equity and non-discrimination in the workplace.

- [www.chrc-ccdp.ca](http://www.chrc-ccdp.ca)

#### Canadian Human Rights Foundation

The Canadian Human Rights Foundation is a non-profit, non-governmental organization concerned with advancing democracy, human development, peace and social justice through educational programs. The links page on this website lists a number of human rights organizations and websites.

- [www.chrf.ca](http://www.chrf.ca)



### ~~Canadian Race Relations Foundation~~

This organization focuses on issues dealing with race and racism, hate crimes, aboriginals, racism and Japanese Canadians among others. It provides a link to E-RACE IT, a website for youth with information on history, family, education, employment, law and the media.

- [www.crr.ca](http://www.crr.ca)

### ~~Free the Children~~

Free the Children is an international network of children helping children through representation, leadership and action.

- [www.freethechildren.org](http://www.freethechildren.org)

### ~~John Humphrey Centre for Peace and Human Rights~~

The John Humphrey Centre's vision is that "the United Nations *Universal Declaration of Human Rights* is a vital part of the life and consciousness of every human being, within a civil and peaceable world wherein human dignity, equality, and justice reign." Its mission is "to make the United Nations *Universal Declaration of Human Rights* an essential part of every educational endeavour in the world."

- [www.johnhumphreycentre.org](http://www.johnhumphreycentre.org)

### ~~Paths to Equal Opportunity~~

This site has many good links and resources for creating awareness of racial, disability and cultural disparity of services and other opportunities.

- [www.equalopportunity.on.ca](http://www.equalopportunity.on.ca)

### ~~Racism Stop It~~

This site includes a program for a National Video Competition for 12- to 18-year-olds.

- [www.pch.gc.ca/march-21-mars](http://www.pch.gc.ca/march-21-mars)

### ~~United Nations in Canada~~

This site contains a series of links to a broad range of topics including starvation, terrorism, refugees and human rights worldwide.

- [www.un.org/Pubs?CyberSchoolBus](http://www.un.org/Pubs?CyberSchoolBus)

- [www.unac.org](http://www.unac.org)

### ~~UNICEF~~

UNICEF is the leading advocate for children's rights, active in 158 countries and territories around the world.

- [www.unicef.org](http://www.unicef.org)

### ~~United Nations High Commission for Human Rights~~

United Nations High Commission for Human Rights (OHCHR) raises awareness of human rights and fundamental freedoms and publicizes ways of promoting and protecting them at the international level.

- [www.unhchr.ch](http://www.unhchr.ch)



## people in communities

## people in communities

## TO DISCUSS

**How are people in your community affected by human rights issues?**

**How do they contribute to your community?**

Who are the people who live in communities across Canada?

Although many people share similar environments and settings, their activities and involvements can be very diverse. People have widely different backgrounds, experiences and lifestyles. This can affect their experiences and perspectives on human rights issues.

## TO DO

How do you think each of these individuals might be affected by human rights? Take on the role of one these people. Write your biography, describing how human rights legislation affects you.

Then, do a media search. Use media sources such as newspapers, magazines, the Internet and television programs. Identify one or more issues that concern you. Write about your position on this issue.

Answer the question from this person's perspective – Do I live in a human rights community?

- A person who works for a government department and is responsible for developing policy to protect the environment
- A volunteer in a small town who helps welcome new immigrants
- A teacher who works with high school students in an inner city school
- A student attending a college, taking a science program
- A recent high school graduate, working for a computer help desk and support call centre
- A junior high student, who is bused every day to and from a rural school
- A recent immigrant, working to start up a new business in a small city
- A nurse, working in a health care centre in a large city suburb
- A new mother, attending school part-time and working part-time
- A father of three children, working as an accountant in a large accounting

firm

- A doctor, running a clinic in a large city
- A lawyer, practicing in the area of family law
- A single young woman, teaching English as a second language in a community college
- A single young man, working in a restaurant
- A woman who works in a department store in a large shopping mall
- A senior high student, working part-time in a fast food restaurant
- A woman, working as a carpenter for a large construction company
- A young man with physical challenges, starting a career as a psychologist and working with young children
- A senior, living in a senior's facility in a large city suburb
- A beginning teacher, starting to teach in a small northern community
- A senior, living in a small apartment with no family close by
- A refugee who has escaped from a war-torn country to a Canadian community
- A wealthy business owner
- A recent immigrant, who does not speak English or French
- An aboriginal student, who has moved away from family to a larger city to start university
- A francophone, living in an English speaking community

# plan of action

What are human rights plans of action? They address concerns that a community has over the extent to which human rights are recognized and implemented. Human rights action plans can involve identifying projects as simple as programs that teach citizens more about human rights, to complex projects involving the building of more public housing or health care centres. Plans of action can also include projects that focus on celebration – holding a festival to celebrate human rights milestones like the *Universal Declaration of Human Rights* or the *Canadian Charter of Rights and Freedoms*.

