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Summative Evaluation of the Human Rights Program

Office of the Chief Audit and Evaluation Executive
Evaluation Services Directorate

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Acronyms and Abbreviations

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment
CCOHR	Continuing Committee of Officials on Human Rights
CEDAW	Convention on the Elimination of Discrimination Against Women
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
F/P/T	Federal / Provincial / Territorial
HRP	Human Rights Program
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
NGOs	Non Governmental Organizations
RMAF	Results-Based Management and Accountability Framework
UDHR	Universal Declaration of Human Rights
UN	United Nations



Executive Summary

Purpose of the Evaluation

This report presents the findings of the *Summative Evaluation of the Human Rights Program (HRP)*. The report is based on research conducted for Canadian Heritage (PCH) by Cathexis Consulting Inc.

The evaluation of the Human Rights Program is intended to:

- assess the program's relevance and performance as required by the Treasury Board 2009 Policy on Evaluation;
- contribute to inform discussions on the program's alignment within the departmental program activity architecture and consideration of a new strategic outcome: "Canadians have a sense of their Canadian Identity"; and
- contribute to program improvement.

The evaluation covers the time period from April 1, 2003 to March 31, 2009. It looks at both the grants and contributions component of program as well at the role the program plays in managing the Continuing Committee of Officials on Human Rights and reporting to the United Nations under the international human rights treaties that Canada has ratified.

Findings

The following outlines some of the key findings, organized by the major evaluation issues.

Relevance/Rationale

- **Consistency with PCH and Federal Government Mandate**
All of the lines of inquiry indicate that the HRP is still consistent with the federal government's and PCH's direction and priorities.
- **Adapting to the Changing Social Environment**
There is indication that the Human Right Program adapts to the changing social environment on a regular basis. It already has measures in place to keep abreast of issues as they emerge. The evidence suggests that the HRP is flexible in its response to emerging needs.
- **Continued Need for Coordination among Governments**
There is still a need for coordination among F/P/T governments in Canada and in reporting to the UN. The Human Rights Program appears to have effective mechanisms for supporting this.

Success/Impacts

- **Impact of the Grants and Contributions Component**

The grants and contributions program has resulted in the development of promotional tools on human rights through projects spanning almost all of the provinces and territories with many of the projects being of national scope. The examples that emerged from the case studies indicate that the funded projects are within the identified priority areas of the Human Rights Program and that they are reaching the intended audience.
- **Canadian Public Accessing Human Rights Information**

Both the website and publications are broadly accessed by Canadians. Key stakeholders believe that there is an increase in awareness and knowledge. They also believe that the Human Rights Program has contributed to, but is not solely responsible for this increase.
- **Effect of the HRP on Human Rights Promotion Activities**

The Human Rights Program supports the promotion of human rights through educational and promotion activities, including through its grants and contributions, as well as through intergovernmental consultation and reporting on international human rights treaties, and through its management of the CCOHR. It appears that many of the projects funded through grants and contributions would not occur without assistance from the program.
- **Meeting International Obligations to Report**

Canada fulfills its reporting obligations to the UN. It also makes an effort to live up to the expectations of the treaties and conventions it has ratified.
- **Canadians Having Knowledge and Skills Regarding Human Rights**

The recent Decima survey demonstrates some awareness and knowledge of a number of conventions and covenants. While there is anecdotal information regarding increase in knowledge, skills and ability related to exercising human rights, there is no quantitative data to confirm this since the Decima survey has only been administered once and therefore does not demonstrate changes over time.
- **F/P/T Processes for Making Decisions on International Treaties**

Based on information from key informants, the CCOHR minutes and information about the use of publications by governments, it is evident that the federal, provincial and territorial governments do use materials published and distributed through HRP on a regular basis. If one assumes that such materials are used to assist governments in making more informed decisions and to develop positions, then the activity in this area appears to have increased over the past three years.
- **Implementation of International Human Rights Instruments in Canada**

Most of the international human rights treaties and conventions have been ratified by Canada. Human rights measures have been implemented across Canada.

Cost-Effectiveness/Alternatives

- **Effectiveness and Efficiency of HRP Delivery**

Overall, it appears that the Human Rights Program is effective and that its activities and responsibilities are carried out within a relatively small budget. There is no evidence to indicate that it could be done more efficiently by another delivery partner or federal government department. However, further investigation is needed to determine if and to what extent the Human Rights Program could be located in another department.
- **Placement of HRP within Canadian Heritage**

Placement within the department needs to be discussed and reviewed in light of recent machinery changes.
- **Duplication of Programs**

While some organizations may take on a level of responsibility for specific human rights issues or some aspects of the implementation of human rights in Canada, the Human Rights Program is in a unique position of having responsibility for coordinating, promoting, and educating around the full range of human rights issues. More importantly, it is the only program with the responsibility of reporting to the UN.
- **Effectiveness of CCOHR**

The CCOHR has mechanisms and processes to encourage and provide opportunity for F/P/T stakeholders to share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties. Key stakeholders indicated that the support provided by the HRP enhanced the ability of CCOHR to carry out its designated roles and functions.

Recommendations and Management Response

Recommendation 1:

That the Human Rights Program consider reasonable options to collect data to assess changes in Canadians knowledge and awareness of human rights, including the possibility to propose repeating the Decima survey on a regular basis. This would provide information for planning and evaluation purposes.

Management Response: accepted

The baseline survey undertaken in March 2007 was useful in shaping the focus of the Program's grants and contributions component and its web site direction. A follow-up survey would provide comparative data that would assist in priority-setting and contribute to the evaluation of education and awareness outcomes. However, given the constraints put on public opinion research, the Program will explore alternate possibilities for obtaining this information.

Implementation Schedule: A follow-up survey would be undertaken by March 31, 2013, subject to ministerial approval.

Recommendation 2:

That the Human Rights Program review the information collected through the grants and contributions database so that the following items are tracked:

- reach of the project, indicating the geographical area covered and the community or group accessed;
- type of output; and
- extent to which intended outcomes are achieved.

Management Response: accepted

The above information is included within the project file in the client's reports, the Final Report Analysis prepared by the Program Officer, and in the evaluation form completed for each project. Most of this information is captured within GCIMS); however, the Program will work with the Centre for Expertise on Grants and Contributions to explore whether amendments could be made to facilitate easier extraction of such information for evaluation purposes [e.g. inclusion of "geographic reach of project", standardized terms for type of output, scale to measure extent of achievement of outcomes].

Implementation Schedule: Database will be reviewed by March 31, 2011.

Recommendation 3:

That Human Rights Program considers keeping older documents on the website to ensure their availability to assist researchers.

Management Response: accepted

The Strategic Policy and Management Branch in the Citizenship and Heritage Sector will identify options for categories of materials that should be made available directly or through the Departmental Web site. The Branch will recommend an approach to e-Services for its consideration in the context of the Communications Policy of the Government of Canada, Common Look and Feel Standards for the Internet 2.0, other Government of Canada web site standards, departmental compliance requirements and server capacity.

Implementation Schedule: March 31, 2011.

Recommendation 4:

That the Human Rights Program's placement within the department be reviewed in light of recent machinery changes.

Management Response: accepted

The Department has placed the Program within the Strategic Policy and Management Branch in the Citizenship and Heritage Sector.

Implementation Schedule: January 18, 2010.

1. Introduction

1.1 Overview of the Human Rights Program

1.1.1 Background

The promotion and protection of human rights extends beyond legal issues and is accomplished by various means, including laws, government policies and programs. These measures share a common goal of protecting and promoting human dignity. In Canada, human rights protection and promotion is conferred by provincial, territorial and federal governments. The United Nations (UN) system plays a major role in the development of human rights, which informs and complements domestic measures.

Through the UN Charter, members of the international community, including Canada, reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women. In order to provide a common understanding of these rights, the *Universal Declaration of Human Rights* (UDHR) was adopted in 1948. The UDHR states that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world." Human rights are highly dynamic and evolving, and since then these basic principles have been elaborated upon, extended into new areas of concern, and given greater legal force.

Since the adoption of the United Nation's *Universal Declaration of Human Rights*, Canada has become a State Party to six major United Nations human rights treaties and a number of related instruments, binding itself to the implementation of their provisions. These obligations include education and promotion, and periodic reporting to United Nations Committees on the implementation of the following six human rights treaties:

- *International Covenant on Civil and Political Rights (ICCPR)*
- *International Covenant on Economic, Social and Cultural Rights (ICESCR)*
- *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)*
- *Convention on the Rights of the Child (CRC)*
- *Convention on the Elimination of Discrimination Against Women (CEDAW)*
- *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT)*

1.1.2 The Human Rights Program

First instituted in 1967 by Cabinet to mark the International Year for Human Rights, the Human Rights Program is responsible for consultation and coordination on human rights issues both between the federal and provincial/territorial governments, and among federal departments. It also provides human rights information to the Canadian public and technical and financial support to national, regional and local not for profit organizations

for projects aimed at promoting awareness, understanding and respect for human rights in Canada.

Mission and Objective

The primary mission of the Human Rights Program is to promote the awareness, understanding, respect for and enjoyment of human rights in Canada. The primary objectives of the program are:

1. To enhance the effective implementation of international human rights instruments; and
2. To increase respect for, awareness, understanding and enjoyment of human rights in Canada among the general population.

