

## CANADA

Canada, with a population of 34.2 million, is a constitutional monarchy with a federal parliamentary form of government. In a free and fair multiparty federal election held in 2008, the Conservative Party, led by Stephen Harper, won a plurality of seats and formed a second successive minority government. Security forces reported to civilian authorities.

Human rights problems included harassment of religious minorities, violence against women, and trafficking in persons.

### RESPECT FOR HUMAN RIGHTS

Section 1    Respect for the Integrity of the Person, Including Freedom From:

a.    Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings, but a few law enforcement-related deaths remained under investigation.

On June 24, an Ontario Provincial Police (OPP) officer shot Aron Firman with a Taser during a confrontation in Collingwood, Ontario. Firman subsequently died at a nearby hospital. On December 7, the Special Investigations Unit (SIU) released a report concluding that the Taser caused Firman's death but that the officer's use of the Taser did not constitute excessive force because the officer was not aware that the Taser could be lethal.

On July 17, Royal Canadian Mounted Police (RCMP) officers shot and killed Corey Lewis of Okotoks, Alberta, after a three-hour standoff at Lewis' home. A preliminary investigation by the Alberta Serious Incidents Response Team found that Lewis was holding an umbrella, rather than a weapon, when the RCMP officers killed him.

On August 29, a Pickering, Ontario, police officer fatally shot Reyal Jensen Jardine-Douglas after a confrontation between the officer and Jardine-Douglas. The family of Jardine-Douglas asserted that he suffered from a mental illness. An SIU inquiry remained pending at year's end.

On September 29, Toronto police shot and killed Eric Osawe during the execution of a search warrant at Osawe's apartment. On December 1, the SIU charged Constable David Cavanaugh with manslaughter in connection with Osawe's death after finding "reasonable grounds" to believe that Cavanaugh had committed a criminal offense.

After reviewing the recommendations of a December 2009 Policing Standards Advisory Council report on Tasers, on March 29, Ontario announced new guidelines and training standards for the police use of Tasers. The new guidelines state that Tasers "are generally intended for use in situations where subjects are threatening or displaying assaultive behavior," but police could use them in other circumstances, taking into account the need for control of a suspect. The guidelines standardize rules for Taser training and recommend that officers avoid using Tasers on "vulnerable" subjects, including persons who are handcuffed, pregnant, elderly, young, visibly frail, or in control of a moving vehicle.

On May 5, the RCMP announced that it had tightened its rules for the use of Tasers. The new guidelines restrict Taser use to cases in which a person is causing bodily harm or an officer has "reasonable grounds" to believe a person will "imminently" harm someone. The guidelines also require a verbal warning "when tactically feasible" before an officer fires a Taser.

On December 12, the Commission for Public Complaints Against the RCMP issued a report stating that RCMP officers were still hog-tying suspects even though RCMP regulations generally forbade the technique. The RCMP had used the hog-tying method in 40 percent of cases in which a suspect died after being hit by a Taser. The Commission recommended that RCMP officers receive more training on identifying, dealing with, and using force on the mentally ill and those with drug and alcohol problems. It also suggested the creation of a national database of all deaths occurring in police custody.

There were no developments in the inquests into two 2008 deaths at the hands of Peel, Ontario police: the shooting of Gregg Moynagh of Mississauga and the Taser death of Sean Reilly of Brampton.

On July 19, the mother of Michael Langan filed a civil lawsuit against the city of Winnipeg, several Winnipeg police officers, and Taser International, Inc. in connection with the 2008 death of her son after Winnipeg police stunned him with a Taser.

On April 1, the RCMP issued a formal apology to, and reached a financial settlement with, the mother of Robert Dziekanski, who died in 2007 after four RCMP officers used a Taser to subdue him at the Vancouver International Airport. On April 2, the Commissioner of the RCMP acknowledged that its officers "fell short" in handling the Dziekanski case and stated that investigation of future incidents involving RCMP officers would be turned over to British Columbia's civilian oversight body. On June 18, a British Columbia inquiry into the fatality issued the second of two reports. The report found that the four RCMP officers were "not justified" in using a Taser during the incident and that the deployment of the Taser "contributed substantially" to Dziekanski's death. The report recommended, among other measures, that British Columbia create a civilian-based criminal investigative body to investigate all incidents occurring in the province in which a person suffers "serious harm" at the hands of the police. On June 30, the British Columbia attorney general announced the appointment of a special prosecutor to reexamine whether the province should bring criminal charges against the RCMP officers involved in Dziekanski's death. The attorney general also stated that the province would within one year establish an independent civilian agency to investigate police-related deaths and serious injuries. The agency would have the authority to investigate the RCMP and municipal police.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, and the government permitted monitoring visits by independent human rights observers.

There were on average 38,000 prisoners and detainees, including 1,900 juveniles, on any given day in 2008, the year for which statistics were most recently available. Women composed approximately 4 to 6 percent of the total number of

prisoners. Prisoners and detainees had reasonable access to visitors and prison officials permitted religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. Authorities investigated credible allegations of inhumane behavior and documented the results of such investigations in a publicly accessible manner. The government investigated and monitored prison and detention center conditions.

On September 8, the Correctional Investigator of Canada (CIC) issued a report concerning deaths in official custody. The report reviewed the 2007 death of a mentally ill teenager in prison and nine other deaths in custody. The report recommended that prisons avoid placing mentally ill detainees in prolonged segregation, provide round-the-clock health-care coverage, and train front-line staff on how to manage prisoners at risk of self-injury.

On September 23, the CIC reported that the prison system was "warehousing" mentally ill offenders because of a lack of funding for services and gaps in accountability. The CIC focused on the correctional service's failure to implement "intermediate" mental health care for those who fell between needing primary care and acute inpatient care. The CIC contended that many inmates suffering from mental illness "fell through the cracks" because they do not meet the admission criteria for psychiatric hospitals. The CIC recommended that Correctional Services Canada fully fund its mental health program, develop mental health delivery partnerships with the provinces, and focus on care guidelines for mentally ill prisoners.

