

CANADA
Advance written questions to States under Review (SuR)
Session 2: 5 – 19 May 2008

SuR	ISSUES	QUESTIONS
Gabon		NONE
Ghana	Freedom of speech and press	Canada is pleased to note continued improvements in respect for human rights in Ghana. The Constitution of Ghana (1992) provides the basis for the protection of fundamental human rights - civil, political, social, economic and cultural rights -and is supplemented by numerous laws. In particular, Canada commends Ghana for its overall respect of freedom of speech and the press. Opportunities for vibrant political debate and a free press help to strengthen democracy in Ghana. At the same time, challenges are posed by corruption and by the lack of enforcement and operationalization of the human rights laws. What measures does the Government of Ghana intend to take to strengthen the implementation of human rights laws?
	Human rights training - Law enforcement officials	Public officials and police play a critical role in the enforcement of human rights. Human rights abuses could be avoided through sufficient training and awareness-raising initiatives. Is the Government of Ghana planning to conduct activities to further educate public officials and police about the promotion and protection of human rights?
	Freedom of opinion and expression - Right to information	The right to information, a fundamental element of the right to freedom of expression, constitutes one of the pillars for the respect of all other human rights and is particularly important in the fight against corruption. Enactment of Ghana's Freedom of Information Bill, drafted in 2002, would constitute a significant step towards realization of this right. We would appreciate further inform
Peru	Governance, Justice, Prison conditions	Peru has made significant progress in the area of human rights over the past eight years. However, the government of Peru has recognized shortcomings in the areas of governance and efficiency in the justice system, which result in obstacles to the full enjoyment of human rights. Canada is concerned about delays in the legal system which may result in prolonged detentions in facilities that have reportedly faced problems such as overcrowding, lack of appropriate medical facilities, and abuse of prisoners by prison guards. What measures is the government taking to address these problems?
	Transitional Justice	The 2003 Truth and Reconciliation Commission report, which acknowledged atrocities committed by government and terrorist forces between 1980 and 2000, was a significant step forward. Progress in implementing the report's recommendations would strengthen confidence in the capacity of Peru's government to address human rights concerns. What actions does the government plan to take to implement all of the report's recommendations?
	Indigenous Peoples	Please set out the legal framework and measures taken to ensure the full enjoyment of all human rights and fundamental freedoms without discrimination by indigenous people, including to enjoy their own culture, to profess and practice their own religion, and to use their own language.
	Women's rights	Please set out the legal framework and measures taken by your country to ensure equality between men and women and the enjoyment of all human rights and fundamental freedoms by every woman without

		discrimination.
Guatemala	Indigenous Peoples	Canada notes that the indigenous population in Guatemala, and women in particular, are vulnerable to multiple forms of discrimination including access to bilingual education, health services and participation in the decision making process. What measures are being taken to ensure the full enjoyment of all human rights and fundamental freedoms without discrimination by indigenous people, including access to education and property rights?
	Impunity, Human Rights Defenders	The UN High Commissioner for Human Rights has reported that there is a systematic lack of criminal investigation and prosecution procedures. According to the Office of the UN High Commissioner for Human Rights in Guatemala, less than 2% of serious crimes lead to convictions. According to the UN Special Rapporteur on the situation of Human Rights defenders the number and intensity of attacks (including threats) against human rights defenders has also doubled in the last 5 years. What steps will the government take to put an end to impunity and to end crimes against human rights defenders?
	Enforced Disappearances	Numerous unresolved cases of enforced disappearances remain in Guatemala. During the 36-year civil conflict, 200,000 people were reportedly killed and approximately 45,000 were reportedly 'disappeared.' Is the Guatemalan Government committed to the continued investigation of remaining cases of enforced disappearances as well as to speed up the exhumation process underway with a view to provide closure and compensation to the survivors of the victims?
	Women's rights	The killing of women (femicide) is an area of concern, with over 550 women assassinated in 2007 (representing 12% of total homicides). In addition, women continue to face problems with domestic violence. In 2007 the Judiciary registered 29,138 complaints of domestic violence. The eradication of trafficking of women and girls, as well as sexual violence, are also challenges the government has recognized. We note with satisfaction the recent adoption of a very severe law specific to femicides. What measures will the Guatemalan government take to implement this law? How is the Government responding to the need to ensure the physical security of Guatemalan women who are victims of sexual violence and abuse?
Benin		NONE
South Korea		NONE
Switzerland		NONE
Pakistan	Justice	Various international and domestic observers have noted with concern that access to justice for ordinary citizens remains limited. What measures is the government taking to ensure access to justice for ordinary citizens? Canada recommends that the government take further steps to ensure access to justice for ordinary citizens.
	Independence of the Judiciary	Canada recommends that the government foster a strong, independent, professional judiciary in Pakistan. What measures is the government taking to foster a strong, independent, professional and non-corrupt judiciary in Pakistan?
	Freedom of speech and press	Human rights for Pakistanis are enshrined in the 1973 Constitution. However, limitations to freedom of speech and press have been reported, particularly in late 2007. Please set out the legal framework and measures taken in your country for promoting and protecting the right to freedom of opinion and

