



CANADIAN HUMAN RIGHTS COMMISSION

2013–14

Report on Plans and Priorities

The Honourable Rob Nicholson, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

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Acting Chief Commissioner's Message

People in Canada continue to use the *Canadian Human Rights Act* to challenge discrimination in the hope of improving their daily lives.

A significant proportion of the discrimination complaints brought to the Commission are from Aboriginal people and First Nations organizations that now enjoy full human rights protection under the Act. They can now hold their First Nations governments or the federal government accountable for discrimination in their communities, in their workplaces, or in the services they receive.

The Commission's 2013–14 fiscal year priorities are to address systemic human rights issues that have the greatest impact on people in Canada, and to improve access to human rights protection for First Nations and other Aboriginal people.

The first priority for the coming year is to address systemic discrimination that occurs when policies or practices create or perpetuate disadvantage for individuals or groups of individuals. By making this a priority, the Commission will help create broader change and ensure broader human rights protection for people across Canada.

The Commission's second priority for 2013–14 is to help advance access to human rights justice for First Nations and other Aboriginal people. When Parliament first amended the *Canadian Human Rights Act* in 2008 to give everyone in Canada equal access to human rights protections, the change to the Act was only the first step of a much larger commitment. Much work still needs to be done to ensure that Aboriginal people have access to the same human rights protection as everyone else in Canada, and that First Nations are able to prevent, manage and resolve human rights disputes within their own communities.

The Commission is using public funds more efficiently, prudently and responsibly to deliver better results for Canadians. We are working with other small government agencies to share expertise and administrative services. By sharing services with other agencies, the Commission lowers the overall cost of services and focuses its resources on work that is in line with overall priorities.

I am proud to lead such a committed team of professionals, and I am inspired by their dedication to promoting equality, dignity and respect for everyone in Canada.

David Langtry
Acting Chief Commissioner



Organizational Overview

Raison d'être

The Canadian Human Rights Commission's founding legislation inspires a vision for Canada in which "all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have," free from discrimination.

The Commission leads the administration of the *Canadian Human Rights Act* (CHRA) and ensures compliance with the *Employment Equity Act* (EEA). The CHRA prohibits discrimination on the grounds of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and a conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered. The EEA promotes equality in the workplace for four designated groups: women, Aboriginal people, persons with disabilities and members of visible minorities.

Both laws apply the principles of equal opportunity and non-discrimination to federal government departments and agencies, Crown corporations, and federally regulated private sector organizations. The provinces and territories have laws similar to the CHRA that address discrimination within their jurisdiction.

Responsibilities

The Commission promotes the core principle of equal opportunity and works to prevent discrimination in Canada. As a result its services include discrimination prevention, dispute resolution, and regulatory, policy and knowledge development.

