



Our Charter, Our Rights: Protest, the Charter and International Human Rights

The protests, blockades and occupation associated with the “Freedom Convoys” revealed much about the understanding and state of protest and human rights in Canada. Protesters asserted Charter rights. Residents suffering harm from the conduct of protesters asserted Charter rights. There were differing views on how far protest rights extend and when the authority and responsibility of police to intervene to enforce limits should kick in.

Throughout, there were numerous challenges and shortcomings in the coordination among federal, provincial and municipal governments and police forces in responding to concerns related to the conduct of protesters and the impact of their tactics. And there was much discussion about the differences seen in what was generally perceived to be a tolerant and lenient police response to these protests as compared to more aggressive and violent responses frequently seen with respect to other protests involving Indigenous land defenders, anti-racism activists, environmentalists and people in homelessness encampments.

This debate does not extend only to the Charter of Rights and Freedoms. Canada’s important international human rights obligations are also directly implicated, though received little attention. This conference, involving law students and students in human rights programs, will examine this interplay between the right to protest, the Charter and international human rights in Canada. It is being held as part of a wider program over the course of June 16-17, organized by the Human Rights Research and Education Centre at the University of Ottawa, in conjunction with the 40th anniversary of the Canadian Charter of Rights and Freedoms.

DAY 1

JUNE 16, 2022

OPENING

8:30 – 9:15AM

Welcome: Alex Neve, Senior Fellow, Graduate School of Public and International Affairs, University of Ottawa

Elder: *To be confirmed*

Speaker: UN Special Rapporteur on the Right to Peaceful Assembly and Association, Clément Nyaletsossi Voule

Speaker: Gary Andansangaree, Parliamentary Secretary to the Minister of Justice and Attorney General of Canada

Panel One: Protest and the Charter

9:15 – 10:15AM

1. Emilie Taman, Barrister and Solicitor
2. Joao Velloso, Faculty of Law, University of Ottawa
3. Kasari Govender, Commissioner, BC Human Rights Commissioner

BREAK

10:15 – 10:30AM

Panel Two: Protest and International Human Rights

10:30 – 11:30AM

1. Paul Champ, Barrister and Solicitor
2. Pam Palmater, Professor and Chair in Indigenous Governance, Department of Politics and Public Administration, Toronto Metropolitan University
3. Leilani Farha, The Shift

Panel Three: IHRL Implementation in Canada: Lay of the Land

11:30 – 12:15PM

1. Kathy Vandergrift, Canadian Coalition for the Rights of Children
2. Flavie Major, Director, International and Intergovernmental Affairs, and Human Rights, Canadian Heritage

LUNCH

12:15 – 1:00PM

Panel Four: IHRL Implementation in Canada: The Provincial Record

1:00 – 2:30PM

Student Presentations

Discussion

BREAK

2:30 – 2:45PM

Small Group and Plenary Discussions

2:45 – 4:30PM

Small groups will be provided guided discussions to explore:

- Concerns related to inconsistent police approaches to protests in Canada.
- Issues related to permissible and impermissible disruptive and harmful conduct in protests.

- Applicable international human rights obligations related to protests like the Freedom Convoy.
- Barriers to effective international human rights implementation in Canada.

Plenary will involve brief reports from small groups and discussion of key conclusions and recommendations.

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| 1. Small Groups | 2:45 – 3:45PM |
| 2. Plenary | 3:45 – 4:30PM |

CLOSING

4:30 – 5:00PM

Outcomes: Shannonbrooke Murphy, Acting Director, Atlantic Human Rights Centre, St. Thomas University

Wrap-Up: John Packer, Director, Human Rights Research and Education Centre, University of Ottawa

END OF DAY 1

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