On December 7, the Ottawa Police Service (OPS) asked the OPP to investigate allegations of abuse arising from videotapes that allegedly showed Ottawa police officers kneeling, kicking, and strip searching prisoners in the OPS's cellblocks. On December 19, a former detainee filed a C\$1.2 million (\$1.17 million) lawsuit against the OPS, contending the police violated her rights after an officer kicked her and cut off her bra and shirt while she was in custody.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

#### Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the RCMP and provincial and municipal police forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

### Arrest Procedures and Treatment While in Detention

Authorities generally apprehended persons openly with warrants. A judge may issue a warrant after being satisfied that a criminal offense may have been committed. A person arrested for a criminal offense has the right to a prompt, independent judicial determination of the legality of the detention; authorities respected this right in practice. Authorities provided detainees with timely information as to the reason for the arrest, ensured prompt access to a lawyer of the detainees' choice, and, if indigent, to one provided by the state, and granted prompt access to family members. Bail generally was available. Detainees were released immediately after being charged, unless a judge deemed continued detention necessary to ensure the detainee's attendance in court, for the protection or safety of the public, or due to the gravity of the offense.

In late June police arrested approximately 1,105 individuals for alleged criminal acts related to protests, vandalism, and property damage during the G20 leaders' summit in Toronto. Police held individuals in a temporary detention facility. Civil liberties groups alleged that police arrested individuals arbitrarily, detained some individuals for longer than 36 hours, denied them access to lawyers, threatened them, or used excessive force. Police released more than 800 individuals unconditionally or without filing charges. According to the Ontario attorney general, police charged 304 individuals. After court appearances, authorities dismissed, stayed, or withdrew charges in 166 cases, six individuals pled guilty, and police issued arrest warrants for four individuals who failed to appear at court. Charges against 128 individuals remained pending at year's end.

The Ontario attorney general, the SIU, the Toronto Police Services Board, and the Ontario ombudsman announced that they would launch separate investigations of police conduct during the G20 summit. The Toronto police also initiated an internal review of police methods employed during the protests.

On August 6, a plaintiff filed a class-action lawsuit on behalf of the estimated 800 persons whom police arrested and released without charge. On September 1, two individuals filed a second class action lawsuit on behalf of those the police detained at the temporary detention center.

On November 3, the chief of the Toronto police announced that the Toronto Police Service would bring administrative charges against "approximately 90 officers" for removing their name tags during the G20 summit protests.

On November 23, the SIU announced that after investigating six separate cases involving the Toronto police's alleged use of excessive force during the G20 summit, it would not bring any charges. The SIU stated that although "reasonable grounds" existed to believe that the police used excessive force, it could not identify the individual officers involved. On December 1, the SIU reopened its investigation after receiving new evidence about the Toronto police's alleged use of excessive force. On December 21, the SIU charged Police Constable Babak Andalib-Goortani with one count of assault with a weapon for his involvement in the arrest of a bystander.

On December 7, the Ontario ombudsman released a report criticizing the government of Ontario for using "in secret" a World War II-era law to grant the police extra powers to question and detain individuals during the G20 summit. The ombudsman said Ontario's action was "likely illegal and unconstitutional." The ombudsman recommended that the provincial government should either repeal the law or revise it so that the public had more notice when it was invoked.

The investigations of the Ontario attorney general, the Toronto Police Services Board, the Toronto police, and the lawsuits remained pending at year's end.

Noncitizens may be detained and deported on national security grounds under immigration security certificates. The government issues certificates on the basis of confidential evidence presented to two cabinet ministers by intelligence or police agencies and reviewed by a federal court judge who determines its "reasonableness" and upholds or revokes the certificate. A judge may order an individual detained during the security certificate removal process if the government considers that the individual presents a danger to national security or is unlikely to appear at the proceeding for removal. If a judge determines that an individual faces a risk of torture or death in the individual's country of origin greater than the risk the person poses by remaining in the country, the judge may stay the removal order, and the individual may be detained pending deportation or released subject to monitoring.

Individuals subject to a security certificate may see a summary of confidential evidence against them. Authorities provide full disclosure to court-appointed,

security-cleared lawyers ("special advocates") who can review and challenge the evidence on the behalf of these individuals, but may not show to or discuss the material with them. The law establishes strict rules on disclosure and use of secret evidence, prohibits the use of evidence if there are reasonable grounds to believe authorities obtained it as a result of torture, and provides mechanisms for review and appeal.

At year's end three individuals were subject to security certificates. On December 9, the Federal Court of Canada upheld the reasonableness of a certificate against one of the individuals who continued to live in the community under strict conditions pending appeal or deportation. Hearings into the validity of the certificates against the two other suspects remained in progress. Both lived in the community subject to restrictions. There were no reported developments in the December 2009 government review of the national security certificate program.

#### e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected judicial independence in practice.

#### Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. The judicial system is based on English common law at the federal level as well as in most provinces. In Quebec, civil law is derived from the Napoleonic Code; however, criminal law is the same nationwide. The government appoints judges. Trials are public, and defendants have a right to have their case heard before a judge alone or, for more serious cases, before a judge and jury. Defendants have the right to be present and to consult with an attorney in a timely manner. The government provides an attorney at public expense if needed when defendants face serious criminal charges, and defendants can confront or question witnesses against them and present witnesses and evidence on their behalf. Defendants and their attorneys generally have access to government-held evidence relevant to their cases. Defendants also enjoy a presumption of innocence and have a right of appeal.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

## Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters and access to a court to bring a suit seeking damages for, or cessation of, a human rights violation. Remedies can be monetary, declaratory, or injunctive. Federal or provincial human rights commissions may also hear alleged human rights violations, although these bodies follow differing standards and procedures.

### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions in practice.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press. Individuals could criticize the government publicly or privately without reprisal. The independent media were active and expressed a wide variety of views without restriction.

