

Justice and Constitutional Resolutions



61. Beneficial Political Reform

WHEREAS many Canadians are concerned that the political system in Canada fails to provide fair opportunity for smaller Provinces and the Territories, and the people who populate them, to fully enjoy the multitude of Confederation's benefits;

BE IT RESOLVED that a new Liberal government will work to ensure that Provinces and Territories have equitable representation in the Senate, with the Senators elected for fixed terms, and as members of defined regional blocs as the Fathers of Confederation intended.

Liberal Party of Newfoundland and Labrador

59. Canadian Democracy

WHEREAS Canadian democracy as an organic and evolving institution continues to grow and adapt with changing societal and political circumstances; and

WHEREAS debate has taken place in other jurisdictions throughout Canada and the World;

THEREFORE BE IT RESOLVED THAT a Liberal Government empower and fund Elections Canada to convene a national debate on electoral issues in order to review and make recommendations to improve the state of democracy at the federal level.

Nova Scotia Liberal Party

58. Access to Information

WHEREAS the Government of Canada shut down the Access procedure relating to the Access to Information Program (ATIP); and

WHEREAS this program is critical for keeping government open, transparent and accountable; and

WHEREAS the ATIP Access procedure and process provided for efficient coordination of access requests to the federal government;

THEREFORE BE IT RESOLVED that the Government of Canada immediately re-instate the ATIP Access procedure and process.

Yukon Liberal Party

55. Including Sexual Orientation Equality Rights in the Canadian Charter of Rights and Freedoms

WHEREAS Canada has a proud tradition of building social equality, tolerance and mutual acceptance into the core of our national identity, way of life, and the spirit and practice of our laws;

WHEREAS Canada's Liberal governments have a long history of enhancing and defending equality based on sexual orientation;

WHEREAS the 1992 Haig v. Canada decision from the Ontario Court of Appeal required that sexual orientation be "read in" to the Canadian Human Rights Act and the 1995 Egan v. Canada decision from the Supreme Court of Canada ruled that sexual orientation constituted an "analogous" ground of discrimination to those found in Section 15 of the Canadian Charter of Rights and Freedoms;

WHEREAS it is essential that the Charter of Rights and Freedoms reflect the full and diverse range of Canadians whose rights it protects, not only in practice, but in principle and on paper;

BE IT RESOLVED THAT a new Liberal government will seek an amendment to the Canadian Constitution stipulating that "sexual orientation" be written into Section 15 of the Charter of Rights of Rights and Freedoms, thus stating and ensuring 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, sexual orientation, age or mental or physical disability.";

BE IT FURTHER RESOLVED THAT a new Liberal government will continue and expand upon federal efforts to combat homophobia and discrimination across Canada;

Young Liberals of Canada

54. A Resolution Respecting Abolition of the Death Penalty

WHEREAS the abolition of the death penalty is consistent with the principles of fundamental justice; and

WHEREAS the Canadian Charter of Rights and Freedoms guarantees that everyone has the right to life, liberty and security of the person; and

WHEREAS Canada abolished the death penalty from the Criminal Code in 1976; and as a sentencing option under the National Defence Act in 1998; and

WHEREAS the Supreme Court of Canada has unanimously held that extradition of individuals to places where they may face the death penalty is a breach of fundamental justice under the Charter; and

WHEREAS Canada is a signatory to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; and has been a leading advocate internationally for the abolition of the death penalty; and

WHEREAS it is an insult to Canadian values and an unacceptable reversal of long standing practice for the current government to stop seeking commutation for every Canadian citizen facing a death sentence abroad;

THEREFORE BE IT RESOLVED that a Liberal Government reaffirm its commitment to the Second Optional Protocol to the International Covenant on Civil and Political Rights; and

BE IT FURTHER RESOLVED that a Liberal Government vigorously pursue all available avenues to intervene on behalf of any Canadian who has been sentenced to death abroad, and to make every effort to persuade the relevant authorities to commute such death sentences to life imprisonment.

