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Evaluation of the Human Rights Program

Evaluation Services Directorate

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List of acronyms and abbreviations

CCOHR	Continuing Committee of Officials on Human Rights
DFATD	Department of Foreign Affairs, Trade and Development
ESD	Evaluation Services Directorate
FPT	Federal-Provincial-Territorial
HRP	Human Rights Program
JC	Department of Justice Canada
NGO	Non-Governmental Organization
PCH	Department of Canadian Heritage
PMF	Performance Measurement Framework
UPR	Universal Periodic Review

Summary

Evaluation and program overview

Created in 1967, the Human Rights Program (HRP) is a federal government initiative whose mission is to promote the awareness, understanding, respect for and enjoyment of human rights in Canada. The HRP's responsibilities include undertaking educational and promotional activities involving the Canadian public, educators, non-governmental organizations and government departments across the country. Because Canada is party to important international human rights treaties, the program was designed to coordinate discussions between the federal government and the provincial and territorial governments on the ratification and domestic implementation of international instruments relating to those treaties, while ensuring periodic reporting to the United Nations treaty bodies that deal with these issues. The program is also responsible for providing strategic advice for the development of official Canadian positions on new human rights issues, and promotes appropriate international instruments. Finally, until 2012, the program offered a grants and contributions component, which aimed to raise Canadians' awareness of human rights and to disseminate knowledge in order to increase Canadians' ability with respect to exercising those rights.

Responsibility for the HRP rests with Strategic Management and Human Rights Branch, Citizenship and Heritage Sector of Canadian Heritage (PCH). As part of its mandate, the program interacts with many other federal government departments, including the Department of Justice Canada (JC) and the Department of Foreign Affairs, Trade and Development (DFATD). The program also works in close collaboration with the provincial and territorial governments across the country through the Continuing Committee of Officials on Human Rights (CCOHR) – a forum for discussion, information and consultation with a focus on, among other things, the signing, ratification and implementation of international human rights treaties.

This evaluation covers the fiscal years 2009-2010 to 2013-2014, a five-year period during which the budgets allocated to the HRP totalled \$5,053,176. Its goal is to provide the Government of Canada with information on the relevance and performance of the HRP while enabling senior management to have access to reliable and timely information on the program's achieved outcomes and efficiency. Conducted between November 2013 and November 2014, the evaluation is based on four lines of investigation:

- A document and database review gathered the information needed for the study. Over 50 documentary sources were consulted.
- A literature review was carried out by PCH's Policy Research Group to explore the themes addressed by the HRP. The review relied on the international treaties that Canada has ratified or to which Canada adheres, on statutes and case law and on a broad range of other studies. About 30 sources were consulted.

- Interviews were conducted with 14 key stakeholders, including representatives of PCH, other federal departments and civil society.
- Consultations were organized to gather points of view from specific stakeholder groups, including nine provincial and territorial government representatives and six independent human rights experts.

The evaluation of HRP was conducted by PCH’s Evaluation Services Directorate (ESD), which undertook the planning and data collection. A private consulting firm analyzed and triangulated the information and prepared this evaluation report with a focus on the various lines of investigation, and with the help of technical reports provided by ESD. The study was overseen by a working group of executives and managers from ESD and HRP.

The evaluation findings concern the *relevance* of HRP (continued need for the program, alignment with government priorities and alignment with federal roles and responsibilities) and the *performance* of HRP (achievement of expected outcomes and demonstration of efficiency and economy).

Continued need for the program

The statutory framework and the constitutional division of powers between the federal government and the provincial and territorial governments is the subject of discussion and consultation among government departments and agencies—including JC, DFATD and PCH—and civil society representatives. The coordination of the respective contribution of all parties is required in order to create a complete view of the implementation of human rights in Canada. In this context, HRP undertakes activities that help the federal government fulfill its obligations and respect its reporting commitments to the United Nations concerning the international treaties signed by Canada.

The interviews conducted as part of the evaluation confirm, first, that providing support in the area of reporting to the United Nations treaty bodies addresses an actual need and requires continual work on the part of the HRP and, second, that the coordination delivered through the program is paramount. Effective collaboration by all parties on the human rights file promotes the establishment of an atmosphere of mutual trust that is conducive to productive discussion and cooperation among the federal, provincial and territorial governments.

Almost everyone interviewed during the evaluation agreed that Canada needs a program to increase public awareness of human rights and to improve Canadians’ knowledge and understanding of human rights.

Alignment with government priorities

Most federal government representatives questioned during the evaluation believe that the HRP is aligned with the government’s current priorities and directly with one of

Canada's foreign policy priorities, namely the promotion of human rights. Furthermore, the program carries out the majority of the human rights responsibilities that are at the heart of PCH's legislative mandate, in particular the promotion of a greater understanding of human rights, fundamental freedoms and related values.

For the most part, the interviews validated the observations in the document review concerning the degree of alignment between HRP and PCH's responsibilities and priorities. Both lines of investigation show not only that human rights are fundamental Canadian values, but also that protecting and promoting those rights is an integral part of the Canadian identity. The program carries out essential work because it contributes to Canada's international credibility in the area of human rights.

Alignment with federal roles and responsibilities

The general consensus among the sources consulted was that the federal government's continued role, as discharged through the HRP, remains essential. Canada must fulfill international human rights obligations and the program helps the country meet some of its commitments, namely by reporting to United Nations treaty bodies.

Most key stakeholders who took part in the interviews recognized the importance of human rights, and emphasized the valuable enabling and convener function exercised by HRP which assists government decision-makers to make informed choices, take positions on current issues and improve efforts to implement international instruments across Canada. As well, the sources consulted expressed a variety of opinions about the increased role that other partners could play in the delivery of the program.

Achievement of expected outcomes

HRP has demonstrated the effectiveness of its activities in supporting most of the outcomes to be achieved. The program has put in place useful information and consultation mechanisms and processes that encourage effective coordination and collaboration among all parties involved in the human rights field. This has resulted in an atmosphere of mutual trust that is conducive to close consultation and cooperation and, by extension, a decrease in the time necessary to respond to questions from treaty bodies. Furthermore, the HRP has introduced processes and tools for collecting and distributing information that ensure greater accountability concerning the human rights outcomes achieved.

HRP fulfilled its reporting commitments to the United Nations treaty bodies concerning the application of human rights treaties. Even though they expressed a variety of opinions on the quality of those reports given the constraints of the program, those interviewed were unanimous in recognizing the efforts made by the program over the years to produce concise and focused reports.

HRP streamlined its reports, which increased the interest of decision-makers (ministers and others) in their content and raised their awareness of human rights issues. This

finding was particularly the case for the reporting related to the universal periodic review process, which enjoys high visibility.

HRP strives to encourage the participation of civil society in its human rights consultations. However, the independent experts consulted in the evaluation highlighted the need to enhance the federal-provincial-territorial (FPT) mechanism more effectively in order to enable the federal government to deal effectively with the provincial and territorial governments and a range of civil society organizations.

For the most part, the sources consulted believe that the CCOHR excels at facilitating consultations among HRP stakeholders and encouraging information-sharing on international human rights treaties and protocols. These contributions support the delivery, at a national level, of Canada's international human rights commitments.

The HRP operates a website, however visitor use statistics, as examined during the document review, were unreliable because of limited data and a lack of a standard calculation method by fiscal or calendar year.

Regarding Canadians' level of knowledge and awareness with respect to human rights, opinion was divided among the key stakeholders who took part in the interviews. However, all agreed that the progress made to educate and raise awareness in the Canadian public cannot be attributable only to the activities of HRP given the number of governmental and non-governmental organizations that work in the field with effective tools educating the public on rights and the recourses available for concerned parties.

Demonstration of efficiency and economy

The evaluation lacked sufficient data to make an informed judgment on the efficiency and economy of the HRP. However, during the interviews, the key stakeholders recognized the quality work done by the program despite the limited resources allocated to carrying out its tasks. Most of the people interviewed stated that the program provides good results, given the funds invested in it. In their opinion, the achievement of most of the expected outcomes are a convincing indication that the human and financial capital invested was effective and performed well.

The elimination of the grants and contributions component and the imposition of new restrictions on the conduct of public opinion research, made it difficult for HRP to gather data on Canadians' improved knowledge in the area of international treaties and rights, as well as on the development of their ability to exercise their human rights.

The evaluation did not identify any source of duplication or overlap between HRP and other PCH programs. Instead, the HRP is perceived as complementing such initiatives. Furthermore, HRP stands out in its ability to concurrently carry out essential functions (coordination and accountability) as well as human rights awareness and education for Canadians.

Recommendations

HRP's relevance justifies the support that it receives from the federal government. Over the years, the program was able to preserve and improve its ability to provide services that assist the Government of Canada fulfill its human rights commitments and obligations. There is no doubt as to the merit of the HRP, to the extent that the program meets an important need in the area of coordination with FPT stakeholders and accountability to United Nations treaty bodies.

In light of the evaluation findings, it is recommended that the Assistant Deputy Minister, Citizenship and Heritage Sector:

1. Reinforce document-sharing mechanisms by introducing an improved IT platform that facilitates discussion among FPT stakeholders.
2. Explore options to enhance and enrich consultations with civil society representatives who are key partners on the human rights file.
3. Implement a human rights promotion and education strategy to ensure that efforts are better known to Canadian public, and that, taking into account the scope and resources of the program.
4. Review the Performance Measurement, Evaluation and Risk Strategy (PMERS) to allow the Program to gather the necessary information to demonstrate the level of achievement of its results and efficiency measures.

1. Introduction and context

This report presents the results of the evaluation of the Human Rights Program (HRP) undertaken by the Department of Canadian Heritage (PCH). The following pages provide an overview of the HRP, set the context for the evaluation and summarize the objectives and related issues.

The remainder of the report provides an overview of HRP, describes the evaluation methodology, states the main findings on relevance and performance of HRP, provides the key findings of the study and proposes possible directions for decision-makers. The report concludes with annexes that provide more information on HRP, on the legislative context behind the program and on the evaluation process.

1.1 Overview of the HRP

Created in 1967, HRP is a federal government program whose mission is to promote the awareness, understanding, respect for and enjoyment of human rights in Canada¹.

To accomplish this, HRP undertakes educational and promotional activities involving the public, educators,² non-governmental organizations (NGOs) and government departments. Because Canada is party to important international human rights treaties, the program was designed to coordinate discussions between the federal government and the provincial and territorial governments on the ratification and domestic implementation of international instruments relating to said treaties, while ensuring periodic reporting to United Nations treaty bodies that deal with these issues (see Annex A, which provides a list of the treaties, instruments and treaty bodies involved). The program also provides strategic advice for the development of official Canadian positions on new human rights issues and promotes appropriate international instruments. The program ensures the dissemination of human rights publications, including documents concerning the *Canadian Charter of Rights and Freedoms* and international treaties that Canada has ratified or to which Canada adheres. Finally, until 2012, the program offered a grants and contributions component for increasing Canadians' abilities with respect to the exercise of human rights.

As shown in the logic model presented in Annex B, HRP seeks a society in which human rights are respected so that Canadians can participate fully and equitably (ultimate outcome). To do so, the program undertakes activities that support the effective implementation of international human rights instruments in Canada to ensure that Canadians have the awareness, knowledge, skill and ability to exercise their human rights and discharge their inherent responsibilities to respect and protect the rights of others (intermediate outcomes). To accomplish this, the program is: taking action to support

¹ In the French version of this report, the French expression “*droits de la personne*”, commonly used in Canada, has the same meaning and the same scope as the French expressions “*droits de l’homme*” or “*droits humains*”, which are more popular in other parts of the world.

² In the French version of this document, whenever the masculine pronoun is used, both men and women are included.

consideration of human rights standards and obligations in the development and amendment of laws, policies and programs by federal, provincial and territorial governments; assisting Canada in meeting its international obligations; supporting strategic decisions; and enabling Canadians to have access to information on human rights and to useful promotional and educational tools (immediate outcomes).

HRP is part of Strategic Management and Human Rights Branch, Citizenship and Heritage Sector of PCH. The program is mandated to interact with other federal government departments, namely the Department of Justice Canada (JC) and the Department of Foreign Affairs, Trade and Development (DFATD). Furthermore, the program collaborates closely with provincial and territorial governments through the Continuing Committee of Officials on Human Rights (CCOHR), a forum for discussion, information and consultation on, among other things, the signing, ratification and implementation of international human rights treaties. HRP also frequently interacts with elements of Canadian civil society (NGOs and others), the Canadian public and international fora such as United Nations treaty bodies. Annex C summarizes the needs and expectations of the many stakeholders and partners.

For the period from 2009-2010 to 2013-2014, the total funds allocated to the HRP were \$5,053,176 while the expenditures were \$4,782,302. The difference between the budget and expenditures can be explained by the elimination of the grants and contributions component in 2012-2013. The number of full-time equivalents attached to the program went from close to 9 in 2009-2010 to 7 in 2013-2014 (see detailed numbers in Annex D).

1.2 Context, objectives and evaluation issues

The evaluation of the HRP covers a five-year period corresponding to fiscal years 2009-2010 to 2013-2014. In accordance with the evaluation procedures described in the statement of work (excerpts of which can be found in Annex E), the evaluation follows closely a previous summative evaluation,³ of the period April 2003 to March 2009. The goal of the earlier evaluation was to evaluate the relevance and effectiveness of the program's interventions and performance, including through both the grants and contributions component and its support to the CCOHR.

This evaluation meets the requirements of the Treasury Board's *Policy on Evaluation*⁴ and PCH's *2013-2014 Evaluation Plan*. The evaluation aims to inform the Government of Canada about HRP's relevance and performance while enabling senior management to have reliable and current information on the program's achieved outcomes and efficiency.

³ CANADA. DEPARTMENT OF CANADIAN HERITAGE. *Summative Evaluation of the Human Rights Program*, published by the Evaluation Services Directorate of the Office of the Chief Audit and Evaluation Executive, n.p., Her Majesty the Queen in Right of Canada, March 2010, 42 p.

⁴ CANADA. TREASURY BOARD OF CANADA SECRETARIAT. *Policy on Evaluation*, n.p., 2009 (consulted in November 2012). On the Internet: <URL: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?section=text&id=15024>>.

The evaluation of HRP is focussed on two areas. The first area of focus, addresses three issues pertaining to relevance:

- *continued need for the program*, namely an evaluation of the extent to which the HRP continues to meet an acknowledged need and is responsive to the needs of Canadians;
- *alignment with government priorities*, namely an evaluation of the links between HRP's objectives and federal government priorities and departmental strategic outcomes;
- *alignment with federal roles and responsibilities*, namely an evaluation of the federal government's role and responsibilities, and implementation through HRP.

The second area of focus addresses two issues concerning performance (effectiveness, efficiency and economy):

- *achievement of expected outcomes*, namely the evaluation of progress made toward achieving expected outcomes based on the targets and HRP's reach and design, including links and contribution of outputs to outcomes;
- *demonstration of efficiency and economy*, namely the evaluation of the utilization of resources based on the production of outputs and the progress made towards the expected outcomes of HRP.

The evaluation of HRP was conducted between November 2013 and November 2014, under the supervision of Evaluation Services Directorate (ESD). ESD planned the conduct of the evaluation and gathered the information for the literature review in collaboration with PCH's Policy Research Group (see section 2.1). A private consulting firm analyzed and triangulated the information and prepared the evaluation report with a focus on the various lines of investigation and the help of technical reports provided by PCH. The study was supervised by a working group of executives and managers from ESD and HRP.

2. Evaluation methodology

This chapter provides a broad overview of the underlying methodological framework of the evaluation of HRP. The main constraints and limitations of the study are outlined.