The Supreme Court has ruled that the government may limit free speech in the name of goals such as ending discrimination, ensuring social harmony, or promoting gender equality. It also has ruled that the benefits of limiting hate speech and promoting equality are sufficient to outweigh the freedom of speech clause in the Charter of Rights and Freedoms, the country's constitutional bill of rights. Provincial-level film censorship, broadcast licensing procedures, broadcasters' voluntary codes curbing graphic violence, and laws against hate literature and pornography also impose some restrictions on the media.

Inciting hatred (in certain cases) or genocide is a criminal offense, but the Supreme Court has set a high threshold for such cases, specifying that these acts must be proven to be willful and public. Laws prohibit speech or programming containing any abusive comment that would expose individuals or groups to hatred or contempt and empower the federal Canadian Human Rights Commission (CHRC) and the federal Canadian Human Rights Tribunal (CHRT) to enforce the law in



areas of federal jurisdiction. In addition, each province has its own human rights code. Some persons argued that the hate speech laws limit freedom of speech and criticized the requirement that commissions process all complaints received, the procedures commissions used to investigate and adjudicate complaints, and the ability of complainants to file identical complaints with several provincial commissions, each of which may adjudicate without attention to others.

On May 7, the Supreme Court found that journalists do not have a constitutional right to conceal confidential sources from law enforcement. The Court declared that journalists enjoy a qualified privilege to withhold confidential documents. However, the Court placed the burden on the media to invoke this privilege and emphasized that lower courts needed to consider each case on its own merits.

On September 27, the Federal Court dismissed an appeal of the government's decision to bar George Galloway, a former member of the British Parliament, from entering Canada. The court found that the government's decision was based on its disagreement with Galloway's political views but rejected the appeal, brought by individuals who had invited Galloway to speak, because Galloway never actually tried to enter the country.

On March 30, an individual filed an appeal of a December 2009 Alberta provincial court decision that had overturned a 2008 order of the Alberta Human Rights and Citizenship Commission against Reverend Stephen Boissin. The Commission found that Boissin violated the province's human rights code by writing a letter critical of homosexual conduct. The appeal remained pending at the end of the reporting period.

### Internet Freedom

There were no government restrictions on access to the Internet and no reports that the government monitored e-mail or chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Internet access was readily available and widely used. The International Telecommunication Union reported that there were 80 Internet users per 100 inhabitants in 2009.

The CHRC investigates complaints about hate messages on Web sites and may forward cases to the CHRT for action.

There were no known developments in the CHRC's appeal to the Federal Court of the CHRT's decision finding section 13(1) of the Human Rights Act, which prohibits the telephonic dissemination of hate speech, unconstitutional under the Charter of Rights and Freedoms.

#### Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

#### b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

#### c. Freedom of Religion

For a complete discussion, please see the *2010 International Religious Freedom Report* at [www.state.gov/g/drl/irf/rpt/](http://www.state.gov/g/drl/irf/rpt/).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The law prohibits forced exile, and the government did not use it.

#### Protection of Refugees

The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. In practice the government provided protection against the expulsion or return of refugees to a country where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The government offered alternatives to refugee claimants whose cases were refused by the Immigration and Refugee Board. The option for judicial

review through the Federal Court exists. Two other remedies of last resort are available through the Department of Citizenship and Immigration, including a "pre-removal risk assessment" as well as an appeal to the minister of citizenship and immigration for a waiver based on humanitarian and compassionate grounds. The government accepted refugees for resettlement from third countries and facilitated local integration (including access to naturalization), particularly of refugees in protracted situations.

On June 28, the country passed legislation to expedite processing times for refugee claims and ensure timely removals of failed claimants. Effective in 2011-12, the Immigration and Refugee Board (IRB) will interview an applicant within 15 days of the initial claim, conduct a hearing within 60 days, and render a decision within 90 days (or 60 days for applicants from countries designated as unlikely to generate legitimate refugee claims). The legislation created a new Refugee Appeal Division (RAD) within the IRB, which will rule on appeals within 120 days, or within 30 days for claimants from safe countries of origin. The legislation aims to remove refugee applicants from Canada within one year after a negative decision from the IRB.

### Section 3    Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

#### Elections and Political Participation

Political parties operated without restriction or outside interference.

There were 67 women and five indigenous persons in the 308-member federal House of Commons; 37 members were born outside the country. There were 37 women and six indigenous persons in the 105-seat Senate (whose members are appointed by the governor general on the advice of the prime minister); 13 members were born outside the country. Women held 10 seats in the 38-member cabinet. Four of the nine members of the Supreme Court, including the chief justice, were women.

### Section 4    Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year. The Federal Accountability Act provides for transparency and accountability in government. The Office of the Public Sector Integrity Commissioner reports annually on allegations of corruption. A commissioner of lobbying administers a national registry of lobbying of designated public office holders.

A conflict of interest and ethics commissioner administers the conflict of interest code for members of the House of Commons, as well as the Conflict of Interest Act in relation to public office holders. Provincial governments provide independent audits of government business and ombudsman services. Elected office holders (but not other public officials) are subject to financial disclosure laws for personal assets.

The law permits public access to government information, and in practice the government granted access for citizens and noncitizens, including foreign media. The law provides for denial of legal requests for information on limited and specific grounds, for which reasons are given and cited in law, and there is a mechanism to appeal denials. The government released quarterly information on the public expenditures of senior government officials and also published expense information on individual ministerial Web sites and on a centralized Web site.

On June 17, the Supreme Court announced a limited constitutional right to obtain suppressed information if the person seeking the documents shows that withholding them "precludes meaningful discussion on matters of public interest." However, the government may still refuse to produce the requested information if it is privileged or its disclosure would "impact the proper functioning of affected institutions," said the Court.

#### Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Federal and provincial human rights commissions enjoyed government cooperation, operated without government or party interference, and had adequate

resources. Observers considered them effective. Parliamentary human rights committees operated in the House of Commons and the Senate. The committees acted independently of government, conducted public hearings, and issued reports and recommendations to which the government provided written, public, and timely responses.