Nova Scotia Liberal Party

53. Legalize and Regulate Marijuana

WHEREAS, despite almost a century of prohibition, millions of Canadians today regularly consume marijuana and other cannabis products;

AND WHEREAS the failed prohibition of marijuana has exhausted countless billions of dollars spent on ineffective or incomplete enforcement and has resulted in unnecessarily dangerous and expensive congestion in our judicial system;

AND WHEREAS various marijuana decriminalization or legalization policy prescriptions have been recommended by the 1969-72 Commission of Enquiry into the Non-Medical Use of Drugs, the 2002 Canadian Senate Special Committee on Illegal Drugs, and the 2002 House of Commons Special Committee on the Non-Medical Use of Drugs;

AND WHEREAS the legal status quo for the criminal regulation of marijuana continues to endanger Canadians by generating significant resources for gang-related violent criminal activity and weapons smuggling - a reality which could be very easily confronted by the regulation and legitimization of Canada's marijuana industry;

THEREFORE BE IT RESOLVED that a new Liberal government will legalize marijuana and ensure the regulation and taxation of its production, distribution, and use, while enacting strict penalties for illegal trafficking, illegal importation and exportation, and impaired driving.

BE IT FURTHER RESOLVED that a new Liberal government will invest significant resources in prevention and education programs designed to promote awareness of the health risks and consequences of marijuana use and dependency, especially amongst youth.

BE IT FURTHER RESOLVED that a new Liberal government will extend amnesty to all Canadians previously convicted of simple and minimal marijuana possession, and ensure the elimination of all criminal records related thereto.

BE IT FURTHER RESOLVED that a new Liberal government will work with the provinces and local governments of Canada on a coordinated regulatory approach to marijuana which maintains significant federal responsibility for marijuana control while respecting provincial health jurisdiction and particular regional concerns and practices.

Liberal Party of Canada (British Columbia)

52. A Fundamental Right

WHEREAS Canada is a country that respects the rights of its citizens, particularly with regard to autonomy over one's own body;

WHEREAS rare situations arise where physical condition prevents a Canadian from ending his or her life with the respect and dignity he or she wishes;

WHEREAS our country should never allow for discrimination between the wishes of its healthiest members and those with physical ailments or disabilities, as indicated in the Charter of Rights and Freedoms;

WHEREAS many countries and regions, such as Oregon state, have implemented intensive, rigorous, safe, and effective programs of assisted suicide;

WHEREAS there is a severe and real cost associated with keeping terminal patients alive and in receipt of necessary medical devices and medications;

BE IT RESOLVED THAT the Liberal Party of Canada pressure the Government of Canada to legalize assisted suicide;

Liberal Party of Canada (Quebec)

51. Establishment of a Canadian Head of State

WHEREAS Canada is a full partner in the family of nation states;

WHEREAS Canada's current head of state is the citizen of another nation state;

WHEREAS Canada's hereditary monarchy violates the principles of meritocracy and democracy;

WHEREAS foreign law bars individuals not of the Anglican faith from rising to the position of head of state of Canada;

WHEREAS if this foreign law were a Canadian law it would most likely violate the Charter of Rights and Freedoms;

WHEREAS Canada's international stature and position as an honest broker in world affairs would be strengthened by shedding the last vestiges of colonialism;

BE IT RESOLVED THAT the Liberal Party of Canada recommend to the government of Canada that it should explore possibilities for the establishment of a uniquely Canadian head of state.

Young Liberals of Canada

124. Human Rights Commission

WHEREAS visible minorities, refugees, women, seniors and children are subject to discrimination and injustice that is not addressed by federal legislation;

WHEREAS

- Canada has ratified the UN Convention on the Rights of the Child, without adopting an overall policy reflecting its commitments;
- the Immigration and Refugee Board has not established the Refugee Appeals Division required by the Immigration and Refugee Protection Act,
- the country does not have a federal office monitoring the implementation of its national and international commitments;

WHEREAS the CHRC has a limited mandate that does not include the power to reprimand or prosecute and federal responsibility for human rights is divided among several non-centralized government agencies;

BE IT RESOLVED that the Liberal Party of Canada urge the next government to ensure that:

- the mandate of the CHRC is expanded to include type of citizenship status and socio-economic class as a ground of discrimination;
- all legislative bodies, needs and recommendations for the protection of human rights be centralized in the CHRC;
- the CHRC be given the power to monitor the implementation of our commitments and obligations to enforce its recommendations;
- the CHRC be accountable to the House of Commons and be given an appropriate budget;
- the CHRC put in place temporary or standing sub-commissions such as a sub-commission for children and a sub-commission for gender equity and equality.

Liberal Party of Canada (Quebec)