2.1 Methodological framework

The evaluation of the HRP is based on a methodological framework providing for four main lines of investigation:

- A document and database review made it possible to gather the information required for the study. Over 50 documentary sources were consulted: human rights policy statements and documents; directives and tools supporting outreach to Canadians on the issues; HRP files and documents; minutes from meetings called by parliamentary committees or other committees responsible for issues of relevance (House of Commons Standing Committee on Justice and Human Rights, Senate Standing Committee on Human Rights and CCOHR); administrative documents; evaluations reports; budgets; Speeches from the Throne; various reports published by PCH and other stakeholders; and databases and other internal or external information systems created to support the day-to-day administration and measure of performance for the program's activities.
- A literature review was conducted to gain a better understanding of the themes being addressed by HRP. That review focused on, among other things, international treaties that Canada has ratified or to which Canada adheres; statutes and case law; and a broad range of studies (academic journal articles, university publications, government and non-government research reports and international documents). Approximately 30 documentary sources were examined.
- Interviews were conducted to obtain the views of 14 key stakeholders on subjects such as the relevance and need to maintain HRP in its current state, the program's alignment with the Government of Canada's priorities; education of and outreach to Canadians in the area of human rights; the quality of the reports submitted to United Nations treaty bodies; and the outcomes achieved by the program. PCH representatives, other federal department representatives and civil society representatives participated in the interviews.⁵
- Special consultations were organized to gather points of view from specific stakeholder groups, including nine provincial and territorial government representatives (through a focus group) and six independent human rights experts (through a panel⁶).

The information gathered through the four lines of investigation was combined and analyzed to identify the common observations that inspire the findings listed in Chapter 3. Unless otherwise specified, all of the findings rely on this triangulation of information from multiple sources.

⁵ The following technique is used in Chapter 3 to highlight the relative weights assigned in the interview results to the observations made by the stakeholders who agreed to share their views : when an opinion on a topic comes from only one person or a minority of the key stakeholders, the determinants "one", "a few" or "few" will be used; when about half of the key stakeholders expressed the same opinion, the determinants "the" or "some" will be used; when most of the key stakeholders expressed the same opinion, the determinants "most" or "the majority of" will be used; when all or almost all of the key stakeholders expressed the same opinion, the "the vast majority" or "almost all" will be used.

⁶ Convened on November 21, 2014, the panel of experts made it possible to gather independent points of view on human rights issues, as expressed by academia, lawyers and specialists from research centres and establishments across Canada. Two of the six experts were present at the event, while the remaining four participated via teleconference.

2.2 Evaluation constraints and limitations

The authors of this evaluation were careful to base the study's conclusions on a rigorous review of all of the data collected on the relevance and performance of HRP. However, the following constraints and limitations are brought to the attention of readers:

- The evaluation had to deal with the sensitive nature of the human rights file and the complexity of HRP, a program that has many facets, involves many federal-provincial-territorial (FPT) actors and international authorities and relies on specialized documentation that is often abstract in nature. In addition, the key stakeholders consulted for the purpose of the study expressed clear-cut, but sometimes diverging opinions about the outcomes achieved by the HRP. In some cases –namely regarding raising awareness and educating Canadians in the area of human rights – the evaluation was not able to gather all of the objective and measurable data that would have been necessary to provide a full interpretation of the varied perceptions and opinions provided by the stakeholders.
- It would be unwise to attribute outcomes to the HRP that are not within PCH's mandate, which consists in this case of ensuring “the promotion of a greater understanding of human rights, fundamental freedoms and related values”⁷ (see section 3.1.2.2). That said, it is not always easy to disassociate HRP's achievements from Canada's more general human rights achievements. Readers considering the case of human rights in general are asked to exercise discretion to avoid drawing inappropriate conclusions on the specific contribution of the HRP.
- An in-depth analysis of the efficiency and economy of the HRP was not possible due to limited data on the use of resources allocated to the program. This constraint is especially significant because the program's budget was considerably reduced during the evaluation period.
- The document review revealed the limitations of changes made to the way certain data was compiled, which sometimes made it difficult to compare the outcomes achieved by the program. Furthermore, there were deficiencies in the availability of information. For example, because of changes made to the publication distribution process during the period under evaluation, the program was unable to provide data for certain indicators for certain years.

3. Findings

This chapter summarizes the main findings from the four lines of investigation underlying the evaluation. It first addresses the relevance of HRP, based on continued need, alignment with government priorities and alignment with federal roles and

⁷ CANADA. *Department of Canadian Heritage Act*, n.p., current to November 25, 2014 (consulted in December 2014). On the Internet: <URL: <http://lois-laws.justice.gc.ca/eng/acts/C-17.3/index.html>>.

responsibilities. This chapter also considers the performance (effectiveness, efficiency and economy) of the HRP, examined in accordance with the achievement of expected outcomes and the demonstration of efficiency and economy.

These findings represent the first attempt towards evaluation conclusions (as listed in Chapter 3) and are based on the accumulated and cross-referenced data generated through all lines of investigation.

3.1 Relevance

The following section addresses the relevance of HRP, based on continued need, alignment with government priorities and alignment with federal roles and responsibilities.

3.1.1 Continued need for the program

The evaluation results confirm

- that reporting addresses an acknowledged need and requires continual work on the part of the HRP;
- that the HRP provides FPT coordination in the area of human rights;
- that a program to raise the public's awareness and to enhance knowledge of human rights is essential.

The findings below concern three sub-issues addressed in the evaluation: the need for human rights reporting; the need to ensure coordination among the federal, provincial and territorial governments on human rights issues; and the need for a program to raise awareness and educate Canadians concerning human rights.

3.1.1.1 Support to Reporting function

The document and literature reviews reveal the human rights context in Canada. As a United Nations member State, Canada has ratified human rights treaties and protocols (see list in Table A-1 of Annex A) that call on it to respect fundamental human rights. More specifically, ratification of these international instruments encompasses a duty to promote their implementation as well as the obligation to report to United Nations treaty bodies and to appear before these bodies. Furthermore, the implementation of various treaties must ensure that all laws, policies and programs in Canada reflect the complete legislative framework around human rights including provincial and territorial government jurisdiction.

Most of the treaties and protocols require periodic reports in which countries provide an overview of the progress made to implement the appropriate provisions in their territory. HRP undertakes activities that help the federal government fulfill its obligations and respect the commitment made by the government to report to the United Nations regarding the international treaties signed by Canada.

The document and literature reviews show that the legislative context and the constitutional separation of powers between the federal government and the provincial and territorial governments are the subject of discussion and consultation among government departments and agencies – including JC, DFATD and PCH – and civil society representatives. The existence of such discussions suggests that it is essential for the Canadian government to support HRP, which provides the coordination of all stakeholder contributions to provide a thorough overview of the progress made with respect to implementing human rights throughout the country.

The interviews conducted with provincial and territorial government, federal department, and civil society representatives confirm that supporting the reporting to United Nations treaty bodies addresses an acknowledged need and requires continual work on the part of HRP. To justify their point of view, some PCH representatives pointed out the need for reporting to meet international human rights obligations. Others referred to the complexity of the consultation process given the constitutional separation of powers among FPT jurisdictions, namely regarding health, education and social rights. Others mentioned the enormous amount of work associated with the Universal Periodic Review (UPR) process developed by the United Nations Human Rights Council,⁸ which determines to what extent a country is fully respecting and implementing all of the fundamental human rights. Some of the people interviewed stated that drafting and preparing a UPR report⁹ “could not be done without the support of the HRP”, which highlights the extent of the need in that regard. This last point of view reiterates the fact that HRP’s responsibilities include, but are not limited to, support to reporting, information-sharing and stakeholder coordination.

3.1.1.2 Coordination with FPT stakeholders

In addition to providing support to Canada’s reporting to the United Nations, HRP coordinates discussion among the federal, provincial and territorial governments regarding the ratification and implementation of international human rights instruments. It is also responsible for managing FPT consultations on human rights and providing strategic advice concerning the development of positions taken by Canada on new human rights issues. One of the main mechanisms used to encourage collaboration and coordination among FPT stakeholders is the CCOHR, which serves as a forum for discussion, information and consultation with respect to the signing, ratification and

⁸ The UPR is a recurring review of the achievements of all United Nations member States in the field of human rights. It is a process carried out by the States under the auspice of the Human Rights Council. The UPR gives each State an opportunity to present the actions it has taken to improve the human rights situation on its territory and to fulfill its related obligations. The first UPR cycle, which started in 2008 and ended in 2011, made it possible to examine the human rights situation in all 193 United Nations member States. The second UPR cycle started in 2012 and ended in 2016. The UPR is one of the pillars on which the Human Rights Council relies to remind States of their responsibility to fully respect and implement all fundamental human rights. The ultimate objective of the UPR is to improve the human rights situation in all countries and to address human rights violations, regardless of where they occur.

⁹ The UPR covers all human rights and not those specific to any international treaty. In that sense, the work associated with the UPR process is in addition to the efforts required in reporting to the various United Nations treaty bodies with respect to the international treaties signed by Canada.

implementation of international human rights treaties. The CCOHR is discussed in more detail in section 3.2.2.1.

The document review underlined that the Constitution of Canada¹⁰ sets out a separation of powers between the federal government and the provincial and territorial governments which have authority to legislate on different issues that directly relate to aspects of human rights. (see Box 1).

The literature review found that provincial and territorial government collaboration is needed to fully implement treaties and protocols. Consequently, full participation in international human rights treaties requires that FPT stakeholders collaborate closely at all stages, from the preparatory work before ratification to later implementation and the presentation of periodic reports.

The document review indicated that cooperation and coordination among the federal and provincial and territorial governments is essential to the development of positions taken by Canada on human rights issues, as well as to the establishment, signing and ratification of treaties.

The interviews conducted with most PCH representatives and other federal department representatives confirmed that human rights issues are vast and that some provisions are the responsibility of the provinces and territories, which renders their participation and collaboration essential. According to some of the people interviewed, it would be completely unprecedented for the Government of Canada to ratify or implement a treaty without first consulting the provincial and territorial governments and considering the point of view of all parties involved, including civil society (see section 3.2.1.1), before defining Canada's official position. In addition, such a process makes it possible for the federal government to obtain information that is essential in the development of federal human rights policies.

HRP discharges the government's commitment to promote human rights and to consult FPT and other actors, which allows Canada to have a unified voice that respects provincial expertise and authority. This commitment is operationalized through the coordination of consultations among all parties involved. The interviews conducted with most PCH representatives, other federal department representatives and civil society representatives confirmed that the coordination provided by the program is crucial.

Box 1

Legislative context for human rights in Canada

The 1960 *Canadian Bill of Rights* was the first human rights law enacted in Canada. Over the years, that law proved not very effective in ensuring the actual protection of human rights—a situation that contributed greatly to the enactment of the *Canadian Charter of Rights and Freedoms* in 1982. As the cornerstone for human rights in Canada, the *Charter* recognizes primary fundamental freedoms; freedom of movement, democratic rights and the right to equality while providing legal protections in that regard. The *Charter* also establishes the official languages and related rights and privileges as well as minority language rights. Various federal, provincial and territorial statutes complement the *Charter* rights.

¹⁰ The protection of human rights is governed first and foremost by the *Constitution Act, 1867* and the *Constitution Act, 1982*, which are the main sources of devolution to FPT of human rights responsibilities in Canada.

According to the interviews conducted as part of the evaluation, beyond the necessities of the Canadian legislative context that require good coordination among FPT stakeholders, the effective collaboration of all stakeholders on the human rights file encourages the establishment of an atmosphere of mutual trust that is conducive to productive discussion and cooperation. In the opinion of most of the stakeholders interviewed, these achievements contributed to decreasing the response time to United Nations treaty bodies questions about the implementation of international human rights instruments in Canada.

3.1.1.3 Human rights education and awareness in Canada

The literature and document reviews¹¹ provided little concrete information for evaluating the relevance of a human rights awareness program in Canada. However, almost all of the people interviewed in the evaluation agreed that Canada needs a program to raise Canadians' awareness and to enhance their knowledge and understanding of human rights.¹²

The interviews conducted as part of the evaluation show that most key stakeholders find it useful that Canada can count on a program like the HRP to raise Canadians' awareness and allow them to acquire knowledge on human rights. However, the points of view on the perceived needs and the role of the HRP vary:

- According to PCH representatives, Canadians' primary need concerns their levels of awareness and knowledge about human rights, and the HRP's role consists in meeting that need. Some of these key stakeholders believe that it is important that people know not only that they have rights, but also that there are mechanisms for protecting those rights.
- Civil society representatives stated the necessity of increasing efforts in human rights education and awareness. Some stated that there has been little progress made in this area. Others raised the possibility that other organizations (e.g., the Canadian Human Rights Commission) could fulfill promotion and awareness duties.
- Some representatives from other federal departments confirmed the need for HRP to raise awareness and educate the Canadian population, while others stated that HRP's promotion and education mandate is perhaps too broad. While some

¹¹ The literature review did not identify any sources that specifically addresses the issue of the role that a program that promotes human rights to Canadians could play. However, without coming to a decision on the HRP's possible contribution on this front, the review emphasized the important role that social media can play in promoting human rights and making citizens more aware of related issues. For example, human rights institutions do not hesitate to use social media to communicate the challenges that they must overcome. One author went so far as to say that [TRANSLATION] "promotion and awareness in the area of human rights may play a big role in the establishment of a culture of rights while encouraging greater respect for those rights from States." Source: MACLEOD, ALISTAIR M. "Rights and Recognition: The Case of Human Rights", *Journal of Social Philosophy*, 44(1), spring 2013, p. 51-73.

¹² However, opinions were divided on the results of Canada's work in human rights promotion and education (see section 3.2.1.5).

perceived awareness as a mechanism for providing an overview of human rights, others wondered whether the HRP should be content with informing Canadians about international human rights instruments and Canada's responsibilities to international treaty bodies, as well as clarifying and explaining to Canadians the roles and responsibilities of FPT partners on the human rights file.

- One respondent argued that, with respect to promoting human rights, there is a way to give an enhanced role to the Canadian Human Rights Commission, to civil society as well as to parliamentary bodies such as the House of Commons Standing Committee on Justice and Human Rights or the Senate Standing Committee on Human Rights.

3.1.2 Alignment with government priorities

The HRP is aligned with the strategic directions and priorities of both the Government of Canada and PCH.

The following presents either broad findings or solely the perspective of PCH representatives on the degree of alignment between the mandate and objectives of HRP and federal government priorities.

3.1.2.1 Federal government priorities

Even though human rights is not one of the federal government's three current priorities,¹³ the document review noted signs of alignment between the HRP and the strategic directions and priorities of the Government of Canada:

- Some Speeches from the Throne and federal Budgets indirectly reference human rights, namely when the government notes the importance of protecting rights, democracy and the rule of law or when it refers to respecting Aboriginal rights. Furthermore, in the 2013 Speech from the Throne, the government announced its intention to create the Office of Religious Freedoms, which indicates a concern for the protection of the rights of religious minorities.
- The subject of human rights is at the forefront of Canada's foreign policy. First, Canada has always been an ardent advocate of the protection of human rights and the promotion of democratic values, as evidenced by its achievements within the United Nations and the ratification of seven international human rights treaties (see Annex A). Second, according to the *Charter of the United Nations* and international law, all countries have the duty to promote and protect human rights. This is not a simple question of values, but a reciprocal obligation by all members

¹³ Those three priorities consist in supporting families and communities, stimulating the Canadian economy and returning to budget balance. Source: CANADA. PRIME MINISTER OF CANADA. n.p., information posted on the Prime Minister of Canada's Web site (consulted in December 2014). On the Internet: <URL: <http://pm.gc.ca/eng/priorities>>.

of the international community as well as a State's duty to its citizens. It is therefore logical to agree that "Canadians expect their government to be a leader in the human rights field by reflecting and promoting Canadian values on the international stage".¹⁴

The interviews conducted as part of the evaluation show different points of view on that same issue — a situation that can be attributed to key stakeholders' varying interpretations of how the human rights file fits within government priorities.

