

# CANADA

## SUBMISSION TO THE UN COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

65<sup>TH</sup> PRE-SESSIONAL WORKING GROUP,  
7 – 11 MARCH 2016

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**Amnesty International Publications**

First published in 2016 by  
Amnesty International Publications  
International Secretariat  
Peter Benenson House  
1 Easton Street  
London WC1X 0DW  
United Kingdom  
[www.amnesty.org](http://www.amnesty.org)

© Amnesty International Publications 2016

Index: AMR 22/1479/2015  
Original Language: English  
Printed by Amnesty International, International Secretariat, United Kingdom

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Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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# EXECUTIVE SUMMARY

Amnesty International submits this briefing to the United Nations (UN) Committee on the Elimination of Discrimination against Women (the Committee) in advance of the preparation of the List of Issues for the review of the periodic report of Canada from 24 October to 18 November 2016. Amnesty International will provide additional information in advance of the 65th session when the Committee reviews Canada's periodic report.

In this submission, Amnesty International sets out its concerns about the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (the Convention) by Canada, including (i) the implementation of Canada's international human rights obligations; (ii) violence against Indigenous women and girls; (iii) violence against women and girls; (iv) discrimination on the basis of gender identity; (v) sexual and reproductive rights; (vi) inadequate protections for migrant domestic workers; (vii) over-incarceration of Indigenous women; (viii) women, peace, and security; (ix) land rights and resource development projects; and (x) the use of maximum available resources to eliminate discrimination against women.

## I. HUMAN RIGHTS OBLIGATIONS

Canada's approach to implementing its international human rights obligation has long been inadequate, hindering its ability to implement this Committee's recommendations on eliminating discrimination against women. Canada's federalist government distributes constitutional authority between two levels of government—national and provincial/territorial—which means that the responsibility for acting on any particular human rights obligation or UN recommendation may rest with one or both levels of government. This is particularly pronounced with respect to women's rights because constitutional responsibility for many areas relevant to those rights, such as healthcare, education and social assistance, lies with provincial/territorial governments.

There is no system that brings governments together in a transparent and politically accountable manner to oversee and ensure implementation of Canada's international human rights obligations and does so on the basis of meaningful engagement with Indigenous peoples and civil society. There has been no meeting of ministers responsible for human rights in the country since 1988.

### RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Convene periodic meetings of federal, provincial, and territorial ministers responsible for human rights, and initiate a process of law, policy, and institutional reform that ensures effective, transparent, and politically accountable implementation of Canada's international human rights obligations, including those relating to discrimination against women and girls.**

## II. VIOLENCE AGAINST INDIGENOUS WOMEN

Indigenous women and girls in Canada face a significantly heightened risk of being subject to violence, including murder, compared to other women and girls in the country. UN bodies and experts, including this Committee, as well as Indigenous women's organizations across Canada, have repeatedly stressed the need for a response to violence against Indigenous women and girls that is comprehensive, coordinated, and properly resourced in keeping with the scale and severity of the violence.<sup>1</sup>

One illustration of Canada's piecemeal and inadequate response to this violence is the fact that until 2014 there were no official statistics on the numbers of missing and murdered Indigenous women and girls. The Royal Canadian Mounted Police (RCMP) reported in 2015 on murders and disappearances of Indigenous women and girls in areas it serves and this data collection has since been discontinued. There are no national protocols and very little training to ensure police consistently and accurately record the Indigenous identity of victims of violent crime.<sup>2</sup>

In October 2015, Quebec's provincial police force suspended eight officers accused of abuse of power and sexual assault against Indigenous women in the town of Val-d'Or. The allegations involve women who were coerced or forced to perform sexual acts to uniformed police officers—one allegedly inside a police station.<sup>3</sup>

In November 2015, the newly-elected federal government made a commitment to convene an independent public inquiry into missing and murdered Indigenous women and girls. As of January 2016, it is unclear whether the inquiry will have the authority to examine the actions of provincial and territorial governments or police services operating under provincial or territorial jurisdictions.

### RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Ensure all allegations of police abuse of power, including violence and sexual assault, are handled by independent civilian complaints mechanisms, with sufficient support, protection, and redress provided to victims;**
- **Ensure that the independent public inquiry into missing and murdered**

<sup>1</sup> See e.g. United Nations Committee on the Elimination of Discrimination against Women, *Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* (30 March 2015) UN Doc CEDAW/C/OP.8/CAN/1; Inter-American Commission on Human Rights, *Missing and Murdered Indigenous Women in British Columbia, Canada* (21 December 2014) Doc 30/14, OEA/Ser.L/V/II.