Governance

Canadian Heritage (PCH) has been responsible for the administration of the Human Rights Program since the establishment of the *Department of Canadian Heritage Act* in 1995. While accountability for effective domestic implementation of international human rights treaties and education about human rights rests jointly with federal and provincial/territorial governments, the Human Rights Program's responsibility is centered on ensuring that appropriate consultations take place between governments, between federal departments and with civil society on human rights issues. These consultations aim at ensuring that the federal government and its agencies, and the provinces and territories give appropriate consideration to human rights standards and treaties when developing or amending their policies and programs as well as ensuring promotion and access to information on the *Canadian Charter of Rights and Freedoms* and international instruments.

The Human Rights Program is coordinated and delivered at the national level. Within PCH, it was located in the Multiculturalism and Human Rights Branch until a recent reorganization that entailed a transfer of the Multiculturalism segment to the Department of Citizenship and Immigration. As a result, the Human Rights Program is now reporting to the Executive Director of the Heritage Group within Canadian Heritage, but may be relocated elsewhere in PCH.

The Program Logic

The logic model is based on the program design, delivery and logic as set out in the RMAF. There are two key components: 1) Enhanced Implementation and 2) Promotion and Education. The following elaborates on the elements of the logic model.

Program Activities

Meant to benefit all Canadians, the Human Rights Program activities involve the Canadian public, educators, non-governmental organizations, other federal departments, provincial and territorial governments, and United Nations Committees. The program involves two complementary components: 1) Enhanced Implementation; and 2) Promotion and Education. The following provides brief descriptions of each of these two components.

Enhanced Implementation

This component involves the following activities:

- *Federal-provincial-territorial consultation*: consultation and coordination with federal-provincial-territorial governments on the elaboration, ratification and implementation of international human rights treaties. The Human Rights Program manages federal-provincial-territorial discussions and acts as a point of contact with provincial/territorial governments and between orders of government to ensure that they are aware of and give appropriate consideration to international human rights treaties.
- *Interdepartmental consultation*: coordination, in collaboration with other lead departments as appropriate, of federal interdepartmental consultation on human rights issues using the following two mechanisms:
 - i. The Deputy Ministers' Committee on Human Rights; and
 - ii. Treaty-specific interdepartmental meetings.
- *Canada's Reports to UN Treaty Bodies*: overall responsibility for the preparation and publication of Canada's reports to the United Nations on the six major international human rights treaties to which Canada is a party and reports required by other United Nations human rights bodies.
- *Policy Analysis*: provision of policy advice, analysis and input to the Department and other federal government departments on domestic and international human rights initiatives.

Education and Promotion

This component focuses on activities that promote the international human rights instruments (UN treaties) and the *Canadian Charter of Rights and Freedoms*, and that educate Canadians about human rights domestically. Through an informational website, distribution of publications, responding to information requests, and through a grants and contributions program, the HRP is able to reach a broad range of Canadians, including children and youth. It also promotes its activities to the public through the Department's website and promotional material.

Program Outcomes

As indicated in the logic model, the program was designed so that short-term outcome achievement contributes to the program's medium- and long-term outcomes. Ultimately, the program is intended to ensure that human rights conditions exist that enable Canadians to live in an inclusive society.

1.2 Purpose of the Evaluation

The evaluation covers the period from April 1, 2003 to March 31, 2009. The previous evaluation, completed in 2005, covered the time period from April 1, 1998 to March 31, 2003 and made the following recommendations:

- "...it is recommended that the HRP: revisit its objectives and determine its most appropriate mandate, given its limited resources and the emergence of multiple actors in the field of human rights since the program's inception; develop a results-based management and accountability framework (including a revised logic model and clearly defined expected outcomes); and, implement an associated performance measurement strategy to ensure that the Program is able to demonstrate the achievement of intended results in the future."; and,
- "...it is recommended that the HRP continue to identify and implement new approaches that would be expected to lead to shorter, timelier reports. Understanding that some of these changes are already being implemented, it is also recommended that this be closely monitored to ensure that the intended effects are being achieved."

The RMAF indicates that HRP has revisited its objectives and outcomes and assessed its appropriate role. A new logic model was developed with revised objectives and outcomes. Its central role in enhancing domestic implementation of international human rights instruments (through ensuring effective consultation and coordination with federal departments, provincial and territorial governments and civil society) and in promoting the international human rights instruments and the Charter to Canadians was reconfirmed.

Additionally, the RMAF indicates that the HRP implemented a new approach to reporting in October 2003 that resulted in shorter reports that are more focused, consistent between sections, less duplicative, and submitted to the UN within more reasonable timeframes (3 to 6 months after UN established due dates), which was considered notable progress given that in the past the delay would range from 1 to 4 years.

This evaluation is undertaken as a requirement of the Treasury Board 2009 Policy on Evaluation. It looks at the program's relevance and performance for both the grants and contributions component of program, as well as the role the program plays in providing support to the Continuing Committee of Officials on Human Rights.

1.2.1 Use and Goals of the Evaluation

As indicated in the Results-based Management Accountability Framework (RMAF), a summative evaluation of the HRP is to be conducted every five years. At this point the evaluation is being conducted at a time when the Human Rights Program (HRP) is in the midst of substantial organizational changes as well as directional change at the departmental level. Organizationally, the HRP was previously part of the Multiculturalism and Human Rights Branch, however, following the transfer of the Multicultural Program to Citizenship and Immigration in 2008, the Human Rights Program has been temporally reporting to the Executive Director of the Heritage Group within Canadian Heritage. It is hoped that this evaluation will provide information that will be useful in making longer-term decisions regarding where the program would best fit within the department.

The program is also anticipating a shift in departmental strategic direction so that in addition to contributing to the following outcome: “Canada is an inclusive society built on inter-cultural understanding and citizen participation”, the evaluation has examined the extent to which the Program is aligned with the new strategic outcome: “Canadians have a sense of their Canadian Identity.”

Additionally, program staff have indicated they would like information regarding the extent to which the HRP has been successful and are looking for suggestions for improvement.

1.2.2 Evaluation Questions

Relevance and Rationale

1. Are the program’s mandate and objectives still consistent with federal government and PCH strategic objectives and priorities?
2. Are policy and program changes required to adapt to the changing social environment?
3. Is there a need for coordination among F/P/T governments and reporting to the UN?

Success and Impacts

4. To what extent did the Grants and Contributions component of the program contribute to the development of educational and promotional tools on human rights within identified priority areas, reach its intended audience, and increase awareness/ knowledge and understanding of priority areas?
5. To what extent did the Canadian public access information on human rights? Which audiences accessed this information? How was this information used? Did it contribute to increasing knowledge and understanding of human rights among Canadians?

6. To what extent would educational and promotional activities implemented through the HRP have taken place without HRP intervention? Would have they taken place in the same way (i.e. different in quality/scope)?
7. Is Canada meeting its international obligations: to report on human rights treaties; appear before UN human right treaty bodies; and promote human rights instruments?
8. Do Canadians have the knowledge, skills, ability and mechanisms to exercise their human rights and discharge their inherent responsibilities to respect/protect the rights of others?
9. Did F/P/T stakeholders share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties?
10. Are international human rights instruments effectively implemented in Canada?

Cost-effectiveness/Alternatives

11. Was the delivery of the HRP effective? Could another delivery partner or federal department have achieved the same results more efficiently?
12. Could the Program be placed with other Canadian Heritage programs? Why or why not?
13. Does the HRP complement, duplicate, overlap, or work at cross-purposes with other federal or provincial and territorial programs?
14. Is the CCOHR (Continuing Committee of Officials on Human Rights) an effective means by which F/P/T stakeholders can share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties?

1.3 Methodology

The methodology was based on the evaluation matrix. It included a document review, a literature review, review of funded program files, in-depth review of eight selected cases, review of the grants and contributions and publications databases, analysis of secondary data from the 2007 Human Rights Awareness Study conducted by Decima Research, and key stakeholder interviews. The following table indicates the number of people interviewed from each of the categories of stakeholders.

Category of Stakeholder	Number Interviewed
PCH Senior Management and HRP staff	7 ¹
Provincial/Territorial Representatives	11
Civil Society	3
Other Federal Departments	8
Total	29

¹ This includes two individuals who provided written responses to the interview guide.

1.3.1 Strengths and Limitations

Strengths

The evaluation draws on data from a number of different sources so that the findings from each of the sources can be compared for consistency of findings.

This evaluation does look at the Continuing Committee of Officials on Human Rights (CCOHR) and other aspects of the relationships between the federal government and the provinces and territories. This provides insight into the nature and quality of the relationships among the partners, an aspect that is important when achievement of goals is dependent on the cooperation of partners.

Limitations

All of the medium and long-term outcomes of the Human Rights Program are quite broad and achievement of the goals is not solely the responsibility of the program. In order to achieve many of its objectives the Human Rights Program relies on other federal departments, the provinces/territories and its funded projects. Consequently, it is not possible to attribute results solely to the HRP. At best, it is possible to point to HRP's contribution towards achieving the goals.

