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Individual NGO Submission: for the Universal Periodic Review of the human rights situation in Canada(2023)

Submitted by: The Iranian Elite Research Center

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The **Iranian Elite Research Center(IREC)** was established in 2000 with the aim of research in the field of sustainable development and in 2005, it succeeded in obtaining special consultative

status with ECOSOC.

By Review of the human rights situation in Canada, IREC offers recommendations regarding the Indigenous Peoples Rights in order to improve the human rights situation in this country:

- Recommendations about the right to health
- Recommendations on the rights of the child
- Recommendations on the right to education
- Recommendations on the right to adequate housing
- Recommendations on the right to safe drinking water

Right to Access health and Food

- ❖ Access to healthcare is widely acknowledged as a social determinant of health. However, evidence indicates that access is neither equal nor equitable among all Canadians, and Indigenous peoples in Canada tend to have more difficulty accessing healthcare services than non-Indigenous Canadians. A lack of attention to these influences is common in studies of the health inequities and disparities experienced among Indigenous peoples and hinders efforts to redress health inequities, including those related to access to healthcare. Alternatively, adopting a postcolonial perspective facilitates an expanded understanding of inequities in access to healthcare among Indigenous peoples by attending to the social, political, and historical influences. In light of the persistent health inequities experienced by Indigenous peoples in Canada, including differences in access to healthcare, we would like to draw attention to some cases,¹
- ❖ Globally, indigenous communities living on colonized land face significant difficulties beyond those of non-indigenous citizens. Systemic and historic discrimination have pushed down the livelihoods and traditions of indigenous peoples, creating widespread food insecurity at the same time. In Canada, indigenous households are more likely to face extreme poverty and food insecurity than non-indigenous households. While Canada is not a developing nation, the conditions and treatment of indigenous communities reflect the extreme poverty common in emerging economies.
- ❖ A majority of First Nation people live off-reserve land in Canada, and food insecurity remains high within those communities and on-reserve First Nation people. In First Nation households, about a quarter of 2,878 households that a survey looked at experienced moderate food insecurity involving compromised diets and reduced quality or quantity of food. Compared to the 9% food insecurity among non-indigenous Canadians, 33% of off-reserve First Nation and Métis consider food insecurity prevalent and harmful. Conditions for on-reserve indigenous communities were worse than for off-reserve First Nation people, with approximately 54% of people food insecure. This wide gap between First Nation communities and the broader Canadian population highlights the institutional oversight and avoidance of confronting indigenous struggles.
- ❖ Within each tribe and community, the access to wild food becomes less secure; as a result, many turn to the local markets for sustenance. However, the exceptionally high prices at local markets and the low average incomes of many indigenous communities inhibit the possibility of buying groceries, let alone a meal, from local grocers. On top of high market pricing, the costs of hunting, fishing and gathering food increase due to gas prices and chances of returning empty-handed from hunts. While many indigenous people lack access to traditional meals or diets, the desire for more reasonable access to their traditional foods is powerful. In addition, high prices force families to choose cheaper, less nutritious options to feed themselves. These factors contribute to indigenous food insecurity in Canada and ultimately decrease well-being and perpetuate poverty within these communities².
- ❖ Based on statistics³:

¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6055798/>

² <https://borgenproject.org/indigenous-food-insecurity-in-canada/>

³ https://www.suicideinfo.ca/local_resource/trauma-and-suicide-in-indigenous-people/

- Indigenous people make up 4.9% of the population in Canada: over 1.6 million (Statistics Canada, 2018).
- Suicide and self-inflicted injuries are the leading causes of death for First Nations youth and adults up to 44 years of age (Public Health Agency of Canada, 2016).
- For First Nations, the suicide rate is three times the national average. For Métis, the suicide rate is twice the national average and for Inuit, the suicide rate is nine times the national rate (Kumar & Tjepkema, 2019).
- Indigenous people have nearly four times the risk of experiencing severe trauma than the non-Indigenous population (Haskell & Randall, 2009)
- ❖ Indigenous communities in Canada face significant obstacles to healthy eating due to numerous sociocultural and environmental barriers, including a high prevalence of household and community food insecurity. High cost and lack of variety and availability of nutrient-dense foods in both urban and geographically remote areas underlie issues in obtaining nutritionally adequate, acceptable, and safe foods for Indigenous children.

right to education

- ❖ Education is considered a human right in Canada. Yet, while Canada has one of the world's highest levels of educational attainment, the graduation rate for Indigenous students remains far lower than that of non-Indigenous students.
- ❖ Indigenous peoples' experiences with education in Canada have been a contentious one. The focus from the outset of imposed, colonial-based education has centred on the assimilation and/or segregation of Indigenous peoples from their communities and worldviews
- ❖ Regular attendance in schools is a factor that affects positive and healthy childhood development. Students with poor school attendance are at an increased risk for a number of negative outcomes. Students who experience chronic stress, such as socio-economic disadvantage, mental health challenges or cultural marginalization, are at an increased risk for school absenteeism.
- ❖ In Alberta, recent data from Rocky View Schools — the province's fifth largest school board serving students west, north and east of Calgary — suggest that of the population of students who identify as Indigenous within the district, 30 per cent can be considered chronically absent the 2017-18 school year. Of the population of on-reserve students attending Rocky View Schools, a staggering 80 per cent of all on-reserve students were chronically absent. Enrolment of on-reserve students has also decreased significantly in the past five years.
- ❖ Indigenous parents in the study reported that they chose to send their children to an off-reserve public school for increased access to specialized programs, such as mechanics, and special education support.
- ❖ Parents felt that attending off-reserve schools would assist with children's learning to bridge different cultural worldviews and might help them with future employment opportunities. But parents said that sending their children to off-reserve schools also meant their children showed signs that they were experiencing racism.

