

**Rights to Informed Consent violated by Mandates and the need for Accountability:
Canada's International Human Rights Law (IHRL) Obligations**

UNEDITED VERSION

- A. Introduction
- B. Rights violated since WHO declared Covid-19 a pandemic
- C. Canada's IHRL obligations
- D. Rights to Informed Consent
- E. Derogable and Non-derogable Rights
- F. What should have happened
- G. Duty to ensure Remedies and Prevent Impunity and Recurrence
- H. What Can be Done Now

A. INTRODUCTION

My submissions will emphasize the:

- Importance of International Human Rights Law (IHRL) to the maintenance of democracy, rights and the rule of law in Canada,
- Seriousness of violations of protected rights caused by mandates and policies promoted allowed and imposed by governments ostensibly in response to Covid;
- State duties to ensure remedies of truth, accountability, redress and measures to prevent recurrence.
- Need for individuals and groups to work towards ensuring those remedies, restoring rights and re-establishing democracy and the rule of law.

N.B. The word rights is used to refer only to rights protected by Canadian or IHRL.

On March 11th 2020 the World Health Organization (WHO) declared Covid-19 a pandemic. Governments responded by seizing absolute power to create and impose mandates and policies without debate, consensus, public or parliamentary scrutiny and in the absence of judicial oversight. Following the WHO declaration elected authorities in Canada promoted, allowed and imposed widespread and systemic measure that restricted, suspended or extinguished rights protected by Canadian and IHRL ostensibly to protect public health in a time of crisis.

As rights to independent action and participation in public affairs were stripped and democratic law making replaced with decisions made in secret, by unelected appointees acting on unknown information, the law and legal system relied on as instruments of justice were converted almost overnight to effective tools of repression and arbitrary punishment.

As rights are interdepend, the restriction of one right often precipitated a cascade of other restrictions. For example, freedom of expression includes the rights to access and share information. Policies restricting access to information and penalizing criticism or dissent couples with censorship and propaganda fostered both belief in and compliance with the unbelievable and tolerance of unacceptable restrictions and punishments.

These restrictions of rights by policies and public health orders did not comply with Canada’s IHRL obligations and were, in my opinion unlawful or illegal—i.e. were imposed contrary to the law or constitute crimes. The scope of violations is unrepresented and has paved the way for measures to entrench authoritarian rule. The widespread violations of rights have been falsely portrayed as necessary and the only means to address a public health crisis.

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Of the dozens of protected rights violated by mandates and policies imposed by state and non-state actors, I will focus on three essential rights to:

- informed consent to medical treatment, to refuse treatment and revoke (informed consent);
- freedom from coercion or force to accept a medical treatment not voluntarily chosen (freedom from coercion); and,
- freedom from medical or scientific experimentation (freedom from experimentation).

I will explain that under both Canadian and international law some rights are absolute—also called non-derogable—and cannot be lawfully restricted under any circumstances including war and a public health emergency. Other rights can be conditionally restricted both in normal times and during an emergency. Rights subject to conditional restriction are called derogable rights. I will explain the IHRL conditions with respect to lawful restrictions.

Some of the restrictions were unlawful irrespective of the means used or purpose claimed. Other restrictions were unlawful as failing to comply with specific treaty conditions and with requirements of lawfulness, necessity, legitimacy, proportionality and temporariness. State authorities are not legally entitled to take the law into their own hands or to make orders restricting rights on the basis of subjective determinations. When imposing restrictions of rights in normal times or in an agency, the state must follow established processes. For example. When there is a need to take extraordinary measures to respond to a public health emergency, there is an established process in a democracy for doing that and restrictions can be lawfully imposed only in compliance with those requirements.

The rights restricted by COVID measures are universally recognized by the Universal Declaration of Human Rights (UDHR)¹ and guaranteed by Canadian law including the Charter of Rights and Freedoms and by several treaties to which Canada is a State Party, including the United Nations (UN) International Covenant on Civil and Political Rights (ICCPR),² Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT),³ International Covenant on Economic, Social and Cultural Rights (ICESCR)⁴ and American Declaration on the Rights and Duties of Man (ADRDM).⁵

¹ *Universal Declaration of Human Rights*, GA Res. 217(III), UN GAOR, 3d Sess., Supp. No. 13, UN Doc. A/810 (1948).