The data kept by HRP relates primarily to outputs and short-term outcomes. It is reasonable to assume that if the activities and outputs are being carried out as planned, it is more likely that the outcomes will be achieved. However, a summative evaluation is intended to look at outcomes. The primary source of medium-term and long-term outcome data is the Decima survey. Because such a survey was conducted for the first time and provides no comparative information, it is not possible at this time to assess fully whether any changes in knowledge and skills related to human rights occurred. The qualitative information gathered through interviews and case studies can provide opinion on the program's impact. However, because the data is qualitative, one cannot generalize from these findings. Consequently, this evaluation will not be able to fully address achievement of outcomes.

2. Findings

2.1 Relevance and Rationale

Consistency with PCH and Federal Government Mandate

Question 1: Are the program's mandate and objectives still consistent with federal government and PCH strategic objectives and priorities?

Canada, as a member of the United Nations, has indicated its commitment to fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women. It has signed and ratified a number of specific conventions, further reaffirming its position on human rights. *Table 1* provides a summary of major conventions ratified by Canada, indicating the date of the agreement and the United Nations monitoring body and Internet links where available.

Table 1 – Major International Conventions Signed or Ratified by Canada

Name & Acronym	Date on which Canada signed or ratified treaty	Monitoring Body
1. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	October 1970	Committee on the Elimination of Racial Discrimination (CERD)
2. International Covenant on Civil and Political Rights (ICCPR)	May 1976	HRC
3. Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2)	Nov 2005	HRC
4. International Covenant on Economic, Social and Cultural Rights (ICESCR)	May 1976	Committee on Economic, Social and Cultural Rights (CESCR)
5. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	December 1981	Committee on the Elimination of Discrimination against Women (CEDAW)
6. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	October 2002	CEDAW
7. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	June 1987	Committee against Torture (CAT)
8. Convention on the Rights of the Child (CRC)	December 1991	Committee on the Rights of the Child (CRC)
9. Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC)	July 2000	CRC
10. Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC-OP-SC)	September 2005	CRC
11. Convention on the Rights of Persons with Disabilities (CRPD)	March 2007	Committee on the Rights of People with Disabilities (CRPD)

Canada's ratification of the United Nations conventions and protocols commits the federal government to promote effective implementation. One goal of the Human Rights Program is effective implementation of international human rights instruments, a goal that is consistent with the federal government's responsibility. The other goal of the Human Rights Program is to promote awareness and understanding of human rights, and the effective implementation of the international human rights treaties /conventions to which Canada is a party. It achieves this through education and promotion activities aimed at the general public, as well as through coordinating discussions and consultations between the federal, provincial and territorial governments and by participating in, and in some cases, facilitating, and discussions within the federal government.

Within PCH, the Human Rights Program is intended to contribute to the Department's former Strategic outcome: "Canada is an inclusive society built on inter-cultural understanding and citizen participation". With the introduction in April, 2009 of a new strategic outcome for PCH: "Canadians have a sense of their Canadian Identity", the program will need to think about how its activities and outputs contribute to Canadians having a sense of Canadian identity and whether change is needed to align to this new strategic outcome. At the time of this evaluation, the program had not yet completed this analysis.

The documents and most key informants indicate that the program's mandate and objectives are consistent with the federal government's and the department's strategic priorities. All of the interview respondents indicated that the activities of the Human Rights Program are consistent with its goals, which in turn are consistent with the federal government's international commitments to Human Rights as well as being consistent with the department's strategic direction. This is further supported by the case study review, which shows that projects funded by the Human Rights Program contribute to the key strategic objectives of the Department of promoting active citizenship and participation in Canada's civic life, and strengthening connections among Canadians. The Human Rights Program activities support Canada's core values of freedom, democracy and the rule of law and human rights. The projects also respond to Canada's obligations to promote the human rights treaties.

All of the lines of inquiry indicate that the HRP is still consistent with the federal government's and PCH's direction and priorities.

Adapting to the Changing Social Environment

Question 2: Are policy and program changes required to adapt to the changing social environment?

Human rights are constantly evolving. Since the adoption of the United Nation's *Universal Declaration of Human Rights*, the world has changed as well, for example, through technology. New areas of concern have also emerged, such as:

- Right to Water;
- Violation of Human Rights through Internet Use;
- Biotechnology; and
- Rights of Migrant Workers.

PCH key informants indicate that one of their responsibilities is to ensure that the program responds appropriately to evolving issues. This is supported by the CCOHR, with its mandate to maintain federal/provincial/territorial consultation on human rights issues. The committee provides a forum for discussing emerging issues. The minutes of the committee meetings indicate that emerging issues have been frequently addressed at meetings. A number of key informants indicated that the CCOHR has been a vehicle for consideration of new human rights issues. In this sense, recognition of the need and opportunities for ongoing change are built into the very functioning of the Human Rights Program.

If a human rights treaty affects matters of provincial/territorial jurisdiction (which is usually the case), Canada is unlikely to ratify it unless it has the support of all provinces and territories. While this makes for a very lengthy process, it is necessary to ensure that Canada is in compliance prior to ratification. In addition, there is an increasing expectation that civil society be engaged, so that the consultation process also needs to include NGOs. PCH key informants expressed concern that this expectation places increased demand on Human Rights Program staff. Because they recognize the importance of involving Civil Society, they have provided support to the CCOHR to encourage its members to involve Civil Society at the provincial and territorial levels.

There is no indication that the Human Rights Program needs to change significantly. It already has measures in place to keep abreast of issues as they emerge. The evidence suggests that the program is flexible in its response to emerging needs. However, if there is an expectation the program directly engage Civil Society, more resources will need to be focused on this activity.

Need for Coordination amongst Government

Question 3: Is there a need for coordination among governments and reporting to the United Nations?

The obligations contained in the international human rights conventions and protocols fall under the jurisdiction of federal, provincial and territorial governments. In Canada, 14 governments (1 federal, 10 provincial and 3 territorial) provide information for Canada's reports to the United Nations regarding the measures they have adopted to address human rights within their jurisdiction over a particular time period. The Human Rights Program then synthesizes the information and presents it in a manner that represents the efforts being made across Canada to address human rights issues. For instance, Canada's reports to the United Nations, which are produced by the program, are primarily presented in three parts, with each part presenting the measures adopted by the federal, provincial and territorial governments. The multiple sources of information, as well as the amount of information required for these reports would suggest a need for coordination among governments to ensure that the appropriate information is provided in a consistent and timely manner, by each jurisdiction, for each report to the United Nations. The Human Rights Program provide instructions and modalities for reporting, reviews and edits reports, suggests and negotiates changes to submissions from others (including provinces and territories) and prepares an overview of reports to ensure that pan-Canadian reports are concise and accurate.

If there is information in one report that is relevant to another international human rights instrument, or that expands on information from another report to the UN, this information is often cross-referenced by the Human Rights Program. Because of the length of the reports and the amount of information they contain, this would be very difficult to do without having a specific group responsible for tracking this information and ensuring that the appropriate references are made within each report.

At the CCOHR meetings, the Manager of the Human Rights Program is often responsible for providing the Committee with an update on Canada's reports to the United Nations, as well as coordinating the discussion and efforts of F/P/T official representatives regarding the completion and submission of such reports. At these meetings the F/P/T representatives are asked to participate in these discussions and are encouraged to voice their concerns, opinions and/or suggestions for Canada's reports to the UN, as well as provide feedback on the reports. The Human Rights Program is responsible for leading discussion of human rights issues.

Most key informants reinforced the need for coordination at the level it is currently occurring. At this time there is nothing noted in the documents or the minutes that would suggest the current coordinating structure for Canada's reports to the United Nations is not an appropriate method for ensuring the completion and submission of these reports. Key informants noted that coordination involves consulting, reporting and follow-up.

Ultimately, a single report goes to the United Nations from Canada. While each province or territory writes its own report, the Human Rights Program combines the input from federal government departments as well as the provinces and territories into a single consolidated report that provides the information required by the United Nations.

The Human Rights Program coordinates efforts to ensure that relevant federal departments as well as provinces and territories are aware of follow-up issues. For instance, when UN bodies make observations and recommendations, the program communicates these to other government departments and provinces and territories and facilitates discussion that will guide the work of other departments as well as the provinces and territories.

In conclusion, there is a need for coordination among F/P/T governments in Canada and reporting to the UN and the Human Rights Program appears to have effective mechanisms for achieving this, particularly through its management of the CCOHR.

2.2 Success / Impact

Impact of the Grants and Contributions Component

Question 4: To what extent did the Grants and Contributions component of the program contribute to the development of educational and promotional tools on human rights, within identified priority areas, reached the intended audiences and increased awareness/knowledge and understanding of priority areas?