		expression. What measures is the Government of Pakistan taking to ensure full realization of the rights enshrined in the 1973 Constitution?
	Women's rights	Please set out the legal framework and measures taken by your country to ensure equality between men and women and the enjoyment of all human rights and fundamental freedoms by every woman without discrimination, including measures taken to ensure that religion or culture is not used as an excuse to violate women's human rights.
	Human Rights Defenders	Please explain how persons and organizations engaged in promoting and protecting human rights and fundamental freedoms are enabled to carry out their activities protected from all sorts of violence, harassment, intimidation, or threats.
Zambia		NONE
Japan		NONE
Ukraine		NONE
Sri Lanka	Rule of Law, Independence of Institutions	Canada understands that the 17th amendment to the Constitution requires that the President appoint a Constitutional Council, with a view to ensuring the independence of key protection institutions such as the Sri Lankan Human Rights Commission, police and prison oversight bodies, and others. Could the government of Sri Lanka provide an update on the government's implementation of the 17th amendment? Canada recommends that Sri Lanka take steps to safeguard the independence of key protection institutions, including through implementation of the 17th amendment.
	Humanitarian Workers	Various international and domestic observers such as the High Commissioner for Human Rights, the High Commissioner for Refugees, and Sri Lankan civil society have noted with concern threats to humanitarian workers and the need for safe and unhindered humanitarian access to populations in need. In the government of Sri Lanka's assessment, what are the key obstacles to ensuring protection of civilians? Canada recommends that the Government of Sri Lanka take all necessary steps to ensure the protection of civilians and humanitarian workers, and safe and unhindered humanitarian access to populations in need.
	National Human Rights Institutions	National Human Rights Institutions play an important role in the promotion and protection of human rights. Canada notes that the Human Rights Commission of Sri Lanka has been accredited by the International Coordinating Committee at the observer level ("level B"). The International Coordinating Committee's rules of procedure indicate that observer status is granted where a National Human Rights Institution is not fully in compliance with the Paris Principles, or insufficient information has been provided to make a determination. What steps are being taken to bring the Sri Lankan Human Rights Commission into conformity with the Paris Principles? Canada recommends that the Government of Sri Lanka take the necessary steps to ensure the independence of the Sri Lankan Human Rights Commission, and that it has the independence and funding required to ensure that it is able to effectively carry out its mandate.
	Cooperation with the OHCHR	The Office of the High Commissioner for Human Rights (OHCHR) offers considerable assistance on human rights issues to countries around the world. Could the Government of Sri Lanka provide an update on the status of any assistance offered to it by the OHCHR? Canada recommends that the Government of Sri Lanka accept the assistance of the Office of the High Commissioner for Human Rights

		and allow it a mandate to report on human rights throughout the country. While hostilities are ongoing, a mechanism that is fully independent is all the more critical.
	Rights of the Child	The TVMP with which the Government of Sri Lanka has a close affiliation continues to have child soldiers within its ranks. What are the Government of Sri Lanka's plans and timetable to ensure that all groups with which it is to release all child soldiers and stop recruiting minors?
	Armed Groups	The Defence Secretary has stated that all armed groups in the East will be disarmed. Can the Government of Sri Lanka provide information on its plan of action and timetable to fulfil the Defence Secretary's undertaking, especially given the upcoming May 10 provincial council elections?
	Commission of Inquiry	Evidence given during public hearings of the Presidential Commission of Inquiry has implicated members of the Government and security forces in the ACF and Trinco Five murders. What steps is the Government of Sri Lanka taking as a result of the Commission?
France		NONE
Tonga		NONE
Romania		NONE
Mali	Women's rights	Le Code de la Famille actuel existe depuis 1962 et est désuet. Il ne reconnaît pas les droits des femmes en ce qui a trait au mariage, au divorce, au veuvage, aux droits de succession, au droit de propriété, etc. Un nouveau projet avait été approuvé par le Conseil des ministres sous le président Konaré juste avant son départ mais n'a jamais passé le stade de l'approbation à l'Assemblée. Le projet amélioré par le Ministère de la Justice en 2006-07 vient d'être examiné en commission spéciale, avec dépôt de rapport le vendredi 28 mars. <i>Nous apprécierions une mise-à-jour quant au statut du Code de la Famille et aux démarches entreprises par le gouvernement pour s'assurer de son adoption prochaine.</i>
	Women's rights	Le Comité des Nations unies sur l'Élimination de la violence à l'égard des Femmes (CEDEF/CEDAW), en réponse au rapport du Mali présenté en janvier 2006 et portant sur la période 1990-2002, s'est inquiété du peu de progrès réalisés pour l'harmonisation de la législation nationale aux normes de la Convention. Le CEDEF a exhorté le Mali à accorder un rang de priorité élevé à la réforme de la législation afin de s'attaquer, entre autres, au problème de l'excision. <i>Nous apprécierions toute information sur les démarches entreprises par le gouvernement en vue de l'adoption d'une législation interdisant l'excision et toutes les formes de mutilation féminine.</i>
	Women's rights	In the Concluding Observations of its 2003 Report, the Human Rights Committee stated its concern that Malian women do not enjoy rights on an equal basis with men as regards political participation and access to education and employment. In order to remedy this imbalance in civic participation, the Committee made the following recommendation: "The State party should strengthen its efforts to promote the situation of women in the area of political participation, access to education and access to employment". <i>We would be grateful for any information on steps taken by the Government to follow-up these recommendations.</i>
	Women's rights	CEDAW expressed concern about the predominance of violence against women in Mali and the lack of

		<p>access to justice to remedy such human rights violations. In order to rectify discrimination against women within the legal system, in its most recent Concluding Observations (Feb. 2006), CEDAW made the following recommendation:</p> <p>“The Committee calls on the State party to enact legislation on domestic violence, including marital rape, sexual harassment and on all forms of sexual abuse, including sexual harassment, as soon as possible. Such legislation should ensure that: violence against women and girls constitutes a criminal offence; women and girls who are victims of violence have access to immediate means of redress and protection; and perpetrators are prosecuted and adequately punished”.</p> <p><i>We would be grateful for any information on steps taken by the Government to follow-up these recommendations.</i></p>
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