

Canadian Charter Rights – Individuals | Empower Yourself – Know Your Rights! | Understanding how COVID-19 measures violate your Charter Rights | Stand Up Canada

Understanding how COVID-19 measures violate your Charter Rights
Sections: 2, 6, 7, 8, 9 and 15 including other provincial/territorial legislation

standupcanada.solutions

Background Information on the Charter You May Find Useful:

Your *Canadian Charter of Rights and Freedoms* is referred to as your Constitution or simply the *Charter*. It contains 34 sections. When you hear people say that actions are against, infringe, or violate the *Charter*, the Constitution, or are unconstitutional, this is what they are referring to. The *Charter* falls under Canada's Constitution and is only a small part of it. It is crucial for Canadians to know and understand how their rights have been and continue to be violated in respect of the government's COVID-19 measures.

Below is an excerpt of the sections in the *Charter* where your rights are being violated – detailed explanations are listed beneath each section.

Please EMPOWER yourself with this knowledge. Then STAND UP to it !!

Before Diving into the Charter – Let's First Understand the COVID-19 Measures:

It's vital to understand what these "measures" actually mean in terms of

violations to the *Charter*. You need to ask yourself if any of these measures are "reasonable" or "justified" and then draw your own conclusion. And you MUST consider the 342 BILLION DOLLARS the Canadian Federal Government has spent so far on these measures. This figure does not even include how much the Provinces have spent so far. Canada's debt has skyrocketed to well over a TRILLION DOLLARS – that's twelve zero's \$1,000,000,000,000.

Statistics as of November 12, 2020 (we will update as required):

Canada's population 37,855,621

Covid-19 "related" deaths in Canada 10,768

% of Canadians who died "with" virus 0.028%

As we update this page when we can, you can always find out the actual current COVID-19 "related" deaths in Canada from the government of Canada by clicking [HERE](#).

The following is a list of COVID-19 measures with their descriptions which violate the *Charter*. These measures actually violate multiple *Charter* sections you will see further below under the individual sections.

Self-quarantine (isolation):

- undue emotional and physical distress for the elderly particularly those living in long-term care homes

- people living alone

- traumatic for children

Social distancing:

- neither scientifically nor medically-based

– ineffective and fictional concept

Mandatory face masks:

– unconstitutional

– ineffective and pose physical and mental health dangers

– violates the physical and psychological integrity by seriously restricting a person's PRIMORDIAL RIGHT to breathe

– restricting the very right of liberty, to choose HOW to breathe

– mandating masks to stop the spread of a disease is a medical treatment requiring YOUR consent under section 10 of the *Health Care Consent Act, Ontario*

– section 11 are the elements required for your consent

(this is Ontario only – each province/territory is different – please check your [provincial/territorial health care consent](#) policies)

Hand sanitizers:

– there are NO [hand sanitizers](#) approved by the Government of Canada

– Health Canada has 115 recalls of [hand sanitizers](#) as they are toxic to humans (as of November 2, 2020)

Temperature taking

– should only be done by a medical professional

– should NEVER be done by a waitress or store clerk, anyone who is NOT a medical professional

– requires YOUR consent under the under section 10 of the *Health Care*

Consent Act

- section 11 are the elements required for your consent (this is Ontario only – each province/territory is different – please check your provincial/territorial [health care consent policies](#))
- DO NOT CONSENT to having your temperature taken in any place of BUSINESS
- they have NO right to do this!

Asking for ID

- your ID is your name, address and phone number including your date of birth
- **NO ONE HAS THE RIGHT TO ASK YOU THIS (except your medical doctor)**
- bartenders know this!
- **not even the police to some extent**
- **doing so also violates [provincial and territorial privacy rights](#)**

Closure of all “non-essential businesses”

- arbitrary and unjustified
- this is your right to work, to earn a living, to support your life/family
- where is the legal definition of “non-essential businesses”?

Closures of Churches, Schools, Daycares, Parks & Playgrounds

- arbitrary and unjustified

Discontinuance of access to Education, Medical, Dental, Chiropractic,

Naturopath, etc for physically and mentally disabled, particularly special needs children with neurological disorders

- arbitrary and unjustified

Testing for COVID-19

- **NO evidence of viral isolation** – confirmed by Canadian researcher Christine Massey, who filed 7 Freedom Of Information (FOI) requests – see confirmations below

- 7 [Canadian experts](#) confirm – Health Canada, University of Toronto, Sunnybrook Hospital, Mount Sinai Hospital, National Research Council (NRC), Region of Peel (Brampton, ON) and McMaster University

- 2 world experts confirm – [New Zealand](#) and UK

– so why are you being tested?