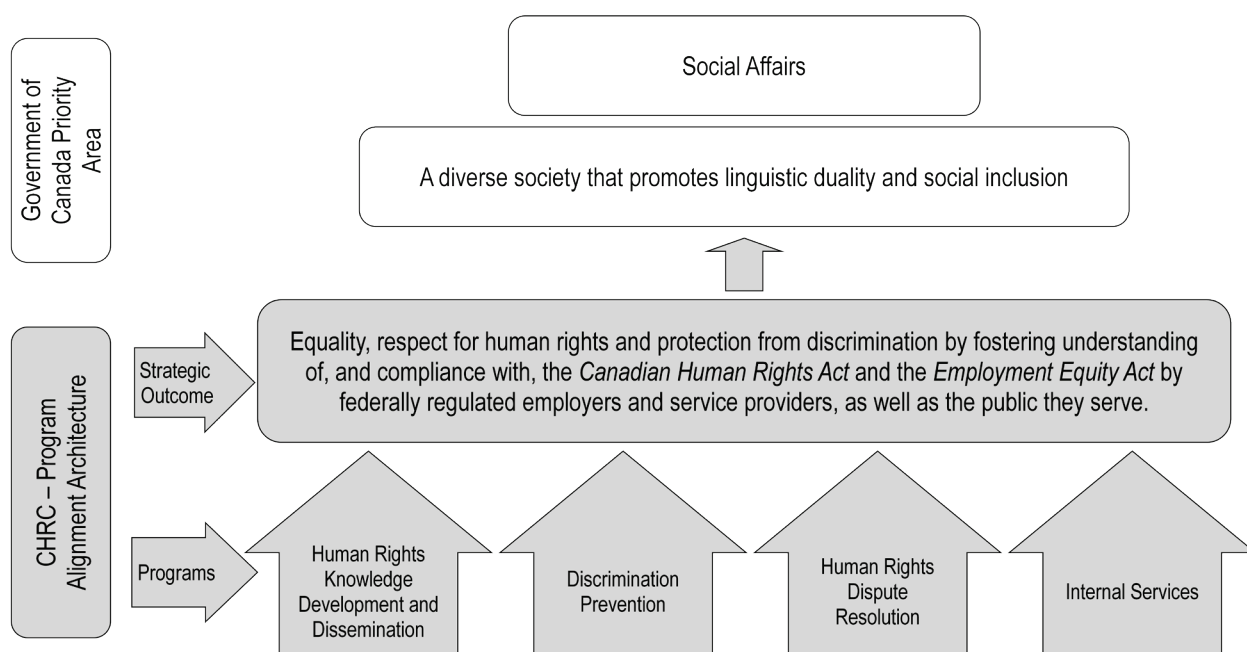
The Commission works closely with federally regulated employers and service providers, individuals, unions, and provincial, territorial and international human rights bodies to foster understanding of human rights and promote the development of human rights cultures.

The Commission's mandate includes protecting human rights through effective case and complaint management. This role also involves representing the public interest to advance human rights for all Canadians.

The Commission is responsible for ensuring compliance with the EEA. This involves auditing federally regulated employers to ensure that they are providing equal opportunities to the four designated groups: women, Aboriginal people, persons with disabilities and members of visible minorities.

Strategic Outcome and Program Alignment Architecture

A strategic outcome describes the long-term benefits for Canadians that each organization aims to achieve. The Commission aligns its Programs to support the Government of Canada priority of a diverse society, specifically promoting social inclusion. The strategic outcome states that the Commission will achieve this long-term benefit for Canadians through equality, respect for human rights and protection from discrimination.



Organizational Priorities

Priority	Type	Strategic Outcome
Address systemic human rights issues that have the greatest impact on people in Canada.	Previously committed to	Equality, respect for human rights, and protection from discrimination by fostering understanding of, and compliance with, the CHRA and the EEA by federally regulated employers and service providers, as well as the public they serve.
Description		

Why is this a priority?

- Systemic discrimination is the creation, perpetuation or reinforcement of inequality among disadvantaged groups. It is usually the result of seemingly neutral legislation, policies, procedures, practices or organizational structures. The effect creates barriers to full participation in society. These include barriers to employment, benefits, services and the physical environment.
- Resolving systemic discrimination issues creates broader change and greater compliance with the CHRA, thereby increasing human rights protection and promoting equality for a larger number of people in Canada.
- This more proactive and focused approach will allow the Commission to maximize results.

The Commission will meet this priority by:

- Identifying human rights issues and complaints with systemic implications and collaborating Commission-wide to take appropriate action;
- Enhancing Commission structures, processes, tools and accountabilities to support a proactive, focused approach to addressing systemic discrimination;
- Applying this approach to a significant systemic human rights issue and developing the Commission's position on this issue; and,
- Building awareness of systemic issues by engaging with key domestic and international stakeholders to communicate the Commission's position.

Priority	Type	Strategic Outcome
Advance access to human rights justice for First Nations and other Aboriginal people.	New	Equality, respect for human rights, and protection from discrimination by fostering understanding of, and compliance with, the CHRA and the EEA by federally regulated employers and service providers, as well as the public they serve.

Description

Why is this a priority?

