

Canada was founded as a confederation of strong provinces, giving full recognition to our right to be different from one another. As immigrants from many lands spread over our country, there was no real attempt to enforce assimilation. Indeed the Canadian Charter of Rights and Freedoms has now given specific constitutional support to the preservation and enhancement of this multicultural heritage. That Charter also confirms and expands the language rights of Canadians in both official languages, and includes provisions for educational facilities for the language minority in affected provinces. In the Charter, and elsewhere in the Constitution, recognition has also been given to the rights of Canada's aboriginal population.

Internationally, Canada has nothing to hide with respect to minority rights. We are one of only 34 states that have agreed to submit their record of performance under the United Nations Covenant on Civil and Political Rights to the test of petitions by individual citizens under the Optional Protocol to that Covenant. Acting on such a petition, the Human Rights Committee found that Canada was not living up to Article 27 of the Covenant, the single article in which minorities are explicitly mentioned. The issues concerned the discrimination in the Indian Act to which I have referred. We had already recognized this as a problem with Canada, and it is nothing to be ashamed of that we have had a little prodding from an impartial international committee to put our house in better order.

This issue concerned the loss of a special group right, something not available to all Canadians. The recognized rights of any group within a state must in their nature be exclusive, apart from, and in some respects in contradiction to, the general human rights available to all on a basis of equality and non-discrimination. If a language right is to have full meaning, it must be supported by measures to make possible its full expression. It will never be easy to establish such a right, and to give it substance, because there will always be many who honestly fear that to institutionalize differences of this kind may serve to sharpen these differences, and even put at risk the integrity of the state. To produce true equality for a particular group, governments may have to discriminate actively in their favour as, for example, when "affirmative action" programs are undertaken to improve the status of women. With these