² *International Covenant on Civil and Political Rights*, GA Res. 2200A(XXI), UN GAOR, 21st Sess. (1966) (ICCPR) UN Treaty Series, vol. 999, at p. 171. ratified by Canada 24 June 1987. [173 State Parties](#)

³ *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, United Nations, Treaty Series, vol. 1465, p. 85, ratified by Canada June 1987.

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B. Rights Unlawfully Restricted since the WHO declaration

Restrictions have been imposed on rights conditionally subject to restriction (derogable) and rights that can never be restricted. Rights restricted in violation of IHRL include:

- ICCPR to: equality and non-discrimination (Article 2.1); equality before and the equal protection of the law (Article 26) ; effective remedies for rights violations (Article 2.3); freedom of belief (Articles 18.1, 4.2); freedom from coercion to adopt a belief other than by choice (Article 18.2, 4.2).; freedom of expression (Article 19); freedom from torture and ill treatment (Articles 7, 4.2); freedom from non-consensual medical or scientific experimentation (Articles 7, 4.2); life (Articles 6, 4.2); liberty and security of the person (Article 9); movement (Article 12); privacy (Article 17); take part in the conduct of public affairs (Article 25); and, to due process, fair trial and, access to judicial review (Article 14);
- ICESCR to: equality and non-discrimination (Articles 2, 3, 4); education (Article 13); health and the right to informed consent to medical treatment (Article 12); and, to work (Article 6).
- UNCAT to: freedom from torture and ill treatment (Articles 2, 16); freedom from coercion or force to accept a medical treatment not voluntarily chosen (Articles 2, 16) and, effective remedies for rights violations (Articles 12, 13, 14).
- UDHR to: equality and non-discrimination (Articles 1, 2); freedom from torture and ill treatment (Article 5); equality before and equal protection of the law (Article 7); access to effective remedies for rights violations (Article 8); access to independent, impartial tribunals to determine rights (Article 10); privacy (Article 12); movement (Article 13);

⁴ *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, 993 UNTS 3, Can TS 1976 No. 46, 6 ILM 360 (entered into force 3 January 1976, accession by Canada 19 May 1976). [171 State Parties](#)

⁵ Inter-American Commission on Human Rights (IACHR), *American Declaration of the Rights and Duties of Man*, 2 May 1948. Canada joined the Organization of American States in 1990.

⁶ *Universal Declaration of Human Rights*, GA Res. 217(III), UN GAOR, 3d Sess., Supp. No. 13, UN Doc. A/810 (1948).

⁷ *International Covenant on Civil and Political Rights*, GA Res. 2200A(XXI), UN GAOR, 21st Sess. (1966) (ICCPR) UN Treaty Series, vol. 999, at p. 171. ratified by Canada 24 June 1987. [173 State Parties](#)

¹⁰ Vienna Convention on the Law of Treaties, 23 May 1969, CanTS No. 37, ratified/acceded to by Canada 14 October 1970.

freedom of belief (Article 18); freedom of opinion and expression (Article 19); assembly and association (Article 20); take part in government (Article 21); work and free choice of employment (Article 23); adequate standard of living (Article 25); education (Article 26); and, to participate in cultural life (Article 27).

- ADRDM to equality before the law (Article II), education (Article XII), due process (Article XXVI), fair trial (Article XVII), freedom of expression (Article IV); health and well-being (XI), life, liberty and personal security (Article I), movement (Article VIII), private and family life (Article V), and, to religious freedom (Article III),

C. SOURCES OF CANADA'S IHRL OBLIGATIONS

1. Membership in the UN OAS States and the Charters and Declarations accepted as a term of membership such as the UN Charter, UDHR and the ADRDM.
2. Customary International Law (CIL) rules that come from "a general practice accepted as law" and exist independent of treaty law.
3. Peremptory Norms "accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted"¹²
4. Treaties to which Canada is a State Party – including the ICCPR, UNCAT, ICESCR, Vienna Convention on the Law of Treaties and the jurisprudence from treaty monitoring bodies, monitoring bodies (Special Procedures) of the UN Human Rights Council and the other tribunals and experts.

C.1 THE RULE of LAW

Canada also has a legal duty under domestic and international law to uphold the rule of law. The UDHR¹³ describes the rule of law as necessary to protect rights and essential to avoid "recourse, as a last resort, to rebellion against tyranny and oppression."¹⁴ The UN defines the rule of law as follows:

a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness, and procedural and legal transparency.¹⁵

To rephrase the rule of law requires that laws be properly purposed, properly passed, equally applied to all, and that there be measures in place to ensure equality, accountability, and access

¹² Vienna Convention on the Law of Treaties, 23 May 1969, CanTS No. 37, ratified/acceded to by Canada 14 October 1970 at para. 53.