- you are being tested for “symptoms”, not the virus

- how can they possibly claim positive test results, if the “virus” has not been isolated?

- there is NOTHING to compare “testing” to

- **requires YOUR consent under section 10 of the *Health Care Consent Act***

- **section 11 are the elements required for your consent (this is Ontario only – each province/territory is different – please check your provincial/territorial [health care consent policies](#)**

Mandatory Vaccine for COVID-19

- **since the virus has not been *isolated* a vaccine is impossible to make**

- denies your very right to freely choose by your thoughts, your religious

beliefs or through your own good conscience to not consent to this

– anyone not consenting to vaccines who have received penalties or been denied benefits, these impositions deny your right to life, liberty and the security of the person

– requires YOUR consent under the under section 10 of the [Health Care Consent Act, Ontario](#)

– section 11 are the elements required for your consent (this is Ontario only – each province/territory is different – please check your provincial/territorial [health care consent policies](#)

– violates human rights under the Nuremberg Code

Multiple Parties Violating Your Charter Rights:

To make things worse and more complicated, you need to be aware that there are multiple parties violating your *Charter* rights.

This gives the illusion that since all government bodies are doing this, it must be OK.

NO – IT IS ALL UNLAWFUL – ALL MEASURES!

We have identified who they are, under the sections listed below.

Who is Accountable?

Do you know who is making these orders, the COVID-19 “measures”? It is the Chief Medical Officer for Canada as well as provincial Chief Medical Officers including Public Health Officials – these officials are responsible for all the municipalities by province.

Why is this important to know?

Because Medical Officers are NOT elected officials. This means they are NOT accountable whatsoever for any of these “measures” you and I have been ordered to follow. Medical Officers are paid public servants working for federal and provincial government departments. While they have a term of 5 years or more as Medical Public Officers, they are still employed as public servants thereafter. In other words, they cannot be fired or voted out, as is the case for politicians.

Not only are Medical Officers NOT ACCOUNTABLE, they are also NOT LIABLE for anyone who suffers injuries for wearing a mask!!! It states this on their DISCLAIMER.

Here is Ontario Public Health’s Disclaimer:

DISCLAIMER: “The application and use of this document is the responsibility of the user. PHO assumes no liability resulting from any such application or use”

So WHO IS ACCOUNTABLE then?

Only your ELECTED officials. The POLITICIANS. The people you VOTED for to run the Country or run the Province for a SPECIFIED PERIOD OF TIME. They are 100% accountable to you, NOT Public Health! They can be voted out of office. You cannot do this with public servants (Medical Officers).

So why are we taking orders from anyone who is NOT ACCOUNTABLE and NOT LIABLE???

CONSTITUTION ACT, 1982 – PART I

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law:

Guarantee of Rights and Freedoms

Marginal note: Rights and freedoms in Canada

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.**

Section 1 – this section is THE MOST IMPORTANT one.

It is telling you that ANY of your guaranteed rights and freedoms BELOW this section, can be overturned or violated, as long as new measures can be proven to be "reasonable" and "demonstrably justified".

In other words, your "guaranteed" rights and freedoms are NOT in fact guaranteed to you.

The onus is on the State to show that (1) there is a valid legislative objective; and (2) that the measures taken to affect that valid objective, are proportional and not over-reaching.

Government COVID-19 measures are NOT "reasonable" NOR are they "demonstrably justifiable". All measures are not scientifically nor medically-based nor proven to be effective whatsoever in the case of viral respiratory disease (the flu).

Fundamental Freedoms

Marginal note: Fundamental freedoms

2. Everyone has the following fundamental freedoms:

(a) **freedom of conscience and religion;**

What does Section 2 (a) mean? This is your guaranteed right to have the

FREEDOM of CONSCIENCE. This is your sense of what is right or wrong.
FREEDOM of RELIGION. This is your right to participate in any religious association you want.

