

Speaking Notes

For

The Honourable Donald H. Oliver, Q.C.
Senator, the Senate of Canada

To the

**Director General Personnel and Family Support
Services Agency of the
Canadian Forces**

December 9, 2008
Ottawa, Ontario

Good morning/afternoon/evening ... I'm delighted to be here to join you in celebrating the 60th Anniversary of the Universal Declaration of Human Rights. And I am equally honoured to help launch your Respectful Workforce Campaign.

As part of your campaign, you are asking employees to "Be the change" – to share their ideas and experiences about ways to foster an inclusive and respectful working environment. And in that spirit, I will give you some of my ideas in a few minutes. But first, allow me to reflect on the importance of human rights and the significance of the Universal Declaration to Canadians and indeed the world.

Canadians, as we all know, are a modest people. We don't tend to boast about our accomplishments, but we should. We have given our best to the world throughout our history as a country – notably during two World Wars, in the Korean conflict, through our commitment to peace-keeping and today in Afghanistan.

There are three simple words penned by a Dutch visitor in the Book of Remembrance at the Canadian War Cemetery in Bergen-op-Zoom, Holland. I think they eloquently sum up the gratitude of other nations for our contributions. These words are: "Thank you forever."

I believe the world should also be most thankful for the role Canada and Canadians have played in advancing human rights, both internationally and at home. And Canadians should be very proud of our role in helping to spearhead just about every global achievement on this front, including the Universal Declaration of Human Rights.

The Universal Declaration of Human Rights was adopted by the United Nations just three years after the Second World War. The horrors of the Nazi regime were still painfully raw then. As Bruno Cormier of McGill University observed:

"It took six million victims for the world, awakened and stunned, to rule that when men kill men because they are men, such an abomination will no longer be called the persecution of Christians by Romans, of Christians by other Christians, but it will be a crime against humanity, regardless of who are the guilty and who are the victims."

The world's leaders promised all peoples that such atrocities would never take place again. This Declaration is one of the most important manifestations of that promise.

The first functional commission established by the United Nations focused on human rights and was chaired by Eleanor Roosevelt. Under her leadership, with the assistance of Dr. John Peters Humphrey, a native of New Brunswick, the commission drafted the International Bill of Human Rights, which became the Declaration we treasure today.

Dr. Humphrey studied at Mount Allison University in New Brunswick and later at McGill University in Montreal, where he taught for many years, even well into his 80s. He was a staunch advocate for human rights in Canada and abroad until his death thirteen years ago.

Every year in his honour, Rights & Democracy presents the John Humphrey Freedom Award on December 10th to a person or group of people who have courageously defended the human rights of others. This year, the award will be presented to the Zimbabwe Lawyers for Human Rights "in recognition of their courageous pursuit of justice for victims of human rights abuses inside Zimbabwe."

Let's look a little closer at what Mrs. Roosevelt, Dr. Humphrey and others achieved in drafting the Universal Declaration of Human Rights. The Declaration consists of a preamble and 30 articles, which describe the fundamental rights and freedoms of all people. It prohibits discrimination based on race, colour, sex, language, religion, national or social origin, property, birth, opinion or other status.

The Declaration reminds us that the "foundation of freedom, justice and peace in the world" is the "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family."

Some people argue that the human rights principles set forth in the Universal Declaration reflect "western" values and cannot be applied to non-western cultures. Sometimes the argument is presented in terms of collective as opposed to individual rights with collective rights assumed to be more characteristic of Asian cultural values.

Individual rights usually refer to traditional civil and political rights such as freedom of speech and assembly. Collective rights, on the other hand, refer to economic and social rights and include the right to education, medical care, the right to work and so on.

But collective rights are not meant to oppose or to supersede individual rights. Indeed, they are complementary, with collective rights helping to make individual rights more possible. For example, a well educated public will be more inclined to participate in and recognize the value of democracy.

It is important to remember too that human rights are not passive. They create a right to something – an entitlement which demands to be fulfilled. In a very real sense, human rights demand social change.

Despite all their differences, all cultures still share and always will share the common denominator of being human. The term human tells us, first, that such rights are universal. They apply to all human beings merely by virtue of their being human. Human life is seen as an ultimate value with requirements that must be met.

Second, the term human reminds us that we, as human beings are members of a universal community and the full scope of our moral obligations includes all people, everywhere.