A plan may involve a community in:

- Developing an advertising campaign to promote human rights
- Designing and implementing a local human rights education plan that offers courses on topics related to human rights
- Committing to improving access to services for disadvantaged groups, such as access to public buildings for people with disabilities, or women who need more access to affordable child care

## Projects for a plan of action

These are some examples of the types of projects one community identified to start to develop their plan of action. How could each of these projects be expanded into a plan of action?

- Organizing a construction project to make ramps for all public places and facilities so that people with disabilities have access.

- Making booklets to be distributed to all residents of the community on:

- Human rights
- Environmental issues
- Children's rights
- Women's rights

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- Holding workshops to teach people about human rights.

- Starting a cooperative childcare centre for working single parents.

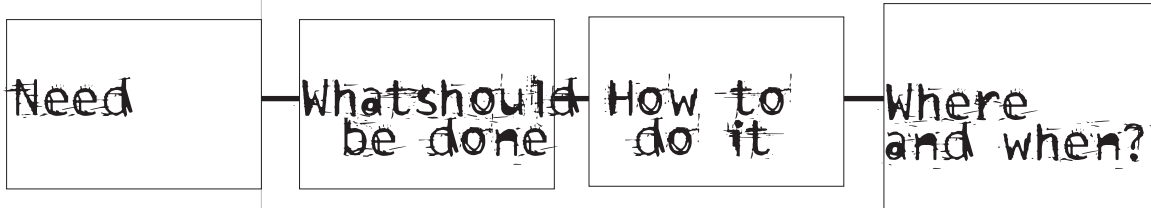
- Starting a school lunch program in city schools.

- Organizing a celebration of a Human Rights Day in the community.

to do

### Developing a plan of action

How can you start to develop your own plan of action? Identify the needs you want to meet by using a graphic organizer such as the following flow map.



Plan the project by discussing the following types of questions:

- What tasks need to be done to complete the project?
- Who will do each task?
- What materials or resources are needed? How much will these cost?

Then, organize your plan of action by listing the steps that are needed to implement the project.

Steps	Who will do them	When	What is needed to do them
1.			
2.			
3.			
4.			

# Learning tools

The learning tools are referenced throughout the lessons in this resource. In some activities, these visual organizers can be used interchangeably.

A human right is a reason to treat persons in certain ways. Human rights cannot be seen. They involve values that guide us in treating each other in ways that we think we all deserve. Human rights do not tell us who or what we are. They tell us how we should treat other human beings. Rights are reasons to treat persons in certain respectful ways.

A human right is not just a justified claim to treat others in certain ways. A right is an important, serious and powerful claim that is considered more important than other values or actions. Rights have a high priority, often higher than anything else, that people claim they are entitled to. A human right is a reason to treat persons in certain ways. Human rights cannot be seen. They involve values that guide us in treating each other in ways that we think we all deserve. Human rights do not tell us who or what we are. They tell us how we should treat other human beings. Rights are reasons to treat persons in certain respectful ways.