<sup>2</sup> *Ibid.*

<sup>3</sup> Allan Woods, "Quebec Probes Alleged Police Abuse of Aboriginal Women" (23 October 2015) online: <<http://www.thestar.com/news/canada/2015/10/23/quebec-probes-police-treatment-of-aboriginal-women.html>>.

Indigenous women and girls has the authority to examine issues of due diligence, systemic discrimination, and access to justice in all jurisdictions in Canada, and leads to the adoption of a comprehensive national plan of action to address the social and economic factors placing Indigenous women and girls at risk, and to ensure appropriate and unbiased responses from police and the justice system; and

- Take immediate measures to implement outstanding recommendations from UN human rights bodies and others to address urgent and longstanding needs, including increased funding for women's shelters and other supports in Indigenous communities.

### III. VIOLENCE AGAINST WOMEN

In addition to the lack of progress in addressing staggeringly high rates of violence against Indigenous women and girls in Canada, detailed above, there has been little or no progress in reducing violence against non-Indigenous women and girls. In a recent report, the Canadian Centre for Policy Alternatives estimated that rates of physical and sexual violence against women have risen by 2.4 percent for the adult population.<sup>4</sup> The study found that “on any given day, more than 8,256 women and children will seek protection from a shelter or transition home.”<sup>5</sup>

Canada has also undermined the protection of sexual and reproductive rights in other countries in important UN fora dealing with violence against women. At the UN Human Rights Council in June 2013, Canada drafted the annual resolution on violence against women and neglected to include language adopted at the March 2013 UN Commission on the Status of Women outlining the full range of sexual and reproductive health services that should be made available to survivors of sexual violence.<sup>6</sup> In September 2013 at the UN General Assembly, Canada called for more action on early and forced marriage, and backed a United Kingdom initiative condemning sexual violence in conflict.<sup>7</sup> One week later, however, contrary to its international declarations, Canada stated publicly that it would not fund safe abortion services for rape survivors in its overseas aid projects.<sup>8</sup>

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<sup>4</sup> Kate McInturff, *The Gap in the Gender Gap: Violence Against Women in Canada* (Canadian Centre for Policy Alternatives, 2013) online: <[https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2013/07/Gap\\_in\\_Gender\\_Gap\\_VAW.pdf](https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2013/07/Gap_in_Gender_Gap_VAW.pdf)>.

<sup>5</sup> *Ibid.*

<sup>6</sup> Government of Canada, *Draft Resolution: Accelerating Efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence* (10 June 2013) online: <<http://blog.unwatch.org/wp-content/uploads/Resolution1.pdf>>.

<sup>7</sup> See Foreign Affairs, Trade and Development Canada, “Address by Minister Baird to the 68th Session of the United Nations General Assembly” (30 September 2013) online: <<http://www.international.gc.ca/media/aff/speeches-discours/2013/09/30a.aspx>>.

<sup>8</sup> See CBC News, “Canada won’t fund abortion in cases of war rape, child marriage” (4 October 2013) online: <<http://www.cbc.ca/news/politics/canada-won-t-fund-abortion-in-cases-of-war-rape-child-marriage-1.1912822>>.

## RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Develop a comprehensive national plan of action to address violence against women and girls in the country;**
- **Increase and improve data collection on incidents of violence against women and girls in Canada; and**
- **Change Canada's foreign policy stance on reproductive rights and fund safe abortions and other reproductive health services for rape survivors in its overseas development assistance.**

## IV. DISCRIMINATION ON THE BASIS OF GENDER IDENTITY

In Canada and worldwide, transgender individuals are among the most marginalized groups of women and face a heightened risk of murder, assault, and other crimes and human rights violations.<sup>9</sup> They also experience widespread discrimination with respect to employment, housing, healthcare, and other essential rights. The impact is devastating. Transgender individuals experience some of the highest levels of depression and suicide of any sector in society.<sup>10</sup> Law reform is one of the many measures needed to better protect the rights of transgender individuals. As this Committee has stated in its 2010 General Recommendation on Article 2 of the Convention, discrimination against women based on sex and gender is inextricably linked with the issue of gender identity.<sup>11</sup>

