

Islamic Republic of

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to the Third Committee of the 61st General Assembly

Introduction of Draft Resolution L.43

“Situation of indigenous populations and immigrants in Canada”

New York, November 9, 2006

In the name of the God, the Compassionate, the Merciful

Mr. Chairman,

I have the honor to introduce the draft resolution L.43, entitled "the situation of indigenous peoples and immigrants in Canada". Initiated by my government, this draft resolution is in response to systematic violations of human rights in Canada, in particular those of Aborigines and immigrants. Despite its long standing policy against country specific resolutions, my delegation has deemed it imperative to bring this important case to the attention of the international community, through this august body, for due consideration and appropriate action.

The draft resolution L.43 is fully predicated on reliable facts and information already reflected in various reports of Special Procedures of the Human Rights Council as well as concluding observations of monitoring bodies of major international human rights conventions, including the following:

- Report of the Special Rapporteur on the situation of human rights of indigenous peoples pursuant to his visit to Canada;
- Report of the Working Group on Arbitrary Detention pursuant to its visit to Canada;
- Concluding observations of the Human Rights Committee;
- Concluding observations of the Committee on Economic, Social and Cultural Rights.

Mr. Chairman,

The draft resolution L.43 expresses concern at:

- The significant disparities, which is still remaining between Aboriginal peoples and the rest of the population in the areas of employment, access to water, health, housing and education;
- The situation of women prisoners in Canada, in particular Aboriginal women, women belonging to ethnic minorities and women with disabilities;
- Several aspects of the immigration law, which give the immigration officers wide discretion in detaining aliens and limit the review of decisions ordering detention;
- The negligence of the government of Canada to address the specific needs of Aboriginal women and the high rates of suicide, prostitution and child welfare issues.

Mr. Chairman,

The draft resolution calls upon the Government of Canada:

- To change the provisions of the Immigration law and/or their application policies, which give rise to cases of unjustified detention of immigrants;
- To intensify its measures to close human development indicator gaps between Aboriginal and non-Aboriginal Canadians in the fields of health care, housing, education, welfare and social services;
- To ensure that the relevant human rights legislation is amended at federal, provincial and territorial levels and its legal system enhanced, so that all victims of discrimination have full and effective access to a competent tribunal and to an effective remedy;
- To abide by its obligations under human rights conventions and under other international instruments on human rights to which it is a party, and to ensure that all disadvantaged individuals and groups such as Aboriginals, African Canadians and immigrants enjoy the rights recognized in these instruments.

Mr. Chairman and distinguished colleagues,

The human rights situation in Canada requires more attention and awareness. The Government of Canada, which has long tried to cast itself in the role of a human rights defender throughout the world, suffers from a poor human rights record at home, particularly when indigenous peoples and immigrants are concerned. Therefore, it deems necessary that the UN system reflect on human rights situations in Canada and act upon it in a manner consistent with the principles of impartiality and non-discrimination. As the Government of Canada believes and I quote "all avenues must be utilized to encourage positive change. These include dialogue, the efforts of special mechanism, and both country and thematic resolutions" end of quote, we hope that this draft resolution would be a step towards helping Canada improve its human rights records.

Finally, Mr. Chairman, my delegation would like to invite all distinguished members to support this draft resolution.

Thank you