

The fact that Canada has not acceded to the Convention has not hindered the ability of the Government to play a leading role in promoting human rights and democracy in the hemisphere. Through the Department of Foreign Affairs and International Trade (DFAIT) and the Canadian International Development Agency (CIDA), Canada supports a variety of national and multinational initiatives in human rights in Latin America and the Caribbean. Over 20 percent of CIDA's bilateral programming in the Americas is targeted to human rights, democratic development and good governance. At the 2001 OAS General Assembly in San José, Costa Rica, the Minister of Foreign Affairs announced a number of projects in support of human rights and democracy, including a project to build a network of national human rights institutions in the Americas. Canadians also have access to the inter-American human rights system, including the ability to bring petitions on human rights cases to the Inter-American Commission on Human Rights. Canada is party to all the major international human rights instruments adopted under the auspices of the United Nations, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

It has been the practice of the federal government to secure provincial and territorial support before becoming party to international human rights instruments in order to ensure their full implementation in all Canadian jurisdictions. Active discussion regarding the possibility of accession to the Convention is continuing between the federal, provincial and territorial governments.

Options for accession to the American Convention on Human Rights have been seriously examined on a regular basis since 1990 through the federal, provincial and territorial consultation process, which is part of the bi-annual meetings of the Continuing Committee of Officials on Human Rights. The question of accession to the Convention was most recently discussed with the provincial and territorial governments on May 24, 2001, and is expected to be on the agenda again at the upcoming meeting in the fall.

In their consideration of the Convention to date, the Government of Canada and the provincial and territorial governments have identified a number of provisions that are inconsistent or otherwise problematic in light of Canadian laws and practices in federal, provincial and territorial jurisdictions. Such issues could, in principle, be addressed by having Canada make reservations and statements of understanding at the time of its accession to the Convention. However, it should be noted that the number of reservations or statements of understanding that would be necessary to address federal, provincial and territorial concerns is higher than that considered necessary by the NGO community.