On January 29, the Supreme Court ruled that the government must provide a remedy for breaching the constitutional rights of Omar Khadr, a Canadian citizen detained at Guantanamo Bay, when Canadian officials questioned him in custody in 2003 and 2004. The Supreme Court declined to specify an appropriate remedy, deferring relief to the discretion of the government in recognition of the executive's exclusive jurisdiction over foreign affairs. On July 5, in a separate motion, the Federal Court of Canada found the government's redress to Khadr insufficient, and directed the government to submit a list of remedies (including potential repatriation) to the court by July 12. On July 22, the Federal Court of Appeal stayed the lower court's order pending appeal. On July 21, Khadr filed a contempt of court motion against the prime minister and the foreign minister for failing to meet the deadline for redress stated in the Federal Court order. The contempt motion remained pending at year's end. On October 25, Khadr pled guilty to five charges, including war crimes, murder, and providing material support to terrorism, as part of a plea bargain that capped his sentence at eight years in custody. After serving one year of his sentence, Khadr will become eligible to request a transfer to serve his remaining prison term in Canada.

There were no further developments in the November 2009 arrest of Rwandan immigrant Jacques Mungwarere on war crimes charges related to the 1994 Rwandan genocide. Mungwarere was the second individual to be charged under the country's Crimes against Humanity and War Crimes Act.

## Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government enforced the law effectively.

### Women

The law criminalizes rape, including spousal rape, as sexual assault, and the government enforced the law effectively. Penalties for sexual assault carry sentences of up to 10 years in prison, up to 14 years for sexual assault with a restricted or prohibited firearm, and between four years and life imprisonment for

aggravated sexual assault with a firearm or committed for the benefit of, at the direction of, or in association with, a criminal organization. The government's statistical office reported there were 20,931 reported incidents of sexual assault, sexual assault with a weapon or firearm causing bodily harm, and aggravated sexual assault in 2009 against female and male victims. Government studies indicated that sexual assault victims reported less than one in 10 incidents to police and that the rate of sexual victimization for females was approximately five times the rate for males.

The law prohibits domestic violence. Although the criminal code does not define specific domestic violence offenses, an abuser can be charged with an applicable offense, such as assault, aggravated assault, intimidation, mischief, or sexual assault. Persons convicted of assault receive up to five years in prison. Assaults involving weapons, threats, or injuries, carry terms of up to 10 years, and aggravated assault or endangerment of life carry prison sentences of up to 14 years. The government enforced the law effectively. Studies indicated that victims of domestic violence and spousal abuse underreported incidents.

Indigenous (Aboriginal) persons were more than three times more likely to be victims of spousal violence than nonindigenous persons.

The federal statistical agency reported that there were approximately 569 shelters for abused women; the shelters provided emergency care, transition housing, counseling, and referrals to legal and social service agencies. Shelters admitted more than 101,000 women and children in 2008, of whom approximately three-quarters had fled abusive situations. Police received training in treating domestic violence, and agencies provided abuse hotlines. The government's family violence initiative involved 12 departments and a cabinet ministry, the Status of Women Canada. These entities worked to eliminate systemic violence against women and advance women's human rights.

Studies of culturally driven violence against women estimated that 12 "honor" killings had occurred in the country since 2002. The law does not define the specific offense of "honor" killings. Police may charge suspects with homicide, which carries a maximum penalty of life in prison. The government enforced the law effectively.

On November 23, an Ontario court sentenced a Toronto-area Tamil man to five years in prison after he pled guilty to three counts of aggravated assault for ramming his teenage daughter, her boyfriend, and another family member with his

minivan in 2007. The father allegedly disapproved of the boyfriend because he was of a lower social caste and because the father believed that his daughter's relationship with the youth would dishonor the family. In its ruling, the court emphasized that individuals could not use cultural differences to justify committing criminal acts.

The law does not contain a specific offense of "sexual harassment" but criminalizes harassment (stalking), punishable by up to 10 years' imprisonment, and sexual assault, with penalties ranging from 10 years for nonaggravated sexual assault to life imprisonment for aggravated sexual assault. The government generally enforced these prohibitions. Most harassment cases were settled out of court.

Couples and individuals freely exercised their reproductive rights. The publicly funded medical system provided access to contraceptive services and information, prenatal care, skilled attendance during childbirth, and essential obstetric and postpartum care. In 2008, according to UN Inter-Agency estimates, the maternal mortality rate was 12 deaths per 100,000 live births. Women had equal access with men to diagnosis and treatment for sexually transmitted infections, including HIV. A 2009 Canadian university obstetrical study indicated that 85 percent of Canadian sexually active female respondents used some form of birth control.

Women were well represented in the labor force, including business and the professions. Women did not experience economic discrimination in access to or in the terms of employment, credit, or pay equity for substantially similar work, or owning and/or managing businesses, although some equality and labor groups reported an erosion in women's economic and social status, including access to child care, and resources to protect equality rights. Status of Women Canada, headed by a cabinet-level minister, promoted the legal rights of women. According to the federal statistical agency, 62.6 percent of women age 15 and older were employed in the workforce in 2009. Employment equity laws and regulations cover federal employees in all but the security and defense services. Women have marriage and property rights, as well as rights in the judicial system, equal to those of men. However, Aboriginal women living on reserves (where land is held communally) lack matrimonial property rights.

On November 15, an adjudicator appointed by the Newfoundland-Labrador Human Rights Commission found that a private ambulance operator in the province had discriminated against a female applicant on the basis of gender in its hiring decisions and awarded her C\$7,000 (\$6,862) in damages.

