

The Right Honourable Stephen Harper
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, Ontario
K1A 0A2

By fax: 613-941-6900
By email: pm@pm.gc.ca

May 30, 2012

Dear Prime Minister,

We are writing this open letter to you as individuals and representatives of organizations dedicated to strengthening the protection of human rights and food security, in Canada and around the world. We are deeply troubled by the Government of Canada's treatment of the United Nations human rights Special Rapporteur on the right to food, Olivier De Schutter, during his recent mission to Canada.

Mr. De Schutter is an internationally renowned expert on the right to food. He was appointed as the Special Rapporteur on the right to food by the UN Human Rights Council with the support of Canada. The Government of Canada frequently cites its encouragement of missions by UN mandate holders as evidence of its good standing and promotion of human rights – including at Canada's 2009 Universal Periodic Review before the UN Human Rights Council.

Mr. De Schutter came to Canada on mission at the official invitation of your government. The Canadian Government assisted in arranging Mr. De Schutter's itinerary described in an Aide Memoire which was released publicly in advance of his visit. The government knew that Mr. De Schutter would prepare a report on the mission to the UN Human Rights Council. The government also knew that Mr. De Schutter's mandate is to promote the right to food in all countries, subject to maximum available resources. It would certainly come as no surprise to your government that Mr. De Schutter would have concerns about the well-documented extent of hunger in a country as affluent as Canada. This has been identified as a growing concern by a number of UN human rights bodies as well as by organizations across the country for many years.

Despite all this, Mr. De Schutter has been subjected to unprecedented attacks on his integrity and professionalism simply for having accepted Canada's invitation. His mission was described by the Minister of Citizenship and Immigration as "completely ridiculous." He was accused of wasting money that Canada has contributed to food aid by coming here. He was told that he should not get involved in "political exercises in developed democracies like Canada." The fact that he would write a report that refers to food security issues of Aboriginal Peoples in Canada was described by your Minister of Health as "insulting."

Your government went beyond attacking the mission itself, however. In a highly charged atmosphere in the House of Commons, your Ministers proceeded to attack Mr. De Schutter personally. He was described as an “ill-informed”, “patronizing” “academic” who engaged in “lecturing”. He was referred to as “this guy from Belgium” and criticized personally for the policies of his “home country” in relation to Canada’s seal hunt. He was attacked for never having “delivered any food to anyone anywhere.” The Parliamentary Secretary to the Minister of Foreign Affairs stated that “it is an insult to Canadians and their tax dollars that this fellow came over here to waste the dollars they have contributed.” Government members, including the Minister of Foreign Affairs, repeatedly rose to their feet to enthusiastically applaud the portrayal of Mr. De Schutter as an ill-informed meddling outsider.

This was not the first time in recent months that Ministers of your government have exhibited disrespect for UN Special Rapporteurs. James Anaya, the UN Special Rapporteur on the rights of indigenous peoples received similar treatment when he expressed concern about conditions in Attawapiskat in December 2011. Minister of Aboriginal Affairs and Northern Development John Duncan characterized a statement from Mr. Anaya, expressing concern about the deplorable housing situation in Attawapiskat, as being a “publicity stunt”.

Prime Minister, there is no line to be drawn between protecting human rights at home and protecting them in the rest of the world. Human rights are universal and do not only apply to developing nations or countries in which there are military dictatorships. Your government appropriately recognized this when Canada’s record was examined through the UN Human Rights Council’s Universal Periodic Review process in 2009, noting that: “Canada recognizes that no country, including itself, has a perfect human rights record, which emphasized the importance of every country opening its human rights records to scrutiny, domestically and internationally.”

People in Canada are entitled to the fulfillment of their human rights. In the case of rights such as the right to food or housing, such fulfillment is to be assessed relative to the resources available. To suggest that widespread hunger in so affluent a country as Canada ought not to be of concern to the UN Special Rapporteur on the right to food because hunger is more severe in some poorer countries is to completely misunderstand the nature of Canada’s obligations under international human rights law and the mandate of the Special Rapporteur.

Mr. De Schutter’s preliminary reflections in fact echo many of the concerns that Parliamentary committees, civil society organizations, independent research institutes, UN treaty monitoring bodies and experts have stated for years: the need to address food insecurity amongst low-income people in Canada; the links between chronic diseases and unhealthy food; the specific concerns of Aboriginal peoples; and the need for a national policy which will respect, protect, and fulfil the right to food.

While there is much to be proud of with respect to the protection of human rights in Canada, there is a pressing need to do better. The human rights of many in Canada, including Aboriginal peoples and those living in poverty, without adequate food or housing, are violated daily. If the UN ignored these violations or failed to hold Canada accountable in the same way as other governments are held accountable, the entire UN human rights protection system would be discredited. When Canadian

officials disregard or show disrespect for international human rights experts and mechanisms, other governments can be expected to follow suit.