Most of the federal government representatives interviewed during the evaluation believe that the HRP is aligned with the government's current priorities and is directly aligned with one of Canada's foreign policy priorities, that is, the promotion of human rights. According to some other key stakeholders, HRP's place and role are clear because the program is aligned with one of the federal government's responsibilities to ensure accountability to the United Nations. Some key stakeholders maintained that the issue of consistency with government priorities does not really arise, since human rights reflect Canadian values, first and foremost. Finally, some PCH representatives noted that HRP does essential work because it assists to maintain Canada's credibility in the area of human rights while helping the government fulfill its obligations with respect to reporting,¹⁵ FPT coordination and raising awareness among the Canadian public.

3.1.2.2 PCH's priorities

As previously mentioned, the federal government's human rights obligations originate from various sources, including the Canadian Constitution, the *Canadian Charter of Rights and Freedoms*, international treaties signed or ratified by Canada as well as laws enacted by the Canadian Parliament. Human rights responsibilities nonetheless remain complex, because no department or agency has the complete mandate to respect Canada's human rights obligations. Those responsibilities are instead divided among different departments, some of which have strong expertise in the field. This is the case for JC, DFATD and PCH, and it is therefore conceivable that the administration of the HRP could fall under the responsibility of any one of these departments.

The information gathered through the document review tends to demonstrate that HRP is aligned with PCH's roles and responsibilities as well as with its priorities. At the departmental level, the program falls under the component "Engagement and community participation" related to Strategic Outcome 2 – "Canadians share, express and appreciate their Canadian identity" (see the Program Alignment Architecture in Annex F). Furthermore, PCH's *2013-2014 Departmental Performance Report* clearly states the Department's role, which is to "contribute to increasing the respect for and awareness of

¹⁴ Source: CANADA. FOREIGN AFFAIRS, TRADE AND DEVELOPMENT CANADA. n.p., information posted on DFATD's Web site (consulted in November 2014). On the Internet: <URL: <http://www.international.gc.ca/rights-droits/index.aspx?lang=eng>>.

¹⁵ With the exception perhaps of reporting on the right to education, which, according to one person interviewed, should be prepared at a level of government other than the federal government, which has no jurisdiction in the field of education.

human rights in Canada; and develop innovative and culturally appropriate solutions to the social, cultural, and other obstacles that impede Aboriginal peoples' community and personal prospects".¹⁶

HRP makes a marked contribution to the exercise of human rights responsibilities that are at the heart of PCH's legislative mandate,¹⁷ in particular with respect to the promotion of a greater understanding of human rights, fundamental freedoms and related values. In addition, HRP is designed to help PCH encourage provincial and territorial governments to ratify and implement international human rights instruments, as well as to draft and prepare reports to United Nations international treaty bodies.

The vast majority of the interviews validated the observations of the document review on the subject of the degree of alignment between the HRP and PCH's responsibilities and priorities. For example, according to a few of the key stakeholders consulted, human rights are fundamental values in Canada, and the protection and promotion of these rights are an integral part of the Canadian identity.

3.1.3 Alignment with federal roles and responsibilities

The results of the evaluation demonstrate that the Government of Canada still has a role to play as currently fulfilled by the HRP.

However, the increased role that other partners could play is a matter of some dispute.

The next findings concern the continuing role the government plays, as currently undertaken by the HRP, as well as on the possible contribution of other partners (provincial and territorial governments and civil society organizations).

3.1.3.1 Role of the federal government

As already indicated by the document and literature reviews (see section 3.1.1.1), the existence of discussions and consultations among the Government of Canada and the provincial and territorial governments warrants maintaining the participation of the federal government and the efforts made by the HRP to stimulate and facilitate collaboration among those parties involved in the human rights file in Canada.

The points of view gathered during the interviews tend to validate this finding. In general, all sources consulted agreed that the continued support of the federal government, as

¹⁶ CANADA. DEPARTMENT OF CANADIAN HERITAGE. *2013-2014 Departmental Performance Report*, n.p., Her Majesty the Queen in Right of Canada, 2014, p. 73.

¹⁷ CANADA. *Department of Canadian Heritage Act, S.C. 1995, c. 11*, n.p., Department of Justice, current to October 27, 2014. Subsection 4(1) stipulates that the powers, duties and functions of the Minister "extend to and include all matters over which Parliament has jurisdiction, not by law assigned to any other department, board or agency of the Government of Canada, relating to Canadian identity and values, cultural development and heritage". Furthermore, subsection 4(2) specifies that the jurisdiction referred to encompasses, but is not limited to, "the promotion of a greater understanding of human rights, fundamental freedoms and related values".

currently fulfilled by the HRP, remains essential, given that Canada must submit to international human rights obligations, and knowing that the program helps the country fulfill some of its commitments, namely with respect to the reporting to United Nations treaty bodies. Furthermore, the majority of the key stakeholders who took part in the interviews recognized the importance of human rights and noted the valuable enabling and convener function that HRP exercises to assist government decision-makers make informed decisions, take positions on current files and improve the implementation of international instruments throughout Canada. Other stakeholders stated that Canadians perceive human rights as fundamental values, which feeds expectations that the federal government should play a leadership role in these areas.

3.1.3.2 Role of other partners

As the human rights file covers a broad range of subjects and issues, some have wondered about the possibility of an increased role for other partners in the delivery of HRP functions. This topic has fuelled a lot of reflection, in particular during the previous summative evaluation of the program, but the responses obtained until now have not led to a resolution of the issue.¹⁸

The document and literature reviews reveal the complementary of HRP with a broad range of initiatives taken by Canadian government departments and agencies¹⁹— the program actually assists in clarifying the roles of the main federal stakeholders that work on human rights issues. The key federal stakeholders include PCH, JC and DFATD (see details in Annex G):

- PCH works to coordinate and provide information to support the implementation of international human rights treaties. The Department is responsible for CCOHR, which facilitates collaborative efforts on the part of the federal, provincial and territorial governments in this area.
- JC works on the promotion of, and respect for, human rights in the Canadian legal system.
- DFATD is the mandated intermediary between international organizations like the United Nations, on the one hand, and the HRP and JC, on the other.

Interviews conducted with key principal stakeholders clearly show HRP's uniqueness. In fact, no other program concurrently holds so many responsibilities in promotion and education, coordination among FPT stakeholders as well as in the preparation and

¹⁸ CANADA. DEPARTMENT OF CANADIAN HERITAGE. *Summative Evaluation of the Human Rights Program*, published by the Evaluation Services Directorate of the Office of the Chief Audit and Evaluation Executive, n.p., Her Majesty the Queen in Right of Canada, March 2010, 42 p.

¹⁹ For example, among other human rights promotion initiatives in Canada, the can be listed the following: Citizenship and Immigration Canada's Multiculturalism Program; PCH's Official Languages Support Program; Human Resources and Skills Development Canada's Labour Program and Pay Equity Program; the Canada Border Services Agency's Canada's Crimes Against Humanity and War Crimes Program; and the Status of Women Canada's Womens' Program.

presentation of reports to United Nations treaty bodies. That said, some stakeholders noted that many civil society organizations and provincial and territorial government departments or agencies already undertake activities to inform and raise awareness among Canadians with respect to human rights.

As a whole, the key stakeholders expressed differing opinions about the increased role that other partners could play in the delivery of the program:

- Some argued for a reorganization that would give the responsibility to administer HRP to another department (e.g., JC), in order to make the program more visible.
- Others believe that PCH could consider delegating HRP's promotion and education component to civil society organizations that already have expertise in the field. This option would allow PCH to focus its awareness efforts on international human rights instruments and the processes for presenting reports to United Nations treaty bodies.
- Some key stakeholders instead recommended the status quo. In their opinion, there is no need to delegate the HRP's functions to other organizations, given PCH's legislative responsibility to promote human rights in Canada. In addition, because HRP is in large part devoted to liaising among various parties, and is interested in implementing human rights in all sectors of Canadian society (despite the international nature of those rights), it would not be appropriate for its functions to be moved to another federal department. Finally, the people who believe that the program should be maintained at PCH find the department to be a more disinterested agent of coordination with other human rights partners²⁰, which contributes to the general effectiveness of the HRP.

3.2 Performance (effectiveness, efficiency and economy)

This section states the findings on two sub-issues addressed in the evaluation: the achievement of expected outcomes, and the demonstration of efficiency and economy.

The evaluation findings demonstrate that HRP has achieved most of its outcomes.

HRP fulfilled its commitment to preparing concise and focused reports for United Nations treaty bodies on the application of human rights treaties. However, some key stakeholders question the validity of the reports' portrait of the human rights situation in Canada. HRP supported Canadian delegates in preparing for appearances before United Nations treaty bodies.

²⁰ In comparison with JC, for example, which "has long played a role in the area of international human rights law, from advising Canada in the negotiation of new international human rights instruments, to representing Canada in the litigation of international human rights cases". Source: CANADA. DEPARTMENT OF JUSTICE. n.p., information posted on the JC Web site (consulted in November 2014). On the Internet: <URL: <http://www.justice.gc.ca/eng/abt-apd/icg-gci/ihrl-didp/index.html>>.

HRP made efforts to encourage civil society participation in its human rights consultations. However, the participation rate was very low for the entire period covered by the evaluation. The evaluation shows that the current consultations process should be abandoned in favour of open and interactive discussions that would allow for dynamic exchanges of points of view to which there could be a follow-up.

HRP's contribution to maintaining a continual dialogue on human rights between the Government of Canada and the provincial and territorial governments is significant. CCOHR meetings achieve more than simple sharing of information. However, some key stakeholders identified a need for more modern platforms to encourage greater information-sharing. The evaluation confirms that information gathered by HRP nourishes the deliberations of the CCOHR and various working groups charged with making decisions and taking positions on new human rights issues.

It is easy for Canadians to consult the HRP's website and find publications. Although the information is useful, the evaluation concludes that HRP's website needs improvement.

In the past, HRP had valuable tools to measure and document change. Since the elimination of the grants and contributions component in 2012, it is difficult for the program to gather data on Canadians' knowledge and ability to exercise fundamental rights.

3.2.1 Achievement of expected outcomes

The following findings concern HRP's achievement of outcomes. This section of the evaluation focuses on the activities undertaken by the program to support Canada: respect for its international human rights commitments; implementation of international instruments related to said rights; and establishment of productive dialogue among the federal, provincial and territorial governments on these matters. The evaluation presents findings on HRP's actions to ensure that the Canadian public has access to information on human rights, and on the changes observed with respect to the awareness, knowledge and capacities of Canadians on this subject.

3.2.1.1 Respecting international commitments

Preparation of human rights treaty reports

Because the commitments set out in international human rights treaties and protocols implicate provincial and territorial stakeholders, Canada must count on them to provide the necessary information for the reporting required by United Nations treaty bodies. This information concerns, in particular, the actions taken to consider human rights over a specified period. In that context, HRP's role is to synthesize the information received in order to make evident the efforts made by Canada to respect human rights.

According to the document review, HRP was able to fulfill its commitments with respect to reporting on the application of human rights treaties to the United Nations treaty bodies. Thus, between 2009-2010 and 2013-2014, the program submitted approximately 15 reports to relevant bodies (see the list in Table H-1 in Annex H). Among those documents are three texts required by the UPR process; all other reports address the treaties and protocols that Canada has ratified or to which Canada adheres.

In general, HRP sometimes submitted documents significantly behind schedule (see Table H-1). Thus, while the program's performance measurement framework (PMF) set a target of three months, the time lag between the expected submission date and the date of actual submission went beyond that in about half of all cases, reaching 30 months in the case of Canada's sixth report to the *International Covenant on Civil and Political Rights*. Various factors explain these delays, including the restrictive nature of the reporting cycle established by recipient United Nations organizations, the complexity of the content of the reports, the limited capacity of certain provincial and territorial governments to produce the required information in a timely manner, as well as delays in having documents approved by the federal government – all factors that are beyond HRP's control.

Furthermore, the people interviewed during the evaluation expressed different points of view regarding the validity of the reports submitted by Canada, particularly of the portrait sketched of the country's human rights situation. While government stakeholders agreed that the reports accurately reflect the human rights reality in Canada, civil society representatives were less enthusiastic, denouncing the fact that their recommendations were not always taken into consideration or contesting certain passages that they felt were incomplete or inaccurate. Some civil society organizations submitted their own reports to the United Nations, namely as part of the UPR process,²¹ and one person interviewed linked that initiative to their often critical response to certain elements in Canada's reports. (The issue of civil society participation in the implementation process is addressed later in this section.)

Notwithstanding these varied views, key stakeholders unanimously recognized HRP's efforts over the years to produce concise and focused reports. These efforts follow changes made to United Nations guidelines, which now require countries to prepare reports that are more succinct and more focused on the themes under review. According to those interviewed, the subsequent streamlining of the reports by HRP resulted in more interest in the content and ultimately more awareness of human rights issues among decision-makers (ministers and others). That finding is especially true for the UPR reporting, which is highly visible. All of the stakeholders consulted emphasized the

²¹ Some of the documents were prepared by a small number of organizations; that is the case, for example, for the reports published in 2012 by Amnesty International Canada, the Feminist Alliance for International Action Canada, the Charter Committee on Poverty Issues and the Social Rights Advocacy Centre or even by Canada Without Poverty and the Centre for Equality Rights in Accommodation, as part of the second UPR cycle. Other documents were prepared by a group; this was the case, for example, for the report published jointly in 2008 by 48 civil society organizations and Aboriginal groups, as part of the first UPR cycle, and the report published jointly in 2012 by approximately 60 organizations as part of the second UPR cycle.

program’s significant contribution to the preparation of these documents and commended the CCOHR’s ability to navigate through the consultation and feedback process with provinces and territories.

Appearances before United Nations treaty bodies

The document review showed that HRP provided support to Canadian delegates in preparing for appearances before United Nations treaty bodies. In total, as indicated in Table 1, four appearances took place between 2009-2010 and 2012-2013. The key stakeholders consulted confirmed the adequacy of the documents prepared for the appearances by HRP.

According to some provincial stakeholders, government budgetary restrictions resulted in limited opportunities to participate in these appearances. For example, for budget reasons, provincial and territorial government delegates did not appear before the Committee on the Rights of the Child in September 2012 and were subsequently penalized. However, a PCH representative noted that following a recent decision, it will henceforth be possible for PCH’s Deputy Minister or delegate to make appearances in person. This is an important change from the past, when the HRP had no budget to enable such participation.

Table 1
Appearances before United Nations Treaty Bodies

Subject of the appearance	Appearance date	Members of Canadian delegation (see Legend)	Report prepared by the HRP for review
Review of the Nineteenth and Twentieth Reports of Canada presented to the Committee on the Elimination of Racial Discrimination	February 22-23, 2012	AANDC, CIC, JC, DFATD, PMCUN, PCH, SP	List of FPT diagrams and themes prepared for review
Review of the Third and Fourth Reports of Canada presented to the Committee on the Rights of the Child	September 26-27, 2012	AANDC, PHAC, GQ, JC, PMCUN, HC	Canada’s response to the List of Issues submitted by the Committee
Review of Canada’s First Report on the <i>Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography</i>			Canada’s response to the List of Issues submitted by the Committee
Canada’s Second Report presented to the UPR Working Group	April 26, 2013	AANDC, GQ, JC, PMCUN, PCH, HRSDC, HC, PS	Canada’s second report presented to the UPR Working Group
			Canada’s response to the second UPR
Review of Canada’s Sixth Report presented to the Committee	May 22, 2012	GQ, JC, DFATD,	Canada’s sixth report presented to the Committee Against Torture

Subject of the appearance	Appearance date	Members of Canadian delegation (see Legend)	Report prepared by the HRP for review
Against Torture		PMCUN, PS	Canada's response to the List of Issues submitted by the Committee

Legend

AANDC: Aboriginal Affairs and Northern Development Canada; PHAC: the Public Health Agency; CIC: Citizenship and Immigration Canada; GQ: Government of Quebec; JC: Justice Canada; DFATD: Department of Foreign Affairs, Trade and Development; PMCUN: Permanent Mission of Canada to the United Nations; PCH: Canadian Heritage HRSDC: Human Resources and Skills Development Canada; HC: Health Canada; PS: Public Safety Canada

Promotion of human rights instruments

This issue is addressed in section 3.2.1.4.