By amending the CHRA to apply to the *Indian Act* and matters flowing from it, the federal government committed to tangible and sustainable progress toward full human rights protection for First Nations and other Aboriginal people. Repealing section 67 of the CHRA, which had shielded the *Indian Act* from scrutiny, was only the start of that commitment. Consistent with this objective of Parliament, the Commission needs to continue its work to advance human rights by:

- Supporting equitable human rights treatment among First Nations and other Aboriginal people within Canada;
- Increasing the ability of First Nations people to hold their First Nations governments and the federal government accountable for the human rights impact of decisions that they make;
- Increasing knowledge of and confidence in human rights laws and processes; and
- Strengthening capacity to address human rights issues effectively.

The Commission will meet this priority by:

- Undertaking knowledge development and dissemination work to identify and raise awareness of systemic discrimination issues affecting Aboriginal people;
- Supporting the development of fair and effective dispute resolution processes within First Nations communities by providing tools and guidance; and
- Exploring avenues to better understand and overcome barriers in accessing human rights mechanisms.

Risk Analysis

Demand for the Commission's outreach, consultation and dialogue sessions on human rights and employment equity remains high.

At the same time, during the last five years, the Commission experienced a steady increase in the number of complaints it received. Some of these cases remain open and continue to put pressure on existing resources. While there were a number of reasons for the increase, the repeal of section 67 of the CHRA was a significant factor. The full repeal of section 67 meant that the Commission began receiving additional discrimination complaints against First Nations governments and the Government of Canada.

An increase in the Commission's caseload had been expected, and was a logical consequence of the change to the CHRA. The Commission had also predicted that greater awareness of the CHRA would prompt an increase in complaints that were previously not shielded by section 67. The combined increase in complaints exceeded all initial projections. This had significant resource implications for a small organization like the Commission.

Funding to address issues stemming from the repeal of section 67 comes to an end midway through fiscal 2013–14. However, the expansion of the Commission's mandate will continue to drive demand for services. Many of the post-repeal complaints are complex, and will require interpretation by tribunals and courts. Furthermore, much work is still needed to effectively prepare First Nations to prevent, manage and resolve human rights disputes, and to develop internal (community-based) dispute resolution mechanisms.

Without sufficient resources, there is a risk that the Commission will not be able to support tangible and sustainable progress toward improved accountability on human rights issues for First Nations governments and full human rights protection for Aboriginal people, as intended by the legislation.

To mitigate this risk, the Commission is helping First Nation communities, employers and service providers develop skills and internal practices to resolve human rights issues within their communities and workplaces. This practice also helps complaints to be dealt with quickly and effectively where they arise. Furthermore, the Commission plans to stream¹ cases that are related to the Commission's priorities, and/or that raise important human rights or access to justice issues, all in a manner consistent with the prudent stewardship of public resources.

¹ The process whereby some complaints are identified for priority treatment in order to achieve the Commission's strategic outcome.

Planning Summary

The information provided in this subsection is concise as the Commission's planning is explained in greater detail, at the program level, under Section II.

Financial Resources (Planned Spending - \$ thousands)

Total Budgetary Expenditures (Main Estimates) 2013-14	Planned Spending 2013-14	Planned Spending 2014-15	Planned Spending 2015-16
22,461	23,483	21,898	21,898

Human Resources (Full-Time Equivalents – FTE)

2013-14	2014-15	2015-16
207	198	198

Strategic Outcome: Equality, respect for human rights and protection from discrimination by fostering understanding of, and compliance with, the *Canadian Human Rights Act* (CHRA) and the *Employment Equity Act* (EEA) by federally regulated employers and service providers, as well as the public they serve.

Performance Indicator	Target
Number of Canadians who are informed about and protected by the CHRA and the EEA	1.2 million by March 31, 2014

Planning Summary Table for Strategic Outcome and Programs (\$ thousands)

Strategic Outcome: Equality, respect for human rights and protection from discrimination by fostering understanding of, and compliance with, the *Canadian Human Rights Act* (CHRA) and the *Employment Equity Act* (EEA) by federally regulated employers and service providers, as well as the public they serve.

