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**CANADA**

**Submission to the Human Rights Committee**

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# I. Introduction

In this submission, WILPF draws the attention of the Human Rights Committee to concerns around Canada’s arms transfers, including to the United States and Saudi Arabia, and around loopholes in Canada’s arms export regulatory system and regulation of arms producers. WILPF elaborated these concerns in a detailed submission to the pre-sessional working group of the Committee to the Rights of the Child (CRC) in June 2020,[[1]](#footnote-1) which is being sent as an annex to the present submission.

This submission to the Human Rights Committee also addresses concerns about Canada’s support for nuclear deterrence policies and practices, which violate the right to life enshrined in Article 6 of the International Covenant on Civil and Political Rights, as interpreted by the Committee in its General Comment 36.[[2]](#footnote-2)

# II. Arms transfers

Arms transfers have a well-documented and multi-faceted impact on human rights.[[3]](#footnote-3) They facilitate the movement of the very same weapons—or ammunition—that are used to curtail human rights in direct and specific ways by militaries, paramilitaries, law enforcement groups, criminals, and armed groups. They are used directly, for instance, in the perpetration of extrajudicial killings, forced disappearances, illegal detention, torture, gender-based and sexual violence, and the recruitment of child soldiers. Weapons are used as a tool of intimidation and repression to curtail freedom of expression and of assembly. Arms transfers therefore can be viewed as enabling factors that equip those who commit human rights violations and facilitate such violations by providing them the means with which to do so.

Many human rights mechanisms have recognised the strong link between the impact of the international arms trade, and the availability of weapons on human rights. These include, in addition to the Human Rights Committee, the Human Rights Council (HRC),[[4]](#footnote-4) investigative mechanisms created by the HRC,[[5]](#footnote-5) as well as treaty bodies such as the Committee on Economic, Social and Cultural Rights,[[6]](#footnote-6) the Committee on the Elimination of Discrimination against Women,[[7]](#footnote-7) and the Committee on the Rights of the Child (CRC).[[8]](#footnote-8) Recommendations relating to the arms trade have increasingly been made in the context of the Universal Periodic Review (UPR).[[9]](#footnote-9)

In relation to the right to life, the Human Rights Committee has clarified that “States parties engaged in the deployment, use, sale or purchase of existing weapons and in the study, development, acquisition or adoption of weapons, and means or methods of warfare, must always consider their impact on the right to life.”[[10]](#footnote-10) The Committee has also clearly stated that states parties must take “appropriate legislative and other measures to ensure that all activities taking place in whole or in part within their territory and in other places subject to their jurisdiction, but having a direct and reasonably foreseeable impact on the right to life of individuals outside their territory, including activities undertaken by corporate entities based in their territory or subject to their jurisdiction, are consistent with article 6, taking due account of related international standards of corporate responsibility and of the right of victims to obtain an effective remedy.”[[11]](#footnote-11)

In its concluding observations, the Human Rights Committee has increasingly addressed the obligation of States to ensure that businesses under their territory or their jurisdiction respect human rights standards including when operating abroad.[[12]](#footnote-12)

## Canada’s obligations relating to arms transfers

In addition to its obligations to respect, protect, and fulfil the rights under the ICCPR, as well as its national export control policies, Canada has obligations under the Arms Trade Treaty (ATT), to which it acceded in 2019.[[13]](#footnote-13) The ATT creates common legally-binding standards for the transfer of conventional weapons in order to reduce diversion of arms into illicit markets, improve transparency, and reduce human suffering by obligating states parties to assess the impact of any weapons transfer against a set of agreed criteria such as genocide, crimes against humanity, war crimes, serious human rights violations, and gender-based violence, among others. Article 6(3) of the ATT prohibits authorising arms exports if the State has knowledge at the time of the authorisation that the weapons, or its parts and components, will be used in the commission of war crimes or crimes against humanity among other grave breaches of the Geneva Conventions of 1949; attacks directed against civilian objects or civilians protected as such; or other war crimes as defined by international agreements to which it is a Party. The ATT also requires states parties to, *inter alia,* assess the potential for the proposed export to commit or facilitate “serious acts of gender-based violence or serious acts of violence against women and children” (Article 7(4)). It is important to underscore that the risk assessments assess just that—the “risk” that the arms in question will be used in any of the ways prohibited by the Treaty. It is not necessary to establish the direct presence of a transferred item as having been used in a specific act in order to prevent future transfers of the same item. If the risk alone is high enough, the transfer must be denied.