An examination of the grants and contributions indicates that many of the funded projects were focused on human rights education and the development and dissemination of human rights tools, including educational tools. The nature of the funded projects ranged significantly, but mostly involved some type of event. Some of the more common types of funded projects include:

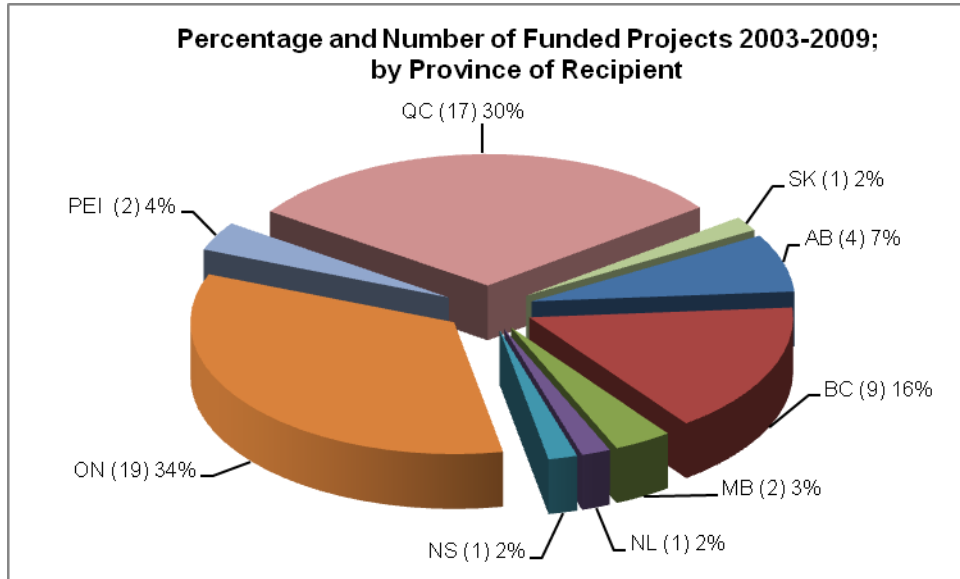
- Performances, presentations, and workshops;
- Conferences involving a number of stakeholders;
- Art festivals;
- School programs and curricula;
- Public workshops and seminars, and
- Media Conferences.

Most of the funded projects involved a variety of outputs as part of the lead up to the project or as part of wrap-up activities. The outputs included:

- Journals and publications from conferences;
- Workshop and conference proceedings and transcripts;
- Human rights guides;
- Media kits; and
- Postcards, poster, and informational pamphlets.

Figure 1 illustrates the number and percentage of projects that were funded, by province. However, these figures may be somewhat misleading. Although an organization may be located in a particular province, many of the projects are national in scope. Nineteen or about a third of the funded projects are national in scope.

Figure 1 – Percentage and Number of Funded Projects 2003-2009 by Province of Recipient



As indicated in Figure 2, most of the funding was through contribution agreements, with grants representing a very small portion. Although the following indicates the total amount awarded, it should be noted that a number of projects span more than one year.

Figure 2 – Total Project Awarded - Grants vs. Contributions by Year

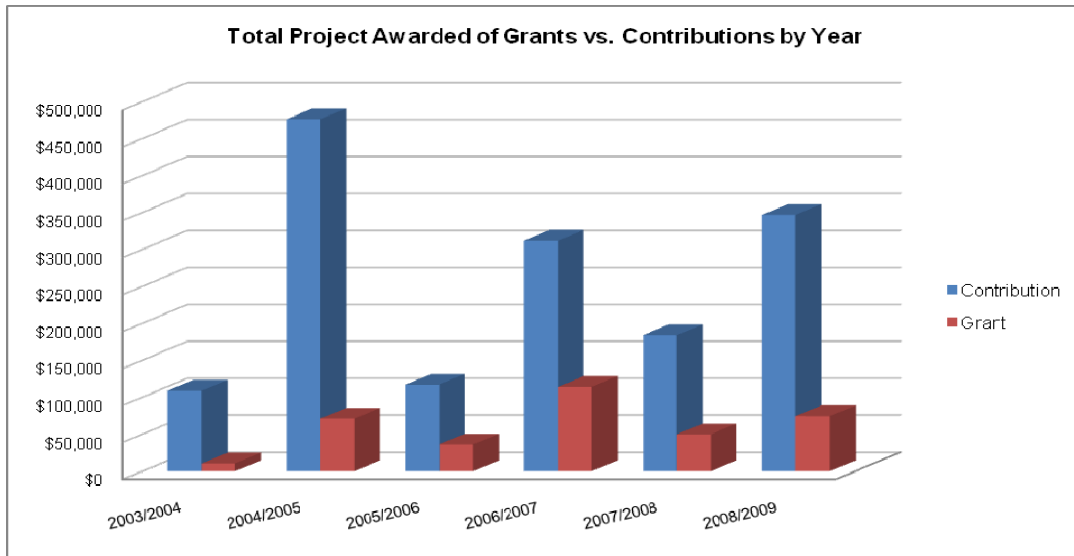


Table 2 indicates the amount awarded in each year. It should be noted that a number of the project span more than one fiscal year.

Table 2 – Total Projects Awarded – Grants and Contributions

	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	Total
Contribution	\$108,900	\$476,340	\$117,014	\$311,992	\$183,892	\$346,771	\$1,544,909
Grant	\$10,575	\$70,829	\$35,955	\$114,150	\$49,997	\$74,249	\$355,755
Total	\$119,475	\$547,169	\$152,969	\$426,142	\$233,889	\$421,020	\$1,900,664

Key informants were asked about the quality of the educational and promotional tools, developed through the funded projects. All but a couple of the respondents who had knowledge of the tools indicated that they were generally of high quality. Projects are seen to be effective and follow-ups ensure that the tools are well developed and used through various events implemented in the jurisdictions and across the country. One individual indicated that there is a need for an analysis of the gaps in awareness and implementation of specific human rights. This individual noted (without referring to specific numbers) that some of the projects appear to suffer from repetitiveness. One person also noted, some educational projects are conducted by organizations that do not have a strong educational expertise, i.e. they are not experienced professionals with an intimate knowledge of the formal school system and the details of scoping curriculum resources for practicing teachers.

The case studies indicated that projects used a variety of approaches to reach their target populations:

- Kits on human rights distributed during awareness events in school settings;
- Conferences, lectures and interactive workshops on the rights of the child, disability rights and the rights of other vulnerable groups;
- Campaigns for commemorative days such as the *60th Anniversary of the UDHR*, *Raoul Wallenberg Day* and “*Journée nationale de lutte contre l’homophobie*”;
- Pilot training seminar and training guide on international human rights instruments;
- Multi-media presentation and teacher’s guide on children’s rights and bullying in the classroom;
- Forum on human rights involving stakeholders from civil society, including chiefs of police, former gang members, academics, youth, First Nations leaders, social workers, non-profit workers and community members; and
- Guide for teachers to engage them and enhance their capacity to address human rights issues in a classroom setting.

All of the projects self-reported that they were effective in reaching the intended population and in increasing awareness/knowledge and understanding of specific human rights issues in priority areas addressed by the Human Rights Program.

The grants and contributions program has resulted in the development of promotional tools on human rights throughout Canada. The examples that emerged from the case studies indicate that the funded projects are within the identified priority areas of the Human Rights Program and that they are reaching the intended audience.

Canadian Public Accessing Human Rights Information

Question 5: To what extent did the Canadian public access information on human rights? Which audiences accessed this information? How was this information used? Did it contribute to increasing knowledge and understanding of human rights among Canadians? To what extent did the Grants and Contributions component of the program contribute to the development of educational and promotional tools on human rights, within identified priority areas, reached the intended audiences and increased awareness/knowledge and understanding of priority areas?

The program publications and website are two vehicles intended to increase knowledge and understanding of human rights among Canadians.

Figure 3 indicates the number of requests that were made in each year by an individual or organization. However, it does not indicate how many publications were requested. Figure 4 provides the total number of publications distributed. For example, in 2005/2006 a total of 135,280 publications were distributed among 1,055 total requests by an individual or organization.

Figure 3 – Number of Publication Requests by Year 2005 – 2009

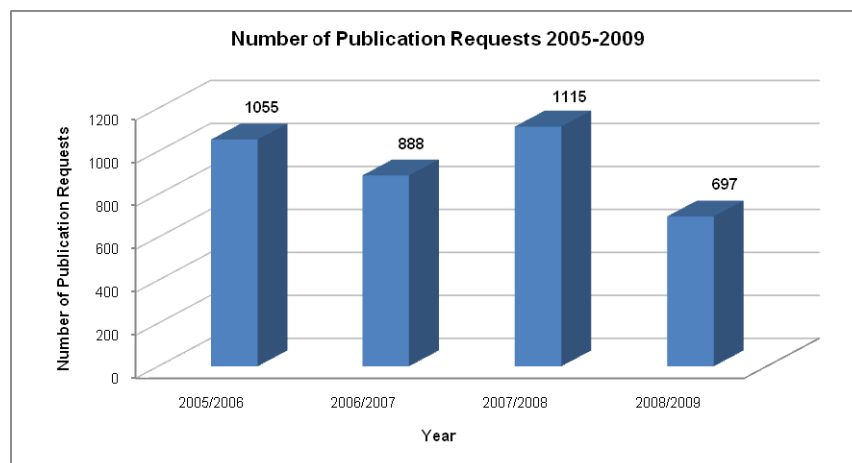
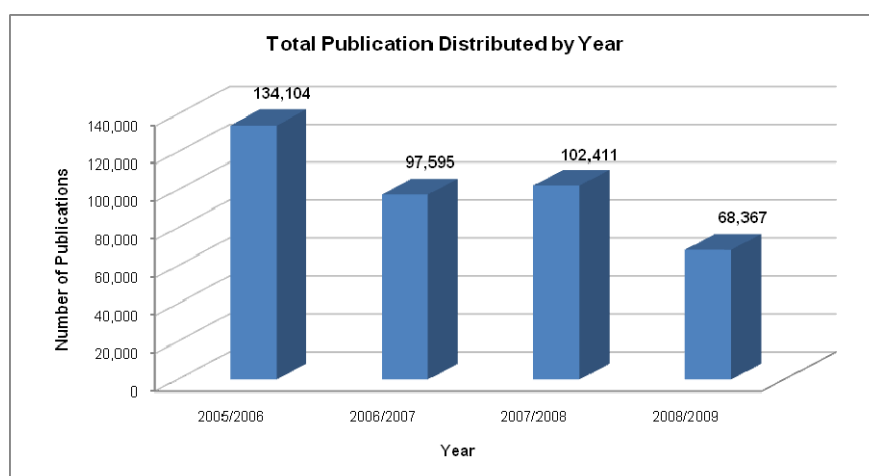


