Canada

Canada is a Member State of the Organization of American States (OAS) and of the United Nations (UN), and has human rights obligations at both the regional and universal levels.

Regional: Inter-American System

As a Member of the OAS, Canada is held to the American Declaration of the Rights and Duties of Man and its human rights policies and practices are monitored by the Inter-American Commission on Human Rights. The Commission may decide complaints against the State and may also hold hearings or issue reports on the human rights situation there. Canada has not accepted the jurisdiction of the Inter-American Court of Human Rights.

Individuals and groups have submitted complaints of human rights violations committed by Canada to the Inter-American human rights system. For example, in *John Doe*, the Commission found that Canada's "direct-back policy," which sends refugee claimants to the US if they arrive in Canada through a border entry with the US and Canada is unable to process their claims at the time, violated the rights of three individuals to, among other things, seek asylum when they were sent to the United States and deported to their countries of origin. *See* IACHR, Report No. 78/11, Case 12.586, *John Doe* (State), July 21, 2011.

Additionally, the Commission has issued precautionary measures to protect people in urgent situations of risk in Canada.

Canada has not ratified any of the core regional human rights treaties.

United Nations System

As a UN Member State, Canada is subject to the oversight of various UN human rights bodies, including the Human Rights Council and its Universal Periodic Review and thematic special procedures. As a party to specific universal human rights treaties, Canada's policies and practices are monitored by UN treaty bodies. It has accepted the complaints procedure of three treaty bodies.

> Canada has ratified the following **UN human rights treaties**:
> - International Covenant on Civil and Political Rights (ICCPR)
> - International Covenant on Economic, Social and Cultural Rights (ICESCR)
> - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
> - Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
> - Convention on the Rights of Persons with Disabilities (CRPD)
> - Convention on the Rights of the Child (CRC)
> - International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Canada has submitted a reservation, declaration or understanding that modifies its obligations under the following treaties: ICCPR, CAT, CRPD, and CRC.

Canada has also ratified the Second Optional Protocol to the ICCPR aimed at abolishing the death penalty, and Optional Protocols to the CRC addressing children in armed conflict and the sale of children, child prostitution, and child pornography. Canada has a duty to submit **State reports** to each UN treaty body that is associated with the relevant treaty Canada has ratified. These reports must be submitted on a periodic basis, and describe the steps Canada has taken to implement the treaty provisions.

Canada has also ratified optional protocols and made appropriate declarations allowing individuals to submit **complaints** against the State alleging violations of the ICCPR, CEDAW, and CAT. Additionally, certain UN treaties include **inquiry procedures**, which allow the UN treaty body to consider allegations of grave or systematic human rights violations. Canada has accepted the inquiry procedures of the CAT and CEDAW.

In April 1999, Canada extended a **standing invitation** to UN special procedures, which means they are welcome to conduct visits in Canada. For example, the Independent Expert on minority issues went on a mission to Canada in October 2009 and published a report in March 2010.

For more information on Canada's engagement with UN human rights bodies, visit http://www.ohchr.org/EN/countries/LACRegion/Pages/CAIndex.aspx.

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