The UN Group of Eminent Experts (GEE) on Yemen has recalled that “The obligation to ensure respect under international humanitarian law requires that States refrain from transferring weapons ‘if there is an expectation, based on facts or knowledge of past patterns, that such weapons would be used to violate international humanitarian law.’ This obligation requires an assessment to be made prior to any arms transfers.” [[14]](#footnote-14) The GEE has further stated that it remained “concerned in particular about the continued arms transfers to parties to the conflict, notwithstanding the documented serious violations of international humanitarian law and human rights law occurring in Yemen.” [[15]](#footnote-15) The GEE has recalled that notwithstanding the strong recommendations in its previous reports, third States, including Canada, continued their support of parties to the conflict including through arms transfers.[[16]](#footnote-16)

With regard to regulation of arms producers, Canada should also ensure policy coherence with the UN Guiding Principles on Business and Human Rights in relation to the arms industry as this framework applies to all companies.

Over the years, Canada has received several recommendations to address the human rights impacts of Canadian companies operating abroad, including by adopting a National Action Plan on Business and Human Rights and by ensuring access to justice for victims.[[17]](#footnote-17) Canada still does not have a National Action Plan on Business and Human Rights nor a legal framework on mandatory corporate human rights due diligence. In January 2018, a Canadian Ombudsperson for Responsible Enterprise (CORE) was created; the Ombudsperson can receive and review claims of alleged human rights abuses arising from the operations of Canadian companies abroad in the mining, oil and gas, and garment sectors. However, in addition to being currently limited only to those industries, this mechanism does not hold investigatory powers such as the ability to compel documents and testimony from parties to complaints, which is a major gap to ensure accountability.[[18]](#footnote-18) In 2018, following a country visit to Canada, the UN Working Group on the issue of human rights and transnational corporations and other business enterprises (UN Working Group on Business and Human Rights) recommended, *inter alia,* that the Canadian Ombudsperson for Responsible Enterprise be given the investigatory powers to summon witnesses and compel stakeholders to produce documents and any other powers as are necessary to fully address human rights abuses.[[19]](#footnote-19) The Working Group also recommended that the government develop a gender-sensitive national action plan to implement all three pillars of the UN Guiding Principles on Business and Human Rights. [[20]](#footnote-20)

## Concerns around Canada’s transfers of weapons and military equipment

In addition to providing examples of problematic arms transfers, the above-mentioned WILPF submission to the CRC, provided as an annex, details our concerns around transparency of Canada’s arms exports. These concerns relate, for example, to exports to the United States, which represent an estimated half of all Canadian exports of military goods and equipment and which remain largely off-the-record and are not publicly reported on. Such transfers are not only exempt from the risk assessment and public reporting policies and procedures that Canada applies to other states but there is also no assessment of how Canadian-made items are further transferred or used, as the case study on Nigeria contained in the annexed submission to the CRC highlights. Furthermore, despite the provision of the above figures from official federal government reporting, it can be difficult to discern further the precise items that Canada exports and to whom, because of the broad categories of military equipment and arms that the Canadian government employs. This sometimes results in double-counting as well as inflated and inaccurate export values for a given destination, all of which complicates efforts to analyse and understand Canadian arms exporting.

## Examples of problematic arms transfers

While recent deals and transfers that have raised questions and inquiries by civil society organisations and journalists might give the impression that this is a current problem, others have noted that weapons transfers to recipients and contexts of concern is not a new development.[[21]](#footnote-21)

For example, as WILPF reported in the annexed submission to the CRC, background research prepared by Project Ploughshares in support of that submission notes “The UN Secretary-General’s 2018 *Report on children and armed conflict* highlights grave breaches across twenty conflict zones. These violations include the recruitment of child soldiers, attacks on schools and hospitals, and the killing and maiming of children during conflict, amongst others. Of the belligerents identified, nine have received Canadian weapons exports between 2016-2018, as outlined in the annual Reports on Exports of Military Goods from Canada.”[[22]](#footnote-22) The nine countries are: Afghanistan, Saudi Arabia, Colombia, Iraq, Israel, Lebanon, India, Nigeria, Philippines. Data relating to transfers to these countries is outlined in a table (“Table 1”) available on page 8 of the annexed WILPF submission to the CRC.

