Annex

**Common Core Document of Canada**

## **Annex A: Canada’s acceptance of international human rights norms**

| **Treaty** | **Date of Canada’s signature** | **Date of ratification (R) or accession (A)** | **Date of entry into force for Canada** | **Reservations, statements or declarations made by Canada** |
| --- | --- | --- | --- | --- |
| **Main international human rights conventions and protocols** | | | | |
| International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) | August 24, 1966 | October 14, 1970 (R) | November 13, 1970 | None |
| International Covenant on Economic, Social and Cultural Rights (ICESCR) | N/A | May 19, 1976 (A) | August 19, 1976 | None |
| International Covenant on Civil and Political Rights (ICCPR) | N/A | May 19, 1976 (A) | August 19, 1976 | **Declaration:**  An optional declaration under article 41 of the Covenant was made by Canada on October 29, 1979. This declaration recognizes the competence of the Human Rights Committee created under the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant. |
| Optional Protocol to the International Covenant on Civil and Political Rights, concerning individual petition | N/A | May 19, 1976 (A) | August 19, 1976 | None |
| Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) | July 17, 1980 | December 10, 1981 (R) | January 9, 1982 | None |
| Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) | August 23, 1985 | June 24, 1987 (R) | July 24, 1987 | **Declaration:**  On November 13, 1989, Canada made the declarations under articles 21 and 22 of the Convention, recognizing the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention (art. 21), and to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention (art. 22). |
| Convention on the Rights of the Child (CRC) | May 28, 1990 | December 13, 1991 (R) | January 12, 1992 | **Reservations:**  (i) article 21  “With a view to ensuring full respect for the purposes and intent of article20(3) and article 30 of the Convention, the Government of Canada reserves the right not to apply the provisions of article 21 to the extent that they may be inconsistent with customary forms of care among aboriginal peoples in Canada.”  (ii) article 37(c)  “The Government of Canada accepts the general principle of article 37 (c) of the Convention, but reserves the right not to detain children separately from adults where this is not appropriate or feasible.”  **Statement of understanding:**  Article 30  “It is the understanding of the Government of Canada that, in matters relating to aboriginal peoples of Canada, the fulfillment of its responsibilities under article 4 of the Convention must take into account the provisions of article 30. In particular, in assessing what measures are appropriate to implement the rights recognized in the Convention for aboriginal children, due regard must be paid to not denying their right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion and to use their own language.” |
| Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts | June 5, 2000 | July 7, 2000 (R) | February 12, 2002 | **Declaration:**  “Pursuant to article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts, Canada hereby declares:   1. The Canadian Armed Forces permit voluntary recruitment at the minimum age of 16 years. 2. The Canadian Armed Forces have adopted the following safeguards to ensure that recruitment of personnel under the age of 18 years is not forced or coerced: 3. All recruitment of personnel in the Canadian Forces is voluntary. Canada does not practice conscription or any form of forced or obligatory service. In this regard, recruitment campaigns of the Canadian Forces are informational in nature. If an individual wishes to enter the Canadian Forces, he or she fills in an application. If the Canadian Forces offer a particular position to the candidate, the latter is not obliged to accept the position; 4. Recruitment of personnel under the age of 18 is done with the informed and written consent of the person’s parents or legal guardians. article 20, paragraph 3, of the National Defence Act states that ‘a person under the age of eighteen years shall not be enrolled without the consent of one of the parents or the guardian of that person’, 5. Personnel under the age of 18 are fully informed of the duties involved in military service. The Canadian Forces provide, among other things, a series of informational brochures and films on the duties involved in military service to those who wish to enter the Canadian Forces; and 6. Personnel under the age of 18 must provide reliable proof of age prior to acceptance into national military service. An applicant must provide a legally recognized document that is an original or a certified copy of their birth certificate or baptismal certificate, to prove his or her age.” |
| Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women | N/A | October 18, 2002 (A) | January 18, 2003 | None |
| Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Pornography and Child Prostitution | November 10, 2001 | September 14, 2005 (R) | October 14, 2005 | None |
| Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty | N/A | November 25, 2005 (A) | February 25, 2006 | None |
| Convention on the Rights of Persons with Disabilities (CRPD) | March 30, 2007 | March 11, 2010 (R) | April 11, 2010 | **Reservations and interpretative declarations:**  “Canada recognises that persons with disabilities are presumed to have legal capacity on an equal basis with others in all aspects of their lives. Canada declares its understanding that Article 12 permits supported and substitute decision-making arrangements in appropriate circumstances and in accordance with the law.  To the extent Article 12 may be interpreted as requiring the elimination of all substitute decision-making arrangements, Canada reserves the right to continue their use in appropriate circumstances and subject to appropriate and effective safeguards. With respect to Article 12 (4), Canada reserves the right not to subject all such measures to regular review by an independent authority, where such measures are already subject to review or appeal.  Canada interprets Article 33 (2) as accommodating the situation of federal states where the implementation of the Convention will occur at more than one level of government and through a variety of mechanisms, including existing ones.” |
| Optional Protocol to the Convention on the Rights of Persons with Disabilities | N/A | December 3, 2018 (A) | January 3, 2019 | None |
| **Other United Nations human rights and related conventions** | | | | |
| Slavery Convention signed at Geneva on 25 September 1926 and amended by the Protocol of 7 December 1953 | N/A | Note[[1]](#footnote-2) | December 17, 1953 | None |
| Convention on the Prevention and Punishment of the Crime of Genocide | November 28, 1949 | September 3, 1952 | December 2, 1952 | None |
| Convention on the Political Rights of Women | N/A | January 30, 1957 (A) | April 30, 1957 | **Reservation:**  “Inasmuch as under the Canadian constitutional system legislative jurisdiction in respect of political rights is divided between the provinces and the Federal Government, the Government of Canada is obliged, in acceding to this Convention, to make a reservation in respect of rights within the legislative jurisdiction of the provinces.” |
| Convention on the Nationality of Married Women | February 20, 1957 | October 21, 1959 (R) | January 19, 1960 | None |
| Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery | September 7, 1956 | January 10, 1963 (R) | January 10, 1963 | None |
| Convention relating to the Status of Refugees | N/A | June 4, 1969 (A) | September 2, 1969 | **Reservation:**  “Canada interprets the phrase ‘lawfully staying’ as referring only to refugees admitted for permanent residence: refugees admitted for temporary residence will be accorded the same treatment with respect to the matters dealt with in Articles 23 and 24 as is accorded visitors generally.”  **Declaration\*:**  “The Government of Canada declares that for the purposes of its obligations under the Convention relating to the Status of Refugees done at Geneva on July 28, 1951, the words ‘events occurring before 1 January 1951’ in article 1, Section B(1) of the said Convention shall be understood as meaning’ events occurring in Europe or elsewhere before 1 January 1951’.”  \* Made in a communication received by the Secretary-General on 23 October 1970 |
| Protocol relating to the Status of Refugees | N/A | June 4, 1969 (A) | June 4, 1969 | None |
| Convention on the Reduction of Statelessness | N/A | July 17, 1978 (A) | October 15, 1978 | None |
| Rome Statute of the International Criminal Court | December 18, 1998 | July 7, 2000 (R) | July 1, 2002 | None |
| United Nations Convention against Transnational Organized Crime | December 14, 2000 | May 13, 2002 (R) | September 29, 2003 | None |
| Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime | December 14, 2000 | May 13, 2002 (R) | December 25, 2003 | None |
| Protocol against the smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organized Crime | December 14, 2000 | May 13, 2002 (R) | January 28, 2004 | None |
| **Conventions of the International Labour Organization** | | | | |
| Convention (no 14) concerning Application of the Weekly Rest in Industrial Undertakings | N/A | March 21, 1935 (R) | April 21, 1935 | None |
| Convention (no 29) concerning Forced or Compulsory Labour | N/A | June 13, 2011 (R) | June 13, 2012 | None |