Figure 4 – Total Publication Distribution by Year, 2005-2009



Ontario has consistently received the majority of publications, peaking at nearly 100,000 in 2005/2006, which was 74% of the publications requested that fiscal year. Table 3 summarizes the number of publications ordered by province for each fiscal year.

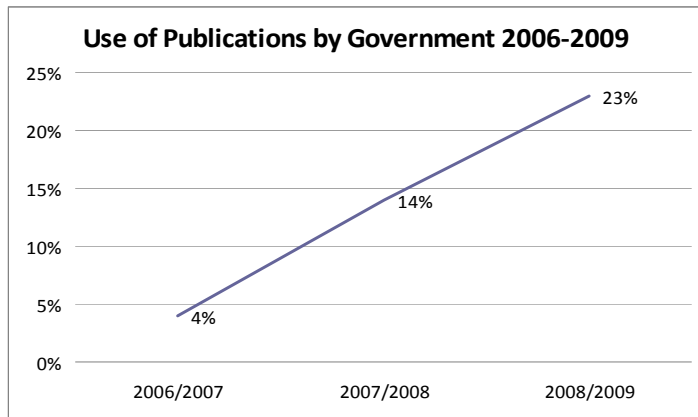
Table 3 – Number of Publications Ordered by Province

Province	2005/06	2006/07	2007/08	2008/09	Total
British Columbia	6,700	7,770	7,742	4,633	26,845
Alberta	7,410	3,192	8,301	12,329	31,232
Saskatchewan	1,544	1,673	3,533	3,311	10,061
Manitoba	2,556	3,286	3,834	1,322	10,998
Ontario	99,693	58,338	62,716	32,854	253,601
Quebec	9,165	14,052	12,016	8,449	4,3682
New Brunswick	3,000	7,291	1,463	565	12,319
Prince Edward Island	79	27	62	352	520
Nova Scotia	892	1,593	873	2,420	5,778
Newfoundland & Labrador	2,209	204	1,711	132	4,256
Yukon Territory	376	100	4	350	830
Northwest Territories	195	5	122	1,650	1,972
Nunavut	285	64	34	0	383
Total	134,104	97,595	10,2411	68,367	40,2477

The table indicates a variation in orders from province from year to year, but shows that the provinces and territories with smaller populations generally order less.

As indicated in Figure 5, government use of publications has increased substantially since 2006.

Figure 5 – Use of Publications by Government 2006–2009



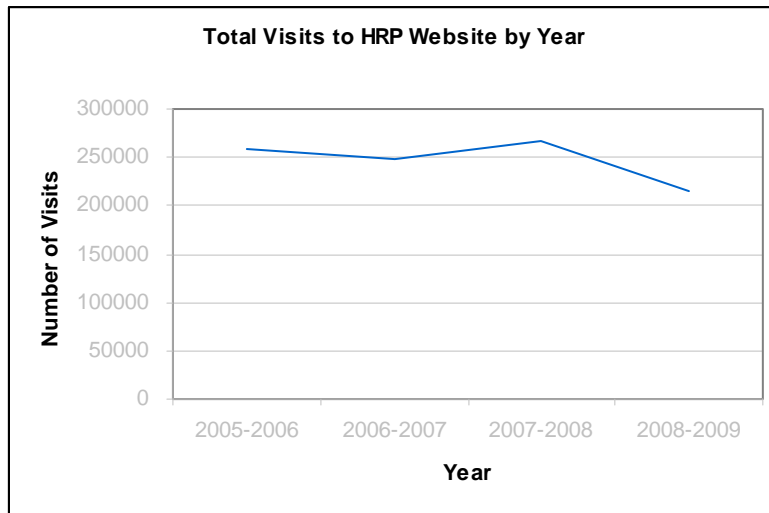
The intended uses of the publications are summarized in Table 4. Consistently, student use is the greatest each year, followed by government.

Table 4 – Intended Use of Publications by Year 2006–2009

Intended Use	2006-2007	2007-2008	2008-2009
Unknown	9,101	6,953	2,531
Colleagues	14,610	9,733	4,560
Constituents	13,203	12,261	4,718
Family	70	0	1,000
Government	3,615	14,716	15,549
Library Patrons	1,815	3,625	643
Meeting and/or Conference	7,170	300	600
Other	2,373	56	107
Personal Use	1,431	4,321	1,639
Persons with Disabilities	67	0	0
Public	1,000	0	0
Public Election Campaign	2,500	0	0
Students	21,452	31,555	19,156
Working Organization	20,135	19,891	18,021

Figure 6 indicates the number of visits to the Human Rights Program website by year.

Figure 6: Total visits to HRP Website by Year 2005–2009



The website is one of the Human Rights Program’s most used means of communicating and distributing information. Between 2005 and 2009, there were 989,998 visits made to the Human Rights Program website, with visits remaining reasonably consistent over the four-year period. While key informants indicated that there may be some areas of improvement, such as including historical documents as well as the most recent documents and tools, it is perceived by most key informants to be a highly useful communication vehicle.

The Human Rights Program website was noted by over half of key informants as being a particularly useful vehicle in making reports and instruments available to the public. There was concern expressed by one individual that, due to recent government communication policy changes, having only recent material available on the site makes it less useful. This individual noted that the Human Rights Program website is more accessible than the UN website, but has become less useful with the removal of older reports and instruments that used to be kept on the HRP Web site. Given that the program outcomes include that Canadians have access to human rights information, the impact of this change should be monitored.

In addition the program gets requests for information beyond the website and publications.

Most key stakeholders indicated that there has been an increase in awareness and knowledge about human rights in recent years. However, some also pointed out that the increase cannot be attributed solely to the publications and websites, but are also a result of media coverage of high profile cases.

Both the website and publications are broadly accessed by Canadians. Key stakeholders believe that there is an increase in awareness and knowledge. They also believe that the Human Rights Program has contributed to, but is not solely responsible for this increase.

Effect of HRP on Educational and Promotional Activities

Question 6: To what extent would educational and promotional activities implemented through the HRP have taken place without HRP intervention? Would they have taken place in the same way (i.e. different in quality/scope)?

All but one of the key informants, who felt they could respond to the above question, indicated that most of the projects would not have occurred without Human Rights Program funding. Of the 23 projects examined during the file review, 20 also received funding and financial sponsorship/partnership from other sources than the Human Rights Program. This is not surprising given that projects are required to seek other funding. There is an indication that while the funding was an important piece of the overall budget of the funded project, which enabled many of them to either complete the project (e.g. holding a conference), or develop an additional component of a project (e.g. a website), the project was not solely dependent on the Human Rights Program funding. Those receiving more substantial funds do indicate, however, that the projects would have been impossible without the grants or contributions they received from the Human Rights Program.

In some cases, the funding provided specific enhancements. For example with the conference on Women's Rights and Freedom, the funds were used to help support the accommodations for panelists and keynote speakers, as well as their travel costs, thus increasing the overall quality and success of the event.

A couple of key informants raised concern that there was no sustained funding through this program, thus making it challenging to have sustained results.

Table 5 provides the amounts of the grants and contributions awarded to each project included in the case study. The financial contribution of the Human Rights Program ranged from 5% to 80% of the total costs of the projects.

Table 5 – Case Study Examples of HRP Proportional Contribution

Project Name (Fiscal Year)	Funding (% of total)
Human Rights Education for All (2004/2005)	\$24,900 (60%)
Journée nationale de lutte contre l'homophobie (2003/2004)	\$48,000 (48%)
Women's Rights and Freedoms: 20 Years (In) Equality (2004/2005)	\$10,000 (5%)
Respect Your Rights (2005/2006)	\$10,000 (49%)
Building Human Rights Communities through Education (2006/2008)	\$12,114 (29%)
Halfway There: A Canada Fit for Children in A World Fit for Children (2006/2008)	\$44,580 (90%)
Development of Training Materials for ICESCR Specifically Related to Disability (2007/2010)	\$40,000 (51%)
Making Canada Safe, Inclusively (2007/2008)	\$35,000 (33%)

All of the case studies indicate that the funding was used for an important aspect of the project.