We kindly ask the Human Rights Committee to refer to information contained in that WILPF submission for additional details on Canada’s arms transfers, including the above-mentioned case study on Nigeria. The case study also provides information about two Canadian-owned companies with operations in other countries (STREIT Group and INKAS) having provided armoured vehicles to the Nigerian armed forces; a police investigation about possible sanctions violations in STREIT Group’s sale of armoured trucks to Sudan; and STREIT Group being named in reports of UN panels investigating arms embargo violations on Libya and South Sudan. With regard to the STREIT Group, we note that some of their vehicles have been found in Libya. These were not produced in Canada, but instead in STREIT’s facilities located in the United Arab Emirates.[[23]](#footnote-23) This highlights the ongoing issue of “off-shoring” production for these otherwise Canadian-headquartered companies by which they circumvent domestic arms controls and embargoes.

We also note the contradiction between criticism that high-level Canadian governmental officials give on the human rights records of countries to which Canada is supplying weapons and military equipment to. In 2018, following a diplomatic Twitter spat[[24]](#footnote-24) between then-Canadian Foreign Affairs Minister Chrystia Freeland and Saudi Arabian authorities over the release of civil and women’s rights activists, Freeland stated that “Canada will always stand up for the protection of human rights, very much including women's rights, and freedom of expression around the world. Our government will never hesitate to promote these values and believes that this dialogue is critical to international diplomacy.”[[25]](#footnote-25) Similarly, our case study on the Philippines — also included in the annexed WILPF submission to the CRC— shows that it was the Philippine government that cancelled its contract with the Canadian government for military helicopters because of comments from Prime Minister Trudeau about human rights in the Philippines — and not the Canadian government cancelling the contract because of those same human rights concerns.

WILPF also draws the Human Rights Committee’s attention to concerns relating to selling targeting and surveillance sensors to Turkey. WESCAM, a Canadian company, has been selling targeting and surveillance sensors to Turkey for use in their uncrewed aerial vehicles (UAVs), or drones.[[26]](#footnote-26) The Turkish UAV programme has been regularly criticised for launching indiscriminate airstrikes and targeting civilians and civilian infrastructure; the UN Commission of Inquiry on Syria has recorded a number of allegations that the Turkish Air Force (THK) has launched airstrikes on civilian areas that have no legitimate military targets.[[27]](#footnote-27) The permits were recently cancelled by the Canadian government, following a temporary suspension (that allowed multiple exemptions), because Turkey diverted the drones to Azerbaijan where they were used in the Nagorno-Karabakh crisis. While the cancellation of permits is laudable, the risk of transfer to Turkey itself should have prevented the transfer of these components in the first place given Turkey’s involvement in armed conflicts, concern over its drone programme, and earlier diversion of its UAVs (equipped with WESCAM sensors) into Libya.[[28]](#footnote-28) A point that has also been made in Canadian media coverage[[29]](#footnote-29) of the permit cancellation, as well as in a parliamentary hearing,[[30]](#footnote-30) is that the decision to cancel the permits was based on evidence collected and presented by civil society, rather than through the rigour of the Canadian risk assessment process. Its risk assessment for gender-based violence was particularly poor, and failed to assess the risk of gender-based violence in the contexts where Turkey deploys its UAVs.

# III. Nuclear weapons

In its General Comment 36, the Human Rights Committee has stated “The threat or use of weapons of mass destruction, in particular nuclear weapons, which are indiscriminate in effect and are of a nature to cause destruction of human life on a catastrophic scale, is incompatible with respect for the right to life and may amount to a crime under international law.”[[31]](#footnote-31)

The policy of nuclear deterrence, which threatens the use of nuclear weapons and requires the maintenance, modernisation, and deployment of nuclear weapons, is incompatible with the right to life. Canada, in its national policy and as a member of the North Atlantic Treaty Organisation (NATO), supports the policy of nuclear deterrence. Among other things, in its 2017 military policy, Canada declared that it “benefits from the deterrent effect provided by its alliances (e.g. NATO and NORAD),” including in relation to both nuclear and conventional capabilities.[[32]](#footnote-32) In a statement to the UN General Assembly in 2020, Canada said it “supports and understands the need for nuclear deterrence*.*”[[33]](#footnote-33) Within NATO, Canada has subscribed to numerous policy statements supporting nuclear deterrence and the inclusion of nuclear forces in NATO’s defence posture.[[34]](#footnote-34) Canada is also a member of NATO’s Nuclear Planning Group, in which it participates in NATO plans and operations to threaten the use of nuclear weapons and to prepare for their possible use.