| Convention (no 87) concerning Freedom of Association and Protection of the Right to Organize | N/A | March 23, 1972 (R) | March 23, 1973 | None |
| Convention (no 98) concerning the Application of the Principles of the Right to Organize and Bargain Collectively | N/A | June 14, 2017 (R) | June 14, 2018. | None |
| Convention (no 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value | N/A | November 16, 1972 (R) | November 16, 1973 | None |
| Convention (no 105) concerning the Abolition of Forced Labour | N/A | July 14, 1959 (R) | July 14, 1960 | None |
| Convention (no 111) concerning Discrimination in respect of Employment and Occupation | N/A | November 26, 1964 | November 26, 1965 | None |
| Convention (no 122) concerning Employment Policy | N/A | September 16, 1966 | September 16, 1967 | None |
| Convention (no 138) concerning Minimum Age for Admission to Employment | N/A | June 8, 2016 (R) | June 8, 2017 | Minimum age specified in Canada: 16 years. |
| Convention (no 182) concerning Worst Forms of Child Labour | N/A | June 6, 2000 | June 6, 2001 | None |
| **Organization of American States treaties** | | | | |
| Inter-American Convention on the Nationality of Women | October 23, 1991 | October 23, 1991 (A) | October 23, 1991 | None |
| Inter-American Convention on the Granting of Political Rights to Women | October 23, 1991 | October 23, 1991 (A) | October 23, 1991 | None |
| Inter-American Convention on the Granting of Civil Rights to Women | October 23, 1991 | October 23, 1991 (A) | October 23, 1991 | None |
| **Conventions of the Hague Conference on Private International Law** | | | | |
| Convention on the Civil Aspects of International Child Abduction | October 25, 1980 | June 2, 1983 (R) | December 1, 1983 | **Declarations and reservations:**  In accordance with Article 40, the Government of Canada declares that the Convention shall extend to Ontario, New Brunswick, British Columbia, Manitoba, Nova Scotia, Newfoundland, Québec, Yukon, Prince Edward Island, Saskatchewan, Alberta, Northwest Territories and Nunavut and that it may at any time submit other declarations or reservations, pursuant to Articles 6, 40 and 42 of the Convention, with respect to other territorial units.  In accordance with the provisions of Article 42 and pursuant to Article 26, paragraph 3, the Government of Canada declares that, with respect to applications submitted under the Convention concerning the Provinces and Territories of Ontario, New Brunswick, British Columbia, Nova Scotia, Newfoundland, Québec, Yukon, Prince Edward Island, Saskatchewan, Alberta, Northwest Territories and Nunavut, Canada will assume the costs referred to in paragraph 2 of Article 26 only insofar as these costs are covered by the system of legal aid of the Province or Territory concerned.  In accordance with the provisions of Article 42 and pursuant to Article 24, paragraph 2, translation in the French language will be required for any application, communication or other document concerning the Province of Québec when the original language is neither French nor English. |
| Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption | April 12, 1994 | December 19, 1996 (R) | April 1, 1997 | **Declarations:**  In accordance with Article 45, that the Convention shall now extend to Québec, in addition to Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario, Prince Edward Island, Saskatchewan, the Yukon, Northwest Territories and Nunavut, and that it may modify this declaration by submitting another declaration at any time.  In accordance with Article 22.2, that the functions of the Central Authority in New Brunswick, Newfoundland and Labrador, the Northwest Territories, Nova Scotia, Nunavut, Ontario, Prince Edward Island, Québec,\* Saskatchewan and the Yukon may be performed by bodies and persons meeting the conditions set forth in this article.  In accordance with Article 22.4, that adoptions of children habitually resident in British Columbia may only take place if the functions of the Central Authorities are performed by public authorities or bodies accredited under Chapter III.  The Government of Canada further declares that it understands that customary forms of care practised by Aboriginal people of Canada are not within the scope of Article 2 of the Convention.  In accordance with Article 22.4, that adoption of children habitually resident in Québec may only take place if the functions of the Central Authorities are performed by public authorities or by bodies accredited under Chapter III.  In accordance with Article 25, that adoptions made in accordance with an agreement concluded by application of Article 39 paragraph 2 will not be bound to be recognized in Québec under the Convention.  \**Declaration of 14 April 2008*  The Government of Canada also declares that it is modifying the declaration deposited on October 28, 2005 by withdrawing the declaration made in accordance with Article 22.2, regarding Québec. |