Program	Actual Spending 2010-11	Actual Spending 2011-12	Forecast Spending 2012-13	Planned Spending			Alignment to Government of Canada Outcomes
				2013-14	2014-15	2015-16	
Human Rights Knowledge Development and Dissemination	3,331	4,313	4,070	3,577	3,137	3,137	A diverse society that promotes linguistic duality and social inclusion.
Discrimination Prevention	4,987	4,555	4,256	4,192	4,013	4,013	
Human Rights Dispute Resolution	8,660	8,829	9,244	9,229	8,739	8,739	
Sub-Total	16,978	17,697	17,570	16,998	15,889	15,889	

Planning Summary Table for Internal Services (\$ thousands)

Program	Actual Spending 2010-11	Actual Spending 2011-12	Forecast Spending 2012-13	Planned Spending		
				2013-14	2014-15	2015-16
Internal Services	6,089	6,565	6,652	6,485	6,009	6,009
Sub-Total	6,089	6,565	6,652	6,485	6,009	6,009

Planning Summary Table Total (\$ thousands)

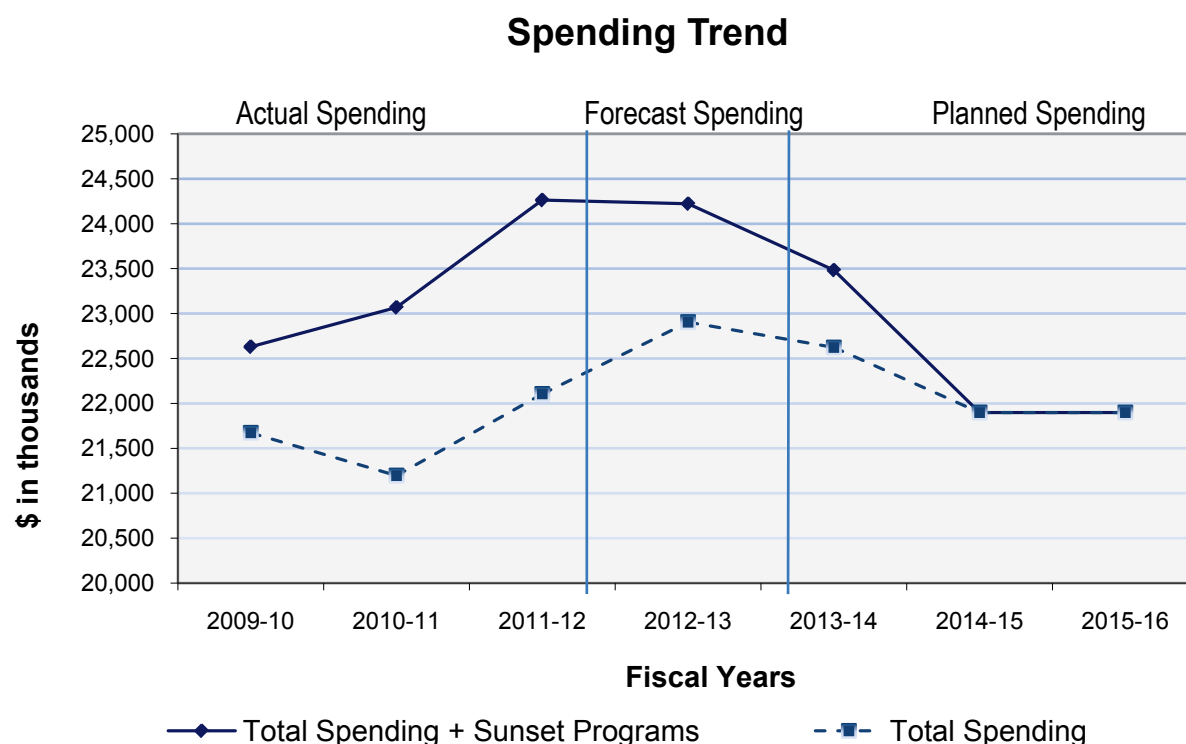
Program and Internal Services	Actual Spending 2010-11	Actual Spending 2011-12	Forecast Spending 2012-13	Planned Spending		
				2013-14	2014-15	2015-16
Total	23,067	24,262	24,222	23,483	21,898	21,898

The variance between 2010-11 and 2011-12 Actual Spending is mainly due to the severance pay cash-out in 2011-12 following the signing of a new collective agreement in June 2011 with the Public Service Alliance of Canada.