In addition, the Human Rights Program provides extensive educational opportunities through its coordination of CCOHR. The members of the CCOHR who were interviewed indicated that this is a vehicle through which they receive information that they can then take back to their provinces/territories. Based on the evidence found, it appears unlikely that such an opportunity would exist without the program.

The Human Rights Program supports the provision of educational and promotional activities through its grants and contributions as well as through its coordination of CCOHR. It appears that many of the projects, funded through the grants and contributions, would not occur without assistance from the program.

Meeting International Obligations

Question 7: Is Canada meeting its international obligations: to report on human rights treaties; appear before UN human rights treaty bodies; and promote human rights instruments?

Canada provides regular reports to the United Nations. Reports are produced through a collaborative effort, which the Human Rights Program staff report is quite labour intensive. Generally, there was consensus that the quality of the reports has been very good. One key informant raised concern that the process made it more difficult to provide a timely response. Another indicated that reports need to go beyond being a catalogue of the measures being taken, but should also address the impacts of those measures and include consultation with civil society. One person noted that one of the UN criticisms of Canada has been its lack of involvement of civil society.

Those who commented on appearances before the UN human rights treaty bodies indicated that the presentations are well done and well received.

One key informant pointed out that while Canada makes excellent presentations to the UN, the members of UN human rights treaty bodies often do not understand the federal structure and consequently expect the federal government to have more control over the implementation process than would be appropriate or possible.

Another indicator of the extent to which Canada is fulfilling its UN obligations is the level of awareness among Canadians of international human rights treaties and conventions. As discussed in the next section, over three quarters of Canadians have some level of awareness of UN human rights treaties or conventions.

Canada fulfills its reporting obligations to the UN. It also makes an effort to live up to the expectations of the treaties and conventions it has ratified. Overall, it seems that Canada has a very good reputation for its role in international human rights.

Canadians Having Knowledge and Skills Regarding Human Rights

Question 8: Do Canadians have the knowledge, skills, ability and mechanisms to exercise their human rights and fulfill their inherent responsibilities to respect/protect the rights of others?

Based on the projects included as case studies, many projects did reach the intended stakeholder groups and/or educated the youth with a view towards increasing the knowledge, skills and ability of Canadians to exercise their human rights.

Further, Canada's reports to the United Nations and the CCOHR minutes illustrate that, over the last five years, efforts have been made by F/P/T governments to create awareness and increase the knowledge of the public regarding human right issues within their jurisdictions. There is evidence that provinces and territories undertake promotion activities, which may be influenced by information shared at CCOHR meetings. Some examples include sponsoring or participating in symposiums, forums, conventions and/or meetings; developing, publishing and/or providing written materials to the public, (e.g. brochures, reports); as well as developing and/or providing multi-media tools regarding human rights issues.

These activities and outputs were intended to lead to long-term effects on the decision-makers of tomorrow and their attitudes toward human rights of children and of people in general. There was little information in the reports and in the CCOHR minutes indicating whether or not Canadians have the knowledge to exercise their human rights and fulfill their responsibilities to respect and protect the rights of others. However, Canada's sixth and seventh report on the *Convention on the Elimination of All Forms of Discrimination against Women* does illustrate a situation when increased awareness did lead to a more informed decision in a situation regarding a human rights issue. This situation occurred in Nunavut where the rate of shelter use for women increased by 54 percent between 2001

and 2004. This was attributed to an increased awareness about the issue of violence against women and the ability of victims of violence to access these shelters.

Most key informants indicated that they have noted an increased awareness regarding human rights. In some instances provincial representatives indicated substantial increase within the provincial government as well as with the general population, while others indicated less noticeable increases. One person indicated that government education regarding human rights needs to be provided on a regular basis because ‘institutional memory’ disappears with staff turnover.

The 2007 Decima Research Survey data provides insight into this issue. According to the research, 77% of all respondents said they are aware of at least one United Nations human rights treaty and/or convention. Below is a list indicating the percentage of awareness of the conventions referred to in the study by respondents, listed from most to least aware:

- *Convention on the Elimination of Discrimination against Women at 53%;*
- *Convention on the Rights of the Child at 50%;*
- *Convention against Torture and other Cruel, Inhuman or Degrading Treatment (45%);*
- *Convention on the Elimination of All Forms of Racial Discrimination (44%);*
- *Convention on the Rights of Persons with Disabilities (43%);*
- *International Covenant on Civil and Political Rights (24%); and*
- *International Covenant on Economic, Social and Cultural Rights (23%).*

The Decima Research data provides information on the level of knowledge of each UN human rights treaty. A smaller percentage (15%) of respondents who had some awareness of one or more conventions or treaties actually had a very good understanding of them. For example while 50% indicated awareness of the Convention of the Rights of the Child, far fewer indicated they had a very good understanding of it. Below are the top three conventions for which at least 40% respondents reported have either a very good or good understanding:

- *Convention on the Elimination of Discrimination against Women at 42%;*
- *Convention on the Elimination of All Forms of Racial Discrimination at 41%; and*
- *Convention against Torture and other Cruel, Inhuman or Degrading Treatment at 40%.*

While there is anecdotal information regarding increase in knowledge, skills and ability related to exercising human rights, there is no quantitative data at present to confirm this. The repetition of the Decima survey or any other reasonable data collection options will contribute to more substantive data on change over time.

F/P/T Processes for Making Decisions on International Treaties

Question 9: Did F/P/T stakeholders share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties?

The primary vehicle of consultation and information sharing is the CCOHR and a primary role of the Human Rights Program is to support this committee. The committee provides federal, provincial and territorial governments the opportunity to consult and share information on international human rights treaties in order to enhance domestic implementation of Canada's international human rights obligations. All the international human rights treaties to which Canada is a party are standing items on the agenda of the CCOHR.² At each meeting of CCOHR, F/P/T, representatives share information on the measures adopted within their jurisdiction in an effort to address human rights issues.³ F/P/T governments are also encouraged to learn from one another regarding measures adopted in other jurisdictions and/or legal cases that are occurring or have occurred regarding human rights violation.

While the CCOHR does not, as a forum, recommend support for signature or ratification, its individual members are responsible for recommending a position to their governments.

Consultations are currently underway through the CCOHR on Canada's possible ratification of the *Convention on the Rights of Persons with Disabilities*. It is the Government of Canada's practice to seek the official support of provinces and territories for ratification where a treaty contains provisions that fall under provincial/territorial legislative jurisdiction, as is the case of this Convention. When P/T governments official support is sought (through the Minister of Foreign Affairs), each representative on the Committee will make a recommendation to its government based on the work he/she has undertaken within that jurisdiction to ensure compliance with the treaty.

In addition to discussing measures to address human right issues, F/P/T representatives on the CCOHR also share their ideas and/or concerns regarding international human rights instruments.

Extensive consultation occurs through the CCOHR and its members. The Human Rights Program supports the sharing of information by providing information at the CCOHR meetings and to its members as new issues arise.

² Department of Canadian Heritage. Human Rights Program. *Convention on the Elimination of All Forms of Discrimination against Women, Sixth and Seventh Reports of Canada*. Ottawa: Public Works and Government Services Canada, 2007. Catalogue number CH37-4/12-2007E-PDF.

³ CCOHR meeting minutes 25/26-Nov-04

Implementation of International Human Rights Instruments in Canada

Question 10: Are international human rights instruments effectively implemented in Canada?

Based on measures that F/P/T governments have created and/or implemented to address the human rights issues outlined in the covenants, conventions and protocols that Canada has ratified, it appears that international human rights instruments are effectively implemented in Canada. F/P/T governments have adopted many measures to address the rights of Canadians living within their jurisdiction. Measures include amendments to existing and/or the creation of new legislation; the funding, conducting and/or reporting of research; the funding; developing and/or implementing of programs and services; hosting and/or participating in symposiums, conventions or forums; developing partnerships with NGOs and communities, etc. The majority of these measures have been adopted in an effort to address and implement the articles of international human rights instruments at a national, provincial and territorial level. Furthermore, these measures are an effort to address pertinent human rights issues in Canada including: human trafficking; death penalty; “war on terror”; police and security forces; the rights of Aboriginal people, women, children, persons with a disability and refugees, as well as those within sexual, religious and ethnic minorities.

In addition to Canada’s reports on international conventions, covenants and protocols, the minutes from Canada’s Continuing Committee of Officials on Human Rights, (between May 2003 and May 2008), also suggest that international human rights instruments are effectively implemented in Canada, at a national, provincial and territorial level. Throughout the CCOHR minutes F/P/T official representatives illustrate measures developed at/or implemented by various F/P/T governments to address human rights issues within their jurisdiction.

Further, the objective of many projects funded through Grants and Contributions was to promote international human rights instruments and the *Canadian Charter of Rights and Freedom*, with a view to help sensitize/educate the public to about their rights. However, the UN Committee on Human Rights did comment on the need for Canada to invest more in awareness about universal children’s rights norms.

As well, a number of key informants indicated that civil society makes use of the treaties and conventions to bring attention to issues such as poverty, Aboriginal issues and homelessness. Many of them indicated that there has been increased recognition and use of international treaties and conventions when addressing issues within Canada, pointing out that this is primarily in the political arena.