Participation of civil society in the implementation process

Without being formally obligated to do so, HRP strives to encourage civil society groups to participate in its human rights consultations. The document review confirmed that PCH regularly invited NGOs to express their opinions on issues that were to be addressed in Canada's reports to United Nations treaty bodies. Furthermore, the CCOHR secretariat was open to submitting all information provided to it by civil society organizations to its members and federal departments in order to inform their deliberations on human rights matters.

A review of the agenda and minutes from CCOHR meetings makes it possible to determine the extent of the civil society consultation efforts with respect to the UPR process and the implementation of the treaties signed and ratified by Canada. (See Table 2) During the period covered by the evaluation, many civil society organizations were asked to participate in information or consultation sessions. Some sessions, conducted by e-mail, gathered opinions from organizations across Canada while others, conducted in person, were held only in Ottawa, (with no reimbursement of participant travel costs being provided). In practice, this resulted in only NGOs with Ottawa offices or the means to cover travel costs attended face-to-face sessions. Moreover, regardless of the session type, the participation rate of organizations was low for the entire period covered by the evaluation (see Table 2).

Table 2
Information or consultation sessions with civil society elements

Year	Number of invitations	Number of participants	Points of view obtained
2009-2010	205 (by e-mail)	3	Yes
2010-2011	205 (by e-mail)	0	No
	47 (in person)	23	Yes
2011-2012	700 (by e-mail)	14	Yes
	94 (in person)	6	Yes
	50 (in person)	12	Yes
2012-2013	292 (by e-mail)	2	Yes
2013-2014	58 (in person)	16	Yes
	364 (by e-mail)	9	Yes

According to the PCH representatives interviewed, efforts were made over the years to develop a closer relationship with NGOs, but participation by civil society representatives was still limited even though the relationship between the parties seemed to be improving – an opinion shared by civil society representatives. Some civil society representatives, however, expressed the desire to see consultations move away from the current methodology, which focuses on formal lectures and the presentation of recommendations, in favour of open and interactive discussions, to which there could be a follow-up, which would allow for dynamic exchanges of points of view. That said, civil society representatives recognized the constraining effect of the budget restrictions on HRP – a situation that also forced the program to turn to solutions (e.g. the use of teleconferences) that may broaden the consultation process at less cost, without compromising the quality of the debates.

Some of the civil society representatives interviewed believe that the federal government should play an increased leadership and coordination role, which could require the identification of “champions” within the departments involved. At the same time, those same people mentioned a positive trend; that HRP seemed more open to consultation than it had been for some time. Another stakeholder confirmed that perception, and pointed out that “great progress” has been made in the last year regarding efforts to ensure more active participation from civil society.

The independent human rights experts consulted during the evaluation suggested establishing a more effective FPT mechanism that could better deal with provincial and territorial governments as well as with a range of civil society organizations. The experts added that current FPT cooperation mechanisms fall into the political rather than the legal realm, which tends to negatively impact their effectiveness. The experts stated that there was a lack of funding allocated not only to NGOs working in the field of human rights, but also to provincial and territorial governments responsible for respecting and applying human rights. Some experts also pointed out that the last FPT meeting of ministers responsible for human rights issues took place in 1988.

3.2.1.2 Supporting dialogue with the provinces and territories

The document and literature reviews provided many indications of the significant contribution of HRP in maintaining a continual dialogue between the Government of Canada and the provincial and territorial governments on the subject of human rights. Such dialogue is conducted through, in particular, the work of the CCOHR (which is analyzed in section 3.2.2.1). The interviews corroborated these findings, confirming the useful and necessary nature of the interventions made by the program to provide coordination services. The majority of the key stakeholders questioned stated that they were satisfied with those services, and added that the collaboration among the parties involved in the human rights file had been maintained, even improved, over the period covered by the evaluation. According to one person interviewed, the HRP underwent changes in the past few years that enabled it to boost its vitality, and to focus more on acquiring knowledge and sharing expertise.

That said, some stakeholders believed that the program could do even better. In their opinion, there is a need to encourage increased engagement at a senior level and more sustained involvement on the part of decision-makers. For example, the program could consider calling an annual meeting of decision-makers or seeking greater participation by civil society organizations, regardless of their positions (in regards to Government of Canada's official positions). Thus, by modifying its consultation process, the HRP could significantly develop its expertise.

Sharing of information on human rights issues

As part of its coordination role, one of the HRP's central tasks was to receive and address—most often by e-mail—requests from stakeholders involved in the human rights file. According to the statistics examined by the document review, of all the requests received between 2009-2010 and 2013-2014, 19% were from members of the CCOHR or provincial and territorial governments, and close to 37% were from other federal departments. For the most part, the requests were either to obtain information (53%), or to receive or provide comments on the program's activities (44%).

Another important task was to encourage dialogue among or organize meetings with the parties involved. Most of the key stakeholders stated that, in the last few years, CCOHR meetings had become the scene of exchanges that go well beyond simple sharing of information. The committee is increasingly devoted to substantive issues, to establishing a constructive dialogue and to researching the points of view of provincial and territorial government representatives, namely regarding human rights issues or the reports that Canada submits to United Nations treaty bodies.

A review of the agenda and minutes from CCOHR meetings shows that the information sharing on a broad range of human rights issues—including issues related to the UPR, treaties and international activities—has allowed committee members to disseminate relevant information within their respective jurisdictions with the aim of feeding the policy development process. On that point, some of the people interviewed believe that the HRP could do more to provide advice on policies or to process information to make it

as user-friendly as possible. Some other key stakeholders also stated that there is a need to encourage enhanced information-sharing by moving away from technology that has been deemed ineffective, like electronic messaging, in favour of more modern platforms like Sharepoint.²² Similarly, the rules for approval and the procedures in place at PCH prohibit stakeholders in the Department from disseminating documents before they have been approved by the appropriate senior officials, which tends to slow HRP's coordination efforts and complicate consensus-building among FPT stakeholders.

Taking positions on new issues and making decisions on treaty-signing and ratification

The literature review described a few big human rights issues in Canada and identified the steps taken by Canada to overcome these challenges (see Table 3). Among the important achievements observed over the period covered by the evaluation, is progress on reducing the disparity between Aboriginals and non-Aboriginals as well as advances in implementing the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Such progress exceeds the limits of PCH's human rights mandate and is not directly attributable to the HRP, even though it may have contributed to it indirectly to a certain extent.²³

That said, in a context where the human rights situation could still be improved in Canada,²⁴ most of the key stakeholders consulted believe that HRP provided information that supports the deliberations of the CCOHR and the various working groups in charge of making decisions and taking positions on new human rights issues. In some cases, the exchanges contributed to changes to policies and programs that were being developed, or resulted in amendments to legislation.²⁵

²² Sharepoint is a collaborative tool developed by Microsoft and designed to be deployed on a server. Consisting of a series of software available via a portal, Sharepoint is mainly used for content management, electronic documents, mail and its ability to manage statistical data. In that sense, it becomes a true platform for collaborative work that is accessible to all of the collaborators in an organization. Source: CCM BENCHMARK GROUP. n.p., information posted on the Kioskea.net Web site (consulted in December 2014). On the Internet: <URL: <http://en.kioskea.net/faq/4151-collaborative-work-with-sharepoint#sharepoint>>.

²³ The document review shows that the federal government is the only level of government able to respond before the international community regarding compliance with the treaties Canada has signed. However, the federal government cannot force compliance with international treaties in areas under provincial or territorial jurisdiction. In that regard, in certain treaties, the federal government adds a "federal clause" that states that the Government of Canada could endure hardship implementing the treaty if it is required to gain the cooperation of the provinces and territories in order to do so—hence the importance of FPT consultations and efforts to coordinate discussions and exchanges of information between all levels of government involved. The potential contribution of the HRP is to encourage those consultations and efforts.

²⁴ In that regard, in the area of human rights, the independent experts consulted during the evaluation noted a difference between the Canadian position on the international scene and the actual application of rights in Canada. The experts based that opinion on the apparent timidity of federal government interventions on files like Canada's missing and murdered Aboriginal women, violence suffered by Aboriginal children in state care, respect of the rights of persons with disabilities (namely people with mental health problems) or even respect for religious minorities in Quebec. Some experts see in that difference and in the use of the "federal clause" (mentioned in footnote 24) the signs of a bias toward business and economic issues and a relative disinterest in human rights issues in Canada.

²⁵ For example, the enactment of legislation allowing First Nations communities to choose to adopt their own laws on matrimonial real property on reserves or even the amendment to section 67 of the Canadian Human Rights Act, which explicitly protected the federal government and band councils against discrimination complaints with respect to any decision or action authorized by the Indian Act.

In the review of literature and documents on the application of the seven international treaties that Canada has ratified or to which Canada adheres, three United Nations treaty bodies – the Human Rights Committee, the Committee on the Elimination of Discrimination Against Women and the Committee on the Elimination of Racial Discrimination – expressed the following criticisms about Canada:

- The complexity of the constitutional system and the separation of powers in Canada impairs its ability to fully comply with the provisions of international human rights treaties because the said treaties cannot be applied consistently across the country.
- Greater compliance is required from Canada in matters of Aboriginal rights, and security certificates that authorize the detention of ordinary citizens.
- The existing dialogue between Canada and the United Nations human rights system would be more constructive if Canada recognized the jurisdiction of the Committee on the Elimination of Racial Discrimination to address individual complaints, if it stopped using the term “visible minorities” to designate its non-white population and if it multiplied its efforts to eliminate discrimination based on race, ethnicity and gender in the country.²⁶

In reaction to those findings, some of the key stakeholders consulted stated that United Nations treaty bodies sometimes have difficulty capturing all of the nuances of the Canadian legislative framework,²⁷ understanding the repercussions of that situation on the implementation of treaties and recognizing the importance of the consultation process required to ensure effective implementation of human rights.²⁸

3.2.1.3 Canadian public's access to human rights information

In order to help Canadians find the human rights information they need, HRP relied on a service which distributes publications on request (including the *Canadian Charter of Rights and Freedoms*, treaties and other texts), and on a website displaying general

²⁶ Those criticisms must not be interpreted as a sign that Canada is in default with international human rights laws. They simply mean that United Nations treaty bodies identified gaps in the human rights protection system and that they encourage Canada to correct those weaknesses.

²⁷ According to the literature review, the human rights protection system in Canada is recognized and respected on the international scene because of its effectiveness and its ability to ensure actual respect for human rights. However, the system has limitations around two principles: the dualistic nature of Canada, which means that the treaties signed and ratified by Canada cannot be invoked before the country's courts unless expressly enshrined in an Act of Parliament (which is rarely the case); and the constitutional separation of powers between the federal government and the provincial and territorial governments, which means that the treaties that Canada ratifies or to which Canada adheres are not respected or applied consistently across the country.

²⁸ The independent experts consulted in the evaluation noted other constraints that hinder efforts to ensure the effective application of human rights legislation in Canada, including the progressive emergence of a culture of secrecy in the apparatus of the State; a more widespread perception that respect for rights is a privilege; the absence of consultation on human rights issues at all levels in Canada; as well as a focus on the judicial approach for asserting rights rather than on prevention and protection.

human rights information, nationally and internationally, and where reports prepared by Canada for United Nations treaty bodies were published. Moreover, up to 2012, the program was able to count on the grants and contributions component to facilitate public access to human rights information.

- As regards to the publications, the document review described a decrease in the number of documents distributed to the Canadian public, which fell from 64,114 in 2009-2010 to 24,605 in 2013-2014. This variation can be explained by the review of the HRP Web site during the period and by the modification in 2012-2013 of the method used to collect the data required, which affected the annual distribution statistics. The available data indicate that the great majority of publications were distributed to recipients located in Ontario (47%), in British Columbia (15%), in Alberta (14%) or in Quebec (11%). Furthermore, individuals who asked to receive publications did so especially out of personal interest (56%) or because they needed information for their studies (21%) or their work (10%).
- HRP website visit statistics examined by the document review proved to be unreliable as they lacked complete data and a standard calculation method based on the fiscal year or the calendar year. Table 3 provides numbers that reflect these constraints. By comparison, the previous summative evaluation of the program reported 989,998 visits identified between 2005 and 2009.²⁹

Table 3
HRP website visits

Year	Number of visitors	Number of visits	Number of pages viewed
2009-2010 (April 2009 to February 2010)	82,279	104,123	231,989
2010-2011 (January to March 2011)	Not available	Average: 1,225 per month	Average: 2,035 per month
2011-2012 (April 2011 to December 2012)	Not available	32,098	50,241
2012-2013	52,619	77,381	
2013-2014	59,066	78,427	

- As for the grants and contributions component, it served to fund promotional and educational projects³⁰ on various themes³¹ in almost all provinces and territories and, in some cases, national-wide.

²⁹ CANADA. DEPARTMENT OF CANADIAN HERITAGE. *Summative Evaluation of the Human Rights Program*, published by the Evaluation Services Directorate of the Office of the Chief Audit and Evaluation Executive, n.p., Her Majesty the Queen in right of Canada, March 2010, 42 p.

³⁰ Between 2009-2010 and 2011-2012, the grants and contributions component funded the development of 20 projects, the value of which averaged between \$12,000 and \$44,000.

³¹ Eligible activities under the funded initiatives could include: the development of kits on human rights; the organization of conferences, presentations and interactive workshops on the rights of the child and disability rights; the development of teacher guides; or the holding of human rights forums. Source: CANADA. DEPARTMENT OF CANADIAN HERITAGE. *Summative Evaluation of the Human Rights Program*, published by the Evaluation Services Directorate of [...]

Key stakeholders held varied opinions regarding HRP's contribution to improving the Canadian public's access to human rights information. Certain stakeholders considered that Canadians can easily visit the website and obtain publications, which speaks to the effectiveness with which the program fulfills these responsibilities. Certain others considered the content of the website too technical and not user-friendly enough for a quick information search; according to these individuals, further effort by HRP would be required to make the information understandable to a non-expert. Some stakeholders noted that the website posted reports that had been developed as printed documents and do not meet standards governing delivery of online content. Furthermore, some key stakeholders recommended adding information describing the process of ratification of international human rights treaties, and the deadlines for submitting related reports.

While recognizing the usefulness of the information provided, the independent experts consulted for evaluation purposes were unanimous in emphasizing the need to improve the HRP website to better describe the context of human rights in Canada³². Moreover, the experts agreed that using social media should stimulate the participation of youth. According to some experts, NGOs have interesting awareness practices that merit sharing (videos uploaded to YouTube). Finally, some experts suggested adding to the site webinars designed to foster Canadians' awareness, using the website to promote ongoing dialogue with groups identified in human rights reports, and including on the site concrete examples from everyday life to illustrate the application of human rights.

3.2.1.4 Support for the implementation of international instruments

The literature review indicated that during the period from 2009-2010 to 2013-2014, Canada launched innovative initiatives to promote human rights that, without being attributable to the HRP, reflect the efforts made or supported by FPT authorities, possibly with an indirect contribution from the program (see section 3.2.1.2). Notably:

- the opening, in September 2014, of the Canadian Museum for Human Rights, which should foster better knowledge and a deeper understanding of human rights in Canada;
- the work to adopt a National Action Plan to Combat Human Trafficking, in June 2012.