All values are culturally sensitive in that they are contextually defined and depend on an over-arching network of social-cultural relations which provides meaning and significance. But we also know that moral choices are about what is good in itself, objectively, and for all people. These moral rights and duties, in terms of practice and action, define human beings as human beings, not as citizens of this or that country.

In other words, the Universal Declaration of Human Rights reminds us that fundamentally all the peoples of the world are part of the same human family and as such, we all deserve the same rights, freedoms and protections no matter where we live or what country we belong to.

In proclaiming this declaration “as a common standard of achievement for all peoples and all nations”, the General Assembly urged “every individual and every organ of society ... to promote respect for these rights and freedoms and by progressive measures ... to secure their universal and effective recognition and observance.”

The Canadian Charter of Rights and Freedoms, enacted in 1982 as part of Canada’s new Constitution Act, is a vital part of Canada’s response to the UN’s proclamation. Its express purpose is to protect Canadians against human rights abuses and to safeguard our fundamental liberties from government encroachment.

The Charter specifies that it be interpreted “...in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.”

In essence, the Charter linked Canadians to their constitution in a new way, making the Constitution as much concerned with the rights of citizens as with the powers of government. The following fundamental principle in the Charter sets the stage for everything else that follows:

“Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”

The *Canadian Human Rights Act* of 1985 goes further. It prohibits discriminatory practices against a person, based on race, ethnicity, religion or sex. These include refusing or limiting employment opportunities as well as harassing people on the basis of discrimination. The Act is based on the principle that “... every individual should have an opportunity with other individuals to make for himself or herself the life that he or she is able and wishes to have.”

The main purpose of both the *Charter of Rights and Freedoms* and the *Canadian Human Rights Act* is to protect individuals against discrimination.

The third major statute, the *Employment Equity Act* of 1995, has a different purpose. It is designed to promote diversity and to eliminate systemic discrimination in the workplace. I believe this Act remains one of Canada’s most important advancements in building a diverse and inclusive society.

Let’s face it. Employment is the key. More and more, in a society obsessed with economic performance, an individual’s contribution is measured by work.

It’s especially vital that visible minorities be given the same opportunities as others to contribute to society through their work. If no one knows what they can do, no employer will want to take the risk. This is why affirmative action plans are a necessary condition to full integration. The Canadian *Employment Equity Act*, which applies to most employers in the private and public sectors, is critical because it promotes affirmative action plans.

The Charter, the Human Rights Act and the Employment Equity Act are particularly critical when you consider Canada’s changing demographic landscape. For example, the results of the 2006 Census show that more than 200 different ethnic groups now call Canada home and that more than 200 languages are now spoken in Canada.

The Census further revealed that 83.9 percent of the immigrants who arrived in Canada between 2001 and 2006 were born in regions other than Europe – a dramatic departure from the immigration patterns of just three decades ago.

Even more telling, more than five million Canadians now make up Canada's visible minority population, representing 16.2 percent of the total population in Canada. And the rate of growth for the visible minority population between 2001 and 2006 was 27.2 percent – five times faster than the 5.4 percent increase for the population as a whole.

If current immigration trends continue, Canada's visible minority population will continue to grow much more quickly than the non-visible minority population. According to population projections, members of visible minority groups could account for roughly one-fifth of the total population by 2017.

Given this, and our tradition in protecting human rights, most Canadians believe that Canada is a most tolerant country. But, the truth is, we have work to do. Our record is not without blemish.

Consider these results published by the Institute for Research on Public Policy in Canada: "Overall, a third of racial minorities report having experienced discrimination, a rate that varies from 28 percent of South Asians to 45 percent of Blacks. More troubling is the evidence that the sense of discrimination is higher among immigrants who have been in the country longer and among the children of immigrants."

What is more, the economic integration of minorities is widely seen as a very serious issue in Canada. For example, Canadian immigration policy gives greater weight to educational qualifications. As a result, many recent immigrants to Canada have more years of education on average than native-born Canadians.

Nevertheless, a recent study shows that only 40 percent of skilled immigrants are working in the occupation or profession for which they are trained. In fact, many immigrants with university degrees are working in jobs that typically require high school or less.

This brings me to the second part of my talk today. Allow me to share with you what I have learned about creating and sustaining a culture of inclusion and respect in the workplace.

The first thing I have learned is that fostering inclusion and respect is not simply about being "good" or "fair" or "caring". It's about being "smart".

