

NACOI

425 Gloucester Street

Ottawa, Ont.

K1R 5E9

National Association of Canadians of Origins in India

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SUBMISSION ON CANADIAN FEDERAL CONSTITUTION

Introduction

The National Association of Canadians of Origins in India, as the title indicates, is an organization that speaks on behalf of Canadians whose roots stem from India. The Association has Chapters in major cities across Canada and has affiliated ethno-cultural organizations representing a substantial number of Indo-Canadians. The Association was formed in Ottawa in the year 1976 and has the following aims and objectives :

- To encourage Canadians of Origins in India to fully participate in Canadian Society.
- To provide a national voice to Canadians of Origins in India.
- To provide a forum for the exchange of ideas, issues and common concerns.
- To facilitate communication within and with other organizations.
- To assure and protect the rights of Canadians of Origins in India.
- To assist in the orientation and adaptation of Canadians of Origins in India to the Canadian milieu and to bring about a better understanding of Canada and other Canadians.
- To assure due recognition of the contribution of Canadians of Origins in India to Canada.
- To formulate guidelines for improving the collective image of Canadians of Origins in India.

Community

The population of Canadians of Origins in India in Canada is currently estimated to be one half million. The arrival of first immigrants from India to Canada was around the turn of the century and they mainly settled on the west coast in the province of British Columbia. Today the characteristics of the Indian community has changed significantly. From concentration in a

single province, those of Indian origin are now settled in all parts of Canada, with a large number of them having acquired Canadian citizenship. Indo-Canadians have participated and are continuing to participate in many diverse professions, activities and occupations. A number of them have earned world wide recognition in different fields of endeavour.

Federal Constitution

NACOI views the present constitutional talks as an opportunity to express ourselves on areas of concerns to the members of the Indo-Canadian community.

- NACOI strongly supports the unconditional patriation of the Constitution, Control of Canada's Constitution by a foreign country is totally unacceptable to us.
- NACOI whole-heartedly supports the position of the Federal Government with regard to the entrenchment of the Charter of Rights into the Constitution. Minorities have from time to time faced situations contrary to their basic rights at the hands of the provincial and federal governments. We, therefore, strongly feel that the Charter be entrenched and be always beyond the reach of the Parliament and any provincial legislature. In the event of violation of these rights, the Supreme Court of Canada should have the full right and authority to adjudicate and interpret these rights. The role of politicians and bureaucrats should be totally absent in the field of human rights.
- NACOI fully supports the presentation by the Canadian Human Rights Commission that "the Charter of Rights should offer protection at least as comprehensive as, and close to the language and spirit of, the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights. These instruments were ratified by Canada in 1976 with the concurrence of the provincial governments."
- NACOI endorses whole-heartedly the need for a Constitution which would more accurately reflect the cultural diversity of the Canadian people. The fact that Canada is a multi-cultural

society must be recognized in the Constitution. NACOI strongly rejects the two-nation theory and does not support the notion of allowing special privileges and rights for any one group of Canadians. NACOI is of the opinion that a Canadian Constitution based on the premise of allocating special status to any one group or groups will result only in discrimination.

The presence in Canada of many people with distinct language and culture represents an inestimable enrichment that Canadians cannot afford to lose.

In recognition of the Multicultural character of this country, NACOI strongly recommends - "Multicultural Educational Rights" - clause to be added to Section 23. :

" In addition to the educational institutions available in the two official languages, provision of public funds be made to provide instructions in other minority languages...."

- NACOI is of the opinion that the new Constitution should accord full recognition to the rights of a Canadian citizen to free movement and access to jobs, goods and services in any part of Canada. These rights should include the right to own property anywhere within the territorial limits of Canada.
- In conclusion, NACOI believes that the present exercise, which aims at developing a new Canadian Constitution, is an excellent opportunity to foster a Canadian society in which there is equality and mutual respect of all ethno-cultural groups. Should the new Constitution fail in this regard, it will be most detrimental to Canadian unity.

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