The document review pointed out that, to promote international human rights instruments, HRP relied on proven methods: distribution of publications on request (*Canadian Charter of Rights and Freedoms* and treaties); online distribution of general information relating to human rights in Canada and around the world; and, until 2012,

the Office of the Chief Audit and Evaluation Executive, n.p., Her Majesty the Queen in right of Canada, March 2010, 42 p.

³² For example, some experts believe that the Web site should inform the public on the work of the Subcommittee on the Prevention of Torture, in particular with a clear presentation of the report recommendations published by this body and by a description of progress made in Canada on the implementation of these recommendations.

awarding grants and contributions to bring together groups of targeted stakeholders or to educate youth for the purpose of increasing their knowledge and skills related to the exercise of their rights. These methods are the same as those used by the program to enable Canadians to locate the human rights information they need.

When questioned on the issues associated with the promotion of international instruments, the individuals interviewed again pointed out that the HRP website was technical and not user-friendly and that information could be distributed online on the mechanics of human rights treaties (see section 3.2.1.3).

3.2.1.5 Change in Canadians' awareness, knowledge and abilities

The document review indicated that before the grants and contributions component was abolished in 2012, HRP had valuable tools to measure and document changes related to Canadians' knowledge and ability to exercise their human rights. Since 2012, however, it has been difficult for the program to collect data on any changes that may have taken place. The measurement of most indicators relevant to awareness was traditionally based on data provided by recipients and housed in grant and contribution files. In the past, the program had the opportunity to commission ad-hoc surveys, which no longer exists due to restrictions imposed on public opinion research. This means that HRP can only produce estimates of the degree to which Canadians are aware or knowledgeable about human rights or have the ability to uphold their rights.

The literature review revealed potentially interesting alternatives to infer the state of public opinion on the matter. The reports published by the United Nations (based on documents provided by signatory states) are a wealth of information on changes in the human rights situation in Canada. Furthermore, a survey conducted in 2013 by the Environics Institute³³ includes some instructive findings on Canadians' perceptions of human rights. For example:

- the majority of respondents thought that Canada offered a modest human rights performance over the past ten years;
- respondents believed that the majority of Canadians from minority groups such as Aboriginal people, visible minorities, Muslims, Blacks, gays and lesbians and new immigrants continue to experience discrimination.³⁴

³³ *Canadians lukewarm about protection of human rights*, n.p., information published in November 2013 on the McGill University Web site (viewed in November 2014). On the Internet: <URL: <https://www.mcgill.ca/newsroom/channels/news/canadians-lukewarm-about-protection-human-rights-231739>>.

³⁴ According to the results of the survey, nearly half of Canadians stated in 2013 that Aboriginal peoples are often subject to discrimination, an opinion that has been reinforced since 2004, specifically in Quebec and in British Columbia since 2011. Canadians are more likely to reject the responsibility of government policies for this discrimination, but a significant minority argues that Aboriginal peoples are themselves responsible for their victimization. Further, one in three Canadians states that new immigrants in Canada are often subject to discrimination and that the responsibility for the burden is equally on government policies, public attitudes and immigrants themselves. The smallest proportion of Canadians believe that gays and lesbians and Blacks are frequently subject to discrimination; in both cases, there has been a slight decrease in the percentage people who hold this opinion since 2011.

The literature review found that the subject of human rights seems to raise interest in respondents, who appear to have some knowledge of the issues, without which they would not choose to express an opinion on Canada's performance in this area.

As regards the level of knowledge and awareness of Canadians with respect to human rights, the key stakeholders provided mixed, sometimes varied, opinions. Some stakeholders considered that Canadians have increased their awareness of human rights and learned to better exercise their rights, giving as evidence the decision of Aboriginal peoples and other groups within the Canadian population to turn toward the United Nations treaty bodies to assert their rights. Some other individuals interviewed added that Canadians are completely aware of their rights, know perfectly well who to contact to file a complaint (e.g. human rights commissions and other provincial and territorial human rights agencies) and do not hesitate to bring a case before the courts. Certain other sources perceived the number of cases brought to the attention of treaty bodies as an indicator of new means that Canadians have to assert their rights. However, the representatives of civil society considered HRP's interventions to be insufficient; they urged it to increase its efforts to improve the work of educating and creating awareness of human rights and to strengthen the abilities of interested parties.

The vast majority of independent experts consulted during the evaluation highlighted that it is paramount to maintain efforts to increase Canadian public awareness, and raised the need to reflect creatively on the means to achieve it. Convinced of the ability of civil society to obtain good results at little cost, some experts called for the re-establishment of the HRP's grants and contributions component, for the purpose of supporting NGOs and universities' awareness efforts in an innovative manner and at low cost. Some other experts favoured continuing the direct work of promotion and awareness conducted by HRP, provided that this work relies on co-operation with civil society and with other departments such as JC, Citizenship and Immigration Canada, Employment and Social Development Canada and Environment Canada.

No matter what they think of the effectiveness of HRP's work, most of the key stakeholders acknowledged that any progress made in creating awareness and educating the Canadian public could not be attributed solely to HRP's activities, given the number of government and non-government agencies working in the area who have access to effective tools to inform the public on human rights and remedies available to concerned parties. These stakeholders added that the results achieved in education and awareness probably depend on a number of factors, including the influence of the media, legislation in force, measures taken by the government and the initiatives of civil society groups who work towards the application of rights.

To address potential difficulties in additional promotion and education of Canadians in human rights—including the budgetary restrictions to which the work will be subject,—HRP initiated a discussion to create a new strategy to frame, measure and document the resources invested and the results obtained by the program. According to certain key stakeholders, this strategy should result in innovative thinking about all options that will

be available, given Canadians' expected key human rights needs. Furthermore, the strategy (which, according to current information is still in progress) will acknowledge some related technical constraints: the new directives governing the publication of online documents; the effort to rationalize the presence of the Canadian government on the Internet; and the desire to modernize the current Web platform used by the program.

3.2.2 Demonstration of efficiency and economy

The findings presented in this section relate to the efficiency of the implementation of HRP and the risks of duplication or overlap between it and other programs.

The evaluation cannot make an informed judgment on the availability and use of resources allocated to the HRP. However, key stakeholders affirmed the quality of the work and the results achieved despite limited resources.

CCOHR facilitates consultations among FTP stakeholders and furthers information-sharing on international human rights treaties and protocols.

The evaluation did not reveal any duplication or overlap between HRP and other PCH programs. HRP is rather seen as complementary to other initiatives.

3.2.2.1 Efficiency of the program

Availability and use of resources

The evaluation cannot make an informed judgment on the availability and use of resources assigned to HRP, because the availability of data is very limited. The single dataset uncovered by the document review appears as Table D-1 of Annex D.

Diagram 1 illustrates the evolution of the budget for salaries and Operations and Management (O&M) as well as of the Program's total expenditures, by fiscal year, for the whole period covered by this evaluation. Diagram 1 reveals that the budget was less than expenditures until 2012-2013, but the gap between the two narrowed over the years.

Diagram 2 presents the evolution of the grants and contributions (G&Cs) budget as well as the expenditures. It indicates that the HRP budget for G&Cs remained stable from 2009-2010 to 2012-2013, while expenditures increased between 2009-2010 and 2011-2012, when they were reduced to zero due to the abolition of the G&Cs component.

As shown in Table D-1, HRP staffing was reduced by 30% over two years (expressed in full-time equivalents). This reduction coincided with the abolition of the grants and contributions component. In 2013-2014, a total of 7.16 full-time equivalents were attached to the program.

The key stakeholders consulted during the evaluation agreed that the HRP had limited, even paltry, human and financial resources, to carry out its complete mandate. To meet

this challenge, the staff applied themselves diligently to their duties. Most of the stakeholders considered that the resources allocated to the program have up to now helped achieve most of the expected results, which is a convincing indicator of efficiency and good return on the human and financial capital invested. Certain other key stakeholders pointed out that the HRP shows a real desire to fulfill its responsibilities by considering options to achieve cost efficiencies which do not threaten to sacrifice the quality of the coordination and exchanges with human rights stakeholders. Certain individuals interviewed specifically credited the efforts made by the program's management team, which is continually asking questions, did not hesitate to question management methods and seeks constantly to increase the visibility of the HRP, despite the difficult budgetary context.

Diagram 1
Approved HRP Budget for O&M, Salaries and Expenditures

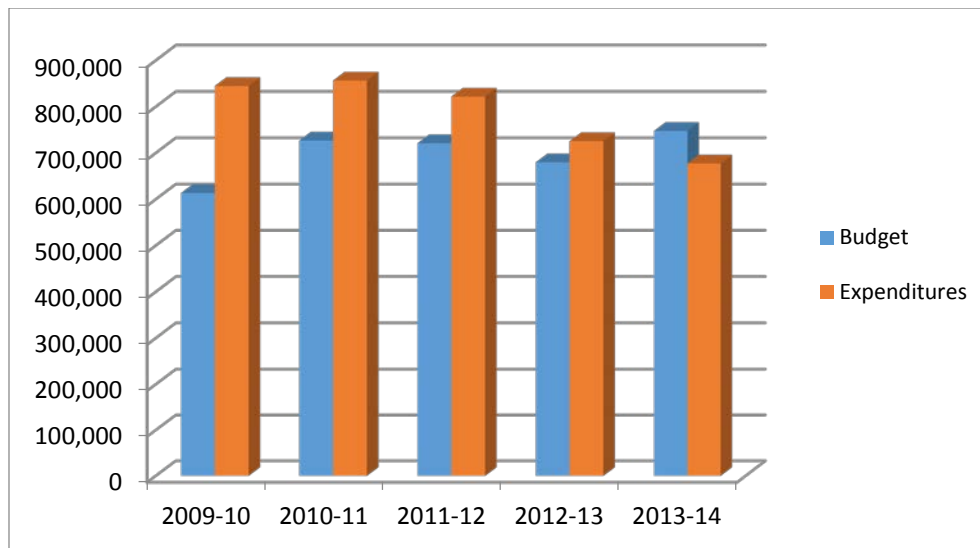
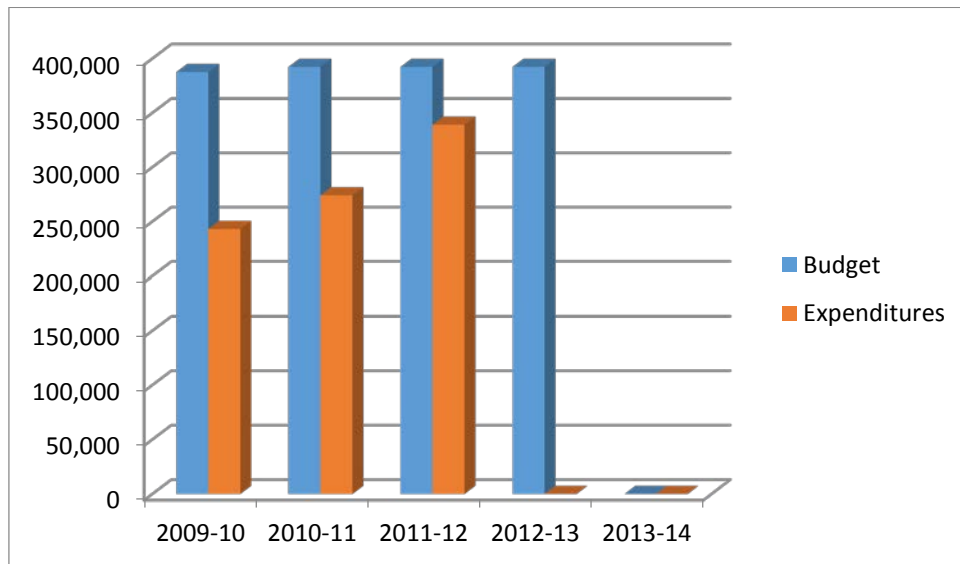


Diagram 2
Approved G&Cs Budget and Expenditures



Most independent experts consulted for the purpose of the evaluation believe that the HRP budget should be re-established at the level previous to the budget cuts of 2012-2013. In their view, such a measure would allow the program to better promote the engagement of civil society.

Support offered by the CCOHR to FPT stakeholders

The literature and document reviews confirmed CCOHR as the main forum available to HRP to coordinate exchanges among the federal, provincial and territorial governments regarding human rights issues.

Composed of FPT officials (see Box 2), CCOHR examines the international human rights instruments that Canada is considering signing or ratifying as well as any other human rights question or issues. According to the literature review, it has the power to make recommendations to ministers responsible for human rights. The Committee may also coordinate FPT Ministerial Conferences with a human rights theme.

With respect to the application of international treaties in Canada and the participation of Canada in the UPR process, one of CCOHR’s functions is to coordinate and collect information, documents and comments from the Committee members’ respective governments for the purpose of preparing a consolidated report for the appropriate United Nations treaty body. Similar duties are undertaken when United Nations treaty bodies make observations or recommendations regarding reports presented by Canada.

The vast majority of key stakeholders consulted felt that the CCOHR excels at facilitating consultations among FPT stakeholders and encouraging information sharing on international human rights treaties and protocols. This contribution supports a national respect for Canada's international human rights commitments. Certain stakeholders believed that the CCOHR also enables represented parties to gain a good understanding of the obligations related to treaties and to become familiar with notices formulated by the United Nations treaty bodies and, to a lesser extent, by agencies of civil society that accept the invitation to participate in consultations leading to reports submitted to the United Nations. According to these individuals, officials who are members of the CCOHR find the opportunity there to exchange their ideas, their views and their concerns regarding international instruments. Certain key stakeholders added that the officials also debated issues such as mobilizing civil society and potential steps to increase public awareness of Canada's human rights obligations.

According to some PCH representatives, the added value of the CCOHR is in its ability to simplify information-sharing among officials and concerned FPT stakeholders. Soliciting information in order to obtain it in a timely manner, from the relevant sources, was one of the main challenges faced by the committee.

In the opinion of most of the key stakeholders consulted, the CCOHR is a critical mechanism for consulting provincial and territorial governments and discussing with them the files that may be of interest or concern. Certain stakeholders noted that in the absence of the Committee, it would be difficult for the provinces and territories to understand all the consequences of treaty ratification and to contribute to the production of reports that reflect a consensual Canadian position on human rights issues. According to the testimony of one individual interviewed, without the CCOHR, "Canada would have difficulty in effectively fulfilling its international human rights obligations".

The members of the CCOHR meet once per year at an in-person meeting, in addition to participating in monthly conference calls. The participation statistics for these events (between 85% and 89%) exceed the targets set in the PMF (70%), which constitutes a recognition of the significant decision-making function of the Committee.

Box 2
Overview of the CCOHR

The mandate of the CCOHR is to maintain FPT consultation and coordination on human rights issues; including with respect to the elaboration, ratification and implementation of international human rights treaties.

Each jurisdiction assigns an official representative to serve on the CCOHR. Members are responsible for ensuring a continual liaison function on human rights issues among departments and agencies within their governments, and sharing information and views among governments.

PCH, supported by the HRP, plays that role within the Government of Canada. DFATD and JC have permanent seats on the Government of Canada delegation to the Committee and play an active role in CCOHR discussions. A number of provincial and territorial governments are represented on the CCOHR by their ministries of Justice/Attorneys General. Other federal, provincial or territorial government officials may be asked to present information or participate in discussions of the Committee on specific agenda items.

Source: CANADA. CANADIAN HERITAGE. n.p., information provided on the PCH Web site (viewed in December 2014). On the Internet: <URL: <http://www.pch.gc.ca/eng/1355256857893/1355257172114>>.