¹³ UN General Assembly, [Universal Declaration of Human Rights](#), 10 December 1948, 217 A (III),

¹⁴ *Ibid*, Preamble.

¹⁵ See: [UN and the Rule of Law: Rule of Law and Human Rights](#) and UN Security Council. 2004, [Report of the Secretary-General](#): The rule of law and transitional justice in conflict and post-conflict societies, 23 August 2004, S/2004/616, para.6.

to independent, impartial, competent tribunals to determine rights and charges and to prevent and remedy the arbitrary abuse of power.

None of the restrictions of rights imposed meet this obligation

C.2 IHRL BINDING ON CANADA

- CIL - The Supreme Court of Canada has confirmed that “customary international law is automatically adopted into [Canadian] law without any need for legislative action”¹⁶ and
- Peremptory Norms - peremptory or *jus cogens* norms are fundamental tenets of international law that are non-derogable i.e. restriction is prohibited under all circumstances including war and a public health emergency).¹⁷
- IHRL - The binding nature of IHRL obligations on Canada has been confirmed by the Supreme Court of Canada. For example in *Divito v Canada* the Supreme Court of Canada ruled, “the [Charter of Rights and Freedoms] should be presumed to provide at least as great a level of protection as is found in the international human rights documents that Canada has ratified.”¹⁸

C.3 OBLIGATIONS TO PROTECT RIGHTS/REMEDY VIOLATIONS

As a party to human rights treaties and a UN and OAS member, Canada has accepted the legal obligations to:

1. **Respect, protect and ensure for all without discrimination rights protected by IHRL;**
2. **Take appropriate legislative and administrative and other appropriate measures to prevent violations;**
3. **Investigate allegations of violations effectively, promptly, thoroughly and impartially and, where appropriate, take action against those determined responsible in accordance with domestic and international law**
4. **Provide victims of a human rights violation with equal and effective access to remedies, irrespective of who may ultimately be responsible for the violation; and**
5. **Provide effective remedies to victims, including reparation**

D. RIGHTS to INFORMED CONSENT, FREEDOM from COERCION, FREEDOM from EXPERIMENTATION

Informed Consent and Freedom from Coercion

The right to informed consent and the included rights, freedom from coercion and the right to refuse treatment without punishment was part of the common law (law developed in England after the Norman Conquest of 1066).

¹⁶ [Nevsun Resources Ltd. v. Araya, 2020 SCC 5](#) at para. 86.

¹⁷ *Kazemi Estate v. Islamic Republic of Iran*, 2014 SCC 62, [2014] 3 SCR 176, at para. 151. *Ibid.*, para. 83.

¹⁸ *Divito v Canada (Public Safety and Emergency Preparedness)*, 2013 SCC 47, [2013] 3 SCR 157, at para. 23. See also *Saskatchewan Federation of Labour v. Saskatchewan* 2015 SCC 4, [2015] 1 SCR 245, at para. 64 and *R v Keegstra*, 1990 CanLII 24 (SCC), [1990] 3 SCR 697, at p. 750.

To be valid informed consent requires:

- capacity, information, understanding and freedom from coercion, persuasion or punishment.
- Information about harms, benefits, alternatives, consequences of no treatment and likely impacts particular to the individual.
- It is the duty of the person administering to provide the information and personal advice and witness the informed consent.
- The person administering the treatment is responsible for providing the general and personal information, confirming understanding, consent and freedom from persuasion or coercion and recording the consent.
- The right to informed consent is also protected by the Charter of Rights and Freedoms as an essential part of security of the person and by the ICCPR, ICESCR and UNCAT, treaties to which Canada is a State Party

Freedom from Experimentation

The absolute prohibition of any restriction of freedom from experimentation by anyone, anytime and anywhere is provided by treaty (UNCAT, ICCPR), CIL and because it is essential to rights to life, freedom from torture and security of the person.

IHRL prohibits restrictions of these rights anywhere under any circumstances by anyone in all three categories: The ICCPR identifies non-consensual experimentation as a form of torture and specifically prohibits restriction of freedom from experimentation ever. In addition this right is a peremptory norm of international law (called a jus cogens) and therefore cannot be lawfully restricted.