- ❖ Colonialism, racism, social exclusion, food insecurity, unemployment, poverty, limited access to housing, poor health and a myriad of other issues face Indigenous communities daily and confront Indigenous students to varying degrees. They are the result of policies, programs, people and politics that failed to honour the knowledge, values and skills of Indigenous Nations in Canada. Student achievement for communities of difference (like First Nations, Metis and Inuit ones) is a challenge for schools that do not have the capacity for change. Schools that are not supported with the tools and resources to address these inequities are placed at a critical disadvantage.
- ❖ only 48 percent of students living on reserve have completed high school, while 75 percent living off reserve have completed high school.

right to adequate housing

- ❖ In Canada, the Indigenous population grew by 9.4 percent from 2016 to 2021; however, the housing stock in Indigenous communities did not increase even close to the same rate. The 2022 federal budget allocated \$4.3 billion over seven years towards mitigating the housing crisis, a figure that falls far short of what is needed, according to the Assembly of First Nations, which asked for \$44 billion to deal with overcrowding and homes in dire need of repair in reserves.
- ❖ Based on reports⁴:
 - 18 percent of Indigenous households living in urban, rural and northern areas are experiencing core housing needs, meaning their housing falls below at least one of the adequacy, affordability or suitability standards.
 - 18.8 percent of the Indigenous population live in low-income households.
 - Nearly a quarter of Indigenous children ages 14 and younger live in low-income households in 2021, more than double that of non-Indigenous children.
 - Almost one in six Indigenous people lived in a home needing major repairs in 2021, a rate nearly three times higher than the non-Indigenous population.
 - 17.1 percent of Indigenous people live in overcrowded housing, almost double the number of non-Indigenous people living in crowded housing.
 - Indigenous people are overrepresented among the 35,000 people who experience homelessness each night in Canada.
 - Indigenous people are more than twice as likely to experience hidden homelessness (couch surfing), especially in the north, compared to their non-Indigenous counterparts.
 - The higher rates of homelessness for Indigenous people are associated with systemic barriers in education, employment, and the intergenerational effects of colonization.

Access to Clean Water

- ❖ The right to water and sanitation has long been denied to an alarmingly high number of First Nations communities in Canada. Canada is failing to address long-standing abuses, delivering a rebuke of what it calls the federal government's inadequate climate policy

⁴ <https://www.ictinc.ca/blog/inadequate-housing-3-of-8-key-issues>

and violations of the rights of Indigenous people and immigration detainees. more than two dozen First Nations remain under long-term drinking water advisories.⁵

- ❖ Despite being one of the most water-rich nations in the world, for generations Canada has been unwilling to guarantee access to clean water for Indigenous peoples. The water in dozens of communities has been considered unsafe to drink for at least a year – and the government admits it has failed. As a consequence of colonial-era laws, Indigenous communities have been barred from funding and managing their own water treatment systems, and the federal government bears responsibility for fixing problems⁶.
- ❖ Incidence of waterborne diseases in First Nations communities is 26 times higher than in the general Canadian population, in part due to faulty or nonexistent water treatment systems in these communities. First Nations communities in some areas are required to drink and cook with bottled water.⁷
- ❖ The waters in Canada are increasingly being disrespected, misused and polluted by industrial development, agriculture, urbanization and climate change. Water in First Nations territories is often degraded by activities that occur outside or adjacent to our communities and traditional lands. They must continue to exercise our right to protect and care for waters⁸.

Recommendations

- ❖ Respect its obligation to protect, respect and fulfil the human rights to life, the highest attainable standard of health, security of the person, safe food and water, adequate housing,
- ❖ School-based nutrition interventions should include components that promote health and improve access to healthy foods through social and physical environments, teaching and learning, school policy, and partnerships and services
- ❖ to formulate temporary special measures for indigenous peoples and indigenous women specifically, as a means of accelerating their equal enjoyment of housing rights with the nonindigenous population
- ❖ invest in the development of indigenous expertise in the full range of technical capabilities for effective housing program design, delivery and management,
- ❖ give appropriate regard to relevant international obligations and recommendations regarding access to safe drinking water
- ❖ Recognize the right to a healthy environment in its legislation, eventually, through a constitutional amendment, and ensure that that right includes the duty to prevent exposure to hazardous substances
- ❖ Establish legally binding and enforceable health-based standards for drinking water quality;
- ❖ Consider potential environmental and health risks in developing regulatory criteria for the treatment and discharge of process-affected water,

⁵ <https://www.surreynowleader.com/news/rights-group-releases-scathing-report-on-canadas-violations-of-indigenous-rights/>

⁶ <https://www.theguardian.com/world/2021/apr/30/canada-first-nations-justin-trudeau-drinking-water>

⁷ <https://www.ohchr.org/sites/default/files/Documents/Issues/Water/HRViolations/BluePlanetProject.pdf>

⁸ https://www.afn.ca/uploads/files/water/national_water_declaration.pdf

- ❖ Require the protection of vulnerable populations at all stages of the review of the Canadian Environmental Protection Act and categorize chemicals as toxic,