Prime Minister, if the government disagrees with the recommendations from internationally mandated experts such as Mr. De Schutter, those arguments can respectfully be put on the public record to be discussed. Similarly, if the government has concerns about the timing or nature of media interviews or press statements by Special Rapporteurs, those concerns can and should be addressed in appropriate ways. In all circumstances, concerns and disagreement should be expressed in a manner that makes it clear that Canada recognizes the UN has the authority and the responsibility to examine and uphold universal human rights in all countries, including Canada.

Prime Minister, Canada deserves more and so does the United Nations. We hope you will ensure that UN representatives and human rights experts coming to Canada in the future will be treated with respect. We urge you to apologize to Olivier De Schutter and James Anaya for the unjustified attacks that they were subjected to and to provide assurances to the United Nations Human Rights Council that Canada will cooperate fully with its mechanisms. We expect our government to fully engage with the UN human rights system, recognizing its application to Canada and welcoming the international scrutiny that our signature on human rights treaties rightfully entails.

Sincerely,

Organizations:

Judy Duncan, ACORN Canada

Sandeep Prasad, Action Canada for Population and Development

Michel Lambert, Alternatives

Alex Neve, Amnesty International Canada

Béatrice Vaugrante, Amnistie internationale Canada francophone

Colleen Cameron, Antigonish Food Security Coalition

Caren Weisbart, Atlantic Regional Solidarity Network

Adrienne Montani, BC Child and Youth Advocacy Coalition

Susan O'Donnell, BC Human Rights Coalition

Trish Garner, BC Poverty Reduction Coalition

David Eby, British Columbia Civil Liberties Association

Steve Stewart, Café Justicia BC

Ihsaan Gardee, CAIR-CAN - Canadian Council on American-Islamic Relations

Sandra Bauer, Canada Tibet Committee

Nour El-Kadri, Canadian Arab Federation

Kim Pate, Canadian Association of Elizabeth Fry Societies

Lorne Waldman, Canadian Association of Refugee Lawyers

Morel Caissie, Canadian Association of Social Workers

Bruce Campbell, Canadian Centre for Policy Alternatives

Ezat Mossallanejad, Canadian Centre for Victims of Torture

Kathy Vandergrift, Canadian Coalition for the Rights of Children

Julia Sanchez, Canadian Council for International Co-operation

Wanda Yamamoto, Canadian Council for Refugees

Brenda Wallace, Canadian Federation of University Women

Holly Johnson, Canadian Feminist Alliance for International Action

Jim Cornelius, Canadian Foodgrains Bank

Stan Marshall, Canadian Union of Public Employees

Leilani Farha, Centre for Equality Rights in Accommodation

Toby Mendel, Centre for Law and Democracy

Vincent Calderhead, Charter Committee on Poverty Issues

Martha Friendly, Childcare Resource and Research Unit

Susan Harney, Coalition of Child Care Advocates of BC

Joan Tremblay, Collectif pour un Québec sans pauvreté

Michael Kerr, Colour of Poverty

Raul Burbano, Common Frontiers

Stella Lord, Community Coalition to End Poverty

Maude Barlow, Council of Canadians

Tony Dolan, Council of Canadians with Disabilities

Rob Rainer, CWP Advocacy Network

Donna Franey, Dalhousie Legal Aid Service

Peter Robinson, David Suzuki Foundation

Ailsa M. Watkinson, Elizabeth Fry Society of Saskatchewan

Isabelle St- Germain, Équiterre

Joanne Bays, Farm to Cafeteria Canada

Manon Monastesse, Fédération de ressources d'hébergement pour femmes violentées et en difficulté du Québec

Stephanie Hunter, Feminists for Just and Equitable Public Policy

Karen Hawley, First Hand Climate Stories

Cindy Blackstock, First Nations Child and Family Caring Society

Diana Bronson, Food Secure Canada

Ian Marcuse, Grandview Woodland Food Connection

Yossi Cadan, Greenpeace Canada

Alissia Lytton, Han Knakst Tsitxw Society

Lee-ann Lee, Harmony House Women's Shelter

Dr. Monika Dutt, Health Providers Against Poverty

Ken Robinson, Donisa Bernardo, Bonnie Pearson, Hospital Employees' Union/CUPE

Lucie Lamarche, Human Rights Research and Education Centre, University of Ottawa

Kenneth Deer, Indigenous World Association

Rita Morbia, Inter Pares

Roch Tassé, International Civil Liberties Monitoring Group

Professor Audrey Macklin, International Human Rights Program, University of Toronto Faculty of Law

