

Canada ignores UN on schools policy

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Re: Unfairness in education funding rolls on, Oct. 3.

I enjoyed Dan Gardner's article in today's Citizen on Ontario's unfairness in educational funding, as I always do his thoughtful comments on the Canadian social and political scene. One thing, however, that puzzles me about the media discussion of this issue is that our obligations under international law are very rarely mentioned.

Canada is a party to the International Covenant on Civil and Political Rights, which, among other things, forbids religious discrimination. As you may recall, the UN Human Rights Committee, which operates under the covenant (and on which I served for two terms) considered a case in 1999 involving a Jewish father who claimed that he was a victim of discrimination in Ontario, because he had to pay to have his children educated in the Jewish faith, whereas tuition would have been free in the Roman Catholic separate- school system.

The committee found Canada to be in violation of the covenant. It observed that "the Covenant does not oblige State parties to fund schools which are established on a religious basis. However, if a State party chooses to provide public funding to religious schools, it should make this funding available without discrimination."

To my knowledge, this is the only instance in thirty years in which Canada has in essence refused to do anything about a human-rights committee decision, with the federal government responding that education was a provincial responsibility and Ontario taking the line that it had no intention of changing the law as it stood. But Ontario was fully consulted and agreed to the covenant before it was ratified, and in any event it is Canada that is the party to it under the terms of the covenant.

There can be no excuse for simply disregarding a treaty to which we are a party, especially as Canada prides itself as being a leader in its respect for international law.

MAXWELL YALDEN, Ottawa