Most of the international human rights treaties and conventions have been ratified by Canada. Human rights measures have been implemented across Canada.

2.3 Cost-Effectiveness / Alternatives

Effectiveness of HRP Delivery

Question 11: Was the delivery of the HRP effective? Could another delivery partner or federal department have achieved the same results more efficiently?

The Human Rights Program operates with a total budget of \$1,214,300, allocated as follows:

- Salaries: \$566,300
- O&M \$256,000
- Grants and Contributions (Education and Promotion component only): \$392,000

There are currently 9 full-time equivalents dedicated to the operation of the Human Rights Program.

All of the key informants indicated that the Human Rights Program has been effective in supporting the CCOHR, coordinating F/P/T consultations and reporting to the UN. A number of key informants commented on how much was accomplished with such a relatively small budget. They also indicated that with the increasing emphasis on consulting civil society, the Human Rights Program may need more resources to support the increasing expectations regarding broader consultation. CCOHR members may seek support so that they in turn can increase their capacity to consult with civil society within their jurisdictions.

As indicated previously, the Human Rights Program has also been effective in the implementation of the Grants and Contributions aspect of the program. There is some evidence that the projects are providing useful tools and information to the intended audiences.

Some key informants indicated that Canadian Heritage is the most appropriate delivery agency for the program because they have no other responsibilities related to human rights, such as legislation or enforcement.

Canadian Heritage is responsible for national policies and programs that promote Canadian content, foster cultural participation, active citizenship and participation in Canada's civic life, and strengthen connections among Canadians. Under the Department of Canadian Heritage Act (1995, c.11) the Minister of Canadian Heritage is responsible for “all matters over which Parliament has jurisdiction, not by law assigned to any other department, board or agency of the Government of Canada, relating to Canadian identity and values, cultural development and heritage.” More specifically, under Section 4 (2), the Minister’s jurisdiction encompasses, but is not limited to, jurisdiction over (a) “the promotion of a greater understanding of human rights, fundamental freedoms and related values.”

The following explores briefly the feasibility of the two departments mentioned as possible host for the Program by key informants.

Justice Canada has two strategic outcomes:

- A fair, relevant and accessible justice system that reflects Canadian values.
- A federal government that is supported by effective and responsive legal service.

To achieve its strategic outcomes, the Department of Justice develops, provides guidance and implements policies, laws and programs in the areas of Aboriginal justice, criminal justice, family justice, access to justice and private international and public law.⁴

Foreign Affairs and International Trade Canada's mandate consists of⁵:

- ensuring that Canada's foreign policy reflects true Canadian values and advances Canada's national interests;
- strengthening rules-based trading arrangements and to expand free and fair market access at bilateral, regional and global levels; and
- working with a range of partners inside and outside government to achieve increased economic opportunity and enhanced security for Canada and for Canadians at home and abroad.

Its key priorities are: Economic Opportunities, the Americas, Afghanistan and Transformation.

A more in-depth analysis is required to fully identify options with regards to the location of the Human Rights Program and the roles and responsibilities of key partners for the implementation of this Program. The analysis should highlight distinctions and complementarities.

Overall, it appears that the Human Rights Program is effective and that its activities and responsibilities are carried out within a relatively small budget. There is no evidence to indicate that it could be done more efficiently by another delivery partner or federal government department. However, further investigation is needed to determine if and to what extent the Human Rights Program could be located in another department.

⁴ Department of Justice Canada – url: <http://www.justice.gc.ca/eng/pi/index.html>

⁵ Department of Foreign Affairs and International Trade Canada – url: http://www.international.gc.ca/about-a_propos/index.aspx

Placement of HRP within Canadian Heritage

Question 12: Could the Program be placed with other Canadian Heritage programs? Why or why not?

There has been some discussion regarding the location of the Human Rights Program, within Canadian Heritage.

The Human Rights Program currently reports to the Executive Director of the Heritage Group, which is part of the Citizen and Heritage Sector. This is a temporary situation that emerged from a recent machinery change. Very few people interviewed commented on where the program should be placed within the department. Those who did comment pointed to the importance of having a separate unit for the Human Rights Program because the work of the Program is sufficiently unique and high-profile.

Without a comprehensive structural review, it is difficult to know where within the Department, the program should be placed. Placement within the Citizenship and Heritage Sector appears to be appropriate. The Citizen Participation Branch does appear to have a mandate with which the Human Rights Program is compatible.

Placement of the Human Rights Program within the department needs to be discussed and reviewed in light of recent machinery changes.

Duplication of Programs

Question 13: Does the HRP complement, duplicate, overlap, or work at cross-purposes with other federal or provincial and territorial programs?

As indicated previously, the Human Rights Program activities involve the Canadian public, educators, non-governmental organizations, other federal departments, provincial and territorial governments, and United Nations Committees in enhancing implementation of human rights and in promotion and education. The program is not responsible for the work of human rights vehicles within Canada such as federal or provincial human rights commissions. The work of the Human Rights Program and human rights vehicles complement rather than duplicate each other. In fact, the program is perceived to be complementary to programs of other federal departments and provinces and territories. There is no other program with the coordination responsibility that this program has, or with the responsibility to reporting to the UN.

Other federal departments have responsibilities for human rights, some of which are not related to human rights in Canada. This does not create duplication. For example, the Canadian International Development Agency (CIDA), Foreign Affairs Canada (FAC), Justice Canada and Status of Women Canada in addition to Canadian Heritage, have adopted measures that address human rights issues, such as: funding, creating and/or implementing programs; hosting and/or participating in meetings, conventions, and/or

forums; developing and/or implementing strategies, policies and/or action plans; as well as funding and/or conducting research. Specific projects include:

- Status of Women: In March 2006, the Policy Forum on *Aboriginal Women and Violence: Building Safe and Healthy Communities* brought together over 250 delegates representative of First Nations, Inuit and Métis organizations, advocates, policy-makers, and federal, provincial and territorial officials.⁶
- Justice Canada produced a research report on Peer Public Legal Education and Information Program for Women in Family Violence Situations.
- CIDA's *Action Plan on Child Protection* promotes the rights of children in need of special protection from exploitation, abuse and discrimination. CIDA has committed to quadrupling its investment in the area of child protection between 2000 and 2005 for a total of \$122 million.
- The Human Security Program of Foreign Affairs Canada is providing \$80,000 of financial support to the NGO Watchlist on Children and Armed Conflict in its efforts to collect, verify and strategically disseminate consolidated information on violations against children in armed conflict. This project will also aim to increase the capacity of local NGOs in war affected countries in the collection and distributing this important information.⁷

Many provincial and territorial government departments have also adopted measures within their jurisdictions to address human rights issues. Furthermore, many provinces and territories have also formed human rights commissions and tribunals that administer and enforce their jurisdictions' legislation. As illustrated in Canada's fifth report on the *International Covenant on Civil and Political Rights*, these agencies are also often responsible for making the public aware of specific human rights issues and measures covered by their mandates, e.g. the Manitoba Human Rights Commission continued to administer and enforce *The Human Rights Code* of Manitoba and to educate and promote understanding of the civil and legal rights of Manitobans.⁸

While some organizations may take on a level of responsibility for specific human rights issues or some aspects of the implementation of human rights in Canada, the Human Rights Program is in a unique position of having responsibility for coordinating, promoting, and educating around the full range of human rights issues. More importantly, it is the only program with the responsibility of reporting to the UN.

⁶ Department of Canadian Heritage. Human Rights Program. *Convention on the Elimination of All Forms of Discrimination against Women, Sixth and Seventh Reports of Canada*. Ottawa: Public Works and Government Services Canada, 2007. Catalogue number CH37-4/12-2007E-PDF.

⁷ Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, First Report of Canada. (2004). Department of Canadian Heritage. Human Rights Program. Catalogue number CH37-4/8-2004E-PDF.

⁸ Department of Canadian Heritage. Human Rights Program. *International Covenant on Civil and Political Rights, Fifth Report of Canada*. Ottawa: Public Works and Government Services Canada, 2004. Catalogue number CH37-4/7-2004E-PDF

Effectiveness of CCOHR

Question 14: Is the CCOHR an effective means by which F/P/T stakeholders can share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties?