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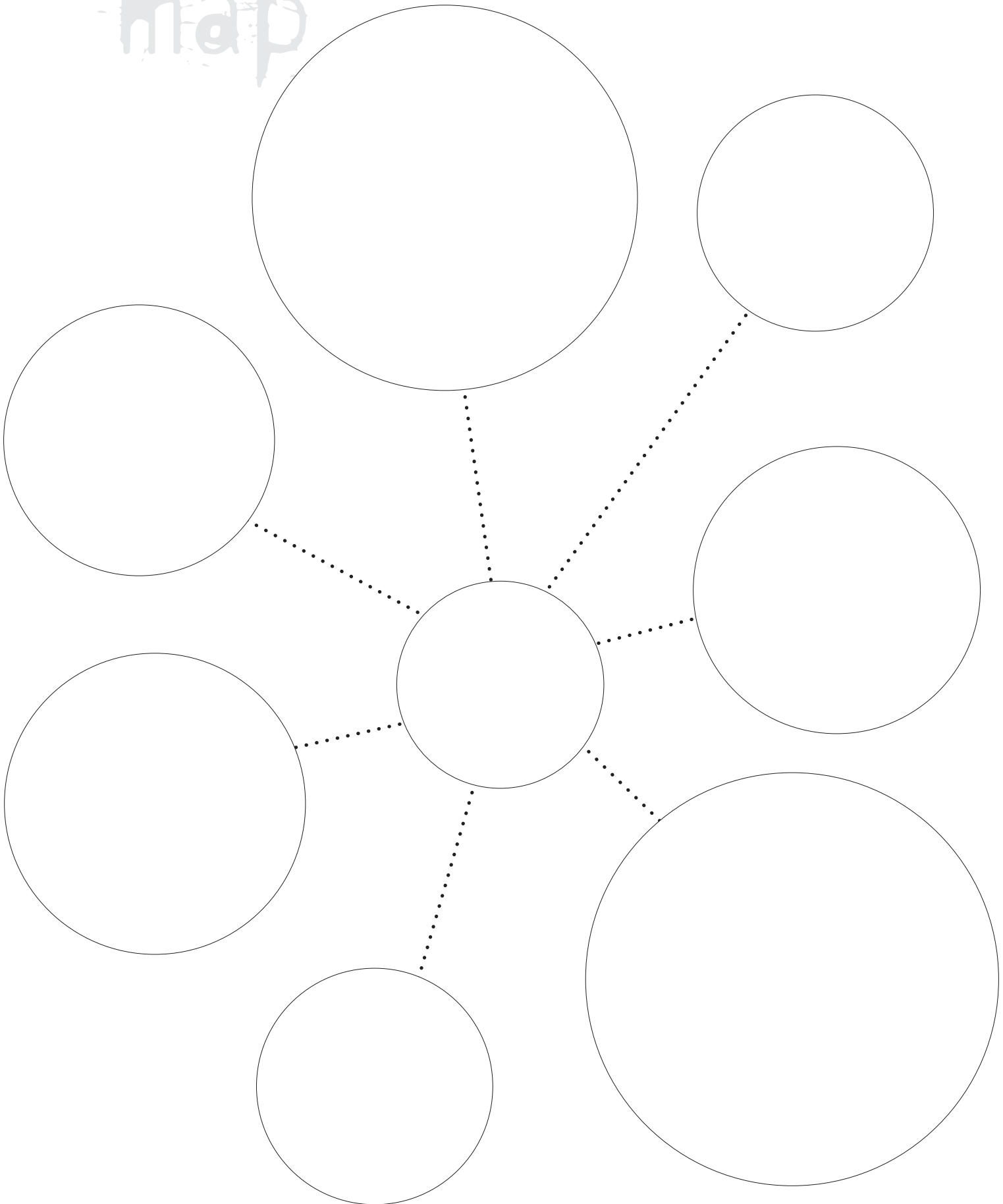