On December 16, the Supreme Court agreed to hear an appeal by the Public Service Alliance of Canada (PSAC), a national trade union, and the Canadian Human Rights Commission of a lengthy pay equity case against Canada Post. The union had deemed a 2005 C\$150 million (\$123.9 million in 2005 dollars) award by the Canadian Human Rights Tribunal insufficient and appealed to the Federal Court of Canada. However, the Federal Court overturned the award in 2008, and the Federal Court of Appeal upheld the lower court decision. The case originated with a complaint by PSAC in 1983 that Canada Post discriminated against 6,000 female employees by paying them less than men working in jobs of equal value. The appeal remained pending at year's end.

### Children

The country provided universal birth registration, and citizenship was derived both by birth within the country's territory and from one's parents.

The federal statistical agency recorded that more than 75,000 children and youth were victims of police-reported violent crime in 2008, including approximately 42,000 assaults and 13,600 sexual assaults. Studies indicated that family members or individuals known to the victim most commonly victimized children and youth and that incidents of violence, abuse or neglect of children and youth were underreported.

Children under the age of 18 years were engaged in prostitution. Persons convicted of living off the earnings of prostitution of a child under age 18 face between two and 14 years' imprisonment. Persons who aid, counsel, compel, us, or threaten to use violence, intimidation or coercion in relation to a child under age 18 to engage in prostitution face between five and 14 years' imprisonment. Persons who solicit or obtain the sexual services of a child under age 18 face between six months and five years' imprisonment. On June 29, the government amended the law to impose a mandatory minimum prison sentence of five years up to a maximum of 14 years for trafficking a child under 18 years of age for the purpose of exploitation. A minimum sentence of six years to a maximum term of life in prison is applied for trafficking of a child under 18 years if an offender kidnapped, committed an aggravated assault, aggravated sexual assault, or caused the death of a victim during the commission of the trafficking offence.

The minimum age of consensual sex is 16 years. The country does not have a statutory rape law but prosecutes a range of sexual offenses against children. Penalties for each offense range from 14 days to 10 years' imprisonment.



The law prohibits accessing, producing, distributing, and possessing child pornography. Maximum penalties range from 18 months' imprisonment for summary offenses to 10 years' imprisonment for indictable offenses. On July 15, the Supreme Court narrowed the legal defense against child luring, tightening the interpretation of "reasonable steps" required of adults under the criminal code to verify that persons with whom they communicate over the Internet for sexual purposes are 18 years of age or older.

The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance with the Convention at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html) as well as country-specific information at [http://travel.state.gov/abduction/country/country\\_3781.html](http://travel.state.gov/abduction/country/country_3781.html)

### Anti-Semitism

Approximately 1.1 percent of the population was Jewish.

The B'nai Brith Canada League for Human Rights received 1,264 reports of anti-Semitic incidents in 2009, an 11 percent increase from 2008. Four-fifths of such reports came from the provinces of Ontario and Quebec (672 and 373 incidents, respectively); the vast majority of the country's Jewish population resides in these two provinces. The 1,264 reports included 884 cases of harassment, 348 cases of vandalism, and 32 cases of violence. There were 185 cases involving attacks on synagogues, Jewish homes, community centers, or cemeteries. Jewish students reported 137 cases of anti-Semitic incidents on university campuses in 2009, compared with 76 in 2008; another 73 involved primary and secondary school settings, compared with 57 in 2008. B'nai Brith also received 435 reports of Web-based hate activity, an 8 percent increase from 2008.

In April a group of individuals in Gatineau, Quebec, allegedly struck a man on the head, yelled anti-Semitic slurs, and chased the man and his Jewish companion with a machete. The Gatineau police closed their investigation of the incident for lack of evidence.

On March 18, police arrested a teenager for the November 2009 spray-painting of anti-Semitic slogans on the Calgary Jewish Centre, the Holocaust War Memorial,

and private residential property in Calgary. On July 19, he pled guilty to incitement of hatred to an identifiable group, and mischief against a religious facility. Sentencing remained pending at the end of the reporting period. The conviction constituted the city's first confirmed hate crime.

### Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

### Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual and mental disabilities in employment, education, access to health care, or the provision of other state services or in other areas, and the government effectively enforced these prohibitions. The government effectively implemented laws and programs mandating access to buildings, information, and communications for persons with disabilities.

The federal, provincial, and territorial governments share responsibility for protecting the rights of persons with disabilities. The Office for Disability Issues, the federal government's focal point, funded a range of programs, including programs to enable participation of persons with disabilities in the workforce, to improve physical accessibility infrastructure, to build the capacity of the voluntary sector, and to raise public education and awareness of disability issues.

On July 28, an Ontario court accepted a class-action lawsuit by former residents of the Huronia Regional Centre, a former facility operated by the province of Ontario for persons with developmental disabilities. Former residents and their family members alleged systemic neglect and abuse at the institution over a prolonged period before it closed in 2009. The suit is the first against a government-run residential institution for the developmentally disabled in Ontario.

### National/Racial/Ethnic Minorities

The Charter of Rights and Freedoms protects the linguistic and cultural rights of minorities and establishes English and French as the country's two official languages. Despite the federal policy of bilingualism, native English speakers in Quebec (5.7 percent of the province's population in 2006) and French speakers in other parts of the country generally lived and worked in the language of the

majority. Provinces may grant French or English the status of an official language, but only New Brunswick has granted the two languages equal status.

The Charter of the French Language in Quebec makes French the official language of the province; requires the use of French in commerce, the workplace, education, and government; and protects minority language rights. The charter also restricts access to publicly funded English-language education to children who have received or are receiving elementary or secondary instruction in English and whose parents are citizens, and to students who are temporary residents in the province or have serious learning disabilities and who have obtained a waiver.

The federal statistical agency reported 1,036 incidents of police-reported hate crimes in 2008 (an increase of 35 percent from 2007), of which 55 percent or 563 incidents were motivated by race or ethnic bias. Blacks constituted the most commonly targeted racial group, accounting for 37 percent of racially-motivated incidents, followed by South Asians at 21 percent. Hate crimes that targeted multiple racial or ethnic groups constituted 53 percent of cases. Police classified 38 percent of the racially motivated incidents as violent.

