

a gradual legal recognition of the autonomous role civil society institutions must play in the process of reporting and monitoring the implementation of states' international obligations.

II. CURRENT CANADIAN PRACTICE

In certain countries, various participatory mechanisms, such as advisory councils composed of NGOs, members of Parliament and human rights experts, have been set up to advise on the preparation of UN reports.¹⁹ However, in Canada no institutional mechanism exists for civil society participation in monitoring and reporting on the domestic implementation of international human rights standards. Canadian practice can best be described as being based on a limited degree of governmental consultation with NGOs, and on *ad hoc* assistance being given to certain organisations involved in independent monitoring and reporting. As will be seen, however, the situation may vary from province to province, and especially between provinces and the federal government.

At the federal level, the practice is to solicit the views of NGOs early in the process of drafting government reports, *i.e.*, every two to five years, depending on the instrument concerned.²⁰ NGOs with interest in the subject-matter covered by the instrument are invited to submit their views on the issues to be addressed in the official Canadian report. Those views are then transmitted to each contributing governmental department or agency, which ultimately decides whether or not to include them in the official report. The next opportunity for civil society input comes at the very end of the process. Human

¹⁹ C. BERNARD, "Préparation et élaboration d'un rapport national", in *Manuel relatif à l'établissement des rapports sur les droits de l'homme*, Centre des Nations Unies pour les droits de l'homme, U.N. Doc. HR/PUB/91/1, p. 21.

²⁰ Reporting cycles range from 2 years in the case of the *International Convention on the Elimination of All Forms of Racial Discrimination*, to 5 years under the *Covenant on Economic, Social and Cultural Rights*, the *International Covenant on Civil and Political Rights*, and the *Convention on the Rights of the Child*. The *Convention on the Elimination of All Forms of Discrimination Against Women* and the *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatments* each provide for a 4-year cycle.