

The western prairie province of Saskatchewan consolidated its fair practice laws in a provincial Bill of Rights in 1947. By 1975, each province had established its own comprehensive human rights codes, administered and enforced by permanent human rights commissions.

The federal government passed the Canadian Bill of Rights in 1960, prohibiting discrimination at the federal level on the grounds of race, colour, national origin, religion, or sex, and also guaranteed many of the other rights

be discriminated against, rather than to the full panoply of rights covered by the ICCPR. They do not provide a single, comprehensive guarantee of human rights across the country.

In any case, these codes have the same status as other laws passed by legislators insofar as they can be amended or restricted through the normal legislative process. In theory, a government could use its power to suspend, or even revoke, the rights established through these codes.

dom of religion, and freedom of association and peaceful assembly;

- *democratic rights* — the right to vote in elections, and to run for public office;

- *equality rights*, prohibiting discrimination and, in particular, discrimination based on race, colour, national or ethnic origin, religion, sex, age, mental or physical disability;

- *legal rights*, ensuring that every Canadian has the right to life, liberty and security of the person, to protection against arbitrary searches

cultural heritage — is a fundamental part of Canadian life. And a special clause ensures that all charter rights are guaranteed equally for men and women.

Building on the Charter

Canadians recognize the Charter of Rights and Freedoms as a practical symbol of the kind of society they want to build. But they also recognize that they have not achieved perfection. Many people — women, visible minorities, aboriginal peoples, the disabled — still feel the barriers of isolation, prejudice and discrimination. Concrete action is needed to eliminate those barriers and work towards the goal defined by the charter.

The Canadian government has launched a wide range of initiatives designed to support such action. For example, through the Court Challenges Program, individuals and groups are offered assistance when challenging federal legislation, policies and programs through the courts. These "test cases" come under the equality and language provisions of the charter. In many of these test cases, individuals would be unable to bring the issue to the courts without this assistance.

Canada has set an international example by quickly incorporating United Nations conventions and agreements on human rights into its national law. For example, the government is actively working to ensure that legislation reflects UN instruments dealing with racial discrimination, women's rights, and working conditions. Such legislation reinforces the rights established in the charter.

The government has also introduced legislation that promotes specific charter rights, such as employment equity laws. These laws

protected by the International Covenant of Civil and Political Rights (ICCPR). The Canadian Human Rights Act was passed in 1977, and established the Canadian Human Rights Commission. This commission responds to complaints about discrimination and has the authority to launch its own investigations of human rights violations under the act.

The Canadian Charter of Rights and Freedoms

The federal, provincial and territorial human rights codes provide an official expression of the Canadian respect for human rights. Their application is limited, however, to the specific jurisdictions of each government, and also, in most provinces, relates primarily to the right not to

In 1982, however, a new era was ushered in with the Canadian Charter of Rights and Freedoms. The charter — recognized internationally as a model of human rights legislation — became an integral part of Canada's new Constitution, making the guarantee of human rights part of the supreme law of the land. It cannot be amended through the normal legislative process, and it gives citizens the right to appeal to the courts if any government attempts to violate their basic rights and freedoms.

The charter protects rights and freedoms in the following areas:

- *fundamental freedoms*, including freedom of expression and of the press, free-

A "Rekindle the Light" festival in Toronto in support of the victims of apartheid.

and imprisonment, to consult a lawyer if arrested, and to be presumed innocent until proven guilty of a crime;

- *mobility rights*, granting every Canadian the right to travel, to seek work, and to live in any province.

In addition to these basic rights and freedoms, the charter contains many uniquely Canadian provisions. It reaffirms that Canada is an officially bilingual country, guaranteeing the right of citizens to receive services from the federal government in either English or French. It asserts that multiculturalism — the acceptance and encouragement of Canada's multi-



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