In February the Ontario Human Rights Commission ordered the owner of an Ontario trucking company to pay a C\$25,000 (\$24,500) fine, create a workplace antiharassment policy, and undergo racial sensitivity training for subjecting an employee to racial taunts and subsequently firing her. The ruling also awarded the employee C\$6,750 (\$6,617) in lost wages.

In February the mayor of the Halifax Regional Municipality in Nova Scotia issued a public apology to the former residents of the black community of Africville for their forced removal in the 1960s to make way for new urban projects. The city, federal, and provincial governments provided a total of C\$3 million (\$3 million) for construction of a replica of a community church on the former site.

On March 10, the Quebec Human Rights Commission announced hearings into alleged police racial profiling in the province. The commission reported that it had received at least 100 complaints of racial profiling since 2005.

On October 1, one individual pled guilty to criminal harassment and in November was found guilty of public incitement of hatred for planting a burning cross on the lawn of an interracial couple in Hants County, Nova Scotia, on February 20, and for yelling racial slurs. Authorities dropped two other charges of uttering threats and mischief. Also in November, a court convicted a second individual of criminal

harassment and public incitement of hatred in the same case. At year's end, both individuals awaited sentencing. The police also started an investigation of a separate incident in April in which unknown vandals torched a car belonging to the couple, but closed the investigation without bringing charges

On October 18, voters in Calgary elected the city's first visible minority mayor. Naheed Nenshi was also the first Muslim to become mayor of a major Canadian city.

On October 19, the Quebec government passed legislation to tighten an exemption under the province's French language law for access to minority English education rights in the public education system. In October 2009 the Supreme Court had struck down as unconstitutional a law that had closed a legal loophole that had permitted parents to enroll their children in private elementary English schools in the province to establish their eligibility for minority English education rights, before transferring them to the public English education system to complete their education. The court had suspended its ruling for one year to allow the government to rewrite the law. Under the legislation, the government restricted publicly funded English-language education rights to students who had studied for at least three years in an approved, private English school and who had received specific permission to continue their education in English from provincial education officials.

On November 8, masked assailants invaded the Calgary, Alberta, home of an anti-racism activist and beat the homeowner and his guest with a bat, hammer and other weapons. The homeowner suffered welts and bruises, and the guest a broken arm. Police said the victims were targeted, although they could not confirm whether the attack occurred in retaliation for the homeowner's public anti-racism activities. A police investigation into the attack remained pending at year's end.

There were no developments in the coroner's inquest into the Montreal police's 2008 shooting death of a teenage immigrant from Honduras.

### Indigenous People

The law recognizes three different groups of indigenous (also known as Aboriginal) persons: Indians (generally called First Nations), Inuit (formerly called Eskimos), and Metis (persons of mixed Indian-European ancestry). According to the 2006 census, indigenous persons constituted approximately 4 percent of the national population and higher percentages in the country's three territories:

Yukon, 25 percent; Northwest Territories, 50 percent; and Nunavut, 85 percent. Disputes over land claims, self-government, treaty rights, taxation, duty-free imports, fishing and hunting rights, and alleged police harassment continued to be sources of tension. Indigenous persons remained underrepresented in the workforce, overrepresented on welfare rolls and in prison populations, and more susceptible to suicide, poverty, and sexual violence than other groups. On January 25, the Canadian Medical Association reported that 70 percent of Aboriginal preschoolers in Nunavut lived in homes with a shortage of food. According to a government study issued on March 10, Aboriginals experienced an infection rate for tuberculosis at a rate of 27.8 cases per 100,000 persons, compared with a rate of 4.8 cases per 100,000 persons for the entire Canadian population.

The law recognizes and specifically protects indigenous rights, including those established by historical land claims settlements. Treaties with indigenous groups form the basis for the government's policies in the eastern part of the country, but there were legal challenges to the government's interpretation and implementation of treaty rights. Indigenous groups in the west that never signed treaties continued to claim land and resources, and many continued to seek legal resolution of outstanding issues. As a result, the evolution of the government's policy toward indigenous rights, particularly land claims, frequently depended on legal challenges. According to an August 2009 Amnesty International report, approximately 60 Aboriginal claims over territory previously excluded from treaty making remained unresolved. An additional 765 specific claims related to interpretation of historic treaties remained unresolved.

In its 2009 annual report to Parliament on March 30, the CHRC highlighted the plight of Aboriginal persons in Canada, stating that many "do not have access to basic necessities." The CHRC stated that it is working to improve access to the Human Rights Act for more than 700,000 Aboriginal Canadians who live on reserve who were specifically excluded from the ability to file complaints under the Act before 2008. Aboriginals on reserve are scheduled to receive protection under the Act in June 2011 when a three-year transitional period expires. The CHRC accepted Aboriginal complaints under the Act, and reported an "incremental increase" in the small number of complaints in 2010 (over 2009), but did not process them pending full application of the Act in 2011)

On April 6, the Grassy Narrows First Nation released an independent medical study which stated that 79 percent of 187 persons tested at the Grassy Narrows reserve from 2002 to 2004 had, or may have had, Minimata disease, a condition arising from exposure to methyl mercury. In the 1970s, the Ontario government

banned fishing in the nearby Wabigoon-English river system due to mercury pollution from a paper mill on the river in the 1960s. Reserve residents claimed that the government had stopped testing individuals for mercury levels.

On April 22, an NGO released a report that found that 62 indigenous women and girls either disappeared or were murdered in 2009. The report stated that nearly half of all murder cases involving First Nation, Metis, and Inuit women and girls were unsolved, compared with an 84 percent clearance rate for murder cases involving nonindigenous women and girls.

On July 7, the government signed a land claim agreement with the Cree of Itschee in Quebec that settled longstanding land claims. The agreement covered 24,700 square miles along the Quebec shore in James Bay and southeastern Hudson Bay. Under the agreement, the government agreed to pay the Cree C\$50 million (\$48.5 million) over 10 years, transfer title to more than 390 square miles, and establish a joint management scheme with the Cree and the territory of Nunavut.