Without having all the information required to make an informed finding on the CCOHR's contribution, the independent experts consulted during the evaluation agreed that human rights commissions from across Canada should be represented on the Committee. They maintain regular contact with civil society and would be able to transmit their points of view to enrich reflections, exchanges and debates. Some experts noted that the mechanisms of FPT cooperation fluctuate at the discretion of governments and their politics, without the benefit of a solid legal foundation.

3.2.2.2 Duplication or overlap with other programs

The vast majority of key stakeholders emphasized the absence of duplication or overlap between HRP and other departmental programs. On the contrary, as previously noted (see section 3.1.3.2), HRP is seen instead as complementary to such initiatives. A few stakeholders pointed out that HRP distinguished itself by its ability to undertake key functions with respect to coordination and accountability, while concurrently raising awareness and knowledge of human rights in the Canadian public.

Some key stakeholders, including certain independent experts, found that the federal government must continue to play a leadership role to ensure coordination in the human rights field, but argued that other departments (e.g. JC or DFATD) could assume PCH's functions, but on condition that that Minister have a clear human rights mandate (see section 3.1.3.2). Furthermore, some experts believed that the federal government coordinating body should cultivate connections with both the political arm of government and civil society.

Some individuals consulted proposed various theories on the redistribution of roles and responsibilities between PCH and other federal departments such as JC and DFATD (see section 3.1.3.2.). The evaluation, however cannot claim with any certainty that any one theory would contribute to reaching the same results at less cost or even obtain better results at a cost equal to the current sharing of roles and responsibilities among the departments concerned. Each hypothesis has its share of advantages and disadvantages, considering the mandate, ability, methods and interests of each stakeholder.

4. Conclusions

The four lines of investigation helped identify, in chapter 3, findings based on the triangulation of information obtained from multiple sources. Although all the lines of investigation contributed to the assessment of relevance and performance (effectiveness, efficiency and economy) of HRP, the document review and the interviews featured prominently in the study. The findings that emerge from the lines of investigation lead to the following conclusions regarding the areas of focus dealt with in the study:

- The relevance of the HRP justifies maintaining the support that it receives from the federal government. Over the years, the program has maintained and improved its services in support of Government of Canada human rights commitments and

obligations. There is no doubt about the merit of the HRP, insofar as the program meets an important need for coordination with FPT stakeholders and accountability to United Nations treaty bodies.

- The HRP is part of PCH's priorities, while supporting federal government initiatives carried out in the area of human rights in Canada. The program performs essential work, because it contributes to Canada's international credibility on human rights.
- To date, HRP has shown the effectiveness of its activities, with respect to most of the results to be achieved. First, the program has useful processes and mechanisms to consult and inform the United Nations treaty bodies and its Canadian partners, which have facilitated effective cooperation and coordination among stakeholders concerned with human rights (resulting in a climate of trust and, by extension, a reduction of the period required to answer questions asked by treaty bodies). Secondly, HRP has introduced processes and tools for collecting and distributing information that provide better accountability with respect to human rights achievements.
- The abolition of the grants and contributions component and the imposition of new restrictions on conducting public opinion research made it more difficult for HRP to measure any change in Canadians' knowledge of international rights and treaties or in their skills and abilities related to the exercise of their human rights. In this context, it would be appropriate for HRP to concentrate its data compilation efforts on the promotion and public education component. The program is currently considering adopting a new strategy for this component, but there is no indication that this has gone beyond preliminary deliberations.
- The evaluation does not have sufficient data to reach an informed finding on the efficiency and economy of HRP. However, during the interviews, the key stakeholders praised the quality of the program's work despite its limited resources. The majority of individuals interviewed stated that the program provided good results, considering the amounts invested.
- As for human rights, CCOHR is the main forum for exchanges among the federal, provincial and territorial governments. CCOHR facilitates consultation with FTP representatives and information-sharing on international treaties, which contributed to improved national implementation of Canada's international human rights commitments.
- The evaluation did not reveal any duplication or overlap between HRP and other programs. HRP is seen rather as a complementary initiative that is distinguished by its simultaneous coordination with all FPT stakeholders, presentation of reports to United Nations treaty bodies and promotion and education of the Canadian public on human rights.

In the future, HRP may face significant challenges across Canada that often stem from factors largely beyond the control of the individuals responsible for the program.

According to the key stakeholders consulted, these include:

- obstacles to quickly obtaining information from relevant sources;
- the multiplication of international instruments, compelling countries to personalize reports and the answers they submit;
- the low visibility that the human rights file enjoys with FPT administrations and the limited interest that some decision-makers bring to the associated issues;
- the difficulty in managing the expectations of human rights stakeholders;
- the doubts that some stakeholders have expressed about plans to consult civil society agencies and establish a fruitful dialogue with them;
- the relative lack of debate on human rights at the most senior levels of the public service and the slow mobilization and leadership that some decision-makers have shown in these matters;
- the occasional negative perceptions and criticisms formed by some Canadian government officials concerning United Nations treaty bodies, specifically regarding the role these bodies exercise and the resources that they compel States to mobilize;
- impediments to the rollout of human rights promotional and public educational initiatives in the context of budgetary restrictions within government.

5. Recommendations and Management response

HRP could benefit from adopting powerful and cost-effective commercial IT solutions to provide more user-friendly and effective communications with FPT stakeholders, United Nations treaty bodies and other partners who cooperate in its activities. Particular attention should be paid to introducing solutions that could simplify content management, such as document-sharing that might also serve to measure the HRP's effect on policies or positions relating to new human rights issues.

Recommendation 1		
The Assistant Deputy Minister, Citizenship and Heritage Sector, should reinforce document-sharing mechanisms by introducing an improved IT platform that facilitates discussion among FPT stakeholders.		
Statement of Agreement / Disagreement		
Management is in agreement with this recommendation.		
Management Response		
<p>In June 2014, the Program began using a secure server in order to share documents with federal, provincial and territorial stakeholders in preparation for the annual meetings of the CCOHR.</p> <p>The Program will, in collaboration with the CCOHR, continue to examine technological options for enhanced information-sharing which meets the requirements of both the Program and the CCOHR.</p>		
Deliverables	Timelines	OPI
Presentation to CCOHR of a proposition for an improved IT platform.	Spring 2016	General Director, Strategic Management and Human Rights

HRP should seek to establish closer and more effective relationships with its partners in civil society. The creation and maintenance of such relationships would enable the federal government to improve the effectiveness of its human rights interventions.

Recommendation 2		
The Assistant Deputy Minister, Citizenship and Heritage Sector, should explore options to enhance and enrich consultations with civil society representatives who are key partners on the human rights file.		
Statement of Agreement / Disagreement		
Management is in agreement with this recommendation.		
Management Response		
<p>In 2014-2015, the Program undertook preliminary discussions with select civil society representatives to improve how it conducts consultations. The result of those discussions will determine next steps.</p> <p>However, it should be noted that the Program's consultations are primarily related to reporting processes. Consultation on substantive issues would have to be led by the</p>		

departments responsible.		
Deliverables	Timelines	OPI
Presentation of options to CCOHR	Spring 2016	General Director, Strategic Management and Human Rights

HRP should complete its new strategy to promote and educate Canadians on human rights, and re-launch this component of the program, which was undermined following the abolition of the grants and contributions component in 2012.

The HRP could make a difference by producing and providing at low cost—through its website, for example—instructive information on the nature and scope of its activities, in particular the coordination of FPT efforts and activities that assist Canada in fulfilling its international human rights commitments. In addition to informing the public, this would allow the program to increase its visibility while emphasizing its distinctiveness and its contribution to the promotion of rights.

Recommendation 3		
The Assistant Deputy Minister, Citizenship and Heritage Sector should implement a human rights promotion and education strategy to ensure that efforts are better known to Canadian public, and that, taking into account the scope and resources of the program.		
Statement of Agreement / Disagreement		
Management is in agreement with this recommendation.		
Management Response		
The Program is in the process of developing a new promotion and outreach strategy related to human rights that should be implemented in spring or summer 2015. As part of this strategy, the Program is updating its website and has begun the transition towards the Canada.ca platform. An effective web presence should increase the program’s visibility and provide easier access for Canadians. The Program will ensure that information related to its specific activities is included on the Department’s institutional profile, in line with directives from the Treasury Board Secretariat.		
Deliverables	Timelines	OPI
Strategy approved by Senior Management	Spring 2015	General Director, Strategic Management and Human Rights

Before the abolition of the G&Cs component, the Program had tools to measure relative changes to Canadians’ knowledge and their ability to exercise their rights. In the absence of reliable ways to collect convincing data (including public opinion surveys), HRP cannot reliably measure the results of its efforts. The PMERS and the Logic Model should be revised to reflect this reality.

Recommendation 4		
The Assistant Deputy Minister, Citizenship and Heritage Sector, should review the Performance Measurement, Evaluation and Risk Strategy (PMERS) to allow the Program to gather the necessary information in order to demonstrate the level of achievement of its results and efficiency measures.		
Statement of Agreement / Disagreement		
The Management is in agreement with this recommendation.		
Management Response		
The Program will re-examine the Performance Measurement, Evaluation and Risk Strategy taking into account the elimination of the grants and contributions component and the new promotion and education strategy.		
Deliverables	Timelines	OPI
New PMERS	Spring 2016	General Director, Strategic Management and Human Rights

Annex A – Briefing note on international human rights law

International framework governing human rights

The *Universal Declaration of Human Rights*, adopted by the United Nations General Assembly on December 10, 1948, strengthened the international human rights movement.³⁵ The *Declaration*, which is intended to be “a common standard of achievement for all peoples and all nations,” set out for the first time in the history of humanity the fundamental civil, political, economic, social and cultural rights that all human beings should enjoy. Over the years, its status as a fundamental standard of human rights—that all humans should respect and protect—has been widely recognized. The *Declaration*, with the *International Covenant on Civil and Political Rights* and its two optional protocols and the *International Covenant on Economic, Social and Cultural Rights* together form the *International Bill of Human Rights*.

Table A-1 lists a series of human rights treaties and other instruments that have been adopted since 1945. These treaties and instruments have given a legal form to inalienable human rights and forged a body of international rights. Furthermore, other instruments have been created at the regional level to reflect the specific rights of concern for a region and to provide protection mechanisms. The majority of States have adopted constitutions or other laws that formally protect fundamental human rights. Although the treaties and customary laws constitute the frame for international human rights law, other instruments such as declarations, directives and principles adopted internationally help better understand, apply and develop them. Respect for human rights assumes the existence of the rule of law nationally and internationally.

Obligations of States

International human rights law stipulates obligations that States are required to respect. When a State becomes a party to a treaty, international law requires it to respect, protect and establish human rights. In this context:

- “respect” means that States must refrain from interfering with or curtailing the enjoyment of human rights;
- “protect” requires States to protect individuals and groups against human rights abuses; and
- “fulfill” means that States must take positive action to facilitate the enjoyment of basic human rights.

³⁵ The content of this Annex is from the Web site of the Office of the High Commissioner for Human Rights, which can be found at <<http://www.ohchr.org>>.

By ratifying international human rights treaties, governments commit to taking national measures and to adopt laws compatible with treaty obligations. When national legal proceedings do not allow for remedies to human rights violations, there are individual complaint or communication mechanisms and procedures at regional and international levels that ensure the respect, protection and implementation of international human rights norms on a local level.

International human rights instruments

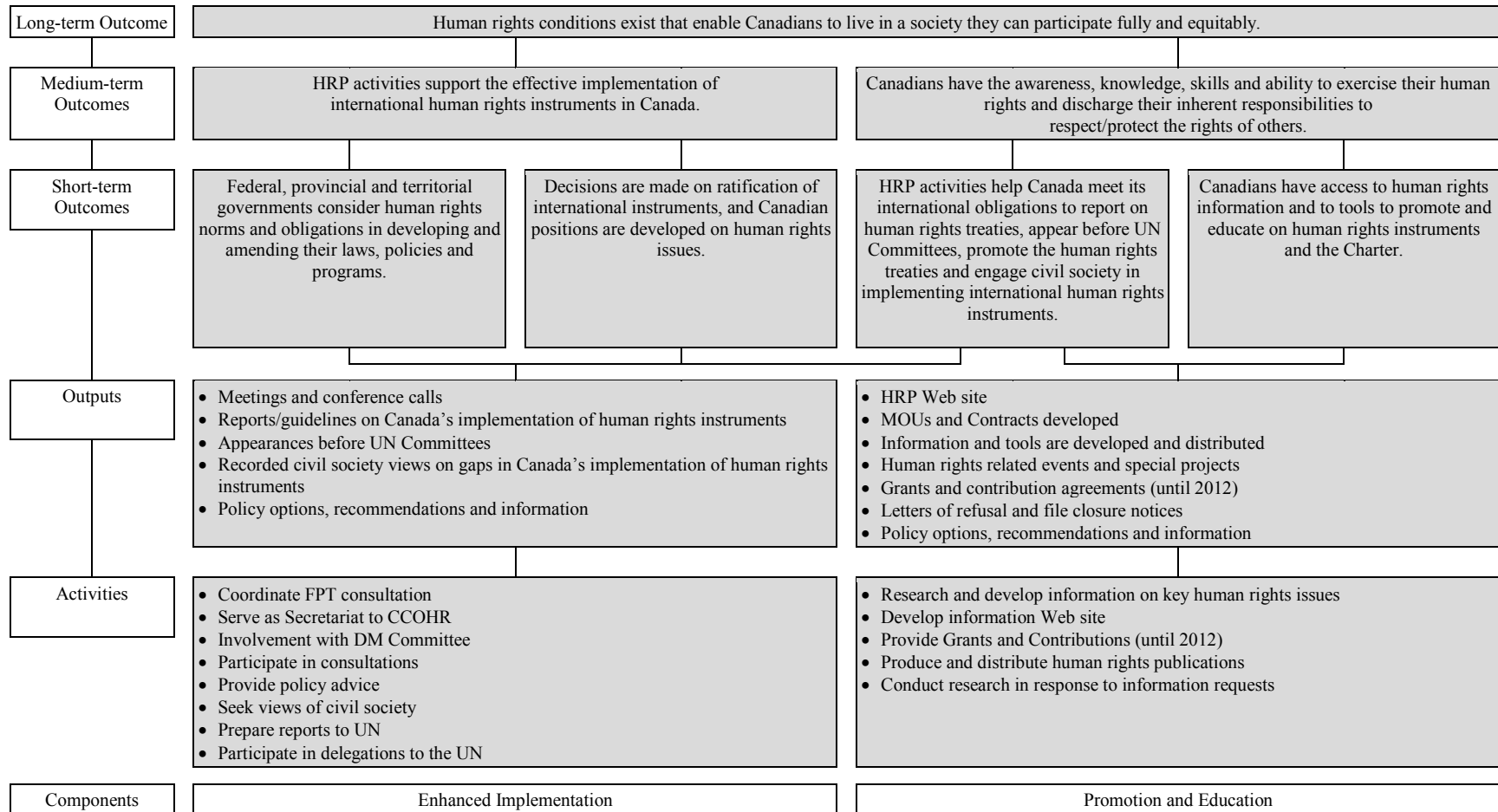
There are nine principal international human rights treaties, seven of which Canada has ratified or adheres to (see Table A-1). Each of these treaties has created a committee of independent experts (“United Nations treaty body”) responsible for monitoring the application of treaty provisions by signatory states. Furthermore, some of the treaties are completed by optional protocols that address specific concerns.

