



FEMMES AUTOCHTONES DU QUÉBEC INC.
QUEBEC NATIVE WOMEN INC.

The Right Honourable Stephen Harper
Prime Minister of Canada
80 Wellington Street
Ottawa, Ontario
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March 25, 2009

Dear Prime Minister Harper:

Representatives from Indigenous, human rights, and faith-based organizations are writing in follow up to Canada's recent review before the UN Human Rights Council Working Group on the Universal Periodic Review (UPR).

Our organizations feel strongly that the UPR is an important mechanism for improving human rights protection in all states. However, in order for the UPR to fulfill its purpose, states must engage with a serious intent to identify and address key human rights challenges.

In this respect, our organizations are deeply disappointed with the failure of the Government of Canada to hold consultations with Indigenous peoples and civil society before submitting its report to the UPR. We are equally disappointed that when Canada appeared before the UPR, your government did not make any voluntary commitments to address the serious human rights concerns contained in the reports by Indigenous peoples, civil society and UN treaty bodies and special mechanisms.

We urge Canada to correct these deficiencies before reporting to the UPR in June. Government preparations for responding to the UPR recommendations must accommodate genuine engagement with Aboriginal peoples and civil society. To this end, we would like to bring to your attention recommendations from the recent report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya:

98. The Special Rapporteur considers national consultations crucially important for human rights defenders, in order for their views and concerns to be properly

reflected in the national report which forms one of the bases of the UPR process. The Special Rapporteur therefore recommends that States observe the following guidelines when organizing such national consultations.

99. The national consultations, as encouraged by the institution-building package adopted by the Human Rights Council:

- (a) Should be organized prior to the finalization of the national report;
- (b) Should be inclusive and all-encompassing;
- (c) Should be more than merely nominal: the views of civil society should be reflected adequately in the national report.

It is unfortunate that Canada was unable to follow such guidelines in advance of Canada's review, since broad consultations had also been encouraged by the Human Rights Council with all relevant stakeholders. We note that Canada's failure to do so was widely criticized by other states during the February session.

Our organizations take seriously the assurances provided by government officials that the follow up process will be undertaken with Indigenous peoples and civil society. We urge the government to ensure that this process provides adequate time to discuss how Canada will respond to all of the key human rights issues that states raised during the February session. Such discussions must also include a distinct process for discussing Aboriginal rights concerns, so that these are assured adequate time and consideration.

Our organizations believe that the February session highlighted many critical human rights concerns in Canada. The recommendations raised by states deserve careful consideration by all levels of government and government institutions. We are currently reviewing these recommendations ourselves and will collectively and individually bring to the attention of Parliament our own suggestions for a preferred Canada response to the recommendations that deal with Indigenous peoples' rights.

We look forward to hearing from you with regard to the planned domestic process for dialogue to assist with the preparations for Canada's response to the Human Rights Council.

Yours sincerely,

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