

commissions definitely exists – although insufficient resources, especially in the field of research, currently hamper the capacity of even the larger commissions to effectively respond to all the potential needs of NGOs in this field.

The monitoring and reporting work by the Canadian Coalition for the Rights of Children shows another way of dealing with the issue of resources: external financing. The possibility of soliciting, receiving and utilising funds is central to NGO activity, and is mentioned as such in the *Declaration on Human Rights Defenders*.³⁸ External (especially, public) funding can be made to good use, as shown by the Coalition. However, direct funding from the state also raises inherent issues of independence and autonomy vis-à-vis the state. While reporting and monitoring need not necessarily be adversarial (dialogue with the national authorities, not confrontation, is the aim of the process), the capacity of NGOs to take an independent stand remains what distinguishes them from public authorities, and must be preserved. Perhaps the time has come to take a second look at the practice of subsidising reporting and monitoring on an *ad hoc* basis, and to contemplate innovative institutional mechanisms. The involvement of civil society in the management of public funds dedicated to reporting and monitoring might be a good way of ensuring a greater degree of respect for NGO autonomy.³⁹

CONCLUSION

Civil society has yet to find a way of participating effectively in the process of reporting and monitoring Canada's implementation of its international human rights commitments. While civil society and the state are officially "equal partners" in the promotion and defence of human rights abroad, at home civil society institutions and public authorities deal with each other on different terms.

³⁸ Article 13: "Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with [domestic law]."

³⁹ The Canadian Court Challenges Programmes might serve as an inspiration for such mechanisms.