HUMAN RIGHTS AND IMMIGRATION
Human Rights haven’t always been acknowledged in Canada

Canada did not formally list rights of citizens until the Charter of Rights and Freedoms in 1982

The Charter of Rights and Freedoms was developed when Canada decided to have their own constitution, separate from England’s

This was called “Repatriation.” Before then Canada was a dominion of Britain. With repatriation Canada become a country in it’s own right—not ruled by Britain.

The Constitution defines the powers of the government in Canada

At this time the Charter of Rights and Freedoms was added.
REPATRIATION
Created in 1982 when Constitution was repatriated

Lays out basic civil rights. Limits the power of governments.

Note: The Charter is about preventing governments from violating rights. It does not apply to individuals, businesses or organizations.

Fundamental Freedoms:
- Freedom of conscience, religion, speech, expression, belief
- Freedom of peaceful assembly

Democratic Rights:
- Right to vote
Mobility Rights: Freedom to move around Canada and go outside of Canada

Legal Rights:
- Right to life, liberty and security of person
- Freedom from unreasonable search and seizure
- Innocent until proven guilty
- Freedom from illegal imprisonment, cruel and unusual punishment

Equality Rights
- Equal treatment under the law (no discrimination)
Language Rights:
- French and English are official languages
- Right for minority English or French language communities to be educated in their own language

Aboriginal Rights (in Constitution)
- 35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.
WHAT ARE EXAMPLES OF HUMAN RIGHTS ISSUES IN CANADA?

BEFORE THE CHARTER
- First Nations people not allowed to leave reserve without permission
- Not allowed to vote (until 1960)
- Not allowed to attend University
- Not allowed to do potlatch or dances (culture banned)
- Mandatory residential schools = cultural genocide
DOMINION ELECTIONS ACT

- Minorities not allowed to vote in Canadian elections (1900)
- Asians (Japanese, Chinese, Indian)
- First Nations
- Women
Japanese-Canadians sent to internment camps during WW2 because of fear they might be spies.

Were kept there against their will, lost all their land and property.

After war were forced to go to eastern Canada or back to Japan, even if they'd been living in Canada for generations.
Supreme Court rules that women not considered “persons” under the law (1928)
COMMUNIST PARTY IS OUTLAWED UNDER THE WAR MEASURES ACT (1940)
ALBERTA GOVERNMENT PASSES A LAW ORDERING STERILIZATION OF PATIENTS IN PSYCHIATRIC HOSPITALS (1928-1972)
Voting Should Be Easy for Everyone

Every voter in Canada has a right to access their polling station. But until recently, not every polling station was accessible to people with disabilities.

James Hughes had to use a wheelchair and walker to get around. When he went to vote in the 2008 elections, a long flight of stairs blocked his way down to the voting booths. He looked for a ramp, but found only a locked door. Determined to vote, and with no other alternative, Mr. Hughes went down the stairs on the seat of his pants. He sent a letter to Elections Canada describing his difficult experience, but nothing was done.

After facing the same challenges at the same polling station during a second election, Mr. Hughes filed a complaint under the Canadian Human Rights Act. He argued that by failing to accommodate people with physical disabilities, Elections Canada was discriminating against them.

In 2010, the case went to the Canadian Human Rights Tribunal. Elections Canada agreed to make changes to its procedures and policies to ensure that everyone in Canada could access local polling stations and cast their vote.
The Rights of the Working Mother

When a Canadian woman chooses to have a child, she should be confident she will be supported by her employer. But this is not always the reality at every workplace in Canada, as Hayley Cole discovered.

In 2001, Hayley Cole returned to her job at Bell Canada after maternity leave. She asked that she be able to take regular unpaid breaks so that she could go home and breastfeed her son. Bell Canada accommodated her request for one year, but not beyond that.

Ms. Cole believed that she was being forced to choose between being a mom and working at Bell Canada. She filed a complaint under the Canadian Human Rights Act, arguing she was being discriminated against because of her sex and family status.

In 2007, the Canadian Human Rights Tribunal ruled in favour of Ms. Cole and ordered Bell Canada to do a better job of accommodating working mothers. This ruling applies to all employers that are under federal authority.
Gay Rights Written into Canadian Law

Everyone in Canada has the right to be treated equally. But there was a time in Canada when there was nothing a person could do if they were discriminated against because of their sexual orientation.

Joshua Birch experienced this first hand. He was serving as a captain in the Canadian Air Force when, in 1989, senior officers learned that he was gay. From that point on, he was denied promotions, postings or further military training.

Mr. Birch believed that his rights were being violated, but the Canadian Human Rights Act offered no protection. So he and his friend Graham Haig asked the courts to look at the Act and see if it should be changed.

Their efforts paid off.

In 1992, the Ontario Court of Appeal ordered that failure to include sexual orientation in the Canadian Human Rights Act was discriminatory. The Court recommended that the Act be interpreted as if sexual orientation was one of the grounds of discrimination.

It was not until 1996 that Parliament added sexual orientation to the Canadian Human Rights Act, making it an eleventh ground of discrimination that is not allowed in Canada.
Following Religious Practices While Enforcing the Law

Today, when Sikh Canadians join the Royal Canadian Mounted Police they don’t have to choose between wearing the RCMP uniform and following their religious practices. They can do both. But things were once very different.