| **Geneva Conventions and other treaties on international humanitarian law** | | | | |
| Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field | December 8, 1949 | May 14, 1965 (R) | November 14, 1965 | None |
| Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea | December 8, 1949 | May 14, 1965 (R) | November 14, 1965 | None |
| Geneva Convention relative to the Treatment of Prisoners of War | December 8, 1949 | May 14, 1965 (R) | November 14, 1965 | None |
| Geneva Convention relative to the Protection of Civilian Persons in Time of War | December 8, 1949 | May 14, 1965 (R) | November 14, 1965 | None |
| Protocol Additional to the Geneva Conventions of 12 August 1949 (Protocol I) | December 12, 1977 | November 20, 1990 (R) | May 20, 1991 | **Reservations:**  Article 11 - Protection of Persons (Medical Procedures):  “The Government of Canada does not intend to be bound by the prohibitions contained in Article 11 subparagraph 2(c) with respect to Canadian nationals or other persons ordinarily resident in Canada who may be interned, detained or otherwise deprived of liberty as a result of a situation referred to in Article 1, so long as the removal of tissue or organs for transplantation is in accordance with Canadian laws and applicable to the population generally and the operation is carried out in accordance with normal Canadian medical practices, standards and ethics.”  Article 39 - Emblems of Nationality (Enemy Uniforms):  “The Government of Canada does not intend to be bound by the prohibitions contained in paragraph 2 of Article 39, to make use of military emblems, insignia or uniforms of adverse parties in order to shield, favour, protect or impede military operations.”  **Statements of understanding:**  (Conventional Weapons):  “It is the understanding of the Government of Canada that the rules introduces by Protocol I were intended to apply exclusively to conventional weapons. In particular, the rules so introduced do not have any effect on and do not regulate or prohibit the use of nuclear weapons.”  Article 38 - Recognized Emblems (Protective Emblems):  “It is the understanding of the Government of Canada that, in relation to Article 38, in situations where the Medical Service of the armed forces of a party to an armed conflict is identified by another emblem than the emblems referred to in Article 38 of the first Geneva Convention of August 12, 1949, that other emblem, when notified, should be respected by the adverse party as a protective emblem in the conflict, under analogous conditions to those imposed by the Geneva Conventions of 1949 and the Additional Protocols of 1977 for the use of emblems referred to in Article 38 of the first Geneva Convention and Protocol I. In such situations, misuse of such emblem should be considered as misuse of emblems referred to in Article 38 of the first Geneva Convention and Protocol I.”  Articles 41, 56, 57, 58, 78 and 86 (Meaning of Feasible):  “It is the understanding of the Government of Canada that, in relation to Articles 41, 56, 57, 58, 78 and 86 the word ‘feasible’ means that which is practicable or practically possible, taking into account all circumstances ruling at the time, including humanitarian and military considerations.”  Article 44 - Combatants and Prisoners of War (Combatant Status):  “It is the understanding of the Government of Canada that:   1. the situation described in the second sentence of paragraph 3 of Article 44 can exist only in occupied territory or in armed conflicts covered by paragraph 4 of Article 1; and 2. the word ‘deployment’ in paragraph 3 of Article 44 includes any movement towards a place from which an attack is to be launched.”   Part IV, Section I - General Protection against Effects of Hostilities (Standard for Decision Making):  “It is the understanding of the Government of Canada that, in relation to Articles 48, 51 to 60 inclusive, 62 and 67, military commanders and others responsible for planning, deciding upon or executing attacks have to reach decisions on the basis of their assessment of the information reasonably available to them at the relevant time and that such decisions cannot be judged on the basis of information which has subsequently come to light.”  