Due to its support for nuclear deterrence policies and its membership in NATO, Canada refused to participate in the negotiations of the Treaty on the Prohibition of Nuclear Weapons (TPNW) and has voted against subsequent UN resolutions supporting the TPNW. Two-thirds of the UN membership participated in TPNW negotiations and voted for its adoption in 2017 as part of their obligations under the Non-Proliferation Treaty (NPT) to pursue effective measures for nuclear disarmament. Canada’s boycott of the negotiations and subsequent statements and votes against the TPNW stand in contrast to its NPT obligations as well as its stated interest in “advocating tirelessly for policies and practices to eliminate nuclear weapons.”[[35]](#footnote-35)

Canada’s support for nuclear deterrence translates directly into support for the continued possession, maintenance, and modernisation of nuclear weapons and their delivery systems.[[36]](#footnote-36) Nuclear weapon programmes cost billions of dollars a year,[[37]](#footnote-37) redirecting resources away from human well-being, poverty reduction, social services, gender equality, efforts against climate change, and investments in peace and justice, amongst other things.

The policies and practices of nuclear deterrence, which necessitate arms races and continuous threats of use of nuclear weapons, also contravene Canada’s stated pursuit of peace, equality, and human security.[[38]](#footnote-38) In the government’s stated intentions and understandings, international relations should be based on diplomacy, cooperation, and coordination, not on threats of mass destruction and zero-sum game theory. WILPF stresses that nuclear weapons are tools of patriarchal power games and stand in stark contrast to the approach of a feminist foreign policy, which the Canadian government is in the process of developing, and will soon launch.

Furthermore, the Canadian public overwhelmingly supports nuclear disarmament, not deterrence. A recent poll shows that 74 per cent of Canadians support Canada joining the TPNW. This number stands even if Canada comes under pressure by the United States or NATO to not join the Treaty.[[39]](#footnote-39) Thus the Canadian government’s position on nuclear deterrence and opposition to the TPNW go against the will of the people.

# IV. Questions

Based on the concerns presented in this submission and its annex, WILPF would like to suggest that the Human Rights Committee ask Canada about:

* What measures Canada has put in place to not permit arms transfers to countries where there is a risk that arms might be used to facilitate or commit serious violations of international human rights law and international humanitarian law?
* What specific criteria is used to assess the risk of pending/new arms transfers, facilitating or contributing to violations of human rights and IHL? In particular, which resources/sources information the Canadian government refers to in order to carry out its human rights risk assessment as part of the arms transfers licensing process? Which questions are asked as part of this process? How is the gender-based violence risk assessment undertaken, practically?
* What steps has the government taken to ensure that arms corporations domiciled in Canada’s territory and/or under its jurisdiction act with due diligence to identify, prevent, and address abuses of rights enshrined in the ICCPR including in corporations’ global supply chains through subsidiaries and business partners wherever they may be located? What measures are being taken by the government to ensure that appropriate monitoring and accountability procedures are in place to ensure effective prevention and enforcement in case of abuses?
* What steps is the government taking to bring transparency to its transfers to the United States, or steps it is taking to ensure that the forward/future use of those items does not result in serious violations of IHL and international human rights law?
* What steps have been taken to implement the recommendations by the UN Working Group on Business and Human rights[[40]](#footnote-40) relating to strengthening the Canadian Ombudsperson for Responsible Enterprise (CORE), especially through granting the Ombudsperson the full powers needed to carry out effective and independent investigations? Does the government plan to expand the mandate of the Ombudsperson to cover other industries, including the arms sector?
* What steps have been taken to implement the Working Group’s recommendation to develop a gender-sensitive National Action Plan to implement all three pillars of the UN Guiding Principles on Business and Human Rights?[[41]](#footnote-41) Is Canada considering the adoption of a comprehensive human rights due diligence law to compel businesses to respect human rights standards across the entirety of their global operations and supply chains and hold them liable for harms caused by or on behalf of their operations? Would the arms industry be covered by such initiatives?
* What steps has the government taken to improve transparency in its arms transfer decision-making, agreements, and reporting?
* How it reconciles the transfer of arms and surveillance equipment to repressive states, notably to Saudi Arabia, vis-à-vis its feminist foreign assistance policy, forthcoming feminist foreign policy, and commitment to defending human rights?
* How does Canada reconcile its support for nuclear deterrence and rejection of the TPNW with its obligations under the NPT and toward the Canadian public?
* Whether the Canadian government will consider signing and ratifying the TPNW as a concrete, effective step toward the establishment of a nuclear weapon free world.

