



FREEDOM IN THE WORLD 2020

Canada

FREE

98

/100

<u>Political Rights</u>	40 /40
<u>Civil Liberties</u>	58 /60

LAST YEAR'S SCORE & STATUS

99 /100 **Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Canada has a strong history of respect for political rights and civil liberties, though in recent years citizens have been concerned about fair elections and transparent governance; humane treatment of prisoners; citizens' right to privacy; and religious and journalistic freedom. While indigenous peoples and other vulnerable populations still face discrimination and other economic, social, and political challenges, the federal government has acknowledged and made some moves to address these issues.

Key Developments in 2019

- The October federal election saw the Liberal Party retain power despite losing their majority government. The New Democratic Party also lost a significant number of seats, from which the Conservative Party and Bloc Québécois both gained.
- In June, the independent National Inquiry into Missing and Murdered Indigenous Women and Girls published the findings of their three-year investigation into the disappearance or murder of more than 4,000 indigenous women and girls over the past 30 years. They declared the events fit the United Nations' definition of genocide.
- Also in June, the Quebec provincial government passed a bill that prohibits government employees from wearing religious symbols such as a hijab, crucifix, turban, or kippah at their place of work.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority	4/4
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elected through free and fair elections?	
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The British monarch is head of state, represented by a ceremonial governor general, currently Julie Payette, who is appointed on the advice of the prime minister. The prime minister is the head of government and is invited to the post by the governor general after elections; the office is usually held by the leader of the majority party or governing coalition in parliament. Justin Trudeau resumed his position as prime minister after the Liberal Party maintained control of government in the October 2019 federal elections.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	4/4
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The parliament consists of an elected 338-member House of Commons, and an appointed 105-member Senate. Lower-house elections are held every four years on fixed dates; early elections may be called by the governor general if the government loses a parliamentary vote of no confidence, or on the advice of the prime minister.

The most recent federal election was held in October 2019; the center-left Liberal Party lost 20 seats and their majority government but maintained a plurality. The Conservative Party added 23 seats to their total (131), and Bloc Québécois (BQ) gained 22 seats (34 total). The left-leaning New Democratic Party (NDP) lost 15 seats (24 total). The Organization for Security and Co-operation in Europe (OSCE) did a preliminary investigation in advance of the 2019 election and found “full stakeholder confidence in the overall integrity of the electoral process.” Despite concerns from some stakeholders about misinformation on social media and other cyberthreats, the OSCE decided not to send an observation mission to Canada citing lack of available resources.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	4/4
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Electoral laws are generally fair and well enforced by the relevant bodies. However, some critics have expressed concern about the 2014 Fair Elections Act, arguing that its stringent voter identification requirements placed indigenous peoples (or First Nations peoples) at a disadvantage. In December 2018, the Liberal government passed a bill relaxing some of the criticized provisions. This 2018 law restricts spending by political parties and other actors during elections, gives voting rights to all Canadians living abroad, improves the privacy of voters' information within the databases of political parties, and increases the power of the commissioner of Canada Elections to investigate violations of election rules. Foreign donations for partisan campaigns are banned and major online platforms, such as Facebook and Google, are required to create a registry of digital political advertisements.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

4/4

Canadians are free to organize in different political parties, and the system is open to the rise and fall of competing groups. However, a small number of parties have traditionally dominated electorally. A total of 21 political parties were registered in the 2019 election.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

4/4

Opposition parties have a realistic chance of gaining power through elections. In 2015, the Conservatives lost power to a Liberal majority, and in 2019 the Liberals' control of parliament diminished to a minority government.

B3 0-4 pts

<p>Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</p>	<p>4/4</p>
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People's political choices are generally free from domination by actors that are not democratically accountable.

B4 0-4 pts

<p>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</p>	<p>4/4</p>
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Members of religious minorities and indigenous people are seated in the parliament, as are many women; Prime Minister Trudeau's cabinet has full gender parity. However, the political interests of many groups are not always well represented. For example, critical issues facing Canada's indigenous peoples, including clean drinking water, mental health and addiction services, and compensation for indigenous children who were taken from their homes, received minimal attention during the 2019 electoral campaign.

The rights and interests of LGBT+ people are protected. A 2017 law explicitly prohibits discrimination based on gender identity or gender expression, affording transgender individuals, among others, more protection against hate crimes.

C. Functioning of Government

C1 0-4 pts

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Do the freely elected head of government and national legislative representatives determine the policies of the government?

4/4

Canada's freely elected government determines policy.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

4/4

Canada has a reputation for clean government and a record of vigorous prosecution of corruption cases.

C3 0-4 pts

Does the government operate with openness and transparency?

4/4

Canadians may request public information under the provisions of the Access to Information Act, but they may face delays or excessive costs. In 2017, the Liberal government proposed a number of reforms to the act, but the measures have been criticized as inadequate. The information commissioner of Canada argued that the proposal would instead “result in a regression of existing rights,” creating new hurdles for requests and giving agencies additional grounds for refusal. The bill passed in parliament in late 2017 and was passed unamended by the Senate in June 2019.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?**4/4**

Canada's media are generally free; journalists are mostly protected from violence and harassment in their work and are able to express diverse viewpoints. A law permitting journalists' greater ability to protect their sources took effect in 2017. It stipulates that they cannot be required to disclose confidential sources unless a Superior Court judge is persuaded that the information cannot be obtained through other means, and that it is in the public interest for the source to be revealed. In September 2019, the Supreme Court applied this law and found that a Canadian Broadcasting Corporation (CBC) journalist did not have to reveal her sources for information on political corruption in Quebec.