Annabel Webb, Justice for Girls Outreach Society

Jennifer Henry, KAIROS

Michelle Walker, Kamloops Community YMCA YWCA

Barbara McInerney, Kaushee's Place/Yukon Women's Transition Home

Cory Wanless, Law Union of Ontario

Gail Davidson, Lawyers Rights Watch Canada

Wyanne Sandler and Jackie McVicar, Maritimes-Guatemala Breaking the Silence Solidarity Network

Jamie Kneen, MiningWatch Canada

Alison Dewar and Anne Levesque, National Association of Women and the Law

Denise Mattock, National Council of Women of Canada

Terry Boehm, National Farmers Union

Jeannette Corbiere Lavell, Native Women's Association of Canada

Kathy Campbell, New Starts for Women

Christine Hotz, Nutridemics

Eileen Morrow, Ontario Association of Interval and Transition Houses

Linda Lalonde, Ottawa Poverty Reduction Network

Robert Fox, Oxfam Canada

Robyn Benson, Public Service Alliance of Canada

Bonnie Morton, Regina Anti-Poverty Ministry

Stephanie Lim, Renfrew Collingwood Food Security Institute

Steven Staples, Rideau Institute

Bruce Porter, Social Rights Advocacy Centre

Susan Brooke, Social Workers for Social Justice

Marsha Sfeir, Springtide Resources, Inc

Rene Ross, Stepping Stone

Dave Diewert, Streams of Justice

Jean-Paul Faniel, Table de concertation sur la faim et le développement social du Montréal métropolitain

Ishama Harris, The Canadian Association of Sexual Assault Centres

Doris Hall, The Canadian Federation of Business and Professional Women

Linda Lalonde, The Ottawa Right to Food Group

Shelagh Day, The Poverty and Human Rights Centre

Nick Saul, The Stop Community Food Centre

Lucille Harper and Christine Sauliner, The Women's Action Alliance for Change Nova Scotia

Helene St. Jacques, Toronto Food Policy Council

Pamela Harrison, Transition House Association of Nova Scotia

Chief Perry Bellegarde, Treaty 4 First Nations

Bernadette MacDonald, Tri County Women's Centre

Karen Rothschild, Union paysanne

Hilla Kerner, Vancouver Rape Relief and Women's Shelter

Laurence Fauteux, Vert ta Ville

Kasari Govender, West Coast Women's Legal Education and Action Fund

Fergus Watt, World Federalist Movement – Canada

Paulette Senior, YWCA Canada

Individuals:

Jennie Abell, Associate Professor, Faculty of Law, University of Ottawa

Melanie Adrian, Assistant Professor, Department of Law and Legal Studies, Carleton University

Sharryn J. Aiken, Associate Dean (Graduate Studies & Research) and Associate Professor, Faculty of Law, Queen's University

A Haroon Akram-Lodh, Trent University

Warren Allmand, Former Minister and President of Rights & Democracy

Constance Backhouse, Professor of Law & University Research Chair, University of Ottawa

Reem Bahdi, Faculty of Law, University of Windsor

Natasha Bakht, Associate Professor, Faculty of Law, University of Ottawa

Amy Bartholomew, Associate Professor, Department of Law and Legal Studies, Carleton University

Susan Bazilli, Director, International Women's Rights Project, Centre for Global Studies, University of Victoria

Chief Perry Bellegarde, Little Black Bear First Nation

Jennifer Bond, Assistant Professor, Faculty of Law, University of Ottawa

Suzanne Bouclin, Faculty of Law, University of Ottawa

Ed Broadbent, Former NDP Leader and President of Rights & Democracy

Annie Bunting, Associate Professor of Law & Society, York University

Doris Buss, Associate Professor of Law, Carleton University

Michael Byers, Professor & Canada Research Chair in Global Politics and International Law, University of British Columbia

Angela Cameron, Assistant Professor, Faculty of Law -Common Law Section, University of Ottawa

Chief Dennis Cameron, Tootinaowaziibeeng Treaty Reserve

Bonnie Campbell, Professeure, Département de Science Politique, Faculté de Science Politique et de Droit, Université du Québec à Montréal

Lynda Collins, University of Ottawa, Faculty of Law

John H. Currie, Professor, Faculty of Law, University of Ottawa

Hugo Cyr, Faculté de science politique et de droit, Université du Québec à Montréal

Aaron A. Dhir, Associate Professor, Osgoode Hall Law School of York University

Mary Eberts, Ariel F. Sallows Chair in Human Rights, College of Law, University of Saskatchewan

John W. Foster, International Studies, University of Regina

Ellen Gabriel, Indigenous human rights activist, Kanehsatà:ke Mohawk Territory

Elaine Gibson, Associate Professor, Schulich School of Law, Dalhousie University

Daphne Gilbert, Associate Professor, Faculty of Law (Common Law Section), University of Ottawa