The variance between 2013-14 and 2014-15 Planned Spending is mainly due to the decrease of operating expenses related to the implementation phase of the repeal of section 67 of the CHRA.

Expenditure Profile

This subsection examines the fluctuations in overall financial resources and expenditures over time and the reasons for such shifts. The following figure illustrates the Commission's spending trend from 2009-10 to 2015-16.



In 2009-10, the Commission received additional funding for the repeal of section 67 of the CHRA. This funding will sunset in March 2014. Funding from within other programs was temporarily re-allocated to respond to demand for services relating to the section 67 repeal. The Commission will continue to closely monitor the need for additional resources beyond the temporary funding envelope.

The spending related to the repeal of the section 67 of the CHRA was: \$1.0 million in 2009-10, \$1.9 million in 2010-11 and \$2.2 million in 2011-12. In 2012-13 planned spending related to the repeal of section 67 will be \$1.3 million and \$0.9 million in 2013-14.

In 2011-12, actual spending increased by \$1.2 million due mainly to the severance pay cash-out following the signing of a new collective agreement in June 2011 with the Public Service Alliance of Canada.

Estimates by Vote

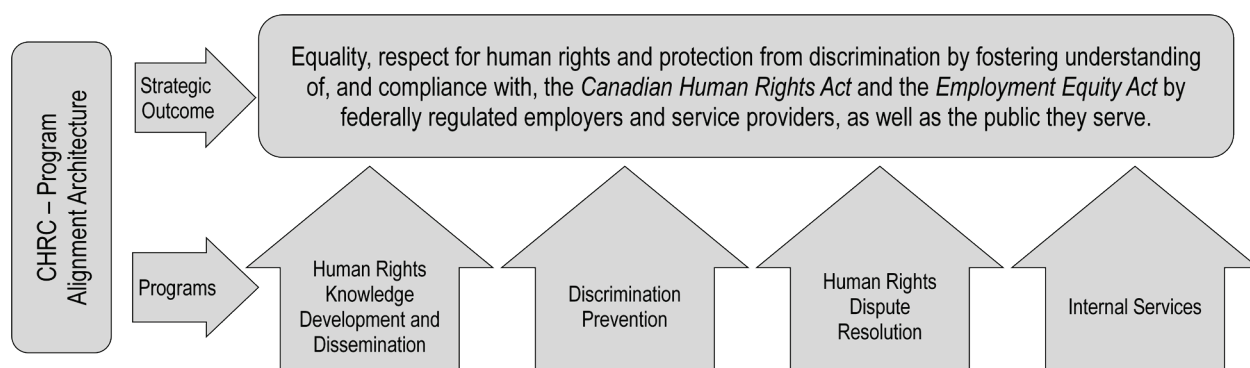
For information on the Commission's organizational appropriations, please see the 2013-14 Main Estimates publication at: <http://www.tbs-sct.gc.ca/est-pre/20132014/me-bpd/info/info-eng.asp>

Analysis of Programs by Strategic Outcome

Strategic Outcome

The Commission works toward equality, respect for human rights and protection from discrimination by fostering understanding of, and compliance with, the CHRA and the EEA by federally regulated employers and service providers, as well as the public they serve. All Canadians benefit when organizations are sensitive to human rights, consider differing needs and respond to misunderstandings before they develop into discrimination complaints.

This section outlines the expected results of the program activities that contribute to the realization of the strategic outcome.



Human Rights Knowledge Development and Dissemination Program

This program helps foster both an understanding of and compliance with the CHRA and the EEA. Knowledge development also ensures that programs, interventions and decisions are grounded in evidence and best practices. Knowledge products include research, policies, regulatory instruments and special reports. Information and/or advice are provided to the Commission itself, Parliament, federal departments and agencies, Crown corporations, federally regulated private sector organizations, and the public. Partnerships with other human rights commissions as well as governmental, non-governmental, research and international organizations are formed and maintained to leverage knowledge development and dissemination activities in areas of common interest.