Table A-1
List of international treaties and associated treaty bodies

Treaty	Date adopted by the United Nations General Assembly	Date of signature by Canada	Date of ratification, adherence or succession by Canada	United Nations treaty body
Treaties				
<i>International Convention on the Elimination of All Forms of Racial Discrimination</i>	December 21, 1965	August 24, 1966	October 14, 1970 (ratification)	Committee on the Elimination of Racial Discrimination
<i>International Covenant on Civil and Political Rights</i>	December 16, 1966		May 19, 1976 (adherence)	Human Rights Committee
<i>International Covenant on Economic, Social and Cultural Rights</i>	December 16, 1966		May 19, 1976 (adherence)	Committee on Economic, Social and Cultural Rights
<i>Convention on the Elimination of All Forms of Discrimination Against Women</i>	December 18, 1979	July 17, 1980	December 10, 1981 (ratification)	Committee on the Elimination of Discrimination Against Women
<i>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</i>	December 10, 1984	August 23, 1985	June 24, 1987 (ratification)	Committee against Torture
<i>Convention on the Rights of the Child</i>	November 20, 1989	May 28, 1990	December 13, 1991 (ratification)	Committee on the Rights of the Child
<i>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</i>	December 18, 1990			Committee on Migrant Workers
<i>Convention on the Rights of Persons with Disabilities</i>	December 13, 2006	March 30, 2007	March 11, 2010 (ratification)	Committee on the Rights of Persons with Disabilities
<i>International Convention for the Protection of All Persons from Enforced Disappearance</i>	December 20, 2006			Committee on Enforced Disappearances
Optional protocols				
<i>Optional Protocol to the International Covenant on Civil and Political Rights</i>	December 16, 1966		May 19, 1976 (adherence)	Human Rights Committee
<i>Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty</i>	December 15, 1989		November 25, 2005 (adherence)	Human Rights Committee

Treaty	Date adopted by the United Nations General Assembly	Date of signature by Canada	Date of ratification, adherence or succession by Canada	United Nations treaty body
<i>Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women</i>	December 10, 1999		October 18, 2002 (adherence)	Committee on the Elimination of Discrimination Against Women
<i>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict</i>	May 25, 2000	June 5, 2000	July 7, 2000 (ratification)	Committee on the Rights of the Child
<i>Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography</i>	May 25, 2000	November 10, 2001	September 14, 2005 (ratification)	Committee on the Rights of the Child
<i>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</i>	December 18, 2002			Subcommittee on Prevention of Torture
<i>Optional Protocol to the Convention on the Rights of Persons with Disabilities</i>	December 12, 2006			Committee on the Rights of Persons with Disabilities
<i>Optional Protocol to the International Covenant on Economic, Social and Cultural Rights</i>	December 10, 2008			Committee on Economic, Social and Cultural Rights

Annex B – HRP Logic Model



Annex C – HRP stakeholders and partners

The HRP serves a broad range of clients nationally, regionally and locally and works with partners in the federal, provincial and territorial governments. The needs and expectations of these stakeholders and partners are listed in Table C-1.³⁶

Table C-1
Needs and expectations of HRP stakeholders and partners

Stakeholders	Needs / Expectations
General public	The Program provides information and publications on human rights, including Canada's domestic and international commitments to the general public who need this information to protect, advance or redress their rights and to participate fully as citizens in a democratic society.
Recipients	Until 2012, the Program provided technical advice and funding, through grants and contributions, to non-governmental and professional organizations, universities, and post-secondary institutions to develop educational and promotional tools (e.g. training manuals, information pamphlets, brochures, posters) and activities that promote or educate the public about the international human rights instruments to which Canada adheres and the <i>Canadian Charter of Rights and Freedoms</i> .
Civil Society	In the context of the UN reporting and review process on Canada's implementation of international human rights obligations, the Program engages with civil society to obtain views on domestic implementation and shares the information collected with other federal departments and provincial and territorial governments. With this information, governments are in a better position to effectively implement the international human rights instruments. The Program also uses this information to inform decisions on its education and promotion priorities.
Deputy Ministers Committee on Human Rights	The Program, in partnership with DFAIT and JC, provides coordination, policy and analytical support to the Deputy Ministers Committee on International Human Rights, which provides integrated leadership with regard to the management of the interaction between international human rights norms and domestic law and policy.
United Nations treaty bodies	Canada is required to submit reports to the UN on its implementations of the human rights treaties to which it adheres and to appear before the UN treaty bodies to respond to questions on these reports. Under Universal Periodic Review process, Canada must report to the UN Human Rights Council on all international human rights obligations, appear before a working group of the Council and provide a written response to the recommendations resulting from the Review. The Program is responsible for the preparation of Canada's reports to the UN and participates in and/or co-leads the preparations for appearances at the UN, with the other relevant federal department.

Partners	Needs / Expectations
CCOHR	The HRP serves as the permanent secretariat for the CCOHR, which is the principal federal-provincial/territorial consultation mechanism on issues related to international human rights treaties. The Program undertakes federal-provincial/territorial consultation and coordination related to the analysis, signature, ratification and implementation of international human rights treaties and acts as a point of contact with provincial/territorial governments. The Director General serves as the official Government of Canada representative and has chaired the Committee since its inception. The Program's activities

³⁶ The content of this Annex is from the following source: CANADA. DEPARTMENT OF CANADIAN HERITAGE. *Evaluation of the Human Rights Program. Terms of Reference*, published by the Evaluation Services Directorate of the Office of the Chief Audit and Evaluation Executive, n.p., s.n., May 27, 2014, 28 p.

Partners	Needs / Expectations
	ensure that federal, provincial and territorial officials share information and positions on human rights issues, thus influencing legislative and policy development from a human rights perspective and Canada's international positions on emerging issues, new instruments and conferences.
Other Federal Government Departments	The Program works in partnership with other federal departments and agencies on human rights issues in Canada to ensure that they are aware of their human rights obligations and consider the recommendations of treaty bodies with respect to their departmental policies and programs. The HRP also collaborates with these departments and agencies on human rights education and promotional activities.

Annex D – Resources allocated to the HRP

Table D-1 presents the approved budget and the expenditures of the HRP for the fiscal years 2009-2010 to 2013-2014 and the number of full-time equivalents calculated for this period.

Table D-1
Budget, expenditures and full-time equivalents related to the HRP

Line item	Fiscal year				
	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Approved budget, in Canadian dollars					
Salaries	387,535	484,314	478,473	478,473	602,894
Operations and maintenance	225,878	242,586	242,586	201,262	144,762
Total salaries, operations and maintenance	613,413	726,900	721,059	679,735	747,656
Grants	195,293	200,000	200,000	200,000	0
Contributions	192,280	192,280	192,280	192,280	0
Total, grants and contributions	387,573	392,280	392,280	392,280	0
Total salaries, operations and maintenance and grants and contributions	1,000,986	1,119,180	1,113,339	1,072,015	747,656
Expenditures, in Canadian dollars					
Salaries	616,076	670,491	676,308	619,589	582,589
Operations and maintenance	228,672	186,033	145,603	105,962	94,787
Total salaries, operations and maintenance	844,748	856,524	821,911	725,551	677,376
Grants	80,387	3,700	59,910	0	0
Contributions	162,701	270,373	279,121	0	0
Total grants and contributions	243,088	274,073	339,031	0	0
Total salaries, operations and maintenance and grants and contributions	1,087,836	1,130,597	1,160,942	725,551	677,376
Full-time equivalents, in absolute numbers					
Actual full-time equivalents, calculated according to the expenditures [note]	8.59	9.33	9.41	7.61	7.16

Note: The number indicated for 2013-2014 is based on the actual expenditures for the fiscal year.

Annex E –Evaluation Statement of work – main points

The evaluation will be led by the Evaluation Services Directorate (ESD) and will report to the PCH Office of the Chief Audit and Evaluation Executive.³⁷ The evaluation is part of the PCH *Evaluation Plan 2013-2014*. As required by the *Policy on Evaluation* published in 2009, it will assess the relevance, effectiveness, efficiency and economy of the HRP, for the period from 2009-2010 to 2013-2014.

Scope of the evaluation

The evaluation will address the relevance and performance (effectiveness, efficiency and economy) of the HRP from 2009-2010 to 2013-2014. Until the evaluation report is completed, additional available data can be taken into consideration.

In order to conduct quality evaluations in a cost-effective manner, ESD will work with program management to consider using calibration options where feasible (see Box E-1). Calibration refers to the process of adjusting how evaluations are conducted—based on a number of different factors such as the scope, the approach and design, the data collection methods, reporting and/or project governance and management—while maintaining the credibility and usability of the evaluation results.

ESD had originally planned to evaluate the Court Challenges Program (CCP) together with the Human Rights Program. Following a review of the information provided by the program and a discussion with the Centre of Excellence for Evaluation, it was decided that the CCP would not be evaluated since it ended in 2006.

The evaluation will be guided by the requirements of the Treasury Board Evaluation Policy (2009) in accordance with the *Directive on the Evaluation Function* (see Box 2).

³⁷ The content of this Annex is from the following source: CANADA. DEPARTMENT OF CANADIAN HERITAGE. *Evaluation of the Human Rights Program. Terms of Reference*, published by the Evaluation Services Directorate of the Office of the Chief Audit and Evaluation Executive, n.p., s.n., May 27, 2014, 28 p.

Box E-1 Calibration

Risk-Based Approach

Subsection 1.3.1(b) of the *Policy on Evaluation* states, “Departmental evaluation plans that use a risk-based approach to planning coverage of direct program spending will include a written, risk-based rationale to explain the Department’s evaluation coverage and non-coverage choices.”

The 2013-2014 risk review of the HRP identified the evaluation as a moderate risk. Specifically:

- HRP grants and contributions were abolished in 2012. However, the current evaluation complies with section 6.1.8 of the *Policy on Evaluation*, which states that “all direct program spending, excluding grants and contributions, is evaluated every five years”.
- With an annual budget of a little over \$500,000, the HRP is a low materiality program.
- Human rights are a sensitive issue with the public. The level of sensitivity is evaluated as moderate.
- The 2009-2010 evaluation did not identify any specific issues. However, it made four recommendations, which program managers accepted. These recommendations aimed to improve data collection procedures, as well as education and awareness of rights among Canadians. Two of these recommendations were implemented. The other two were deemed to be obsolete because they could not be implemented.
- The need to understand the different aspects of the program as well as the complementary roles and mandates of other government departments and agencies will add to the complexity of the evaluation. The program periodically collects data on its performance and continually reviews how it measures results.

Calibration³⁸

Calibration is a process for adjusting the terms and conditions of evaluations to ensure their quality and economy. Calibration allows effective use of evaluation resources, while ensuring the credibility and usefulness of evaluation results. The following components may be adjusted to calibrate an evaluation: its scope; approach and design; data collection methods; reporting; and governance and project management.

In light of the above information, the HRP evaluation has been calibrated as follows:

- Scope of the evaluation – Since the context in which the program operates is unchanged,³⁹ available information on relevance will be validated. Less effort will be devoted to this aspect of the evaluation. The evaluation will focus on new data available since the last evaluation in 2009-2010 and not on the years prior to the current funding cycle. The evaluation of the Court Challenges Program, which was to be paired with the HRP, is not required under section 42.1 of the *Financial Administration Act* since it ended in 2006.
- Approach – The evaluators will use an approach that combines quantitative and qualitative data sources, with emphasis on secondary data sources.
- Data Collection Methods – The evaluators will seek to determine the extent to which evaluation questions can be answered using existing data. Collection will focus on missing data to bridge gaps in available information. To reduce the amount of effort and resources required, a focus group will be held with people from the provinces and territories. This will halve the number of individual interviews.
- Reporting – The ESD will follow its existing practice of writing brief, strategic reports.
- Governance and Project Management – For the sake of efficiency, this evaluation will maximize the use of ESD and Policy Research Group (PRG) in-house resources at PCH.
- A detailed schedule has been provided to indicate when the Program and its senior managers should be involved (planning use of time).

³⁸ There is no formal TBS guide on conducting calibrated evaluations. A guide is being drafted, and the calibration of this evaluation is fully compatible with interim TBS guidelines.

³⁹ Except with regard to the abolition of grants and contributions.

Box 2
Core Issues

As described in the *Directive on the Evaluation Function*, published in April 2009, the following core issues are to be addressed in evaluations required by the Treasury Board, given the Directive on the Evaluation Function.

Relevance	
Issue 1: Continued need for program	Assessment of the extent to which the program continues to address a demonstrable need and is responsive to the needs of Canadians
Issue 2: Alignment with government priorities	Assessment of the linkages between program objectives and (i) federal government priorities and (ii) departmental strategic outcomes
Issue 3: Alignment with federal roles and responsibilities	Assessment of the role and responsibilities for the federal government in delivering the program
Performance (effectiveness, efficiency and economy)	
Issue 4: Achievement of expected outcomes	Assessment of progress toward expected outcomes (incl. immediate, intermediate and ultimate outcomes) with reference to performance targets and program reach, program design, including the linkage and contribution of outputs to outcomes
Issue 5: Demonstration of efficiency and economy	Assessment of resource utilization in relation to the production of outputs and progress toward expected outcomes

Evaluation Approach

ESD will be responsible for the conduct of the evaluation. PCH Policy Research Group will be responsible for the conduct of the literature review. ESD may call upon contracted researchers and/or contracted evaluation consultants for data collection and for analysis purposes.

An Evaluation Working Group (EWG) will be established for the duration of the evaluation. Roles and responsibilities of the EWG's members are delineated in Box 3.

Evaluation questions will be analyzed using multiple lines of investigation. Conclusions will be reached using a triangulation approach. This approach is useful to improve result validity and to support conclusions. Both qualitative and quantitative data will be collected in an effort to improve reliability of the information and the credibility of the evaluation results.

Evaluation strategy

The focus of the Program performance measurement strategy and the evaluation strategy will be on direct and intermediate outcomes as identified in the logic model. The indicators and data identified in the ongoing performance management strategy will be incorporated into the evaluation exercise.

Box 3
Evaluation Working Group

An Evaluation Working Group consisting of representatives from the OCAEE and from the Strategic Management and Human Rights Branch (SMHRB) will be created to ensure the success of the evaluation project. Overall, the EWG will:

- participate as required in the selection of a consulting firm to conduct each phase of the evaluation;
- attend and participate in EWG meetings;
- review and provide feedback on draft documents and reports in a timely manner;
- attend all meetings, including the presentation on preliminary findings;
- ensure that the evaluation takes into account corporate priorities as well as priorities specific to the Directorate/Branch represented by each EWG member; and
- provide additional guidance as required and as appropriate.

Table E-1 presents the questions used to evaluate the relevance and performance of programs as required by the *Evaluation Policy* published in 2009. The table also lists indicators and data sources associated with each question.

