

Canada - Human Rights Scorecard ¹

Canada is a country in North America consisting of ten provinces and three territories. Located in the northern part of the continent, it extends from the Atlantic to the Pacific and northward into the Arctic Ocean. ²

Official languages: English and French

Ethnic groups: 76.7% White; 14.2% Asian; 4.3% Aboriginal; 2.9% Black; 1.2% Latin American; 0.5% multiracial; 0.3% other

Government: Federal parliamentary constitutional monarchy

- Monarch: Queen Elizabeth II
- Governor General: David Johnston
- Prime Minister: Stephen Harper

Death penalty: Abolitionist for all crimes

Population: 34.3 million

Life expectancy: 81 years

Under-5 mortality: 6.1 per 1000

Adult literacy: 99 percent



Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Respected ³

There are no reports of arbitrary or unlawful killings at the hands of the government. All fatalities at the hands of security officials are publicly reported and investigated appropriately by independent institutions.

Freedom from disappearance



Respected ⁴

There are no reports of disappearances in Canada.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Respected ⁵

Torture and other cruel, inhuman or degrading punishment is prohibited by law. These laws are consistently respected.

Freedom from arbitrary arrest or detention



Respected ⁶

The various levels of government generally respect laws that prohibit arbitrary arrest or detention. However, Canada maintains controversial "Security Certificates" where it can detain or deport foreign nationals without publicly revealing the evidence used against detainees.

Freedom from denial of fair public trial



Respected ⁷

Canada has an independent judiciary and the state respects judicial independence. The right to a fair public trial is generally upheld. There were no reports of political prisoners or detainees.

Freedom from arbitrary interference with privacy, family, home or correspondence



Respected ⁸

The law prohibits arbitrary interference with privacy, family, home or correspondence. The state generally respects these laws. Recently, there are reports of greater government surveillance, and the possibility of less privacy in the face of new "anti-terror" legislation.

Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)⁹



Score: 12.69, Rank: 20 / 179 – Largely free, diverse and independent¹⁰

Freedom of speech and press is protected by the constitution and the government generally respects these rights. Freedom of speech does not extend to public incitements of hatred or genocide. The independent media are active.

Freedom from academic censorship



Respected¹¹

There are no reported infringements on academic freedom in Canada.

Freedom of peaceful assembly and association



Respected¹²

The law provides for freedom of peaceful assembly and association, which is generally respected by the government.

Freedom of religion



Partially respected^{13 14}

Freedom of religion is protected by law and is generally respected by the government. However, there are reports of religious minorities facing societal discrimination linked to Islamophobia or anti-Semitism. The 2013 Quebec Charter of Values attempted to limit religious freedom.

Protection of refugees and stateless persons



Respected¹⁵

Canadian law provides for the protection of refugees and stateless persons and the government generally complies with these laws. The state generally cooperates with international organizations to assist refugees. Canada has a controversial “Safe Third Country” agreement with the US.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{16 17}



1 / 7 – Free¹⁸

Freedom of expression is generally well protected in Canada.

Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

Overall protection of political rights (*FreedomHouse Political Rights Index*)¹⁹



1 / 7 – Free²⁰

Canada has free elections that lead to the election of the parliament and the formation of the government. Canadians are free to organize into political parties and to campaign openly. There is a practice of tough prosecution of government corruption.

Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²¹



Score: 81%, Rank: 10 / 175 – Very limited corruption²²

Reports of corruption are generally isolated and laws prohibiting corruption are well enforced. Bodies such as Quebec’s Charbonneau Commission have been created to investigate instances of more widespread corruption. The law permits public access to information.

Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Respected²³

International and domestic human rights groups operate freely within Canadian borders. The government is generally cooperative.

Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Rights of women (World Economic Forum Gender Gap Index)²⁴



Score: 74.6%, Rank: 19 / 142 – Somewhat unequal rights^{25 26}

While many women in Canada enjoy almost equal rights in various regards, they remain significantly underrepresented in government. Aboriginal women suffer disproportionately as victims of violence and homicide.

Rights of Children (KidsRights Index Overall Score)²⁷



Score: 73.1%, Rank: 60 / 165 – Protected²⁸

Instances of child abuse are investigated promptly and most provincial governments offer prevention services. Early marriages are not a problem in Canada.