Financial Resources (\$ thousands)

Total Budgetary Expenditures (Main Estimates) 2013–14	Planned Spending 2013–14	Planned Spending 2014–15	Planned Spending 2015–16
3,441	3,577	3,137	3,137

Human Resources (Full-Time Equivalents – FTE)

2013–14	2014–15	2015–16
28	25	25

Program Expected Results	Performance Indicators	Targets
Federally regulated organizations are informed of human rights issues.	Number of federally regulated organizations that received CHRC products.	600 by March 2014
The CHRC contributes to the identification and resolution of systemic discrimination issues.	Number of systemic issues targeted.	5 by March 2015

Planning Highlights

The Human Rights Knowledge Development and Dissemination Program contributes to the Commission's strategic outcome by developing and disseminating knowledge. This fosters understanding of human rights issues, promotes social inclusion and helps prevent and resolve discrimination.

Based on identified trends and needs, the Commission will continue to develop human rights knowledge, and disseminate products domestically and internationally in order to:

- advance human rights thinking through research and dialogue with key stakeholders;
- promote the consideration of human rights issues in public policy discussions and in policy advice provided to organizations; and
- increase the capacity of organizations to identify and address human rights issues, thereby preventing discrimination.

The program will continue to develop and disseminate equality rights data reports each year that focus on the socioeconomic well-being of vulnerable groups.

Guides developed in the previous fiscal year on issues such as drug and alcohol testing and family caregiving will be promoted to researchers, employers and service providers, and labour organizations. In the previous fiscal year, the Commission released a Toolkit to assist First Nations communities to develop or refine their internal dispute resolution processes. The Toolkit will be disseminated further in 2013–14.

The program will also engage on issues of discrimination and mental health, aging in the workplace, and the impact of poverty and discrimination on the social inclusion of the most disadvantaged Canadians.

Discrimination Prevention Program

This program helps foster and sustain a human rights culture in federally regulated organizations by promoting continuous improvement of an organization's human rights competencies. Prevention initiatives, employment equity audits, learning programs and events are among the program's tools to promote discrimination prevention and achieve employment equity objectives. Stakeholder engagement involves federal departments and agencies, Crown corporations, private sector organizations, provincial and territorial government bodies, international agencies, unions and other non-governmental organizations.

Financial Resources (\$ thousands)

Total Budgetary Expenditures (Main Estimates) 2013–14	Planned Spending 2013–14	Planned Spending 2014–15	Planned Spending 2015–16
4,000	4,192	4,013	4,013

Human Resources (Full-Time Equivalents – FTE)

2013–14	2014–15	2015–16
37	37	37

Program Expected Results	Performance Indicators	Targets
Federally regulated organizations sustain human rights cultures.	Number of federally regulated organizations implementing a Human Rights maturity model approach	8 by March 2014
Each designated EE group is fairly represented in the federally regulated workforce.	Percent reduction between the workforce representation and the workforce availability of designated EE groups.	5% by March 2015

Planning Highlights

The Discrimination Prevention Program contributes to the Commission's strategic outcome by helping federally regulated employers meet their human rights obligations, and implement workforce practices that continuously improve their organizations' human rights culture.

While continuing to ensure that employers meet their obligations under the EEA the program will make improvements to the employment equity audit program in 2013–14 by:

- reviewing the information requirements to eliminate non-essential information;
- developing and publishing measurable standards;
- posting the list of organizations to be audited; and
- implementing a process for receiving feedback to improve services.

These actions should contribute a climate of predictability, transparency and accountability needed by organizations to facilitate the achievement of employment equity.

While meeting the needs of targeted stakeholders by providing learning products and services, such as the Human Rights Maturity Model, the program will also:

- explore service delivery mechanisms through enhanced technology solutions, such as webinars, webcasts and online training; and
- consider opportunities to recover costs and partner with various organizations.

By combining the principle of employment equity with its other human rights initiatives, the Commission encourages employers to become proactive in addressing human rights challenges.

