

### III. THE HUMAN RIGHTS CHALLENGE

Before examining in detail concerns presented to the committee by witnesses, it is appropriate briefly to review Canada's major international commitments, and constitutional and legislative provisions relevant to the circumstances of the aging and elderly. These commitments provide an appropriate set of standards in relation to which Canada's performance may be viewed. They represent obligations voluntarily undertaken and they articulate, in specific terms relevant to older Canadians, the practical meaning of a commitment to their human rights.

#### A) International Commitments

##### 1. The Universal Declaration of Human Rights

The *Universal Declaration* was adopted by the U.N. General Assembly on 10 December 1948 as an overarching statement of human rights principles. Canada both supported its adoption and played an important role in its development.

The *Declaration* begins, in Article 1, with an affirmation of the fundamental human equality implicit in the concept of human rights itself: "All human being are born free and equal in dignity and rights". Article 2 further affirms that "Everyone is entitled to all the rights and freedoms set forth in this *Declaration*, without distinction of any kind." Age is not included, however, among the distinctions specifically proscribed.

Among the specific rights which the *Declaration* sets out are: freedom from arbitrary deprivation of property; the right to social security; the right to freely chosen employment, and to "protection against unemployment"; and the right to a standard of living adequate for health and well-being.

##### 2. International Covenants and Agreements

The *International Covenant on Civil and Political Rights* (C.P.) and the companion *International Covenant on Economic, Social and Cultural Rights* (E.S.C.) elaborate upon the broad rights set out in the *Declaration*. They were subject to signature and ratification by individual countries, and are thus potentially enforceable.