Amanda Glasbeek, Associate Professor, Department of Social Science, York University

Jula Hughes, Associate Professor, Faculty of Law, University of New Brunswick

Jasminka Kalajdzic, Faculty of Law, University of Windsor

Christopher Kennedy, Board member, Santropol Roulant

Hugh M. Kindred, Emeritus Professor of Law, Dalhousie University

Douglas C. King, Barrister & Solicitor

Freya Kodar, Assistant Professor, Faculty of Law, University of Victoria

Jennifer Koshan, Faculty of Law, University of Calgary

Ronald Labonte, Canada Research Chair, Globalization/Health Equity Professor, Faculty of Medicine, University of Ottawa

Kathleen Lahey, Professor, Faculty of Law, Queen's University

Nicole LaViolette, Associate Professor, Faculty of Law, University of Ottawa

Michael Lynk, Faculty of Law, University of Western Ontario

Flora Macdonald, Former Minister of External Affairs

Vanessa MacDonnell, Assistant Professor, University of New Brunswick Faculty of Law

Kathleen Mahoney, Trudeau Fellow, Fellow of the Royal Society of Canada, Fellow of the Royal Society of Canada; Barrister and Solicitor; Professor of Law, University of Calgary

Pacifique Manirakiza, Law professor and Commissioner, University of Ottawa and African Commission on Human and Peoples' Rights

Peggy Mason, Senior Fellow at The Norman Paterson School of International Affairs (NPSIA) and former Canadian United Nations Ambassador for Disarmament (1989-1994)

June McCue, Assistant Professor, Faculty of Law, University of British Columbia

Errol P. Mendes, Editor-in-Chief, National Journal of Constitutional Law, Faculty of Law, University of Ottawa

Janet Mosher, Associate Professor, Osgoode Hall Law School, York University

Mary Jane Mossman, Professor of Law, Osgoode Hall Law School

Sophia Murphy, Food Policy Analyst and Senior Advisor to the Institute for Agriculture and Trade Policy

Ken Norman, Professor of Law, University of Saskatchewan

Darren O'Toole, Assistant Professor, Faculty of Law, University of Ottawa

Katrina Pacey, Litigation Director, Pivot Legal Society

Debra Parkes, Associate Professor, Faculty of Law, University of Manitoba

Heather Passmore, Community member

Yvonne Peters, Human rights lawyer

Trevor Purvis, Assistant Professor, International Law, Carleton University

Denise Reaume, Faculty of Law, University of Toronto

Sean Rehaag, Assistant Professor, Osgoode Hall Law School, York University

Graham Riches, Emeritus Professor of Social Work, University of British Columbia

Cecilia Rocha, Director and Associate Professor, School of Nutrition, Ryerson University

Sanda Rodgers, Professor Emerita, Faculty of Law, University of Ottawa

Rakhi Ruparelia, Assistant Professor, Faculty of Law, University of Ottawa

Sara Seck, Assistant Professor, Faculty of Law, University of Western Ontario

Martha Shaffer, Associate Professor of Law, University of Toronto

Elizabeth Sheehy, Professor of Law, University of Ottawa

Peter Showler, The Refugee Forum, University of Ottawa

Penelope Simons, Associate Professor, Faculty of Law, University of Ottawa

Bill Skidmore, Instructor, Institute of Interdisciplinary Studies, Carleton University

Joanne St. Lewis, Assistant Professor, Faculty of Law, University of Ottawa

Katie Sykes, JSD Candidate, Schulich School of Law, Dalhousie University

François Tanguay-Renaud, Associate Professor of Law, Osgoode Hall Law School; Director, Jack & Mae Nathanson Centre on Transnational Human Rights, Crime and Security

Sophie Thériault, Associate Professor, Faculty of Law, University of Ottawa

Laure Waridel, Sociologist and author

Christopher Waters, Associate Dean, Faculty of Law, University of Windsor

Patricia Williams, Canada Research Chair in Food Security and Policy Change, Department of Applied Human Nutrition, and Director, Participatory Action Research and Training Center on Food Security, Mount Saint Vincent University

The Very Rev. the Hon. Lois Wilson, Former Senator, Former President World Council of Churches

Stepan Wood, Associate Professor, Osgoode Hall Law School

Margot Young, Associate Professor, Faculty of Law, University of British Columbia

CC: Leona Aglukkaq, Minister of Health and Minister of the Northern Economic Development Agency

John Baird, Minister of Foreign Affairs

Jason Kenny, Minister of Citizenship, Immigration and Multiculturalism

Gerry Ritz, Minister of Agriculture and Agri-Food

Thomas Mulcair, leader of the New Democratic Party

Bob Rae, leader of the Liberal Party

Daniel Paillé, leader of the Bloc Québécois

Elizabeth May, leader of the Green Party