# Annex: WILPF submission to the 87th CRC pre-session

*The impact of Canada’s arms transfers on children’s rights,* WILPF submission to the 87th pre-sessional working group of the Committee on the Rights of the Child (26 June 2020).[[42]](#footnote-42) Sent as a separate file.

1. *The impact of Canada’s arms transfers on children’s rights: Submission to the 87th pre-sessional working group of Committee on the Rights of the Child,* Women’s International League for Peace and Freedom (WILPF), June 2020, <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/att/WILPF_CRC_June2020.pdf> . Also available on the OHCHR website at: <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRC%2fNGO%2fCAN%2f42730&Lang=en> . [↑](#footnote-ref-1)
2. *General comment No. 36, Article 6: right to life*, CCPR/C/GC/36, adopted on 30 October 2018. [↑](#footnote-ref-2)
3. See publications listed under *Challenging the arms trade*, Reaching Critical Will of the Women’s International League for Peace and Freedom (WILPF), http://www.reachingcriticalwill.org/resources/publications-and- research/research-projects/10738-challenging-the-arms-trade. [↑](#footnote-ref-3)
4. *Impact of arms transfers on human rights in armed conflicts,* A/HRC/RES/24/35, 8 October 2013; *Human rights and the regulation of civilian acquisition, possession and use of firearms*, A/HRC/RES/26/1, 16 July 2014; *Human rights and the regulation of civilian acquisition, possession and use of firearms,* A/HRC/RES/29/10, 22 July 2015; *Impact of arms transfers on human rights,* A/HRC/RES/32/12, 15 July 2016; *Human rights and the regulation of civilian acquisition, possession and use of firearms,* A/HRC/RES/38/10, 18 July 2018; *Impact of arms transfers on human rights,* A/HRC/RES/41/20, 12 July 2019. [↑](#footnote-ref-4)
5. See, for example, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*

   A/HRC/42/51, 15 August 2019, paragraphs 99 (g); *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/34/64, 2 February 2017, paragraph 106 (b); *Human rights abuses and international humanitarian law violations in the Syrian Arab Republi*c, 21 July 2016-28 February 2017; *Conference room paper of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/CPR.3, 19 November 2014, paragraph 117 (a). *Situation of human rights in Yemen, including violations and abuses since September* 2014, *Report of the detailed findings of the Group of Eminent International and Regional Experts on Yemen* A/HRC/42/17, 3 September 2019, paragraph 92, https://www.ohchr.org/Documents/HRBodies/HRCouncil/GEE-Yemen/A\_HRC\_42\_CRP\_1.PDF. *The economic interests of the Myanmar military, Independent International Fact-Finding Mission on Myanmar*, A/HRC/42/CRP.3, 12 September 2019, https://www.ohchr.org/EN/HRBodies/HRC/MyanmarFFM/Pages/EconomicInterestsMyanmarMilitary.aspx .

   *Report of the Independent Expert on the situation of human rights in Mali,* A/HRC/40/77, 21 January 2019, paragraphs 41 and 43. See also C. Knaus and B. Doherty, “‘Crime against humanity’: UN expert calls on Australia to stop selling weapons to war-torn Mali,” *The Guardian*, 11 March 2020, https://www.theguardian.com/world/2020/mar/12/against-humanity-un-expert-calls-on-australia-to-stop-selling- weapons-to-war-torn-mali.