Human Rights Dispute Resolution Program

This program addresses discrimination by dealing with individual and systemic complaints and issues brought by individuals or groups of individuals against federally regulated employers and service providers. The Commission exercises its discretion in choosing the most appropriate dispute resolution method including investigation, mediation and conciliation. The Commission serves as a screening body in determining whether further inquiry is warranted, participates in all pre-tribunal mediations and represents the public interest in appearing before the Canadian Human Rights Tribunal.

The program helps ensure that all parties to a complaint benefit from a fair, expeditious and accessible human rights process and gain an increased understanding of the CHRA. Canadians benefit when human rights commissions and tribunals deal with and adjudicate complaints that have the greatest impact on Canadian society. The program promotes the importance of first seeking solutions through dialogue. The program does this by primarily encouraging non-adversarial methods of dispute resolution.

By promoting awareness of the dispute resolution process, the Human Rights Dispute Resolution Program ultimately helps protect Canadians from discrimination, and helps Canadian employers comply with the CHRA.

Financial Resources (\$ thousands)

Total Budgetary Expenditures (Main Estimates) 2013–14	Planned Spending 2013–14	Planned Spending 2014–15	Planned Spending 2015–16
8,997	9,229	8,739	8,739

Human Resources (Full-Time Equivalents – FTE)

2013–14	2014–15	2015–16
73	71	71

Program Expected Results	Performance Indicators	Targets
A dispute resolution process is available to Canadians who believe they have been subject to discrimination by a federally regulated organization.	Percent of potential and accepted complaints that are brought to an end by the Commission (without going to the Canadian Human Rights Tribunal).	75%
Human rights disputes are addressed within the federally regulated organization where they occurred.	Percent of potential and accepted complaints that were referred to the internal conflict resolution process of the organization where the complaint originated.	20%
The Commission contributes to the clarification and development of human rights law.	Number of complaints where the Commission represented the public interest at tribunals and courts.	20

Planning Highlights

The Human Rights Dispute Resolution Program contributes to the Commission's strategic outcome by providing dispute resolution services in cases that involve alleged discrimination by federally regulated employers, unions and service providers.

While all complaints are important and can often have significant impact, remedying issues of a systemic nature helps create broader change for people in Canada. As such, the program will continue to ensure its systems and tools are aligned with the Commission's broader priority of addressing systemic human rights issues. The program will enhance its ability to identify systemic issues when complaints are first received. This will be done by streaming cases that are related to the Commission's priorities, and/or that raise important human rights or access to justice issues, all in a manner consistent with the prudent stewardship of public resources.

With the extension of the protection of the CHRA to matters covered under the *Indian Act*, a greater number of important human rights issues are being brought to the Commission's attention. Many of these are complex and require interpretation by tribunals and courts. Resolution of these issues could have significant impact on the rights of Aboriginal persons in Canadian society and on the ability of First Nations governments to resolve human rights disputes within their communities. This would also increase the ability of First Nations people to hold their First Nations governments or the federal government accountable for the human rights impact of decisions or actions that affect their daily lives.

Internal Services

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Material Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across the organization and not to those provided specifically to a program.

Financial Resources (\$ thousands)

Total Budgetary Expenditures (Main Estimates) 2013–14	Planned Spending 2013–14	Planned Spending 2014–15	Planned Spending 2015–16
6,023	6,485	6,009	6,009

Human Resources (Full-Time Equivalents – FTE)*

2013–14	2014–15	2015–16
69	65	65

*Includes Shared Services

Planning Highlights

Internal Services will support improvements in the efficiency and effectiveness of the Commission's internal operations by:

- applying the recommendations from the Commission's internal efficiency study;
- renewing its information technology infrastructure in order to improve communication and program delivery to Canadians through tools such as videoconferencing;
- implementing the Information Management and Record Keeping Directive by March 2015 to prepare the Commission for the closure of federal record centres and the launch of the government-wide eOffice initiative; and
- establishing standardized human resources tools, services and business processes by March 2014.

As with many other departments and agencies, the ongoing requirement to absorb inflationary service delivery costs and additional reporting responsibilities places an increasing strain on internal services at the Commission. Collaboration among agencies is a successful and practical solution.