E. DEROGABLE (Absolute) and NON-DEROGALBE RIGHTS (Subject to conditional restriction

Derogable rights are rights:

1. Specifically allowed by the ICCPR and in compliance with all specified conditions, the purpose and object of the treaty and the IHRL requirements of lawfulness, necessity, proportionality, legitimacy and temporariness, or,
2. Necessary during an emergency to protect other rights and maintain the rule of law provided that such restrictions are lawful, necessary, proportional, legitimate and temporary.
3. Specifically identified as subject to conditional restriction by the ICCPR are rights to: movement (art. 12), freedom to manifest religion or beliefs (art. 18.3), freedom of expression (art. 19), freedoms of peaceful assembly (art. 21) and association (art. 22.3).

E.2 Non Derogable Rights

Rights are treated as absolute or non-derogable when the right is:

- a/ A peremptory norm - accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted.¹⁹

¹⁹ Vienna Convention on the Law of Treaties, 23 May 1969, CanTS No. 37, ratified/acceded to by Canada 14 October 1970 at para. 53.

- b/ Essential to the maintenance of other rights, the purpose and objects of the treaty guaranteeing the right, or to maintenance of the rule of law; and,
- c/ Identified by a treaty as non non-derogable.

Peremptory Norms

The rights with peremptory norm status are a matter of debate amongst jurists and human rights specialists. Accepted as peremptory norms are rights to:

- o **Freedom from torture and crimes against humanity**.²⁰
- o Right to life and freedom from torture and ill treatment.²¹
- o Rights to **equality and non-discrimination** and to **judicial review**.²²
- o Rights to **freedom from torture** and **effective remedies for violations** are absolute UNCAT

Essential Rights

A right is considered absolute/non-derogable when the right is essential to a/ the maintenance of other protected rights, b/ the object and purpose of the treaty guaranteeing the right or c/ to the rule of law.

For example with respect to the first category, a non-derogatory prohibition of torture would be rendered nugatory without being accompanied by non-derogatory rights to equal and non-discriminatory protection of the law, effective remedies and access to independent judicial review of complaints. Similarly derogation of rights to equality and non-discrimination would convert rights to privileges. Maintenance of the right to work is an essential component of other rights including the non-derogable right to life.

The UN General Assembly includes equality before the law, participation in decision making and access to independent adjudication of laws as essential components of the rule of law.

ICCPR rights that must be considered non-derogable as essential for upholding non-derogable rights or “ensuring respect for the rule of law and the principle of legality even in times of public emergency, [include] **the right of access to the court, due process guarantees and the right of victims to obtain an effective remedy**.”²³ These include rights to: **equality and non-discrimination, equality before and the equal protection of the law, effective remedies for rights violations liberty and security of the person, due process and access to judicial review to determine rights**. The term “access to the court” must be interpreted as meaning timely, equal and non-discriminatory access, assisted where needed by legal aid, to an independent, impartial and competent tribunal to determine rights and remedy violations.

²⁰ [Report of the International Law Commission](#), A/74/10, 2019 at p. 203.

²¹ HR Committee, [General Comment 29, States of Emergency \(article 4\)](#), CCPR/C/21/Rev.1/Add.11, 31 August 2001 at para.11.

²² See: [Inter-American Court of Human Rights Advisory Opinion](#) OC-18/03, 17 September 2003, pp. 23, 24fflg; and, Augusto Cançado Trindade, [Jus Cogens: The Determination and the Gradual Expansion](#) of its Material Content in Contemporary International Case-Law.

²³ HR Committee - [Statement on derogations from the Covenant in connection with the COVID-19 pandemic](#), CCPR/C/128/2 (24 April 2020) at p. 2 (d).

Treaty

1. ICCPR rights to: **life; freedom of belief, conscience and religion; freedom from coercion to adopt a belief other than by choice, freedom from torture and other cruel, inhuman or degrading treatment or punishment; freedom from non-consensual medical or scientific experimentation; freedom from ex post facto laws.**
2. UNCAT rights to **freedom from torture and other ill treatment, freedom from non-consensual medical treatment and effective remedies for violations.**