Rights of persons with disabilities



Respected²⁹

Canadian law prevents discrimination against persons with physical, sensory, intellectual, or mental disabilities. Children with disabilities generally have access to primary and secondary school, as well as higher education. There are some disparities in educational access between provinces.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Partially respected³⁰

Canadian law prohibits discrimination based on race. However, instances of hate crimes based on race or religion were reported. Aboriginal peoples are highly underrepresented in the labour force and are more susceptible to poverty, chronic health conditions, and sexual violence.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Respected^{31 32}

Discrimination based on sexual orientation or gender identity is prohibited under Canadian law. Individual hate crimes against LGBT individuals did occur, though this behaviour is criminalized. LGBT organizations operate freely.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Respected³³

Collective bargaining and the right to unionize are protected under federal and some provincial laws. These laws are generally well enforced and apply to both public and private sector employees.

Freedom from forced or compulsory labour



Respected³⁴

Forced labour is prohibited by law and is effectively enforced by the government. Reports of forced labour are investigated and prosecuted.

Freedom from forced labour for children, and a minimum age of employment



Respected³⁵

Canada does not have a federally mandated minimum age of employment. However, regulation of child employment generally comes from a range of different laws, such as employment standards, health and safety standards, and child welfare.

Right to acceptable conditions of work



Respected³⁶

Minimum wages vary by province, but range from \$9.75 to \$11 per hour. Federal law mandates equal pay for women, Aboriginals, persons with disabilities and visible minorities. Healthy and safety standards are well enforced.

Right to employment



7.1% - Reasonable unemployment³⁷

Canadian unemployment rates are slowly stabilizing following a spike during the 2008 financial crisis.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International.

³ "Country Reports on Human Rights Practices for 2013 Canada." U.S Department of State. Accessed February 2, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

⁴ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁵ Ibid. U.S Department of State.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ Ibid. U.S Department of State.

⁹ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 179 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (25 countries), Largely free, diverse and independent; 15 – 24.99 (29 countries), Mostly free, diverse and independent; 25 – 29.99 (32 countries), Partially free, diverse and independent; 30 – 39.99 (49 countries), Partially controlled, limited or intimidated; 40 & higher (42 countries), Highly controlled, limited or intimidated.

¹⁰ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. Accessed February 2, 2015. <http://rsf.org/index2014/en-index2014.php>.

¹¹ "Country Reports on Human Rights Practices for 2013 Canada." U.S Department of State. Accessed February 2, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

¹² Ibid. U.S. Department of State.

¹³ Ibid. U.S Department of State.

¹⁴ "Canada." World Report 2014: Canada. Accessed February 2, 2015. <http://www.hrw.org/world-report/2014/country-chapters/canada>.

¹⁵ "Country Reports on Human Rights Practices for 2013 Canada." U.S Department of State. Accessed February 2, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

¹⁶ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁷ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

¹⁸ "Canada." Freedom in the World 2014: Canada. Accessed February 3, 2015. <https://www.freedomhouse.org/report/freedom-world/2014/canada#.VNDxu2R4ruR>

¹⁹ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

²⁰ "Canada." Freedom in the World 2014: Canada. Accessed February 3, 2015. <https://www.freedomhouse.org/report/freedom-world/2014/canada#.VNDxu2R4ruR>

²¹ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²² "Canada." Corruption by Country. Accessed February 3, 2015. <http://www.transparency.org/country#CAN>

²³ "Country Reports on Human Rights Practices for 2013 Canada." U.S. Department of State. Accessed February 2, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²⁴ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²⁵ "Canada." World Economic Forum. Accessed February 3, 2015. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=CAN>

²⁶ "Country Reports on Human Rights Practices for 2013 Canada." U.S. Department of State. Accessed February 3, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²⁷ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

²⁸ "The KidsRights Index: Overall Score." The KidsRights Index. Accessed February 3, 2015. <http://www.kidsrightsindex.org/Index/Overallscore.aspx>

²⁹ "Country Reports on Human Rights Practices for 2013 Canada." U.S. Department of State. Accessed February 3, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

³⁰ Ibid. U.S. Department of State.

³¹ "ILGA World Map." International Lesbian Gay and Intersex Association. Accessed February 3, 2015. <http://ilga.org/>. See also Ibid. U.S. Department of State.

³² ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³³ "Country Reports on Human Rights Practices for 2013 Canada." U.S. Department of State. Accessed February 3, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

³⁴ Ibid. U.S. Department of State.

³⁵ Ibid. U.S. Department of State.

³⁶ Ibid. U.S. Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country

³⁷ "Global Employment Trends." International Labour Organization. Accessed February 3, 2015. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.