It is about ensuring that your Agency can anticipate, innovate, plan and deliver the services the Canadian Forces and their families need now and will expect in the future.

Another important fact to remember is that diverse and inclusive organizations gain many important advantages. First, diversity enhances the brainpower and creative output of any organization.

When you bring ethnically diverse groups together, the potential for gaining more fulsome perspectives and more innovative ideas is magnified. Why? Because a group of the same people of the same colour with the same backgrounds and experiences comes up with the same tired ideas – time and time again. This phenomenon is called “group think”. By contrast, as numerous studies have shown, groups composed of people from a variety of cultures don’t fall into this trap. They bring more perspectives to the table, enrich the discussion, and generate more alternatives.

Equally valuable, the solutions they devise are more wide-ranging and effective. They take into account the interests of the full range of an organization’s stakeholders.

Second, diverse organizations attract the best talent. Economist Richard Florida postulates that smart, creative people want to live and work in places and organizations that are technologically advanced. They also want the opportunity to learn from other skilled and educated people. But, above all, these creative people seek tolerance.

A feeling of acceptance is important to them – very important. They look for organizations – and countries – that are diverse and inclusive.

Third, diverse organizations foster closer ties and better relationships with their clients. Ethnic groups are burgeoning right here in Canada. Organizations must be able to reach out to them and build positive relationships.

And fourth, diversity enhances an organization’s reputation. Highly skilled knowledge workers want to work for organizations, where they believe they can make a positive difference. And they clearly consider an organization’s reputation in making decisions about their career. As Richard Florida’s research also shows, diversity goes hand in hand with a stellar reputation.

How do you build an inclusive work environment – one where everyone feels they can make a full and important contribution? Let’s look at the characteristics of an inclusive workplace. The Conference Board defines it as an environment as one where:

- “Every employee feels welcome in the workplace.
- People are making an effort to learn about other cultures.
- Everyone is included and made to feel welcome in social events.

- No one is treated as if they are different, but their differences are acknowledged and accepted.”

This last point is very important because equal treatment is not the same as equitable treatment. Different cultural groups come to the workplace with different assumptions. The more you are aware and accepting of these differences, the more you support a culture of inclusion.

There will be conflict when you bring together people from different cultures. That’s perfectly normal – and often how you handle the little things will matter the most.

For example, at a call centre for a major Canadian bank where the staff originates from many countries, the mixture of lunchtime aromas coming from the employee kitchen drew complaints from some workers. It was creating conflict. So the bank set up a second kitchen on another, less populated floor with improved ventilation. Employees could eat what they wanted. The complaints stopped. The problem was solved.

As you know, religion can be a particularly touchy issue for some employees. To their credit, many departments of the Canadian federal government are managing these sensitivities in a helpful way.

Several routinely publish diversity calendars, outlining major religious and international holidays. The Department of National Defence also published a 142-page book, called Religions in Canada. It outlines general information about 38 religions and spiritual practices in Canada. Several government departments have also set up meditation rooms, enabling employees to follow the practices of their faith in a relaxed environment.

Above all, to create an inclusive working environment, there must be zero tolerance for racial discrimination. And this policy must not be simply posted on a wall or hidden in an employee manual. It must be understood and embraced by every employee. It must be practiced every day. And it must be every employee’s responsibility to uphold.

In conclusion, given our legacy of proactive human rights and employment equity legislation, Canada should be the one of the highest performers in the world on the diversity front. Given our history, we should be the global trendsetter.

Our leadership in building diverse and inclusive organizations would speak volumes to the hundreds of thousands of new immigrants our country strives to attract and keep each year.

It would resonant within the hearts and minds of the increasingly diverse peoples of Canada.

It would bolster Canada's reputation in world markets and ensure our country's future prosperity.

And above all, it would infuse all employees with a great sense of pride – the pride that comes from working in vibrant, progressive organization – the pride that comes from being a world leader in leveraging diversity – the pride that comes from the knowledge that you are making a real and lasting difference.

On this day, the eve of the proclamation of the Universal Declaration of Human Rights, I want you to be proud of Canada's many contributions to the world and especially our achievements in advancing human rights. I also want you to know that our work is far from over.

It's up to each and every one of you to demonstrate that the opportunities to advance, to make a meaningful difference through work, to deliver on the full promise of diversity are truly available to all human beings. As Ghandi said, "We must be the change we wish to see in the world."

Thank you.