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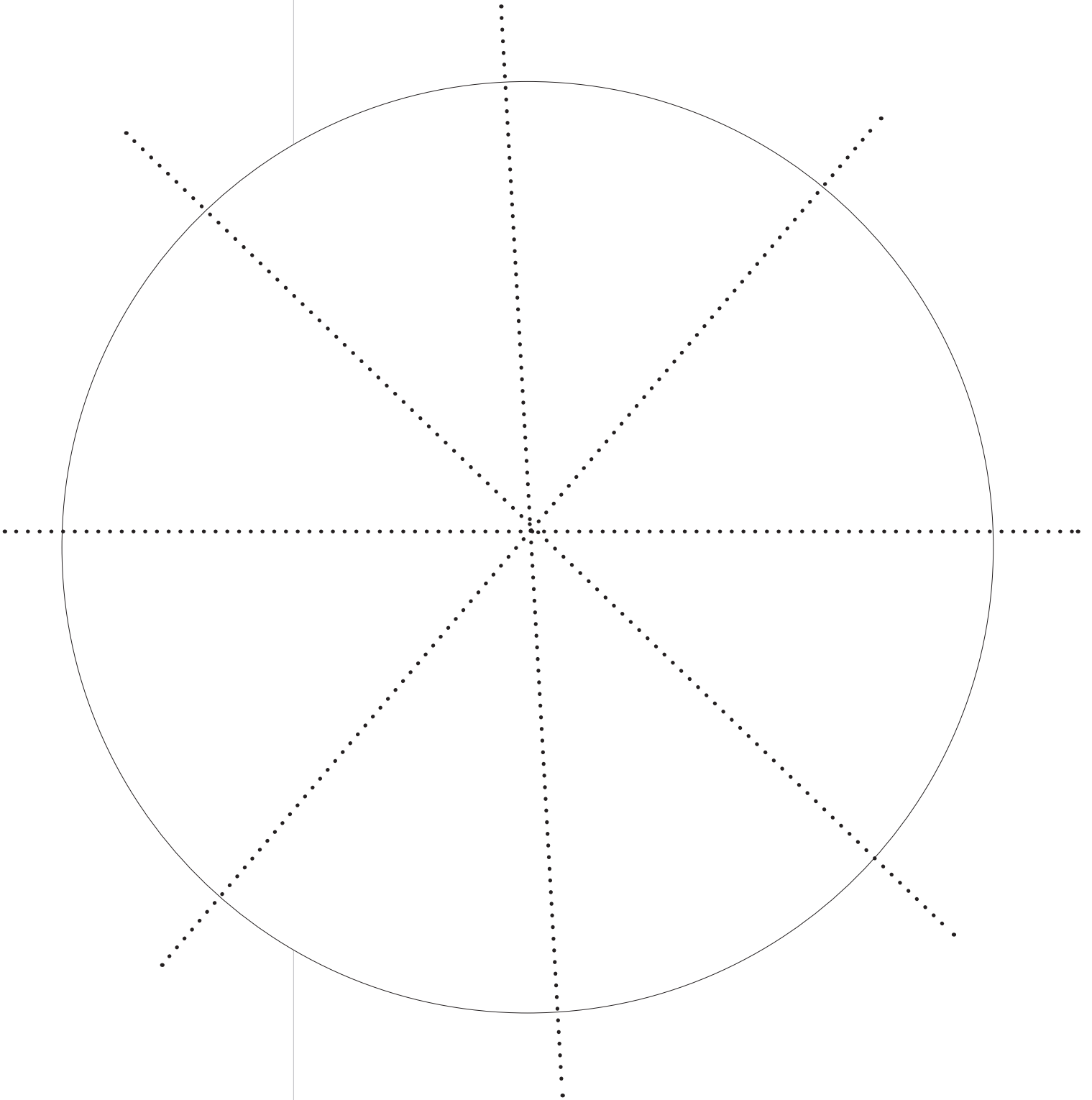
bubble map