Article 52 - General Protection of Civilian Objects (Military Objectives):  "It is the understanding of the Government of Canada in relation to Article 52 that:   1. a specific area of land may be a military objective if, because of its location or other reasons specified in the Article as to what constitutes a military objective, its total or partial destruction capture or neutralization in the circumstances governing at the time offers a definite military advantage; and 2. the first sentence of paragraph 2 of the Article is not intended to, nor does it, deal with the question of incidental or collateral damage resulting from an attack directed against a military objective."   Article 53 - Protection of Cultural Objects and of Places of Worship (Cultural Objects):  “It is the understanding of the Government of Canada in relation to Article 53 that:   1. such protection as is afforded by the Article will be lost during such time as the property is used for military purposes, and 2. the prohibitions contained in subparagraphs (a) and (b) of this Article can only be waived when military necessity imperatively requires such a waiver.”   Articles 51 subparagraph 5(b), 52 paragraph 2, et 57 clause 2(a)(iii) (Military Advantage):  “It is the understanding of the Government of Canada in relation to subparagraph 5(b) of Article 51, paragraph 2 of Article 52, and clause 2(a)(iii) of Article 57 that the military advantage anticipated from an attack is intended to refer to the advantage anticipated from the attack considered as a whole and not from isolated or particular parts of the attack.”  Article 62 - General Protection (Protection of Civil Defence Personnel):  “It is the understanding of the Government of Canada that nothing in Article 62 will prevent Canada from using assigned civil defence personnel or volunteer civil defence workers in Canada in accordance with nationally established priorities regardless of the military situation.”  Article 96 - Treaty Relations upon entry into Force of this Protocol, paragraph 3 (Declaration by National Liberation Movement):  “It is the understanding of the Government of Canada that the making of a unilateral declaration does not, in itself, validate the credentials of the person or persons making such declaration and that states are entitled to satisfy themselves as to whether in fact the makers of such declaration constitute an authority referred to in Article 96. In this respect, the fact that such authority has or has not been recognized as such by an appropriate regional intergovernmental organization is relevant.”  **Declaration:**  Article 90 - International Fact-Finding Commission:  “The Government of Canada declares that it recognizes ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the Commission to enquire, as authorized by Article 90 of Protocol I, into allegations by such other Party that it has been the victim of violations amounting to a grave breach or other serious violation of the Geneva Conventions of 1949 or of Protocol I.” |
| Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) | December 12, 1977 | November 20, 1990 (R) | May 20, 1991 | **Statement of understanding:**  “The Government of Canada understands that the undefined terms used in Additional Protocol II which are defined in Additional Protocol I shall, so far as relevant, be construed in the same sense as those definitions.  The understandings expressed by the Government of Canada with respect to Additional Protocol I shall, as far as relevant, be applicable to the comparable terms and provisions contained in Additional Protocol II.” |
| Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction | December 3, 1997 | December 3, 1997 (R) | March 1, 1999 | **Declaration:**  “It is the understanding of the Government of Canada that, in the context of operations, exercises or other military activity sanctioned by the United Nations or otherwise conducted in accordance with international law, the mere participation by the Canadian Forces, or individual Canadians, in operations, exercises or other military activity conducted in combination with the armed forces of States not party to the Convention which engage in activity prohibited under the Convention would not, by itself, be considered to be assistance, encouragement or inducement in accordance with the meaning of those terms in article 1, paragraph 1 (c).” |

1. The Slavery Convention was adopted by the Assembly of the League of Nations on September 25, 1926. It entered into force internationally on March 9, 1927. Canada signed the Convention on September 25, 1926 and ratified it on August 6, 1928. The Convention came into force for Canada the same day. The Convention was amended by the Protocol amending the Slavery Convention done at the Headquarters of the United Nations, New York, on December 7, 1953. The Protocol came into force internationally on December 7, 1953. Canada deposited its definitive signature on December 17, 1953. The Protocol came into force for Canada the same day. [↑](#footnote-ref-2)