D2 0-4 pts**Are individuals free to practice and express their religious faith or nonbelief in public and private?****3/4**

The Canadian constitution and other legislation protect religious freedom. However, in June 2019, the Quebec provincial government passed Bill 21, leading to a reduction of religious freedom in the province, where over a quarter of Canadians live. The bill bans certain government employees in positions of authority from wearing religious symbols such as a hijab, crucifix, turban, or kippah while at work. The list of such persons includes judges, police officers, government lawyers, and teachers. The bill has a grandfather clause for government employees already wearing symbols—they can keep wearing them until they change institutions or take a promotion. Some court proceedings against the law have begun, but they appear unlikely to succeed; the Quebec provincial government wrote the law so as to invoke the “notwithstanding” clause in the Charter of Rights and Freedom, which ensures religious freedom protections cannot be applied in this particular instance.

Score Change: The score declined from 4 to 3 due to the approval of a provincial law in Quebec that prohibited civil servants in positions of “authority” from wearing religious symbols in the workplace.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	4/4
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Academic freedom is generally respected.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	4/4
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Private discussion in Canada is generally free and unrestrained. However, in 2015, the former Conservative government passed a controversial antiterrorism law granting the Canadian Security Intelligence Service (CSIS) wider authority to conduct surveillance and share information about individuals with other agencies. Its passage elicited considerable condemnation from Canadian intellectuals and both domestic and foreign civil liberties watchdogs, who warned that it undermined the concept of privacy and could harm freedom of expression.

In 2017, the Liberal government introduced a bill that would reverse some of the law's provisions and establish an independent review and complaints body as well as a parliamentary committee to monitor Canada's intelligence-gathering agencies. However, the 2017 law has also been criticized for allowing Canada's spy agencies excessive powers to perform surveillance on Canadians without their knowledge, and for failing to explicitly prohibit the use of intelligence gathered by foreign entities through torture. The bill was passed unamended by the Senate in June 2019.

In September 2019, a controversial new law came into effect that criminalized the intentional spreading of falsehoods about candidates, political parties, and public figures associated with political parties, in the leadup to the October federal elections. Intended to prevent the distortion of Canada's political process, the law has been criticized as vague and unenforceable and is believed to have tempered legitimate political speech.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	4/4
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Freedom of assembly is constitutionally protected and upheld in practice.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?	4/4
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Nongovernmental organizations (NGOs) operate freely and frequently inform policy discussions.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	4/4
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Trade unions and business associations enjoy high levels of membership and are well organized.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	4/4
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Canada's judiciary is generally independent.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	4/4
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Constitutionally protected due process rights are generally upheld in practice. Canada's criminal law is based on legislation enacted by parliament; its tort and contract laws are based on English common law, with the exception of those in Quebec, where they are based on the French civil code.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	4/4
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The use of solitary confinement for extended periods of time in Canada's prisons has been controversial. Many critics charge that the time that inmates are excluded from the general population of prisoners has become excessive, and that prisoners with mental health issues are harmed due to frequent placement in solitary confinement. The government's 2018 legislation that responded to this criticism was further denounced by legal advocates for prisoners, who claimed the bill would have little practical effect. This bill passed the Senate and became law in June 2019 with the addition of some minor amendments, including increased judicial oversight on decisions to isolate prisoners, more support for inmates with mental illnesses, and community-based options for rehabilitating indigenous people and members of other vulnerable populations.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	3/4
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The government has made increasing efforts to enforce equal rights and opportunities for minority groups, although some problems persist. Canada's indigenous peoples remain subject to widespread discrimination, struggle with food insecurity, and unequal access to education, health care, public services, and employment.

In May 2018, the House of Commons approved a bill that would mandate the development and implementation of a national action plan to achieve the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The bill was eventually blocked by Conservative senators and it was not passed before the 2019 Canadian federal election.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	4/4
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Freedom of movement is constitutionally protected and upheld in practice.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	4/4
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Property rights are not constitutionally guaranteed but are generally well protected by law and through the enforcement of contracts.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage	
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partner and size of family, protection from domestic violence, and control over appearance?

4/4

Canada legalized same-sex marriage in 2005. Domestic violence is a problem that disproportionately affects women, particularly indigenous women, and is underreported. There have been initiatives in recent years to better train police in handling domestic violence cases. Since the Liberal Party entered government in 2015, there has been a marked improvement in gender equality, according to the most recent United Nations (UN) Gender Inequality Index (2017).

In June 2019, the independent National Inquiry into Missing and Murdered Indigenous Women and Girls published the findings of their three-year investigation into the disappearance or murder of more than 4,000 indigenous women and girls over the past 30 years. The authors concluded that the sum of historical and contemporary injustices, longstanding and extant state policy and indifference, and an epidemic of violence, all amounted to a genocide against indigenous peoples. The report offers 231 recommendations for future action. The UN has yet to make official comment on the inquiry's findings and is waiting for the Canadian federal government to assess the inquiry's claims.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

4/4

There have been some reports of forced labor in the agricultural, food processing, construction, and other sectors, as well as among domestic workers. However, the government, aided by NGOs that work to reveal forced labor and sex trafficking, do attempt to hold perpetrators accountable and to provide aid to victims.

There is no national minimum wage, though provinces have set their own. Occupational safety standards are robust and generally well enforced. However, young workers, migrants, and new immigrants remain vulnerable to abuses in the workplace.



On Canada

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Country Facts

Global Freedom Score

98/100 Free

Internet Freedom Score

87/100 Free

Other Years

2019

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ADDRESS

1850 M St. NW Floor 11
Washington, DC 20036
(202) 261-5000

GENERAL INQUIRIES

info@freedomhouse.org

PRESS & MEDIA

(202) 261-5000

(202) 296-5101

press@freedomhouse.org

@2020 FreedomHouse