



United Nations Human Rights Council: Universal Periodic Review on Canada

June 2018

The United Nations Human Rights Council (UNHRC) conducts Universal Periodic Reviews (UPR) to objectively assess whether or not the 193 Member States of the United Nations (UN) are fulfilling their obligation to improve human rights situations in their countries. Along with groups made up of three Member States, the UNHRC conducts Reviews based on documents provided by the following: the State under review; independent human rights experts and groups; and other stakeholders, including national human rights institutions and non-government organizations.¹

Canada urged to end discrimination against First Nations children

Canada's 2018 UPR (facilitated by Georgia, Kenya, and Switzerland) shows that Member States have serious concerns about Canada's failure to improve the human rights situation for First Nations children. In particular, Member States urged Canada to end its discrimination against First Nations children by providing adequate and culturally appropriate needs-based funding, and by fully implementing *Jordan's Principle*,² to ensure equitable government services for First Nations children:

- India recommends that Canada “[r]emove all discriminatory practices against First Nations children in access to health, educational and social supports and services”; Ireland echoes India's concern, calling on Canada to “address the disparities in access to” government services for Indigenous children;
- Slovenia calls on Canada to “[e]nsure non-discriminatory and culturally appropriate First Nations Child and Family Services as well as other public services such as education, health, culture

and language,” and says that Canada should “[t]ake all decisions concerning First Nations peoples in consultations with them”;

- Haiti calls on Canada to “[p]rovide adequate needs-based funding for all social programmes for children and families, of the First Nations communities and Indigenous Peoples,” and Greece recommends that Canada should “[c]ontinue its efforts in order to improve healthcare and education for [I]ndigenous children, also by ensuring the allocation of adequate funds”;
- Finally, the Republic of Korea recommends that Canada “[c]ontinue efforts to expand financial and human resources to ensure the implementation of *Jordan's principle*.”³

Canada's Pledge

In response to the Review, Canada has pledged to fully implement *Jordan's Principle* to ensure that First Nations children “receive the same health and social services and supports, as other Canadian children.” They also pledge to fully implement “all the orders of the Canadian Human Rights Tribunal,” and to co-develop and transform how Indigenous child welfare is delivered in Canada.

Holding Canada Accountable

States are responsible for implementing the recommendations. The UPR holds them accountable, issuing a non-co-operation measure, if necessary.

¹ UNHRC, “Basic facts about the UPR,” <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx>

² <https://fncaringsociety.com/jordans-principle>

³ “Universal Periodic Review – Canada,” May 2018, see “Outcome of the review, Report of the Working group,” <http://www.ohchr.org/EN/HRBodies/UPR/Pages/CAIndex.aspx>