CCOHR is the principal federal provincial-territorial body responsible for intergovernmental consultations and information sharing on the ratification and implementation of international human rights treaties.⁹ The committee is composed of official representatives from federal, provincial and territorial governments. Committee meetings occur twice a year, along with monthly conference calls. These meetings provide an opportunity for F/P/T governments to consult and share information on international human rights treaties and to enhance domestic implementation of Canada's international human rights obligations. All the international human rights treaties to which Canada is a party are standing items on the agenda of the CCOHR. By facilitating the sharing of information and best practices, the CCOHR ensures awareness of treaty obligations, including the views of treaty bodies, which can influence policy and program development, and, in turn, contribute to the implementation of the treaties. The CCOHR also facilitates the preparation of Canada's reports to the UN on its implementation of human rights treaties and discussion of the concluding observations.¹⁰ The CCOHR meetings provide extensive opportunity for discussion and coordination. The agenda for the CCOHR meetings outlines each human rights issue to be addressed by the committee and related topics on the issue. The meeting agenda includes discussion on the standing items of the CCOHR generally keep to the following pattern:

- An update regarding each human rights issue at the international level. During these updates, official representatives from the provinces and territories have the opportunity to ask questions, which generates further discussion on the international situation.
- The current situation regarding Canada's report to the United Nations with regards to that particular human rights issue, e.g. when the next report is expected to be complete and which P/T's still need to submit their information, the UN's concluding observations on a report and how the F/P/T governments will address these observations. All the official representatives are invited to provide an update to the committee, as well as their thoughts, ideas and concerns regarding these reports.
- Domestic developments regarding the human rights issue in question. This discussion allows F/P/T representatives to provide the committee with updates as to the measures their jurisdictions have created and/or implemented regarding human rights issues, as well as updates on any legal cases regarding human rights violations that have occurred or are occurring in their jurisdiction.

⁹ ibid

¹⁰ Department of Canadian Heritage. Human Rights Program. *Convention on the Elimination of All Forms of Discrimination against Women, Sixth and Seventh Reports of Canada*. Ottawa: Public Works and Government Services Canada, 2007. Catalogue number CH37-4/12-2007E-PDF.

- A roundtable discussion where F/P/T representatives are able to speak further about human rights issues within their jurisdictions.

Throughout the CCOHR meetings there are opportunities for F/P/T representatives to voice their thoughts, opinions and/or concerns about human rights issues in Canada, as well as share information about the measures being adopted within their jurisdictions. Committee members are also able to discuss and compare their jurisdictions approach to certain human rights issues and/or violations with the approaches of other jurisdictions. The CCOHR meetings also provide F/P/T with the opportunity to discuss their positions on emerging human rights issues, as the right to water.

Comments from key informants indicate that the CCOHR is an effective means by which F/P/T stakeholders can share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties. They indicate that:

- The CCOHR has been an effective liaison vehicle for sharing information with F/P/T representatives and discussing human rights issues. The extent of the discussions has been good and results achieved or to be achieved have been significant.
- The HRP has done an excellent work liaising with federal departments and other levels of governments, essentially through the CCOHR meetings and the support work it has provided for the preparation of the reports and appearances at the UN.
- A body such as CCOHR is essential for coordinating the responses from the provinces and territories so that Canada can ratify treaties and conventions.

Key informants also pointed to the important support role played by the Human Rights Program.

The CCOHR has sufficient mechanisms and processes to encourage and provide opportunity for F/P/T stakeholders to share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties.

3. Conclusions

Overall, the Human Rights Program is relevant and is effective and efficient in carrying out its role and functions. It appears that a lot of good work is being carried out, but there is primarily anecdotal evidence of the impact of that work. The Human Rights Program needs to take steps that would allow it to document the impacts of the program.

Relevance/Rationale

- **Consistency with PCH and Federal Government Mandate**
All of the lines of inquiry indicate that the HRP is still consistent with the federal government's and PCH's direction and priorities.
- **Adapting to the Changing Social Environment**
There is indication that the Human Right Program adapts to the changing social environment on a regular basis. It already has measures in place to keep abreast of issues as they emerge. The evidence suggests that the HRP is flexible in its response to emerging needs.
- **Continued Need for Coordination Among Governments**
There is still a need for coordination among F/P/T governments in Canada and reporting to the UN and the Human Rights Program appears to have effective mechanisms for supporting this.

Success/Impacts

- **Impact of the Grants and Contributions Component**
The grants and contributions program has resulted in the development of promotional tools on human rights through projects spanning almost all of the provinces. The examples that emerged from the case studies indicate that the funded projects are within the identified priority areas of the Human Rights Program and that they are reaching the intended audience.
- **Canadian Public Accessing Human Rights Information**
Both the website and publications are broadly accessed by Canadians. Key stakeholders believe that there is an increase in awareness and knowledge. They also believe that the Human Rights Program has contributed to, but is not solely responsible for this increase. In the past the ability to access historical documents as well as the more recent ones, made the website a very valuable source of information.
- **Effect of the HRP on Educational Promotional Activities It Funds**
The Human Rights Program supports the promotion of human rights through educational and promotion activities, including through its grants and contributions, as well as through intergovernmental consultation and reporting on international human rights treaties, and through its management of the CCOHR. It appears that many of the projects funded through grants and contributions would not occur without assistance from the program.
- **Meeting International Obligations to Report**

- Canada fulfills its reporting obligations to the UN. It also makes an effort to live up to the expectations of the treaties and conventions it has ratified
- **Canadians Having Knowledge and Skills Regarding Human Rights**
The 2007 Decima survey demonstrates some awareness and knowledge of a number of conventions and covenants. While there is anecdotal information regarding increase in knowledge, skills and ability related to exercising human rights, there is no quantitative data to confirm this since the Decima survey has only been administered once and therefore does not demonstrate changes over time.
 - **F/P/T Processes for Making Decisions on International Treaties**
Based on information from key informants, the CCOHR minutes and information about the use of publications by governments, it is evident that the federal, provincial and territorial governments do use materials published and distributed through HRP on a regular basis. If one assumes that such materials are used to assist governments in making more informed decisions and to develop positions, then the activity in this area appears to have increased over the past three years.
 - **Implementation of International Human Rights Instruments in Canada**
Most of the international human rights treaties and conventions have been ratified by Canada. Human rights measures have been implemented across Canada.

Cost- Effectiveness/Alternative

- **Effectiveness and Efficiency of HRP Delivery**
Overall, it appears that the Human Rights Program is effective and that its activities and responsibilities are carried out within a relatively small budget. There is no evidence to indicate that it could be done more efficiently by another delivery partner or federal government department. However, further investigation is needed to determine if and to what extent the Human Rights Program could be located in another department.
- **Placement of HRP within Canadian Heritage**
Placement of the Human Rights Program within the Department needs to be discussed and reviewed in light of recent machinery changes.
- **Duplication of Programs**
While some organizations may take on a level of responsibility for specific human rights issues or some aspects of the implementation of human rights in Canada, the Human Rights Program is in a unique position of having responsibility for coordinating, promoting, and educating around the full range of human rights issues. More importantly, it is the only program with the responsibility of reporting to the UN.
- **Effectiveness of CCOHR**
The CCOHR has mechanisms and processes to encourage and provide opportunity for F/P/T stakeholders to share information on issues related to human rights, develop positions on emerging issues, and facilitate decision making on whether to sign or ratify international treaties. Key stakeholders indicated that the support provided by the HRP enhanced the ability of CCOHR to carry out its designated roles and functions.

4. Recommendations and Management Response

Recommendation 1:

That the Human Rights Program consider reasonable options to collect data to assess changes in Canadians knowledge and awareness of human rights, including the possibility to propose repeating the Decima survey on a regular basis. This would provide information for planning and evaluation purposes.

Management Response: accepted

The baseline survey undertaken in March 2007 was useful in shaping the focus of the Program's grants and contributions component and its web site direction. A follow-up survey would provide comparative data that would assist in priority-setting and contribute to the evaluation of education and awareness outcomes. However, given the constraints put on public opinion research, the Program will explore alternate possibilities for obtaining this information.

Implementation Schedule: A follow-up survey could be undertaken by March 31, 2013, subject to ministerial approval.

Recommendation 2:

That the Human Rights Program review the information collected through the grants and contributions database so that the following items are tracked:

- reach of the project, indicating the geographical area covered and the community or group accessed;
- type of output; and
- extent to which intended outcomes are achieved.

Management Response: accepted

The above information is included within the project file in the client's reports, the Final Report Analysis prepared by the Program Officer, and in the evaluation form completed for each project. Most of this information is captured within GCIMS; however, the Program will work with the Centre for Expertise on Grants and Contributions to explore whether amendments could be made to facilitate easier extraction of such information for evaluation purposes [e.g. inclusion of "geographic reach of project", standardized terms for type of output, scale to measure extent of achievement of outcomes].

Implementation Schedule: Database will be reviewed by March 31, 2011.

Recommendation 3:

That Human Rights Program considers keeping older documents on the website to ensure their availability to assist researchers.

Management Response: accepted

The Strategic Policy and Management Branch in the Citizenship and Heritage Sector will identify options for categories of materials that should be made available directly or through the Departmental Web site. The Branch will recommend an approach to e-Services for its consideration in the context of the Communications Policy of the Government of Canada, Common Look and Feel Standards for the Internet 2.0, other Government of Canada web site standards, departmental compliance requirements and server capacity.

Implementation Schedule: March 31, 2011.

Recommendation 4:

That the Human Rights Program's placement within the Department be reviewed in light of recent machinery changes.

Management Response: accepted

The Department has placed the Program within the Strategic Policy and Management Branch in the Citizenship and Heritage Sector.

Implementation Schedule: January 18, 2010.

List of Appendices

The following appendices are available upon request.

Appendix A: Human Rights Program Logic Model

Appendix B: Evaluation Matrix

Appendix C: Documents Reviewed

Appendix D: Geographic Scope of Funded Projects

Appendix E: Funded Projects 2003-2009

Appendix F: Measures to Address Human Rights

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