Examples:

– I believe wearing a mask is potentially harmful to my child's psychological and physical health; I cannot in good conscience allow my child to be required to wear a mask while in school

– My religion does not permit me to cover my face or wear a face mask

– I am free to practice any religion of my choice, in any religious place of worship

These "measures" fall under this section:

- Self-quarantine (isolation)
- Social distancing
- Mandatory face masks
- Hand sanitizers
- Temperature taking
- Closure of Churches
- Testing for COVID-19
- Mandatory vaccine for COVID-19

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments:

– Premiers' Declarations of Emergency

– Provincial Chief Medical Officers' recommendations
Municipal bylaws or Public Health recommendations
Bylaw officers who enforce any measure

Business owners and staff who enforce any measure

Schools and teachers who enforce any measure

b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

What does Section 2 (b) mean?

This is your guaranteed right to have the FREEDOM to THINK what you want. The right to have your own BELIEFS, OPINIONS and the right to EXPRESS them in any way.

Examples:

- I don't want to wear a mask because I think it's harmful*
- I think people should have the right to choose if they want to wear a mask / or get a vaccine, or not*
- I love singing in Church as it uplifts my soul!*
- I don't think anyone should take my temperature except my family doctor, and ONLY if I let them do it!*

These "measures" fall under this section: Self-quarantine (isolation):

- Social distancing
- Mandatory face masks
- Hand sanitizers
- Temperature taking
- Testing for COVID-19
- Mandatory vaccine for COVID-19
- No singing in Churches

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

– Premiers' Declarations of Emergency

– Provincial Chief Medical Officers' recommendations

Municipal bylaws or Public Health recommendations

Bylaw officers who enforce any measure

Business owners and staff who enforce any measure

Schools and teachers who enforce any measure

Main-stream media, CBC in particular as a Canadian PUBLICLY funded Corporation (we are paying for them!)

(c) freedom of peaceful assembly; and

What does Section 2 (c) mean?

This is your guaranteed right to have the FREEDOM to GATHER peacefully in a group of your choosing.

Example:

– I enjoy going to Church every Sunday morning as it's a vital support group for me now that my spouse has passed

These "measures" fall under this section:

- Self-quarantine (isolation)
- Social distancing
- Closure of Churches
- Limited to the number of people you can see, and WHERE you can

gather

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

- Premiers' Declarations of Emergency
- Provincial Chief Medical Officers' recommendations

Municipal bylaws or Public Health recommendations

(d) freedom of association.

What does Section 2 (d) mean?

This is your guaranteed right to have the FREEDOM to BE WITH as many people as you want and WHERE you want.

Example:

– I'm taking little Johnny to the playground for a play-date with his friends and I'm also thrilled to spend time with other adults while he plays

This "measure" falls under this section:

- Self-quarantine (isolation)
- Social distancing
- Closure of Churches
- Limited to the number of people you can see, and WHERE you can gather

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

- Premiers' Declarations of Emergency
- Provincial Chief Medical Officers' recommendations

Municipal bylaws or Public Health recommendations

Mobility Rights

Marginal note: Mobility of citizens

6. (1) Every citizen of Canada has the right to enter, remain in and leave Canada.

What does Section 6 (1) mean?

This is your guaranteed RIGHT to COME AND GO as you please, from Canada to anywhere else in the world – provided you respect the out-of-country time limits.

Example:

– We can't wait to go down south in December – we look forward to this each year!

Denied unless considered "essential"

14 day imposed self-quarantine upon return to Canada

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

- Premiers' Declarations of Emergency

– Provincial Chief Medical Officers' recommendations

Marginal note: Rights to move and gain livelihood

(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right

(a) to move to and take up residence in any province; and

What does Section 6 (2) (a) mean?

This is your guaranteed RIGHT to MOVE TO ANY PROVINCE you want – for any reason you want.

Example:

– Retirement is just around the corner! How about we move back home to be closer to our families?

Denied with 1st lock-down measures – “1st wave”

14 day imposed self-quarantine upon move to your new province

Watch for same denied rights during the next “2nd wave”

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

– Premiers' Declarations of Emergency

– Provincial Chief Medical Officers' recommendations

(b) to pursue the gaining of a livelihood in any province.

What does Section 6 (2) (b) mean?

This is your guaranteed RIGHT to move to any province you want – to EARN A LIVING.

Example:

–Thank goodness I got that promotion! We desperately need the extra cash. It's hard to find good paying jobs in the East and so moving to Central Canada will help our family so much

Denied – same as 2 (a) above

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

– Premiers' Declarations of Emergency

– Provincial Chief Medical Officers' recommendations

Legal Rights

Marginal note: Life, liberty and security of person

7. Everyone has the right to life, liberty, and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

What does Section 7 mean?