Table E-1
Evaluation questions, indicators and data sources

Questions	Indicators	Data sources
Relevance		
Issue 1: Continued need for program		
<ul style="list-style-type: none"> • What is the need for reporting on human rights? 	<ul style="list-style-type: none"> • Description of need for reporting on human rights • Perceived need for reporting among the various levels of governments 	<ul style="list-style-type: none"> • UN human rights treaty bodies (including Web site and human rights treaties) • Other federal government department representatives • CCOHR • Program staff and management
<ul style="list-style-type: none"> • Is there a need for coordination among federal, provincial and territorial governments on human rights issues? 	<ul style="list-style-type: none"> • Perceived need for coordination among the various levels of governments 	<ul style="list-style-type: none"> • Canadian constitution • CCOHR • Other federal government department representatives • Program staff and management
<ul style="list-style-type: none"> • Is there a need for a program to increase the education and awareness of human rights in Canada, including the <i>Canadian Charter of Rights and Freedoms</i> and the international human rights treaties that affect Canadians? 	<ul style="list-style-type: none"> • Perceived need for education and awareness of human rights in Canada • Number of requests by the public for human rights information • Level of awareness and knowledge of Human rights among Canadians 	<ul style="list-style-type: none"> • CCOHR • Other federal government department representatives • Program staff and management • Canadian public • Civil society • UN human rights treaties • United Nations treaty bodies • Human rights experts
Issue 2: Alignment with government priorities		
<ul style="list-style-type: none"> • Are the program's objectives still consistent with federal government priorities? 	<ul style="list-style-type: none"> • Consistency of Program's mandate/objectives with federal government priorities 	<ul style="list-style-type: none"> • Current Government of Canada's official documents and speeches (including Speeches from the Throne, budget commitments, policy statements, PAA, international statements, etc.) • Other federal government department representatives • Program staff and management (including senior management)
Question 3: Alignment with federal roles and responsibilities		
<ul style="list-style-type: none"> • Is there a continued role for the federal government in 	<ul style="list-style-type: none"> • Perceived impact of a potential discontinuation of the federal government's role in the area 	<ul style="list-style-type: none"> • CCOHR • Other federal government department

Questions	Indicators	Data sources
delivering the program?		<ul style="list-style-type: none"> representatives Program staff and management (including senior management) Civil society Human rights experts
<ul style="list-style-type: none"> Could other delivery partners (provinces, territories and voluntary sectors) play a greater role in the delivery of the Program? 	<ul style="list-style-type: none"> Available alternatives for program delivery and relative efficiency of other potential delivery partners Ability and willingness of partners to take on greater responsibility for the delivery of the program 	<ul style="list-style-type: none"> CCOHR Civil society Program staff and management (including senior management) Other federal government department representatives
Performance (effectiveness, efficiency and economy)		
Issue 4: Achievement of expected outcomes		
<ul style="list-style-type: none"> Are HRP activities contributing to Canada meeting its international obligations by: reporting on human rights treaties; appearing before UN human right treaty bodies; promoting human rights instruments; and engage civil society in the implementation process? 	<ul style="list-style-type: none"> Evidence that the Program has submitted reports to the UN and has appeared before the UN Evidence that the Program has promoted the human rights instruments Evidence that the Program has involved civil society in the implementation process (Opinion on the) Content and quality of the reports prepared by the Program on human rights treaties (Opinion on the) Content and quality of the appearances of government representatives before the UN human rights treaty bodies (Opinion on the) Content and quality of the consultations made by the Program to involve civil society 	<ul style="list-style-type: none"> Program staff and management UN treaty bodies (including Web site and reports) Civil society E-mails/letters to the public CCOHR Other federal government department representatives HRP Web site Civil society e-mails, letters, and other communications Program publication databases
<ul style="list-style-type: none"> Do the Program's FPT coordinating activities lead FPT stakeholders to: share information on issues related to human rights; develop positions on emerging issues; facilitate decision making on whether to sign or ratify international treaties? 	<ul style="list-style-type: none"> Number and type of information provided by the Program to FPT government officials Level of use of information provided by the Program on the position taken by FPT stakeholders on emerging human rights issues Number of opportunities FPT had to participate in human rights discussions and contributed input Average rate (%) of attendance by FPT officials in intergovernmental meetings Evidence that discussions and decisions are made in relation to ratification of human rights instruments Average rate (%) of participation/contribution by FPT into Canada's reports and UN questionnaires and in preparation of reviews by the UN 	<ul style="list-style-type: none"> CCOHR meetings and teleconference records Records of federal consultation meetings Reports to the UN CCOHR Other federal government department representatives Program staff and management Interdepartmental meetings and records
<ul style="list-style-type: none"> To what extent did the Canadian public access human rights information? Which audiences accessed this information? 	<ul style="list-style-type: none"> Number of publications distributed to the public Number and type of human rights information materials made available by the Program to the Canadian public (Opinion on the) Quality of information materials on human rights material made available by the Program to the Canadian public Level of distribution and reach of informational materials made available by the Program to the Canadian public Nature and comprehensiveness of information provided on Web site Number of enquiries answered Number of HRP Web site hits/visits 	<ul style="list-style-type: none"> Program staff and management Program publication database E-mails/letters to the public CCOHR Other federal government department representatives Grants and contributions recipients Grants and contributions final reports HRP Web site Civil society Canadian public UN treaty bodies (including Web site and reports)
<ul style="list-style-type: none"> Do HRP activities support the 	<ul style="list-style-type: none"> Number of Canadians who feel their 	<ul style="list-style-type: none"> Program staff and management

Questions	Indicators	Data sources
implementation of international human rights instruments in Canada?	<ul style="list-style-type: none"> governments respect their human rights Number and nature of human rights gaps identified by civil society and UN treaty bodies Evidence that laws, policies and programs are developed or amended to address human rights issues 	<ul style="list-style-type: none"> UN treaty bodies (including Web site and reports) Reports to the UN Civil society (including reports) CCOHR CCOHR meetings and teleconference records Other federal government department representatives Human rights experts Canadian public
<ul style="list-style-type: none"> To what extent did HRP increase Canadians awareness, knowledge, skills and ability to exercise their human rights and discharge their responsibilities to respect/protect the rights of others? 	<ul style="list-style-type: none"> Change in the level of education and awareness of human rights among Canadians Number of Canadians who feel they respect the human rights of others Number of Canadians who know what to do or where to get required information when confronted by challenges to their or others human rights Number of Canadians who feel that in some way that they have contributed to stopping or preventing human rights abuses 	<ul style="list-style-type: none"> Program staff and management Program publication database E-mails/letters to the public CCOHR CCOHR meetings and teleconference records Other federal government department representatives Reports to the UN Grants and contributions recipients Grants and contributions final reports Human rights experts Canadian public
Issue 5: Demonstration of efficiency and economy		
<ul style="list-style-type: none"> Was the delivery of the Program effective? Could the same outcomes be achieved using alternative delivery costs or by partnering with other public or private partners? 	<ul style="list-style-type: none"> (Opinions on the) Quality and effectiveness of the work done by the program staff (as a secretariat) in coordinating FPT consultations; supporting the CCOHR; seeking views of civil society; providing policy advice; preparing reports to the UN; and supporting the delegation to the UN Cost of providing opportunities for FPT officials into Canada's reports, UN questionnaires in preparation for reviews by the UN and in intergovernmental meetings 	<ul style="list-style-type: none"> Program staff and management UN treaty bodies (including Web site and reports) Reports to the UN Civil society (including reports) CCOHR CCOHR meetings and teleconference records Other federal government department representatives Human rights experts
<ul style="list-style-type: none"> To what extent does the Program duplicate or overlap with other programs delivered through other organizations, in the private, public and not-for-profit sectors? 	<ul style="list-style-type: none"> Existence of other programs with similar objectives and conditions Degree of concordance/similarity between objectives and conditions of programs 	<ul style="list-style-type: none"> Program staff and management Civil society CCOHR Other federal government department representatives Human rights experts Government of Canada Web site Government of Canada program documentation (Service Canada)

As there is a fairly large number of questions, interview questionnaires will group issues by theme. As far as possible, the ESD questionnaires will validate secondary data already available with key informants.

Methods

This evaluation will require, but is not limited to, the use of the following data collection methods to assess the relevance, performance and efficiency of the HRP.

Literature review

The Policy Research Group (PRG) will be responsible for:

- providing a review of national and international literature on current human rights issues in Canada;
- providing an analysis of current human rights issues in Canada, whether legal, social or political;
- describing to what extent Canada's position on human rights issues is in line with the current context.

PRG will present its findings, along with its final report to the EWG.

ESD will incorporate the results of this literature review in their analysis and will supplement the review with other literature sources if deemed necessary.

PRG may use multiple search engines including specific websites such as the UN, PCH, JC and DFATD; advice from experts; library research databases (e.g. at the Ontario Institute for Studies in Education); on-line research databases (e.g. ProQuest, ERIC database, topic-related research websites); a review of national and international governments' websites for information on current policies and programs; a review of government departments' and NGOs' websites and related links for additional studies or unpublished documents; Google Scholar; Google or other Internet search engines; tables of contents of topic-related academic journals; and citations from other articles.

Document Review

A thorough review will be conducted of program documentation, including UN documents related to human rights in Canada; Canada's reports to the UN; relevant correspondence; grant and contribution funding procedures, directives and forms; the Program Web site; commissioned studies; and surveys/polls. This review will be undertaken to acquire increased familiarity with the program, to provide input into identifying the causal linkages between program activities and expected results, and to help address questions of continued relevance and performance.

Review of project files, databases and other information systems

A review will be conducted of HRP baseline data, as well as databases and other internal/external information systems created to support management in the ongoing administrative support and performance measurement of program activities. This will be used to acquire information for the assessment of program performance and to assist in determining the adequacy of these information sources in relation to decision-making.

The program databases will constitute a source of information in the assessment of the extent to which the performance measurement activities yield timely and meaningful information in support of results-based management practices.

Key Informant Interviews

Approximately 13 in-depth interviews will be conducted with four groups of stakeholders as outlined below: five PCH senior managers and HRP staff and managers; three representatives of civil society; and five representatives of other federal departments. These interviews will aim to obtain information on the following claims:

- the programs are appropriate to respond to the acknowledged needs of Canadians;
- the programs are the most appropriate and efficient means to achieve the expected results.

The interviews will also help identify gaps in information and/or knowledge of the program and its operating environment.

Interview protocols will be developed after the completion of document and file reviews in order to collect in-depth data. The interviews in the National Capital Region (NRC) will be conducted in person and those outside the NRC will be completed by telephone. All interviews will be conducted in the official language of choice of the participants.

Focus group with provinces and territories stakeholders

The focus group, similarly to the interviews, will aim to gather information on relevance and the achievement of expected results.

The focus group will be conducted during a meeting of the CCOHR where provincial and territorial governments are represented.

Expert Panel

A limited number of interviews or focus groups may be conducted with experts in order to gather independent views on human rights issues. This would also help to fill gaps in information and/or knowledge on the context in which the program operates.



PCH 2014-2015 Program Alignment Architecture

Effective April 1st, 2014

SO1 Canadian artistic expressions and cultural content are created and accessible at home and abroad

Arts	Cultural Industries	Heritage
Canada Arts Presentation Fund	Broadcasting and Digital Communications	Museums Assistance Program
Canada Cultural Spaces Fund	Canada Media Fund	Canada Travelling Exhibitions Indemnification Program
Fathers of Confederation Buildings Trust	Film and Video Policy	Canadian Heritage Information Network
Canada Arts Training Fund	Film or Video Production Tax Credits	Canadian Conservation Institute
Canada Cultural Investment Fund	Canada Music Fund	Movable Cultural Property Program
	Canada Book Fund	
	Canada Periodical Fund	
	Copyright and International Trade Policy	
	Cultural Sector Investment Review	
	TV 5	

SO2 Canadians share, express and appreciate their Canadian identity

Attachment to Canada	Engagement and Community Participation	Official Languages
Celebration and Commemoration Program	Human Rights Program	Development of Official-Languages Communities Program
State Ceremonial and Protocol	Building Communities through Arts & Heritage	Enhancement of Official Languages Program
Canada History Fund	Aboriginal Peoples' Program	Official Languages Coordination Program
Exchanges Canada Program		
Youth Take Charge		

SO3 Canadians participate and excel in sport

Sport
Hosting Program
Sport Support Program
Athlete Assistance Program

Internal Services

Governance and Management Support

Resource Management Services

Asset Management Services

Annex G – Mandate and priorities of key federal stakeholders

Table G-1 summarizes the key findings resulting from a comparative analysis of the mandate and priorities of PCH, JC and DFATD.

Table G-1
Mandates and priorities – PCH, JC and DFATD

PCH	JC	DFATD
Paragraph 4(2)(a) of the <i>Department of Canadian Heritage Act</i> confers on PCH the mandate to promote human rights in Canada. To this end, it created the HRP, the purpose of which is to promote the development, understanding, respect for and enjoyment of human rights in Canada.	Section 4.1 of the <i>Department of Justice Act</i> confers on JC the explicit mandate to examine any bill or regulation submitted to the House of Commons by the federal government, so as to verify whether the text respects the <i>Canadian Charter of Rights and Freedoms</i> . Furthermore, as a body responsible for the legal system in Canada, JC ensures the promotion and respect of human rights within the Canadian judiciary.	DFATD has no statutory obligation to fulfill with respect to the protection of human rights in Canada. However, within the Human Rights and Democracy Bureau at DFATD is the Human Rights Policy Division, which is responsible for the development and implementation of Canada's international human rights policies.
One of the principal roles of the HRP is to inform, consult and cooperate with provincial and territorial governments and other federal departments, to ensure the signature, ratification and implementation of international human rights treaties.	One of the key missions of JC is to promote respect for rights and freedoms, the law and the Constitution.	One of the key priorities of DFATD is to promote democracy and respect for human rights and to contribute to effective global governance and national security.

Annex H – Reports submitted to treaty bodies

Table H-1 lists the reports that the HRP has submitted to the United Nations treaty bodies during the period covered by the evaluation.

Table H-1
Reports submitted to the United Nations treaty bodies, 2009-2010 to 2013-2014

Title	Expected submission date	Actual submission date	Delay	Number of pages or words
<i>Canada's response to recommendations received under the Universal Periodic Review</i>	June 9, 2009	June 8, 2009	None	8 pages (3,033 words)
<i>Interim Report in follow-up to the review of Canada's Seventeenth and Eighteenth Reports on the International Convention on the Elimination of All Forms of Racial Discrimination</i>	March 2008	August 6, 2009 [note 1]	16 months	31 pages
<i>Canada's Third and Fourth Reports on the Convention of the Rights of the Child</i>	January 11, 2009	November 20, 2009	10 months	207 pages, including the annexes [note 2]
<i>Canada's Interim Report in follow-up to the review of Canada's Sixth and Seventh Reports on the Convention on the Elimination of All Forms of Discrimination against Women</i>	November 2009	February 9, 2010	3 months	18 pages
<i>Canada's Sixth Report on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</i>	July 2008	October 4, 2010	26 months	57 pages
<i>Supplemental to Interim Report in follow-up to the review of the Sixth and Seventh Reports of Canada on the Convention on the Elimination of Discrimination against Women</i>	October 1, 2010 [note 3]	November 29, 2010	1.5 months	7 pages
<i>Nineteenth and Twentieth Reports of Canada on the International Convention on the Elimination of All Forms of Racial Discrimination</i>	November 15, 2009	January 27, 2011	14.5 months	112 pages
<i>Canada's Sixth Report on the International Covenant on Economic, Social and Cultural Rights</i>	June 2010	October 16, 2012	28 months	144 pages
<i>List of Issues submitted to the Committee Against Torture</i>	February 24, 2012	May 18, 2012	11 weeks	88 pages
<i>List of Issues submitted to the Committee on the Rights of the Child</i>	July 2, 2012	September 25, 2012	3 months	127 pages
<i>List of issues concerning additional and updated information related to the consideration of the initial report of Canada on the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography</i>	July 2, 2012	September 25, 2012	3 months	13 pages
<i>Core Document</i>	None	January 24, 2013	None	68 pages
<i>Canada's Second Report under the Universal Periodic Review</i>	January 21, 2013	January 24, 2013	3 days	28 pages (10,414 words)
<i>Canada's Response to the Recommendations Received during the Second Universal Periodic Review</i>	August 26, 2013	September 16, 2013	22 days	8 pages (2,493 words)
<i>Canada's Sixth Report on the International Covenant on Civil and Political Rights</i>	October 2010	April 9, 2013	30 months	39 pages
<i>First Report of Canada on the Convention on the Rights of Persons with Disabilities</i>	April 2012	February 11, 2014	22 months	61 (including one Annex)

Title	Expected submission date	Actual submission date	Delay	Number of pages or words
<i>Interim Report in follow-up to the review of Canada's Sixth Report on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment</i>	June 1, 2013	August 16, 2013	11 weeks	8 pages

Notes:

1. The United Nations has agreed to extend the original deadline to July 31, 2009.
2. In the beginning, this report was to have 120 pages.
3. A deadline extension request was made to the Committee on the Elimination of Discrimination Against Women, which agreed to extend the submission date to October 13, 2010.