Essential rights **Jurisprudence**; ICESCR rights to: **education, work, health and the right to informed consent to medical treatment; freedom from coercion to accept a medical treatment other than voluntarily; equality and non-discrimination; equality before and the equal protection of the law; effective remedies for rights violations**; Canada has stated that the right to informed consent is an essential right.²⁴ These rights are essential to maintenance of other rights (e.g. life, equality, security of the person) and therefore must be treated as non-derogable. The UN Office of the High Commissioner of Human Rights (OHCHR) recently released statement on emergency and COVID measures states, “[a]s CESCR does not include a derogation clause it is assumed that rights protected such as those to education and employment must be maintained even during a national emergency.”²⁵

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F. WHAT SHOULD HAVE HAPPENED

First the state should have taken care not to restrict absolute/non-derogable rights. Let’s go back to SLIDE E.3 The list is important. The absolute status of some rights is established and not controversial: e.g. freedom from torture and other cruel, inhuman or degrading treatment or punishment, This include coercion to accept a medical treatment not voluntarily chosen and freedom from non-consensual experimentation and timely and equal access to independent, impartial and competent tribunals and effective remedies for victims.

Second with rights subject to conditional restriction, state and non-state authorities ought to have complied with requirements of lawfulness, legitimacy, proportionality, temporariness and compliance with IHRL. To lawfully impose, promote or allow measures restricting protected rights, the state had a legal obligation to: establish by production of evidence the risk that

²⁴ [The Nuremberg Code 1947](#) at para. 1. The Nuremberg Code 1947 was derived from the decision of the Nuremberg Military Tribunal in *United States v Karl Brandt et al.* which identified ten conditions prohibiting non-consensual medical experimentation on human subjects.

²⁵ Office of the High Commissioner of Human Rights, [Emergency Measures and COVID-19: Guidance](#), 27 April 2020.

²⁶ Office of the High Commissioner of Human Rights, [Emergency Measures and COVID-19: Guidance](#), 27 April 2020.

justifies restriction of a rights, identify the measures and provide information that would enable assessment of the capacity of the measures to reduce the risk (legitimacy) and their proportionality, and to impose the least harmful restriction.

The risk was variously described as keeping hospitals from being overrun and slowing the spread of covid and flattening the curve, keeping all Canadians safe, .

The states had a duty to base decisions on and ensure public access to reliable information about: the risk, in each region and demographic and prophylactic measures and treatment options generally and for specific regions and populations. The information sharing, debater and decision making ought to have been conducted in parliament and in public. Information and debate ought to have been here discussions should have been carried out in public.

Instead states moved almost overnight from freedom to fascism: from democracy to despotism. Overnights orders and laws were announced by unelected and unaccountable people at events bill as press conferences although no questioning took place. The only prior notice was the time and date of the announcement. No information that could support the necessity for, the legitimacy of, or the proportionality of the order handed down was provided. The employee, the Minister of Health and Caucus member did not answer questions or requests for information or exemption. The excuse for not answering any of these communications was there were too many. One had to comply on faith or reject.

G DUTY to INVESTIGATE SERIOUS VIOLATIONS OF RIGHTS

The right to remedies includes the individual and societal rights to know the truth—what happened, to whom and by who.²⁷ State must ensure investigations and judicial proceedings that are competent, independent, transparent and capable of leading to the, elucidation of the facts, identification of perpetrators, the lawful punishment of perpetrators, reparations for victims and measures to prevent reoccurrence. Without access to remediation, there are no rights. Only through elucidation of the truth coupled with accountability, reparations and measure to prevent recurrence can serious rights violations to prevent. In the absence of knowledge, accountability, reparations and prevention the abuses will most certainly reoccur.

The right of victims and family members to participate in and be informed about the process of investigations is rooted in the right to the truth, which is included in the right to information protected by the ICCPR Article 19. The right to truth includes the right of victims and their families “to know the truth about the events that led to serious violations of human rights, and the right to know the identity of those who played a role in the violations.”²⁸ In addition, society as a whole has the “inalienable right to know the truth about past events, as well as the motives and circumstances in which aberrant crimes came to be committed, in order to prevent recurrence of such acts in the future.”²⁹

²⁷ See: UN Commission on Human Rights, *Human Rights Resolution 2005/66: Right to the Truth*, 20 April 2005, E/CN.4/RES/2005/66, available at: <https://www.refworld.org/docid/45377c7d0.html> [accessed 20 April 2023]; and, Promotion and Protection of Human Rights: Study on the right to truth: Report of the HCHR, 8 February 2006 E/CN.4/2006/91, Summary, page. 2 & para. 60. <http://www2.ohchr.org/english/bodies/chr/sessions/62/listdocs.htm>

²⁸ *Ibid*, at para 14.

