

**Speaking Notes**  
**The Honourable Noël A. Kinsella**  
**Speaker of the Senate of Canada**

**On the occasion of the Formal Opening of the International  
Conference on the *United Nations Convention on the  
Rights of Persons with Disabilities***

**November 18, 2008**

La Honorable Señora Vivian Fernández de Torrijos,  
Honourable Minister Peter Mackay,  
Distinguished Guests,  
Ladies and Gentlemen,

It gives me great pleasure to welcome all of you to the opening of the *International Conference on the United Nations Convention on the Rights of Persons with Disabilities*. As a student of human rights, I am honoured to have this opportunity to participate in this important conference. I would especially like to extend a warm welcome to the First Lady of Panama on this particular visit to Canada.

In 2007, Canada was among more than 70 countries to sign the United Nations' Convention on the Rights of Persons with Disabilities. Canadians are committed to ensuring that persons with disabilities enjoy full participation in society, both at home and abroad. The federal, provincial and territorial committee of officials responsible for Human Rights are currently seized with the preparatory work that will hopefully soon lead to the ratification of this instrument by Canada. Ratification of the Convention should not be delayed – Canada ratified the UN Convention on the Rights of Children in 1991, only 19 months after signing it<sup>1</sup>.

As a federated state, Canada ratifies international instruments which affect the various levels of jurisdiction after consultation with the provinces and territories. In Canada, the provinces and territories are primarily responsible for the socio-economic policies that most affect persons with disabilities. However, the federal government also plays a role in the provision of health and social services to particular population groups that also experience high rates of disability, including the Canadian Forces, veterans and the RCMP.

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<sup>1</sup> *The Canadian Association for Community Living: 2008 Federal Election Strategy – Key Federation Priorities and Questions*

Therefore, due to our constitutional division of powers, the Government of Canada must cooperate with the provinces and territories to ensure that they are willing to undertake the obligations outlined in the Treaty.

The Treaty fills an important gap in the existing international human rights framework. Across the globe, persons with disabilities continue to face discrimination in terms of access to education, health care and employment, while simultaneously lacking opportunities for recourse.

The UN Convention on the Rights of Persons with Disabilities seeks to address this problem by transforming persons with disabilities into equal citizens, who can hold their governments to account in eliminating the barriers that they experience in everyday life.

This rights-based approach views disability as a product of the interaction between an inaccessible environment and a person, rather than as an inherent attribute of an individual.

In Canada, the UN Convention on the Rights of Persons with Disabilities serves as a complement to the statutory federal and provincial Human Right Acts, and the Charter of Rights and Freedoms.

In Canada, Section 15(1) of the Canadian Charter of Rights and Freedoms provides that “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 recognition and promotion of the fundamental equal and human rights of persons with disabilities in the Charter would not have been possible without the tireless efforts of many individuals and organizations present this evening.

I am pleased to underscore the work of the Senate of Canada in this field. Noteworthy is the 2006 Standing Senate Committee Report entitled, “Out of the Shadows at Last: Transforming Mental Health, Mental Illness and Addiction Services in Canada”. The report outlined the need for a mental health commission in Canada to provide an ongoing national focus on mental health

issues. Senate colleagues were delighted when Prime Minister Harper appointed former Senator Michael Kirby to head the new commission.

Similarly, national and international organizations advocating on behalf of persons with disabilities have played a key role in shaping the UN Convention on the Rights of Persons with Disabilities.

Our hosts today were among the organizations that took part in this historic process.<sup>(2)</sup> The Canadian Association for Community Living (CACL) worked toward ensuring that the Convention would be relevant to persons with intellectual disabilities and their families. Meanwhile, Inclusion International emphasized the significant role that families play in creating inclusive communities.

The efforts of CACL and Inclusion International demonstrate the importance of advocacy in achieving meaningful change in the area of human rights.

In short, the UN Convention serves multiple purposes: it promotes human rights, challenges traditional view points, and serves as a plan to overcome the obstacles that compromise the lives of persons with disabilities and their families.

I would like to conclude by acknowledging our keynote speaker tonight, the Honourable Vivian Fernandez de Torrijos, the First Lady of Panama. Señora Torrijos has devoted her life to addressing the needs of marginalized social groups and communities living in her native Panama. I had the great privilege of leading a Canadian Senate delegation to Panama in January 2007, which was in fact the first Speaker-led delegation from the Parliament of Canada to the beautiful Central American country.

As First Lady, Señora Torrijos has promoted the creation of the National Secretariat for the Social Integration of Persons with Disabilities, which works to defend the human rights of children and adults with disabilities and their families. The Secretariat also facilitates the

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<sup>(2)</sup> Inclusion International and Canadian Association for Community Living, “2008 Global Forum for Inclusion: Transforming rights into action: Program Highlights Plus Registration & Accommodation Information,” [http://www.inclusion2008.com/english/documents/Program\\_ENG.pdf](http://www.inclusion2008.com/english/documents/Program_ENG.pdf) (accessed 4 November 2008).

integration of persons with disabilities by providing economic support for those facing extreme poverty.

Señora Torrijos has also advocated on behalf of persons with disabilities on a regional level. In 2006, she successfully initiated a resolution to incorporate disability issues into the agenda of the Pan American Health Organization. In 2008, Panama was then selected by the Organization for American States to establish its Hemispheric Technical Secretariat for Persons with Disabilities.

Señora Torrijos, I am inspired by your compassion and commitment to the people of Panama. You have given the marginalized a voice and a home.

We are honoured to have you here today to benefit from your knowledge and experience. For this, I sincerely thank you.