When Baltej Singh Dhillon applied to be an RCMP officer in 1988, he was told that the RCMP’s uniform policy did not allow him to wear his turban. For Staff Sergeant Dhillon, this meant that if he wanted to join the force, he would have to compromise his religious beliefs.

Staff Sergeant Dhillon’s efforts to change the rules sparked a heated debate across Canada. Some felt that Canada’s history and traditions were threatened by the country’s growing cultural diversity.

In 1990, after seeking guidance from the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act, Solicitor General Pierre Cadieux ruled that turbans could be worn by uniformed RCMP officers. He said the decision was “not only the correct one in law but also the right decision.”

When the ruling was challenged three years later, the Canadian Human Rights Commission was there to help defend the RCMP’s decision to allow turbans. In the end, the 1990 ruling was upheld, and today, officers can choose to wear their Sikh turban while also proudly wearing their RCMP uniform.
**Equal Rights for Men and Women in Combat**

Canada is one of only a few countries in the world that allow women to serve on the front lines in combat. But it was not always so. While women have served in Canada’s military since 1885, they were prevented from performing combat roles for over one hundred years.

Four members of the Canadian Forces set out to change this. They believed it was wrong that women were prevented from having roles in combat positions or combat-related jobs, just because they were women.

Isabelle Gauthier, Marie-Claude Gauthier, Georgina Anne Brown and Joseph Houlden, all members of the Canadian Forces, filed a complaint under the *Canadian Human Rights Act* claiming discrimination based on sex. In 1989, following a Canadian Human Rights Tribunal ruling, the Canadian Forces opened all occupations, including combat roles, to women.

In 1989, Private Heather R. Erxleben became Canada’s first female Regular Force infantry soldier. Since then, hundreds of Canadian women have served in combat roles, and all women have the opportunity to pursue any position in the Canadian Forces.

**CAPTION:** Since Private Heather R. Erxleben became the first woman to serve in a combat role in 1989, other women like Corporal Venessa Larter (seen here) have gone on to do the same.

**CREDIT:** Sergeant Carole Morissette, forces.gc.ca
In 1971, Prime Minister Trudeau introduced an official policy of multiculturalism.

He said that “the various cultures and ethnic groups” in Canada “will be encouraged to share their cultural expressions and values with other Canadians and so contribute to a richer life for all.”

Canada sees itself as a “cultural mosaic” (where cultures come together but maintain their own distinct identity) rather than a “melting pot” (where diverse cultures all blend into one culture).
In the past immigration was very restrictive

National Policy (late 1800s-mid1900s) had a theory of ethnic hierarchy based on each group's "physical and cultural distance from London and the degree of Anglo-Saxon whiteness"

- "Chosen Races:" British, Scandinavian, Germans, Dutch (northern and western Europe)
- 2nd: Central and eastern Europe
- 3rd—Jews and southern Europeans
**NATIONAL POLICY, CONT’D**

- **4th** African and Asian—believed to be inassimilable. Race riots in Chinatown—“Asiatic Exclusion League” marched through Chinatown Vancouver in 1907, 10,000 people damaging buildings and assaulting residents.

- **Discrimination:** White Americans welcomed, African Americans not. Canadian agents told whites that climate of northwest was mild and healthy, told blacks it was severe.

- **5th**—First Nations people—considered wards of the state, removed to reserves to allow for settlement. In 1911 Indian act—companies and municipalities could expropriate reserve lands if needed, could relocate reserves near towns of over 8000.”
CANADA IS YOUR LAND FOR THE ASKING

HEALTH

WEALTH

ENQUIRE AT ANY CANADIAN GOVERNMENT AGENCY

MR. J. OBED SMITH, ASSISTANT SUPERINTENDENT OF EMIGRATION
11 & 12, CHARING CROSS, LONDON, S.W.

ANY LICENSED BOOKING AGENT.

48, Lord Street, Liverpool.
139, Corporation St, Birmingham.
50, Queen Street, Exeter.

44, Dawson Street, Dublin.
107, Hope Street, Glasgow.

Canadian Government Agencies in the Provinces:

54, Castle Street, Carlisle.
116, Union Street, Aberdeen.

17-19, Victoria Street, Belfast.

Market Place, Peterborough.

CANADA WEST

CANADA - THE NEW HOMELAND

FARMERS AND CATTLE
In 1885, Canada wanted to discourage Chinese immigration. Every Chinese person immigration to Canada had to pay a tax (started as $50, increased to $500). No other immigrants had to do this.

1923: Chinese Exclusion Act: tried to stop Chinese immigration all together.

Not repealed until 1947.
1967: Canada’s immigration policy made officially “color-blind”
National and racial origins no longer factors (directly)
Points system—people are scored on the following factors:

- your skills in English and/or French (Canada's two official languages),
- your education,
- your work experience,
- your age,
- whether you have a valid job offer, and
- your adaptability (how well you are likely to settle here).

Is this still discriminatory??
Family sponsorship: Canadian citizens or permanent residents can sponsor children, spouses, parents, grandparents.

Can take a very long time.

Refugees

Special programs: Temporary-foreign workers, Live-in caregivers (for elderly or children)—basically jobs that most Canadians don’t want to do.

OR highly skilled jobs/desired like artists, athletes, running a farm.

OTHER WAYS TO IMMIGRATE
MAPPING THE CHANGE

- Make a graph or chart to show the change

### Immigrants to Canada 2006-2011

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### Immigrants to Canada prior to 1970

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