bubble  
map



wheel chart

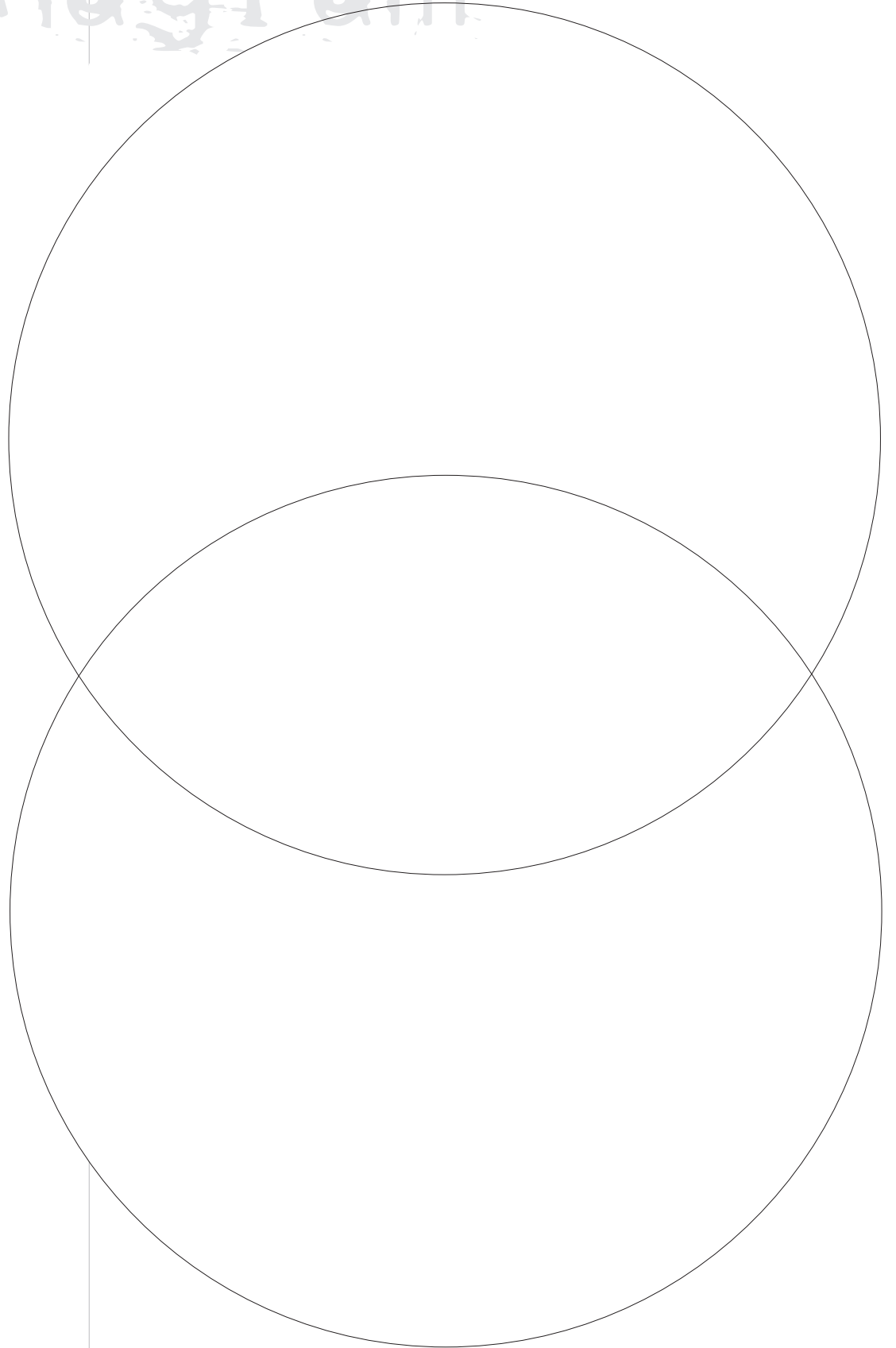
# wheel chart



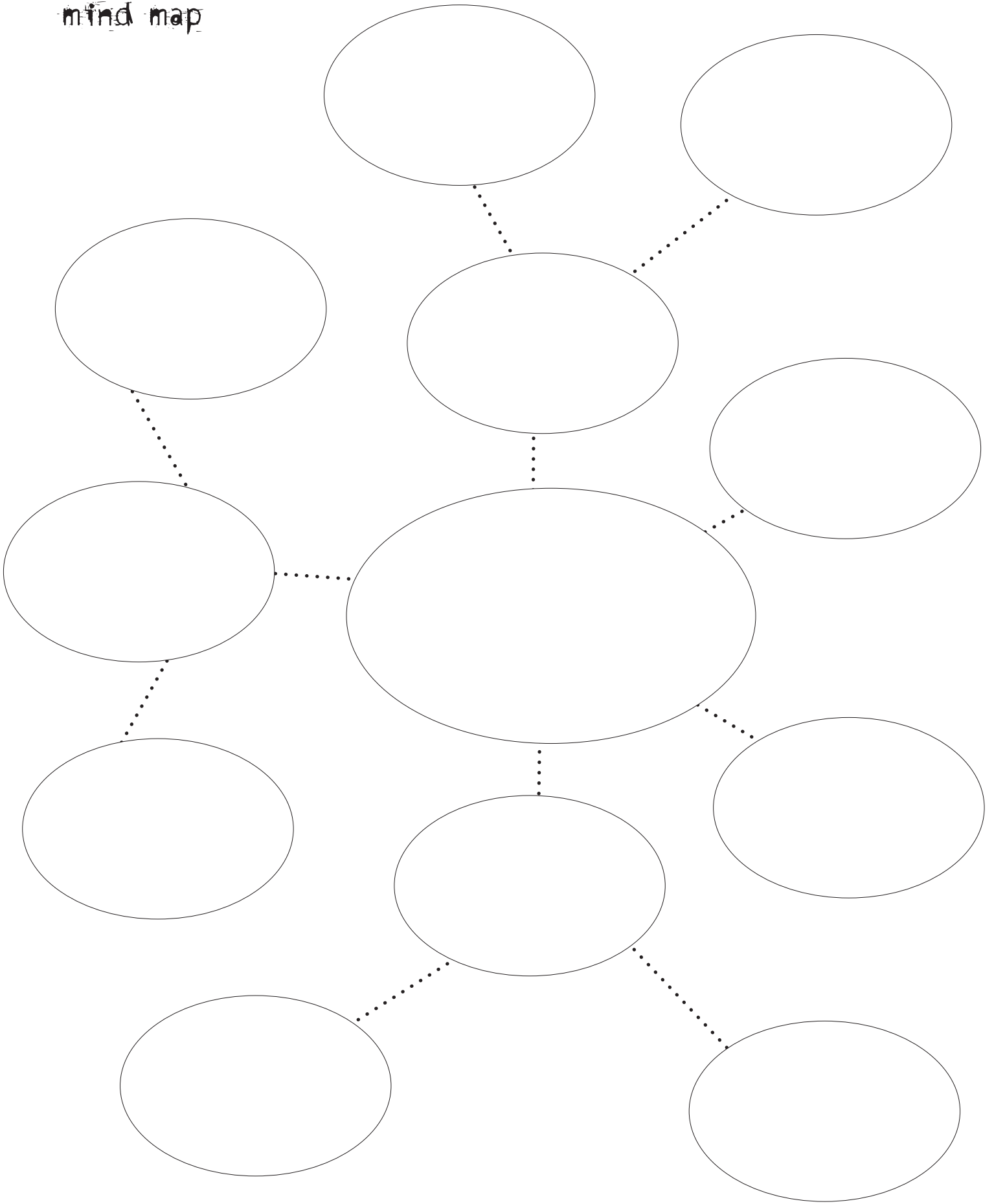


# Venn diagram

# Venn