   *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on a gender sensitive approach to arbitrary killings*, A/HRC/35/23, 6 June 2017. [↑](#footnote-ref-5)
6. See, for example, *List of issues prior to submission of the sixth periodic report of Italy*, E/C.12/ITA/QPR/6, 13 March 2020, paragraph 10 and *List of issues prior to reporting for Italy* E/C.12/ITA/QPR/6, 16 April 2020, paragraph 10, and Concluding observations on the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland, E/C.12/GBR/CO/6, 14 July 2016, paragraph 12 (c). See also question by Professor Olivier De Schutter, at http://webtv.un.org/search/consideration-of-germany-31st-meeting-64th-session-committee-on- economic-social-and-cultural rights/5839872155001/?term=%22consideration%20of%20Germany%22&sort=date at 57:23. [↑](#footnote-ref-6)
7. See, for example, *List of issues prior to reporting for Italy* CEDAW/C/ITA/QPR/8*,* 8 March 2021, paragraph 5; *Concluding observations on Australia,* CEDAW/C/AUS/CO/8; *France,* CEDAW/C/FRA/CO/7-8, paragraph 22; *Italy*, CEDAW/C/ITA/CO/7, paragraph 20; *Germany, CEDAW/C/DEU/CO/7-8, para. 28; Netherlands,* CEDAW/C/NLD/CO/6, para. 46 (a); S*weden*, CEDAW/C/SWE/CO/7, paragraph 35; *Switzerland,* CEDAW/C/CHE/CO/4-5. See also List of issues prior to reporting for *Germany,* CEDAW/C/DEU/QPR/9, paragraph 6 and *List of issues for Germany,* CEDAW/C/DEU/Q/7-8, paragraph 5. *See also: General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations*, CEDAW/C/GC/30, 18 October 2013, paragraph 32. *General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19*, CEDAW/C/GC/35, 2017, paragraph 31 (c). [↑](#footnote-ref-7)
8. The CRC has regularly addressed the connection between child soldiers and arms trade in its concluding observations. See for example, concluding observations on the *USA*, CRC/C/OPAC/USA/CO/3-4, 2017; *Ukraine*, CRC/C/OPAC/UKR/CO/1, 2011; *Tunisia* CRC/C/OPAC/TUN/CO/1, 2009; *Turkmenistan* CRC/C/OPAC/TKM/CO/1, 2015; *Montenegro* CRC/C/OPAC/MNE/CO/1, 2010; *Belgium* CRC/C/OPAC/BEL/CO/1, 2006; *Moldova* CRC/C/OPAC/MDA/CO/1, 2009; *China* CRC/C/OPAC/CHN/CO/1, 2013; *Kirgizstan* CRC/C/OPAC/KGZ/CO/1, 2007; *Hungary* CRC/C/OPAC/HUN/CO/1, 2014; *Italy* CRC/C/ITA/CO/3-4, 2011; *Australia* CRC/C/OPAC/AUS/CO/1, 2012; *Singapore* CRC/C/OPAC/SGP/CO/1, 2014; *USA* CRC/C/OPAC/USA/CO/2, 2013; *Czech Republic* CRC/C/OPAC/CZE/CO/1, 2006; *Egypt* CRC/C/OPAC/EGY/CO/1, 2011; *Belarus* CRC/C/OPAC/BLR/CO/1, 2011; *Bosnia and Herzegovina* CRC/C/OPAC/BIH/CO/1, 2010; *The Former Yugoslav Republic of Macedonia* CRC/C/OPAC/MKD/CO/1, 2011; *India* CRC/C/OPAC/IND/CO/1, 2014; *Slovenia* CRC/C/OPAC/SVN/CO/1, 2009; *Canada* CRC/C/OPAC/CAN/CO/1, 2006; *Tanzania* CRC/C/OPAC/TZA/CO/1, 2008. [↑](#footnote-ref-8)
9. For more information, see WILPF Submission from the WILPF’s submission to OHCHR on the *Impact of the diversion of arms and unregulated or illicit arms* transfers *on the human rights of women and girls*, April 2020, pages 4-5, https://www.wilpf.org/wilpf\_statements/submission-to-the-un-office-of-the-high-commissioner-for-human-rights-on-the-impact-of-the-diversion-of-arms-and-unregulated-or-illicit-arms-transfers-on-the-human-rights-of-women-and-girls/. [↑](#footnote-ref-9)
10. *General Comment No. 36 Article 6: right to life*, paragraph 65. [↑](#footnote-ref-10)
11. *Ibid.* [↑](#footnote-ref-11)
12. *Concluding observations on the sixth periodic report of Canada*, CCPR/C/CAN/CO/6, 13 August 2015, paragraph 6; *Concluding observations on the fourth periodic report of the Republic of Korea*, CCPR/C/KOR/CO/4, 3 December 2015, paragraphs 10 and 11; *Concluding observations on the sixth periodic report of Germany*, CCPR/C/DEU/CO/6, 12 November 2012, paragraph 16. [↑](#footnote-ref-12)
13. Global Affairs Canada, *Deposition of Canada’s instrument of accession to the Arms Trade Treaty,* 21 June 2019, https://www.canada.ca/en/global-affairs/news/2019/06/deposition-of-canadas-instrument-of-accession-to-the-arms-trade-treaty.html. [↑](#footnote-ref-13)
14. UN Human Rights Council, *Situation of human rights in Yemen, including violations and abuses since September 2014, Detailed findings of the Group of Eminent International and Regional Experts on Yemen,* A/HRC/45/CRP.7, 25 September 2020, paragraph 413. [↑](#footnote-ref-14)
15. *Ibid.*, paragraph 414. [↑](#footnote-ref-15)
16. *Ibid.*, paragraph 61. [↑](#footnote-ref-16)
17. UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Canada*, 28 June 2013, A/HRC/24/11, recommendation 128.151. “Continue efforts towards the establishment and implementation of an effective regulatory framework for holding companies registered in Canada accountable for the human rights impact of their operations” (Egypt); CRC/C/CAN/CO/3-4, 6 December 2012, paragraph 28; CCPR/C/CAN/CO/6 , 13 August 2015, paragraph 6; E/C.12/CAN/CO/6 , 23 March 2016, paragraphs 15 and 16; CEDAW/C/CAB/CI/8-9, 25 November 2016, paragraph 18 and 19; CERD/C/CAN/CO/21-23, 13 September 2017, paragraph 21 and 22; CERD/C/CAN/CO/21-23,13 September 2017, paragraph 21 and 22; United Nations Working Group on Business and Human Rights in its statement at the end of visit to Canada by the United Nations Working Group on Business and Human Rights, available at: http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21680&LangID=E [↑](#footnote-ref-17)
18. See this action from the Canadian Network on Corporate Accountability: <http://cnca-rcrce.ca/campaigns/ombuds-power2investigate/ombudsperson-human-rights-canadian-responsible-enterprise/>v. [↑](#footnote-ref-18)
19. *Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its mission to Canada* , A/HRC/38/48/Add.1, 23 April 2018*,* paragraph 79(a)

