

Fabio Ovetтини

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

July 4, 2024

**Canadian Human Rights Commission
344 Slater Street, 8th Floor
Ottawa, Ontario K1A 1E1**

Request for Assistance in Addressing Violations of the Right to Quality Sleep

I am writing to seek your organization's assistance in addressing a pressing human rights issue: the violation of the right to quality sleep due to the actions and policies of our government officials and GTAA executives/managers.

Background and Context

Sleep is a fundamental physiological need, essential for maintaining overall health and well-being. Comparable to other basic needs such as breathing, eating and drinking, adequate sleep is crucial for cognitive function, physical health, and emotional stability. Despite its importance, there have been repeated violations of this right by our policymakers, resulting in significant harm to individuals.

In the 2008 case **Canada (Prime Minister) v. Khadr**, the Supreme Court of Canada recognized sleep deprivation as a form of torture and declared that Mr. Khadr's Charter rights were violated due to government actions. This case sets a precedent for recognizing the severe impact of sleep deprivation and the responsibility of governments to prevent such violations.

Legal Basis for Our Claims

Our claims are supported by various international human rights instruments that implicitly protect the right to quality sleep:

Universal Declaration of Human Rights (UDHR)

- **Article 3:** Everyone has the right to life, liberty, and security of person.
- **Article 5:** No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.

International Covenant on Civil and Political Rights (ICCPR)

- **Article 7:** No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.
- **Article 9:** Everyone has the right to liberty and security of person.

International Covenant on Economic, Social and Cultural Rights (ICESCR)

- **Article 12:** The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

- **Article 1:** Defines torture and prohibits it.
- **Article 16:** Requires States to prevent acts of cruel, inhuman, or degrading treatment or punishment.

Additionally, General Comment No. 14 by the Committee on Economic, Social and Cultural Rights emphasizes the importance of the underlying determinants of health, including adequate sleep.

The Issue

Our government's ongoing policies and actions allowing Pearson Airport to operate 24/7 continue to deprive individuals of quality sleep, constituting a violation of their fundamental rights. This situation not only affects the well-being of citizens but also places the financial burden of these violations on taxpayers, creating a paradox where citizens are asked to pay for the government's mistakes.

The aforementioned policies are directly causing irreparable damage to numerous communities surrounding Pearson Airport. Indirectly, the entire Canadian population is at risk of irreparable damage, as sleep deprivation significantly increases the likelihood of accidents.

Unfortunately, our efforts to engage Federal Government and GTAA representatives have been met with delays and evasion.

Given the recurring violations, it would be interesting to explore the possibility of requesting charges to be cast over individual government officials and GTAA managers/executives, instead of holding Canada collectively responsible. This approach could ensure that those directly responsible for these actions are held accountable, rather than all Canadian citizens bearing the consequences.

Imagine if the court rules in our favour, only to then ask us, the taxpayers, to use our money to pay ourselves for the violations committed by our officials. This paradox highlights the need for

a more just approach, where the individuals directly responsible for such actions are held accountable and bear the financial burden.

Evidence of Sleep Deprivation

Airplane traffic on a typical night in in northwest Toronto

As recorded by Acacia's noise Monitor on the early hours of June 13, 2024	
Time of airplane going above Acacia's noise monitor	Decibels as reported by Acacia's noise Monitor
12:05	70dB
12:16	64dB
12:20	74dB
12:23	71dB
12:26	70dB
12:30	69dB
12:31	72dB
12:33	71dB
12:37	74dB
12:59	72dB
01:01	68dB
01:04	72dB
01:14	72dB
01:23	68dB
01:33	73dB
02:00	77dB
02:14	74dB
03:49	75dB
04:39	75dB
04:42	73dB
05:01	77dB
05:05	69dB
05:08	69dB
05:19	72dB
05:22	71dB
05:27	75dB
05:29	76dB
05:36	71dB
05:38	72dB
05:40	73dB
05:43	72dB
05:51	75dB

06:04	71dB
06:07	76dB
06:12	75dB
06:16	72dB
06:18	73dB
06:29	70dB
06:30	70dB
06:30:40	Monitor suspiciously stops working. Transparency and Accountability? Regulatory Compliance? Community Impact? Potential for Manipulation?
06:32:30	Potential for Manipulation?
06:33:57	Potential for Manipulation?
06:35:19	Potential for Manipulation?
06:36:30	Potential for Manipulation?
06:37:42	Potential for Manipulation?
06:39:01	Potential for Manipulation?
06:40:29	Potential for Manipulation?
06:41:55	Potential for Manipulation?
06:43:12	Potential for Manipulation?
06:44:36	Potential for Manipulation?
06:45:44	Potential for Manipulation?
06:47:03	Potential for Manipulation?
06:48:34	Potential for Manipulation?
06:49:59	Potential for Manipulation?
06:51:12	Potential for Manipulation?
06:52:45	Potential for Manipulation?
06:54:30	Potential for Manipulation?
06:58:00	Potential for Manipulation?
06:59:50	Potential for Manipulation?
07:01	Potential for Manipulation?
07:04	Potential for Manipulation?
07:23	Potential for Manipulation?
07:26	Potential for Manipulation?
07:28	Potential for Manipulation?
07:30	Potential for Manipulation?
07:31	Potential for Manipulation?
07:33	Potential for Manipulation?
07:34	Potential for Manipulation?
07:36	Potential for Manipulation?
07:37	Potential for Manipulation?
07:40	Potential for Manipulation?
07:42	Potential for Manipulation?

07:44	Potential for Manipulation?
07:52	Potential for Manipulation?
07:53	Potential for Manipulation?
07:55	Potential for Manipulation?
07:56	Potential for Manipulation?
07:58	Potential for Manipulation?

Acacia's Noise Monitor started working at 8:52:40 on June 13, 2024.

Taking the above into account, how can anyone in my community efficiently perform any activity, work/study?

How can we expect a truck driver living in my community to meet Canada's Transport recommendation of 8hs of consecutive sleep?

How can we expect a person living in my community to meet Canada's Health recommendation of 7-9hs of quality sleep?

Request for Support

Given the severity of this issue and its widespread impact, I am seeking your organization's support to:

1. **Raise Awareness:** Help bring attention to the importance of quality sleep as a human right and the ongoing violations.
2. **Legal Assistance:** Provide guidance and support in filing a case with Canada's Federal Human Rights Court or other relevant bodies to hold individual officials and managers accountable.
3. **Advocacy:** Advocate for policy changes to ensure the protection of the right to quality sleep and prevent future violations.

Conclusion

Everyone is entitled to fundamental human rights, including the right to quality sleep. Your organization's expertise and support can play a crucial role in addressing this issue and ensuring justice for those affected.

Thank you for your time and consideration.

Sincerely,
Fabio Ovettoni