In July Nunavut's chief justice warned in a letter to the federal justice minister that Nunavut's court system faced an "impending crisis" due to insufficient resources and asked for the appointment of additional judges to the Nunavut Court of Justice to handle the rising rate of violent crime in the Territory. According to reports, Nunavut authorities bring sexual assault charges at a per capita rate that is 10 times the national average. The court system relied on roving short-term judicial visits from the outside to handle increasing workloads.

On August 18, the government apologized for the forced relocation of Inuit families in the 1950s from their traditional communities to the High Arctic.

In September 800 Aboriginal persons from Vancouver Island joined a class-action lawsuit filed in August 2009 by former students of Aboriginal day schools in Manitoba against the federal government seeking C\$15 billion (\$14.7 billion) for alleged abuse suffered in the schools.

In October the federal government settled one of Canada's largest single land claims with the Manitoba Peguis First Nation. The government paid C\$118 million (\$115.6 million) to the approximately 900 members of the Nation. On November 19, an Ontario court ordered the Haudenosaunee/Six Nations band to cease a campaign against development on land claimed by the band near Brantford, Ontario. The judge instructed the band to cease blockading construction sites, threatening construction workers, and collecting unauthorized fees from

developers. The court found that the band's claim to the land was "exceedingly weak."

On December 15, the government passed legislation to implement an April 2009 decision by the Court of Appeal of British Columbia to ensure gender equity in Indian registration. The Appeal Court had ruled that the Indian Act unconstitutionally discriminated between men and women by denying registration under the Indian Act to the grandchildren of indigenous women who previously lost their Indian status by marrying a non-Indian.

There were no developments in negotiations to settle four land claims of the Haudenosaunee/Six Nations in Ontario.

The government continued the process of claim settlements and self-government negotiations with more than 350 First Nations communities.

#### Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The federal statistical agency reported 159 incidents of police-reported hate crimes motivated by sexual orientation in 2008, constituting 16 percent of all hate incidents. The total almost doubled from 2007, and 75 percent of incidents involved a violent offense. The law prohibits discrimination based on sexual orientation or gender identity, and the criminal code provides penalties for crimes motivated by bias, prejudice, or hate based on personal characteristics, including sexual orientation. Lesbian, gay, bisexual and transgender organizations operated independently and without restriction. Federal, provincial, and municipal governments authorized, and sometimes provided financial support for, gay pride marches in communities across the country and provided police protection to marchers. There was no official discrimination based on sexual orientation in employment and occupation, housing, statelessness, or access to education or health care.

On July 1, police charged two men with assault causing bodily harm in connection with a violent attack on a gay couple in Vancouver, British Columbia, on June 12. The assailants allegedly uttered homophobic slurs during the attack.

In June the Nova Scotia Human Rights Commission closed its investigation into the 2009 complaint of a former employee of a provincial youth facility who had alleged that he had experienced severe and prolonged sexual harassment in the

workplace based on his sexual orientation. The parties agreed that the facility would provide workplace programs and services to address discrimination against vulnerable groups, including gay and lesbian youth.

In June a gay man withdrew his complaint before the Ontario Human Rights Tribunal that his parish priest had removed him from his volunteer position as a church altar server in 2009 because of his sexual orientation. The complainant reconciled with church officials.

There were no developments in a 2009 lesbian couple's complaint filed with the Manitoba Human Rights Commission alleging that a family doctor declined to accept them as patients because their sexual orientation offended her religious beliefs and because she had no experience treating gay patients.

In May a provincial court heard an appeal of a lower court ruling that upheld a fine imposed by the Saskatchewan Human Rights Tribunal on a provincial marriage commissioner in 2008 for refusing to conduct a same-sex ceremony contrary to his religious beliefs. The appellant argued for a duty exemption on the basis of his constitutional right to freedom of religion. The case remained pending at year's end.

In April a British Columbia court sentenced an individual to 17 months in prison for a 2008 hate-motivated violent assault on a gay couple in Vancouver.

In November a British Columbia court sentenced an individual to six years in prison for a March 2009 aggravated sexual assault on a gay bar patron that left the victim permanently brain damaged. The judge found that the attack constituted a hate crime.

On December 21, the Alberta government deleted homosexuality from its official diagnostic guide to mental disorders for physicians practicing in the publicly-funded medical system, and ordered a review of the wording of the manual.

#### Other Violence or Societal Discrimination

There were no known reports of societal violence or discrimination against persons with HIV/AIDS. The criminal code provides penalties for violence against individuals. Courts generally interpreted prohibitions against discrimination on the basis of disability in federal and provincial human rights statutes to include discrimination against persons with HIV/AIDS.



## Section 7 Worker Rights

### a. The Right of Association

The law allows workers in both the public (except armed forces and police) and the private sectors to form and join unions of their choice without previous authorization or excessive requirements, and the government applied the law effectively. The law allows unions to operate without government interference. An estimated 30 percent of the civilian labor force belonged to a trade union.

All workers have the right to strike, and workers exercised this right in practice. However, workers in the public sector who provide essential services, including police and armed forces, do not have the right to strike, but have mechanisms to ensure due process and protect workers' rights. Workers in essential services had recourse to binding arbitration if labor negotiations failed. The law prohibits employer retribution against strikers and union leaders, and the government generally enforced this provision in practice. Provincial governments have, and enforce, their own labor laws that apply to provincially regulated occupations.

### b. The Right to Organize and Bargain Collectively

The law protects collective bargaining, and the government effectively enforced this right. Workers freely practiced collective bargaining and collective agreements covered an estimated 25 percent of workers. The law prohibits antiunion discrimination and employer interference in union functions, and the government protected this right in practice. Agricultural workers in Alberta, Ontario, and New Brunswick do not have the right to organize and/or bargain collectively under provincial law.

In April the Quebec labor relations board struck down a provision in the provincial labor code that effectively barred foreign migrant farm workers from joining unions. The law had restricted eligibility for unionization to farms with at least three permanent employees.

