

Constitution/Covenants and Judgements

Highlighted in Red: are the Constitution / Covenant Defining The Supreme Law and How the Corporation of Canada is Signatory to.

White items: are the Supreme Court of Canada reminding Canada that they are a Corporation and Must follow the Constitution as Common Law flows from the International Covenants to WHICH THEY HAVE NOT! This is so aware that they have just turned off the RCMP from Fraud Investigations. All other Bill, Statutes, Codes and Regulations are in Breach of these Fundamental Human Rights and Freedoms. The Right to Un-Associate yourself with the Corporation of Canada is YOURS. When you do they still have the Duty of Care for you. They've signed up to it. It's in these Covenants. They don't want you to know that they are CEO's of the Banking System. Canada is Listed under the SEC - Securities and Exchange Committee. All of your hard earned dollars are leaving the country through the BIS/IMF. Learn more for free from John Spirit on eternallyaware.com or his youtube page.

1948 UDHR Universal Declaration of Human Rights The draft penned by Humphrey became the foundation for the Universal Declaration of Human Rights (UDHR). The Declaration's 30 articles defined fundamental rights and freedoms for every human being on earth.

1954 ICCPR/ICESCR Drafted: 1954

1966 ICCPR and ICESCR Signed: 19 December 1966 The principles of the UDHR offered hope and inspiration around the world. But to make a genuine difference in people's lives, those principles needed to be transformed into laws. In 1966, the UN Commission on Human Rights drafted two instruments to give legal force to the UDHR.

One instrument was called the International Covenant on Civil and Political Rights. The second was the International Covenant on Economic, Social and Cultural Rights. Together with the Universal Declaration, they comprise the International Bill of Human Rights.

The International Covenant on Civil and Political Rights offers protections for the right to life, freedom of speech, religion and voting. The International Covenant on Economic, Social and Cultural Rights focuses on such issues as food, education, health and shelter. More than 160 nations have ratified these two covenants which legally commit them to ensure these rights for people within their borders.

1976	ICCPR and ICESCR Effective: 23 March 1976
1980	<p>Supreme Court of Canada Supreme Court Judgments [1980] 1 SCR 54 1979-12-21 Re: Authority of Parliament in relation to the Upper House</p> <p>Further, although s. 91(1) gave the Queen the power, with the advice and consent of the Senate and the House of Commons, to alter the “Constitution of Canada” except in certain expressly designated areas, it does not confer a power to amend the B.N.A. Act. The word “Canada” in s. 91(1) does not refer to Canada as a geographical unit but refers to the “JURISTIC FEDERAL UNIT”</p>
1981	<p>Zingre v. The Queen et al., [1981] 2 SCR 392 (Supreme Court of Canada).</p> <p>It is a <i>recognized principle</i> of <i>international customary law</i> that a <i>state may not invoke</i> the provisions of its <i>internal law</i> as justification for its <i>failure to perform</i> its <i>international</i> obligations.</p>
1982	Charter of Human Rights and Freedoms Canada

1989 **Slaight Communications Inc. v. Davidson**, [1989] 1 SCR 1038, 1989

The reference in s. 32 to the "Parliament" and a "legislature" make clear that the Charter operates as a limitation on the powers of those legislative bodies. Any statute enacted by either Parliament or a Legislature which is inconsistent with the Charter will be outside the power of (ultra vires) the enacting body and will be invalid. ***It follows that any body exercising statutory authority, for example, the Governor in Council or Lieutenant Governor in Council, ministers, officials, municipalities, school boards, universities, administrative tribunals and police officers, is also bound by the Charter.*** Action taken under statutory authority is valid only if it is within the scope of that authority. Since neither Parliament nor a Legislature can itself pass a law in breach of the Charter, **neither body can authorize action which would be in breach of the Charter. Thus, the limitations on statutory authority which are imposed by the Charter will flow down the chain of statutory authority and apply to regulations, by-laws, orders, decisions and all other action** (whether legislative, administrative or judicial) which depends for its validity on statutory authority

1990 **Thomson Newspapers Ltd. v. Canada** (Director of Investigation and Research, Restrictive Trade Practices Commission)

While individuals as a rule **have full legal capacity by the operation of law alone**, artificial persons are creatures of the state and enjoy civil rights and powers only upon the approval of statutory authorities.

The **individual may stand upon his constitutional rights. He owes no duty to the State**, since he receives nothing there from, beyond the protection of his life and property. His **rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. He owes nothing to the public so long as he does not trespass upon their rights.**

<p>1997</p>	<p>The Supreme Court has made it clear in cases <i>M. (A.) v. Ryan</i> that Common Law in Canada Now Flows through the Constitution Act of 1982.</p> <p><i>M. (A.) v. Ryan</i>, 1997 (SCC), [1997] 1 S.C.R. 157, that the common law must develop in accordance with Charter values. A Trespass in common law equals an infringement or denial of a fundamental right or freedom. (listed in the constitution act or the covenants themselves)</p>
<p>1999</p>	<p><i>R. v. Hynes</i>, 1999 CanLII 18979 (NL CA)</p> <p>[101] The determination whether to enforce <u>constitutionally protected rights under s. 24(2) was never intended to revert to the executive arm of government.</u> Indeed, as has already been discussed, <u>a primary purpose of the Charter was to place courts between the executive and the individual to protect the latter's individual fundamental rights and freedoms.</u></p>
<p>2005</p>	<p>Court Judgement Supreme Court- <i>Christie v. British Columbia</i>, 2005 BCCA 631 (CanLII)</p> <p>The <u>rule of law</u> embraces at least three principles. The first principle is that the <u>“law is supreme over officials of the government</u> as well as private individuals, and <u>thereby preclusive of the influence of arbitrary power”</u></p>
<p>2007</p>	<p><i>R. v. Hape</i>, [2007] 2 S.C.R. 292, 2007 SCC 26</p> <p>Para 53... It is a well-established principle of statutory interpretation that legislation will be presumed to conform to international law. The presumption of conformity is based on the rule of judicial policy that, as a matter of law, courts will strive to avoid constructions of domestic law pursuant to which the state would be in violation of its international obligations.</p>

2015	<p>R. v. Wagner, 2015 ONCJ 66 The Rule of Law</p> <p><i><u>The idea that there are certain fundamental unwritten principles that govern all members of society including legislators and which judges are expected to enforce is not particularly new</u></i></p> <p><i><u>The contemporary concept of unwritten constitutional principles can be seen as a modern reincarnation of the ancient doctrines of natural law</u></i></p>

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Judgements

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