diagram

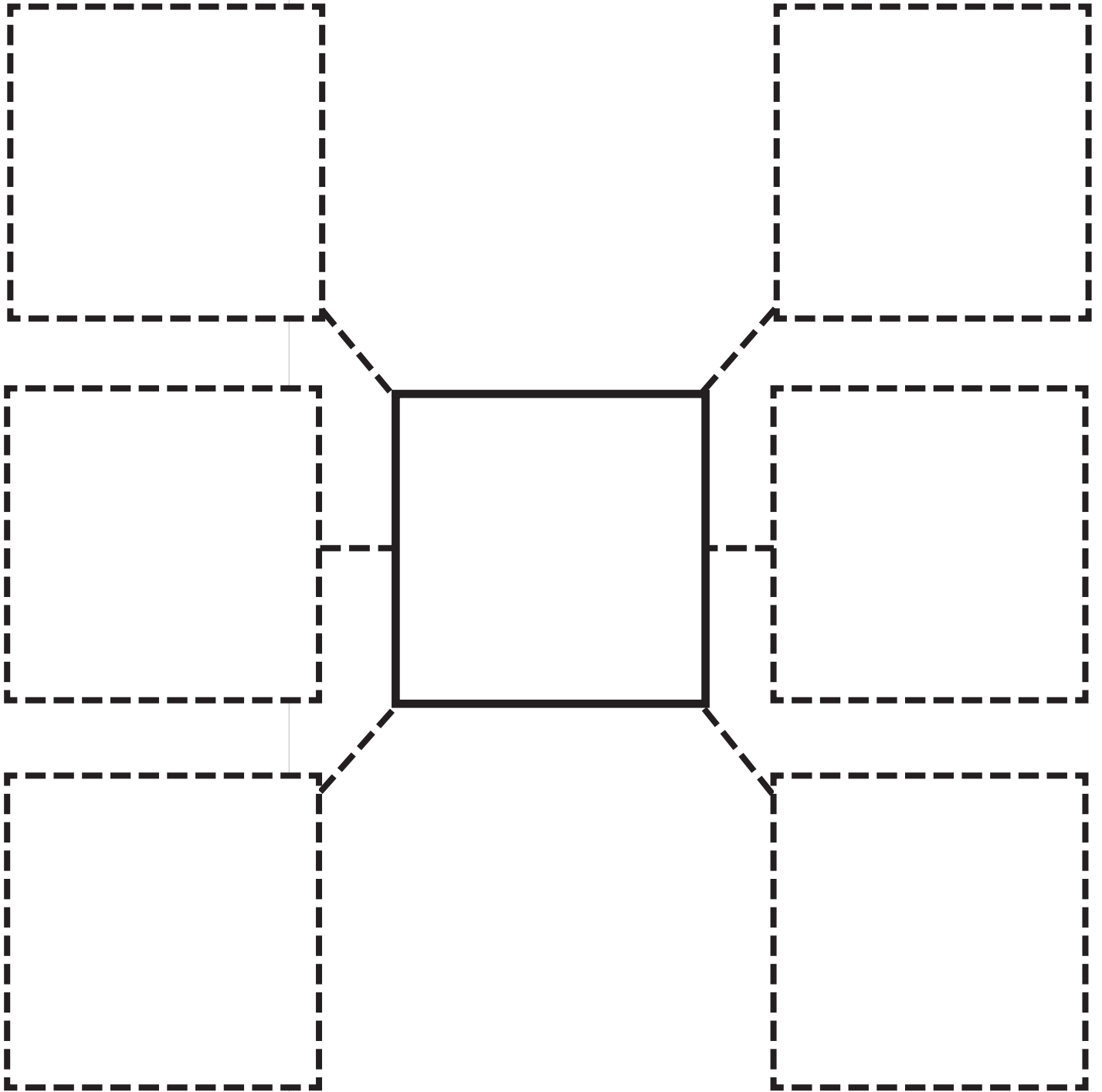


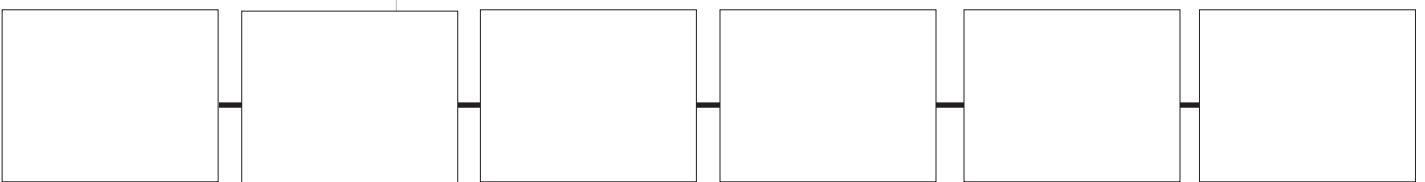
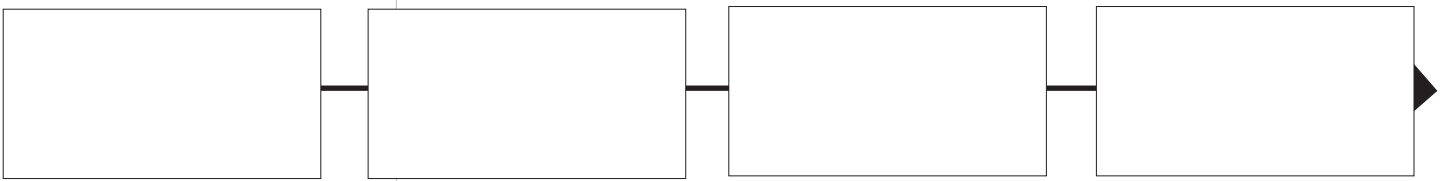
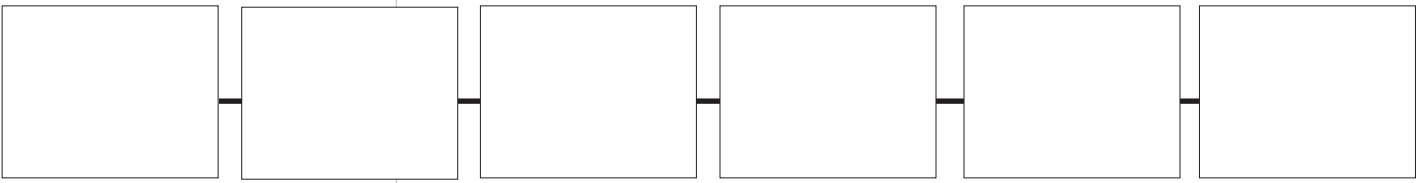