This is a very important section as it covers many meanings with the words "life" "liberty" and "security" which applies to all Canadians. **This is your guaranteed RIGHT to LIFE, to have SECURITY, to WORK as an employee or own and operate a BUSINESS.** Section 7 only applies to non-incorporated businesses.

Examples:

– *Small business is THE back bone of Canada's economy and we're proud to fill that vital role!*

– *I'm so lucky that I live in Canada and have the freedom to choose how I want to breathe*

– *I expect no negative consequences for choosing to not vaccinate myself or my dependent children*

– *There is no way I'm rubbing anything on my hands that is toxic (hand sanitizers)! That poison gets absorbed through my skin, into my body and will make me sick!*

This "measure" falls under this section:

- Self-quarantine (isolation)
- Social distancing
- Mandatory face masks
- Hand sanitizers
- Closure of all "non-essential" businesses
- Closure of Schools and Playgrounds
- Mandatory vaccine for COVID-19

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

– Premiers' Declarations of Emergency

– Provincial Chief Medical Officers' recommendations

Business owners and staff who enforce any measure

Schools and teachers who enforce any measure

Marginal note: Search or seizure

8. Everyone has the right to be secure against unreasonable search or seizure.

What does Section 8 mean?

This is your guaranteed RIGHT for a reasonable expectation of YOUR PRIVACY. Simply stated, police and other government agents cannot, without sufficient reason, invade the personal privacy of individuals. **Your NAME, ADDRESS, PHONE NUMBER and your DATE OF BIRTH is YOUR PRIVACY and no one else!**

Example:

– *Waitress to patron: "Can I have your name, address and phone number please?" Patron to Waitress: "Are you kidding? You have no right to ask me this. Can I have yours?"*

This "measure" falls under this section:

Your identification (ID)

- this is anyone (restaurants, businesses, bars, etc) asking for your ID
- which is your NAME, ADDRESS and PHONE NUMBER
- NO ONE HAS THE RIGHT TO ASK YOU THIS (except your medical doctor)
- bartenders know this!
- not even the police to some extent
- doing so also violates [provincial and territorial privacy rights](#)

YOU HAVE EVERY RIGHT TO WALK AWAY FROM ANYONE ASKING FOR YOUR ID – THERE IS NO LEGAL OBLIGATION ON YOUR PART TO RESPOND

Who is violating this?

Canadian Federal government and Canada's Chief Medical Officer

Provincial governments

– Premiers' Declarations of Emergency

– Provincial Chief Medical Officers' recommendations

Municipal bylaws or Public Health recommendations

Bylaw officers who enforce asking for your ID

Business owners and staff who enforce asking for your ID

Marginal note: Detention or imprisonment

9. Everyone has the right not to be arbitrarily detained or imprisoned.

What does Section 9 mean?

This is your guaranteed RIGHT to you and your children to NOT be DETAINED (to lock you up in official custody) or put in PRISON, without legal authority.

Example of arbitrarily detainment:

– Little Suzy has just tested positive for COVID-19 at school, so she's been removed and placed somewhere else WITHOUT her parents being PRESENT and WITHOUT their permission

No one can be "held" or "detained" anywhere WITHOUT the legal protections of a fair trial or when someone has been "detained" without any

legal basis for the deprivation of their liberty (depriving them of their freedom).

No measure in place (yet), but if "detainment" is mandated by the government or Public Health official:

If you or your children have been diagnosed with COVID-19, you:

- CANNOT be detained at a hospital, prison or quarantine centre

- CANNOT be removed from your home

If you or your children refuse to wear a mask or to get a vaccine, you:

- CANNOT be detained

Who will be violating this?

Any Federal or Provincial government who writes new legislation for this

Any Provincial or Public Health Officer who writes new recommendations for this

Any person, group or organization who will be enforcing it

Equality Rights

Marginal note: Equality before and under law and equal protection and benefit of law

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

What does Section 15 mean?

This means that every individual in Canada has the RIGHT to be treated with the same respect, dignity and consideration.