²⁹ *Ibid*, at para 15. See also para 24, citing OAS, General Assembly, Resolution AG/RES. 2175 (XXXVI -O/06) “Right to the Truth” and UN, Commission on Human Rights, Report of the Office of the United Nations High Commissioner for Human Rights, Study on the right to the truth, E/CN.4/2006/91, January 9, 2006.

Comment [WU1]: Need references

Comment [WU2]:

The UN Basic Principles and Guidelines on the Rights to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law³⁰ sets out the means by which states can carry out these obligations in relation to gross human rights violations. Article 2 of the Principles and Guidelines directs states to ensure that domestic law is consistent with IHRL obligations by, inter alia, incorporating IHRL into domestic and ensuring that domestic law provides at least as much protection as IHRL.

There is no one definition of what constitutes gross or serious violations triggering the right to victims and the duty of states to provide all measures to ensure truth, accountability, redress and prevention of recurrence. Torture and deprivation of life and security of the person are included in the Rome Statute definition of gross violations. International tribunals have determined that the term gross violations can be accurately applied to violations of political, socio-economic and civil rights. To determine whether violations are gross international tribunals have examined the quantity of victims, planning for violations, the nature of violations and the denial of effective access to measures to prevent punish and redress violations.³¹

H. What can be Done Now?

Whether authorities allowed, authored and directed these violations through ignorance of the laws and systems needed to maintain democracy a malevolent intention to replace freedoms with fascism and democracy with despotism or whether decision makers were ‘just following orders and doing their jobs’, I do not say.

These unlawful restrictions of rights have paved the way for further measures to destroy democratic governance and entrench authoritarian rule. Some examples the federal Agile Nations Charter that heralds easing of laws and procedures to speed up marketing and public consumption of corporate products, thereby increasing corporate profits and reducing costs. In BC the Health Professions and Occupations Act uses the public health portal to criminalize personalized health care, entrench despotic law making, and allow the instant creation of involuntary markets for pharmaceutical products. This Act has, in my opinion no legitimate purpose.

We must work together to re-establish democracy to take back the law as the peaceful means to protect rights and prevent the arbitrary abuse of power. We must learn to work together across political, religious, social, cultural divides that have created disrespect and prevented dialogue. We must learn to think and talk about rights without discrediting or dismissing the rights of those with whom we disagree. We must learn a language of tolerance and respect and learn to engage in useful dialogue on matters of grave importance. We have examples of the language the

³⁰ UN General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law : resolution / adopted by the General Assembly, 21 March 2006, A/RES/60/147*, available at: <https://www.refworld.org/docid/4721cb942.html> [accessed 19 April 2023]

³¹ The Meaning of Gross Violation of Human Rights: A Focus on International Tribunals' Decisions over the DRC Conflicts Roger-Claude Liwanga, *Denver Journal of International Law & Policy*, Vol. 44, No.1 Fall, January 2015 at p. 81.

language of division and derision that signals that certain people are not entitled to rights. Some examples of what we must avoid.

- General Hillier, when Chief of Defense Staff in Afghanistan characterized the people Canadians would be killing in Afghanistan as, “These are detestable murderers and scumbags, I’ll tell you that right up front. They detest our freedoms, they detest our society, they detest our liberties.”³²
- Prime Minister Trudeau described Ottawa protesters as also having “unacceptable views:, “posing a threat to Canadians” and championing “hate, abuse and racism” people who hurl abuse at small business workers ...steal food from the homeless...fly racist flags”
- The Chief Justice of the Supreme Court of Canada lawful protesters as the “beginning of anarchy” that must be “denounced with force.”

History well proves rights violations orchestrated by the state will not be investigated or remedied by the state.

I. CONCLUSION

It is up to individuals and groups to find peaceful ways to ensure proper investigation, determination of the facts, accountability for those responsible, redress for victims and measures to prevent recurrence. That is what this commission is doing traveling across Canada to give voice to victims, public access to the information about the virus, the products marketed as vaccines, treatments and prophylaxis, injuries suffered from mandates and policies. The Commission is collecting evidence. Today in Victoria health care workers and others from throughout BC are attending the legislative assembly to support the presentation of a Petition opposing the Health Professions and Occupations Act. As observed by the previous presenter, the work that must be done is already underway.

APPENDIX

1. The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

³² CTV, July 16th 2006 news item on statements made by General Hillier to the press on Thursday 13th 2006. http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/112143377212_154