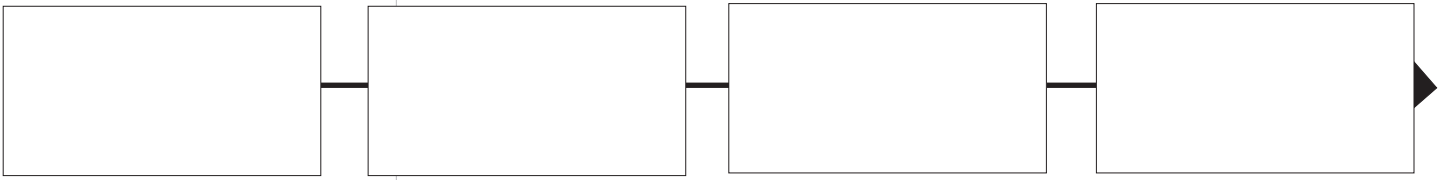
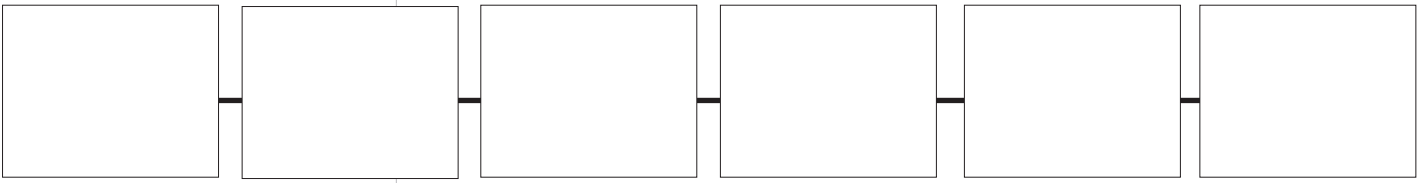
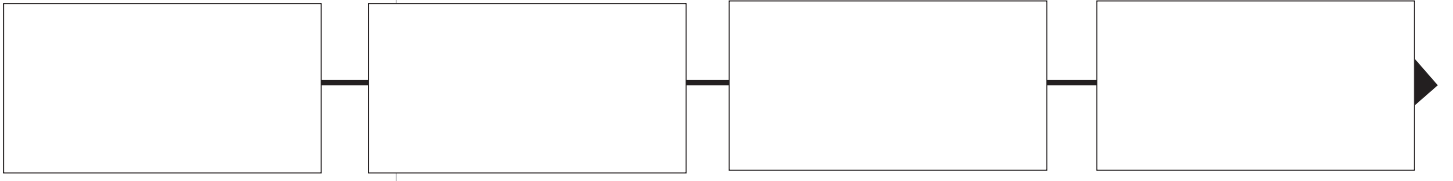
mind map