Example:

– *Being provided with the same service regardless of everything personal listed above that makes you who you are. Including, whether or not you have a mental or physical disability that people can see or not!*

Mental or Physical Disability

– Anyone who has a mental or physical disability is protected from discrimination under the Human Rights Code, [Ontario](#)

(this is Ontario only – each province/territory is different – please check your [provincial/territorial human rights code](#)

If you declare a **medical exemption, no one has the right to ask you to prove it under this section.**

NO ONE HAS THE RIGHT TO ASK YOU ABOUT YOUR MEDICAL CONDITION

– **except a “Health Information Custodian” AND no one has the right to ask you to prove it under this Section.** Doing so also violates personal health information protection which falls under the [provincial/territorial privacy policies](#)

– business owners or their employees are not Health Information Custodians

– they have no legal right whatsoever to DENY service for anyone who declares a medical exemption

– they are not legally allowed whatsoever to “approve” a medical exemption that a patron’s (or employee’s or student’s) medical doctor “issues”

– they are not legally allowed whatsoever to disregard the medical assessment of a patron's (or employee's or student's) medical doctor

Who is violating this?

Anyone asking you about your medical condition; asking for proof of it; asking for a medical exemption from your doctor

- Business owners and staff
- Municipal bylaw officers
- Schools and teachers

Denied Service for not wearing a mask?

If you have a medical exemption, and you are seeking service (shopping, restaurants, etc) – here are actions to take and consider doing:

- #1 ACTION – download or print the bylaw, or public health recommendation for the AREA where you intend to seek service BEFORE going there (yes, it has come to this unfortunately).

If you are still denied access to service AFTER you have declared your medical exemption under either the bylaw or public health order – there are 3 options to consider:

1. your first option would be to phone your local bylaw officer and demand that the store be fined under the municipal bylaw (failure to comply with the mask exemptions outlined in the bylaw)
2. your second option would be to phone the [Human Rights Tribunal for your province/territory](#) to make a complaint for discrimination on protected human rights code "disability" and ask for maximum compensation for damages (Ontario [1-866-598-0322](tel:1-866-598-0322)); find your area and double check that "disability" is a protected code.

Note: Each province/territory may have different protected codes under their provincial/territorial [Human Rights Code](#)

3. if no fine has been issued by the bylaw officer on option 1 above, AND if the Human Rights Tribunal does not remedy your situation with option 2, your third option would be to sue the business in Small Claims Court for damages – in Ontario maximum compensation is \$35K (you do not need a lawyer for this)

IF YOU ARE UNABLE TO WEAR A MASK – please read our article called "[Helping Canadians – Mask Issues](#)"

LEGAL REFERRAS

In addition, if you feel that your constitutional rights under the *Charter* are being infringed upon by the COVID-19 measures to a point where you need legal advice, please contact the resources listed below.

We ask that you keep in mind the particular aspect of "pro bono time" as the wonderful people in these centres and associations are not receiving any payment for their services. With this said, please be very aware of this fact before reaching out to them. Given the insanity of our current situation they may be overwhelmed with requests. Thank you for considering this. And THANK YOU to these centres and organizations for offering help to Canadians in this capacity!

All of the legal resources listed below are not affiliated whatsoever with Stand Up Canada by any means including advertising or support.

Constitutional Law

Legal Referrals for Canada

[Constitutional Rights Centre \(CRC\)](#).

The CRC is established as a private corporation whose sole mission and aim(s) are the protection, defence, enforcement, and enhancement of constitutional rights, and the supremacy of the Constitution, and the Rule of Law, without government funding, interference, or influence whatsoever.

[Justice Centre for Constitutional Freedoms \(JCCF\)](#)

The JCCF is uniquely positioned to help Canadians who have faced shocking and stressful intrusions on their freedom. Their experienced in-house legal team provides legal advice and representation to clients without charge. JCCF is a registered charity and as such, can issue tax receipts.

Ontario Civil Liberties Associations

Further support can be found at the [Ontario Civil Liberties Association \(OCLA\)](#). OCLA is a non-profit organization founded to defend the civil liberties of individuals from erosion by society's powerful groups.

WHAT IS YOUR CONCLUSION?

If you are reading this and have made it to the end, then *well done!* You are a critical thinker. People hold power over you ONLY for as long as you let them. Take your power back! Stand up and say NO to all of these violations against your *Charter* and other provincial or territorial rights.

When you see all the information presented like this, what conclusion have you drawn for yourself?

We believe that knowledge is *potential* power. But *knowledge has no power without action*. And so, our purpose has been fulfilled by giving you this knowledge...the rest is up to you.

SO NOW THAT YOU HAVE THIS KNOWLEDGE, WHAT ARE YOU GOING TO DO WITH IT?