

low-income students, without any discrimination on the basis of citizenship status;

- ♦ adopt positions in litigation which are consistent with the obligation to uphold the rights recognised in the Covenant; expand protection in human rights legislation to include social and economic rights and to protect poor people in all jurisdictions from discrimination because of social or economic status;
- ♦ adopt the necessary measures to ensure the realization of women's economic, social and cultural rights, including the right to equal pay for work of equal value; direct a greater proportion of budgets to measures to address women's poverty and the poverty of their children, affordable day care, and legal aid for family matters; implement measures that will establish adequate support for shelters for battered women, care-giving services and women's NGOs;
- ♦ review "workfare" legislation in order to ensure that none of the provisions violate the right to work freely chosen and other labour standards;
- ♦ give an even higher priority to measures to reduce the rate of functional illiteracy; and
- ♦ extend the Court Challenges Programme to include challenges to provincial legislation and policies which may violate the provisions of the Covenant.

## THEMATIC REPORTS

### Mechanisms of the Commission on Human Rights

#### Freedom of opinion and expression, Special Rapporteur on: (E/CN.4/1998/40, para. 53)

In the section on women and freedom of expression, the Special Rapporteur made reference to the report of the Canadian Panel on Violence against Women which stated that Canadian women have not enjoyed freedom of expression because their fear causes a reluctance to speak out about the violence they experience. The Panel also stated that: Canadian institutions have contributed to this situation by denying that such violence can exist, thereby supporting misogyny and abuse of power; women victims of violence in Canada, in common with women in every country, often keep silent about what has or is happening to them for a number of reasons, including fear of reprisal, shame, the belief that they are somehow responsible for the violence, the knowledge that they will not be believed, and, in some cases, suppression of the memory of violence because it is too painful to recall; research on the issue of violence against women in Canada remains incomplete because of exclusion, that is, very little research has focussed on the experiences of Inuit and Aboriginal women, women of colour, immigrant and refugee women, rural, poor or homeless women, women with disabilities, women with low literacy skills, and lesbians; and, while much research has been carried out in French and/or English, women who do not understand or speak either of these languages have been further excluded.

#### Racism and racial discrimination, Special Rapporteur on: (E/CN.4/1998/79, paras. 53, 72)

The report notes that allegations of racist incidents, racial discrimination, xenophobia and/or anti-Semitism were sent to the government. The government had not replied. No details of the cases or incidents were provided.

#### Sale of children, child prostitution, child pornography, Special Rapporteur on the: (E/CN.4/1998/101, paras. 8, 86, 90, 121)

Commentary on new media and the child as the subject of pornography, states that child pornography is now being created without using real children, and cites a case in Canada in 1993, which involved the conviction of a man who had posted on the Internet images depicting him having sex with girls, although he had never photographed or filmed actual children or manipulated images to create pseudo-photos. The report notes that under Canadian law, child pornography includes not only materials involving actual children, but those conveying the impression of children involved in sex, or advocating sex with a child under the age of 18. The legislation is based on the reasoning that the harm caused by child pornography extends beyond the direct abuse of children in its production and such material has great potential to promote child sexual abuse whether or not the child portrayed is a real individual.

With regard to education, the report refers to several programmes directed at children who are involved in, or are at risk of being lured into, prostitution. Most of the programmes aim to contact and help children decide whether to return home or receive counselling, housing, education, and employment. There are also education programmes to teach young people how to become "streetwise" as well as training programmes for teachers, social workers and others, that explain the dynamics of child prostitution, as well as programmes for parents who are trying to get their children off the streets. Reference is made to information provided by police to parents which includes a 24-point questionnaire to ascertain how parents communicate with their children, and how aware children are of safe behaviours under a variety of circumstances, including how to deal with approaches of a sexual nature.

The Special Rapporteur's (SR) interim report to the 1998 General Assembly (A/53/311, para. 61) refers to organized crime networks using children in various capacities, and notes reports indicating that in Canada a large drug ring is luring children from Honduras to Vancouver where they are being turned into "street-corner crack dealers". According to the Vancouver police, as many as 100 Honduran children have been smuggled into Canada. The Honduran smugglers reportedly pay the children's transportation costs and help them across the Canadian border. Once in Vancouver, the ringleaders allegedly place the children in apartments and help them file refugee claims and register for welfare. In return, the children, some as young as 11 years old, are forced to sell drugs on the street to pay off their "debt" to the smug-