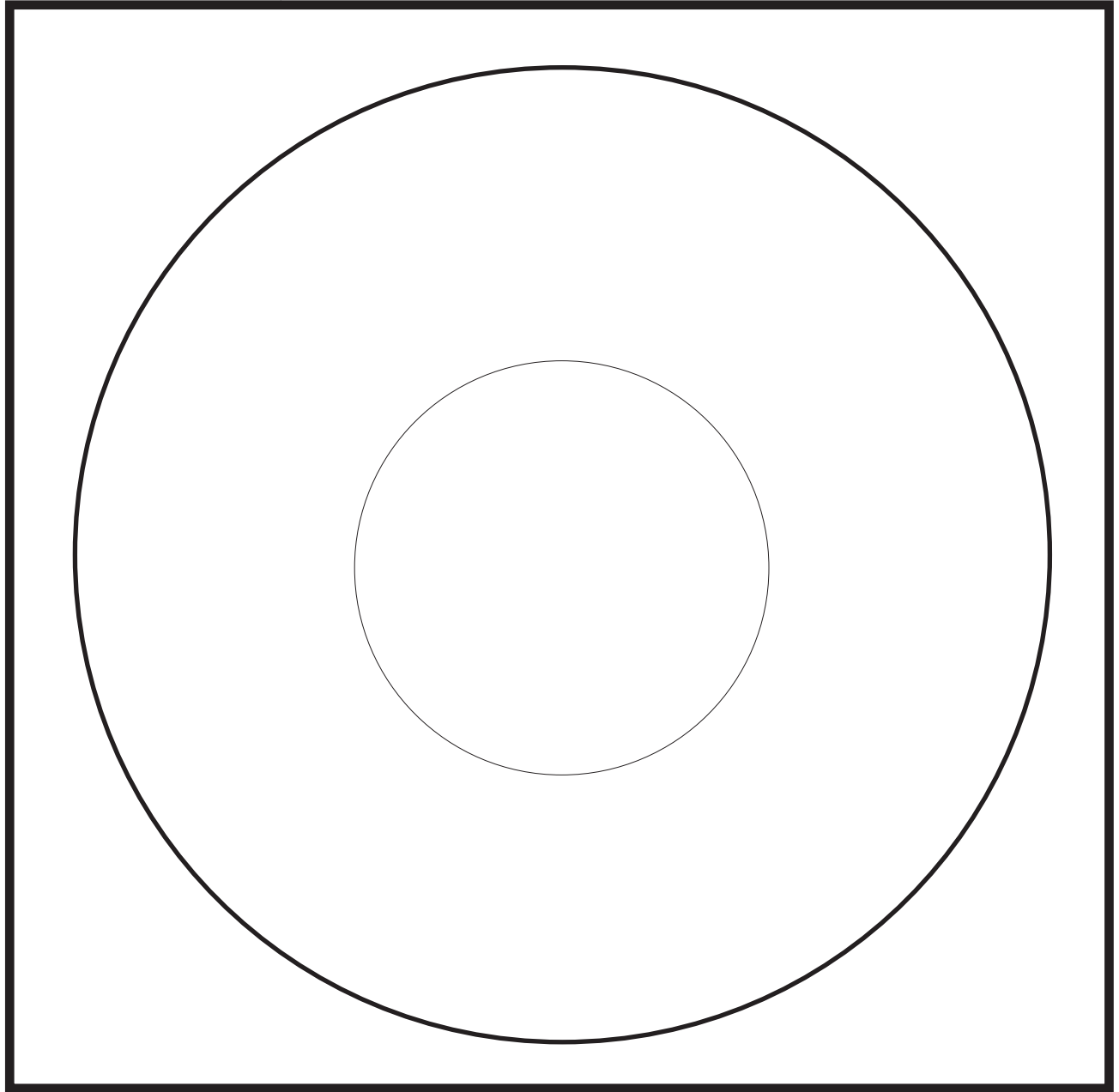
# cause and effect map

cause and effect map





frame of reference map



# retrieval chart

two-column retrieval chart

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# three-column retrieval chart

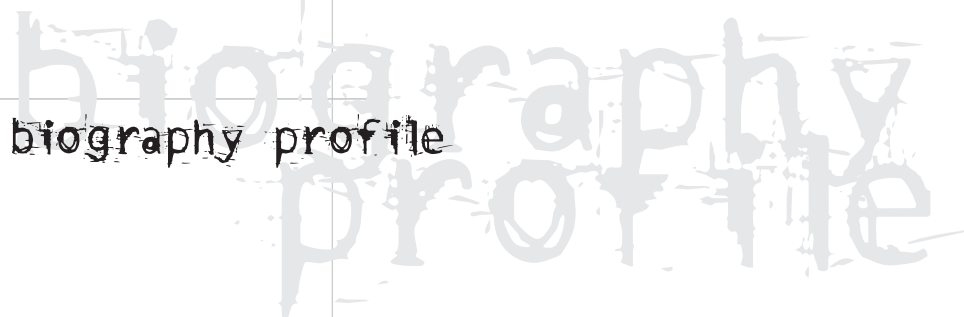
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# four-column retrieval chart

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# biography profile



NAME

WHERE I GREW UP

WHERE I LIVE

WHAT I DO

HOW HUMAN RIGHTS LEGISLATION AFFECTS ME

AN ISSUE THAT CONCERNS ME

DO I LIVE IN A HUMAN RIGHTS COMMUNITY?