    “The Working Group recommends that the Government:

    (a) Ensure that the Office of the Canadian Ombudsperson for Responsible Enterprise is well resourced, financially and with skilled personnel, so that it can provide effective and timely remedies and recommendations for complaints. Furthermore, the Office should have total independence from the Government, undertake meaningful investigations and have the investigatory powers to summon witnesses and compel stakeholders to produce documents and any other powers as are necessary to fully address human rights abuses.” [↑](#footnote-ref-19)
20. *Ibid.,* paragraph 79(r). [↑](#footnote-ref-20)
21. In particular, this has included the provision of arms to Indonesia and Bahrain. See David Webster, *Canada’s checkered history of arms sales to human rights violators*, Macleans, 17 February 2018, <https://www.macleans.ca/politics/canadas-checkered-history-of-arms-sales-to-human-rights-violators/> and Mike Blanchfield, *Canada exporting arms to countries with dicey human rights records*, The Globe and Mail, 8 December 2013, https://www.theglobeandmail.com/news/politics/canada-exporting-arms-to-countries-with-suspicious-human-rights-records/article15817569/. [↑](#footnote-ref-21)
22. See Table 1 in WILPF submission to the CRC on *The impact of Canada’s arms transfers on*

    *children’s rights,* 26 June 2020, <https://www.reachingcriticalwill.org/news/latest-news/14724-wilpf-s-submission-to-the-committee-on-the-rights-of-the-child-highlights-link-between-the-arms-trade-and-children-s-human-rights>. [↑](#footnote-ref-22)
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