By sharing services with other agencies, the Commission lowers the overall cost of services and focuses its resources on work that is in line with overall priorities.

The Commission will therefore continue to work with other small government departments and agencies to harmonize and streamline shared services, including standardized system modernization. The Commission's provision of shared services to other federal agencies is formally documented and recorded as spendable revenue.

Supplementary Information

Financial Highlights

The future-oriented financial highlights presented within this Report on Plans and Priorities are intended to serve as a general overview of the Commission's financial position and operations. These future-oriented financial highlights are prepared on an accrual basis to strengthen accountability and improve transparency and financial management. The future-oriented financial statements can be found on the Commission's website.ⁱ

Future-Oriented Condensed Statement of Operations and Departmental Net Financial Position

For the year ended March 31

(\$ thousands)	\$ change	Forecast 2013–14	Estimated Results 2012–13
Total expenses	(332)	28,263	28,595
Total revenues	168	1,218	1,050
Net cost of operations before government funding	(500)	27,045	27,545
Net financial position	308	(929)	(1,237)

The decrease of \$0.3 million between 2012-13 and 2013-14 in total expenses is mainly due the decrease of operating expenses related to the implementation phase of the repeal of section 67 of the CHRA.

The increase of \$0.2 million between 2012-13 and 2013-14 in total revenues is due to additional internal support services provided to a number of small agencies.

Future-Oriented Condensed Statement of Financial Position

As at March 31

(\$ thousands)	\$ change	Forecast 2013–14	Estimated Results 2012–13
Total liabilities	(516)	3,520	4,036
Total net financial assets	22	1,672	1,650
Net debt	(538)	1,848	2,386
Total non-financial assets	(230)	919	1,149
Net financial position	308	(929)	(1,237)

The decrease of \$0.5 million in liabilities at year-end is attributable to the decreased value of severance benefits, as a result of payments made following the new severance pay provisions in some collective agreements.

The net financial assets at year-end will not change significantly.

The decrease of \$0.2 million in the total non-financial assets at year-end is mainly due to the decrease of the net value of tangible capital assets, given that amortization expenses will exceed the purchase of new acquisitions.

The net financial position shows a negative balance of \$1.2 million in 2012-13 and \$0.9 million in 2013-14. Those amounts represent estimated liabilities such as employee severance benefits and accumulated vacation leave that will be paid at a later date from the Consolidated Revenue Fund.

List of Supplementary Information Tables

- Greening Government Operations
- Sources of Respendable Revenue

All electronic supplementary information tables listed in the 2013–14 Reports on Plans and Priorities can be found on the Commission’s website.ⁱⁱ

Tax Expenditures and Evaluations Report

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance publishes cost estimates and projections for these measures annually in the [Tax Expenditures and Evaluations](#)ⁱⁱⁱ publication. The tax measures presented in the *Tax Expenditures and Evaluations* publication are the sole responsibility of the Minister of Finance.

SECTION IV

Other Items of Interest

Organizational Contact Information

Canadian Human Rights Commission
344 Slater Street, 8th Floor, Ottawa, Ontario K1A 1E1, Canada
Telephone: (613) 995-1151
Toll Free: 1-888-214-1090
TTY: 1-888-643-3304
Fax: (613) 996-9661
<http://www.chrc-ccdp.gc.ca>

National Aboriginal Initiative
750 – 175 Hargrave Street
Winnipeg, Manitoba R3C 3R8
Telephone: (204) 983-2189
Toll Free: 1-866-772-4880
TTY: 1-866-772-4840
Fax: (204) 983-6132

Endnotes

ⁱ Canadian Human Rights Commission Future-oriented financial statements, http://www.chrc-ccdp.gc.ca/publications/rpp_rpp/fs_1314_ef-eng.aspx

ⁱⁱ Canadian Human Rights Commission website, <http://www.chrc-ccdp.gc.ca>

ⁱⁱⁱ Tax Expenditures and Evaluation Report, <http://www.fin.gc.ca/purl/taxexp-eng.asp>