There were no developments in an appeal before the Supreme Court of a 2008 Ontario Court of Appeal ruling that struck down a provincial law prohibiting an estimated 32,000 agricultural workers (including foreign migrants) from bargaining collectively. On November 18, the International Labor Organization (ILO) reported that the law violated the human rights of agricultural workers. This

was the second time in 10 years that the ILO found that the Ontario government had denied farm workers the right to freedom of association.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor; however, there were reports that foreign (or noncitizen or foreign-born) adults were subjected to forced labor in the agricultural sector, food processing, hospitality industry, domestic servitude, and prostitution. NGOs reported that bonded labor and domestic servitude constituted the majority of cases of exploitation. The government enforced the law, and federal and some provincial governments implemented programs to combat forced labor, to inform workers of their legal rights, and to hold employers of foreign migrant workers accountable. Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

d. Prohibition of Child Labor and Minimum Age for Employment

Child labor legislation varies by province and there are sufficient laws to protect children from exploitation in the workplace. Most provinces restrict the number of hours of work, and prohibit children under age 15 or 16 from working without parental consent, at night, or in any hazardous employment. During official school or academic breaks, the federal government has employed youths under age 17 for work that is unlikely to endanger their health or safety.

Child labor laws and policies were effectively enforced and the child labor inspections were carried out by federal and provincial labor ministries.

e. Acceptable Conditions of Work

Provincial and territorial governments set minimum wage rates and enforced them effectively through their respective departments of labor. In federally regulated industries, the minimum wage constitutes the general adult minimum wage of the province or territory in which the work is performed. Some provinces have minimum wage boards that represent the interests of employers and employees, and may recommend nonbinding changes to rates. Four provinces have legislation requiring an annual or biennial review of the minimum wage, but no governments have a legislated obligation to increase or otherwise modify rates. Minimum wage rates ranged from C\$8.00 to C\$10.25 (\$7.84 to \$10.04). Some provinces exempt

agricultural, hospitality, and other specific categories of workers from minimum wage rates, and Ontario and British Columbia have a minimum wage rate for youths lower than their respective minimums for adult workers. The minimum wage did not provide a decent standard of living for a worker and family. The federal statistical agency calculates annual averages, or Low Income Cut Offs (LICOs), which vary by urban, rural, and size of community, below which individuals and families spend significantly more on food, shelter, and necessities than the average. During the year, the maximum national LICO for a family of four with a before-tax income of less than C\$41,198 (\$40,390) qualified as low income.

Standard work hours vary by province, but in each, the limit is 40 or 48 hours per week, with at least 24 hours of rest. The law requires payment of a premium for work above the standard workweek. Authorities effectively enforced these standards. There is no specific prohibition on excessive compulsory overtime, which is regulated by means of the required rest periods in the labor code that differ by industry.

Federal law provides safety and health standards for employees under federal jurisdiction, while provincial and territorial legislation provides for all other employees, including foreign and migrant workers. Federal and provincial labor departments monitored and enforced these standards, and conducted inspections proactively through scheduled visits, reactively in response to complaints, and at random.

Enforcement measures included a graduated response, with a preference for resolution via voluntary compliance, negotiation, and education, and prosecution and fines as a last resort. Some trade unions argued that limited resources hampered the government's inspection and enforcement efforts. Federal, provincial, and territorial laws protect the right of workers with "reasonable cause" to refuse dangerous work and remove themselves from hazardous work conditions, and authorities effectively enforced this right.

On August 16, the Alberta Employment and Immigration Ministry announced a 10-point plan to improve workplace safety via improved enforcement of the province's occupational health and workplace safety regulations. The plan proposes the hiring of additional inspectors, implementing updated compliance and enforcement procedures, publishing safety records of Alberta companies, and piloting a weekend and evening worksite inspection regimen.

On September 10, two Jamaican migrant agricultural workers died in a job-related incident at an Ontario apple orchard and processing facility. Provincial police and the Ontario Ministry of Labour opened an investigation into the fatalities.

From October 8 to November 22, a team drawn from Alberta's 94 Occupational Health and Safety (OHS) inspectors conducted a safety "blitz" inspecting 146 construction employers at 70 worksites across the province, and issuing 39 safety-related stop work orders.

On November 5, the Alberta Federation of Labor (AFL) released its own 10-point proposal to improve the province's health and safety record, including increased inspections, more resources for prosecutions for workplace safety violations, extension of health and safety and employment standards legislation to farm workers, mandatory joint health and safety committees for workers and employers, and publishing employer safety records. The AFL claimed that Alberta had the highest number of workplace fatalities in the country and the most lax health and safety policies.

On December 14, Alberta's employment and immigration minister updated the results of the province-wide safety blitz. He stated that it had resulted in 298 initial and follow-up inspections which brought 70 worksites into conformity with provincial requirements. OHS inspectors had issued an additional 49 stop work orders for worksites that lacked adequate safety measures.

On December 16, the AFL released a report that criticized the provincial government for inadequate monitoring and enforcement of policies to prevent abuse of temporary foreign workers. The AFL recommended the tightening of provincial and federal regulations on employment brokers and recruiters, increased inspections and more vigorous enforcement of employment standards, and easier access to permanent residency for foreign migrant workers.

Also on December 16, an Ontario government panel recommended a major overhaul of the province's workplace health and safety system. The recommendations included the creation of a new office of accident prevention headed by a designated chief prevention officer within the provincial Labor Ministry, mandatory safety training for construction workers, and a major outreach campaign to educate vulnerable workers (including those in the "underground" economy) of their labor rights. The province commissioned the official report, and a year-long comprehensive review of health and safety practices and provincial legislation, in January following the December 2009 deaths of four immigrant

unregulated workers in Toronto, and the critical injury of a fifth, due to unsafe working practices. In July the provincial government launched a three-month workplace safety campaign that targeted construction sites across the province.