Over the past decade there have been four attempts to strengthen Canadian legal protections for transgender individuals through private members legislation. The most recent effort, Bill C-279, *An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity)*, passed in the House of Commons but stalled in the Senate in the face of opposition from a number of Senators appointed by the previous government. It did not pass before the

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<sup>9</sup> United Nations Human Rights Council, *Resolution adopted by the Human Rights Council: 17/19 Human rights, sexual orientation and gender identity*, 70th Sess, UN Doc A/HRC/RES/17/19 (14 July 2011); United Nations Human Rights Council, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity*, 19th Sess, UN Doc A/HRC/19/41 (17 November 2011) at para 1 [A/HRC/19/41]. See also Jaime M Grant, Lisa A Mottet, Justin Tanis, Jack Harrison, Jody L Herman, and Mara Keisling, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011) at 3-6; and Catherine Taylor and Tracey Peter, *Every Class in Every School: Final Report on the First National Climate Survey on Homophobia, Biphobia, and Transphobia in Canadian Schools* (Toronto: Egale Human Rights Trust, 2011) at 15-17 online: <<http://egale.ca/wp-content/uploads/2011/05/EgaleFinalReport-web.pdf>>.

<sup>10</sup> Transgender youth in Ontario face a risk of suicide and substance abuse approximately 14 times that of their heterosexual peers. Canadian Mental Health Association Ontario, "Lesbian, Gay, Bisexual & Trans People and Mental Health" online: <<http://ontario.cmha.ca/mental-health/lesbian-gay-bisexual-trans-people-and-mental-health/>>.

<sup>11</sup> United Nations Committee on the Elimination of Discrimination against Women, *General recommendation No 28: The Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women* (2010) UN Doc CEDAW/C/GC/28 at para 18.

last session of Parliament ended.<sup>12</sup> The Bill would have added gender identity to the prohibited grounds of discrimination under the *Canadian Human Rights Act* as well as the hate crime provisions in the *Criminal Code*. Given that the legislation required here is not detailed and involved, has received considerable study and review by various parliamentary committees over the past decade and has already frequently been debated in Parliament, this law could and should be adopted as a matter of priority.

## RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Pass legislation that would add gender identity and gender expression to the prohibited grounds of discrimination under the *Canadian Human Rights Act* and the hate crimes provisions of the *Criminal Code*.**

# V. SEXUAL AND REPRODUCTIVE RIGHTS

A lack of equal access to sexual and reproductive health information and services in parts of Canada creates barriers for some women in Canada—in particular those living in rural or remote regions, as well as Indigenous, new immigrant, lesbian, bisexual, transgender and intersex individuals, and women and girls with disabilities—to making informed decisions about their bodies and their lives.<sup>13</sup> According to one study, only 1/6 of hospitals in Canada provide abortion services,<sup>14</sup> the majority of which, both hospitals and free-standing sexual health clinics, are disproportionately dispersed across Canada. Most are located in urban centres, making access a challenge for people living in rural areas. The province of Prince Edward Island, in particular, has no free-standing sexual health clinic.<sup>15</sup>

Internationally, women also face restrictions, in law or in practice, on the exercise of their sexual and reproductive rights. The Muskoka Initiative on Maternal, Newborn and Child Health's focus on mothers and young children excluded services for women who are not mothers or did not wish to become mothers, and safe abortion services were not funded for sexual violence survivors and victims of early and forced marriage. In meeting its international human rights obligations, Canada should be promote and fund universal access to a comprehensive and integrated package of sexual and reproductive health information

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<sup>12</sup> 1st Sess, 41st Parl, 2013 (Second Reading in the Senate) status of Bill online: <<http://www.parl.gc.ca/LEGISInfo/BillDetails.aspx?Language=E&Mode=1&billId=6251806>>.

<sup>13</sup> MV Norman et al, "Barriers to Rural Induced Abortion Services in Canada: Findings of the British Columbia Abortion Providers Survey" (2013) 8:6 PLoS ONE.

<sup>14</sup> Jessica Shaw, *Reality Check: A Close Look at Accessing Hospital Abortion Services in Canada* (Ottawa: Canadians for Choice, 2006). According to Action Canada, while these qualitative findings have not been updated since 2006, a number of hospitals have since ceased offering abortion services, and as a result, the current picture is expected to reflect an even more significant disparity. See Action Canada for Sexual Health and Rights, *Submission to the United Nations Committee on Economic, Social and Cultural Rights* (2015) online: <<http://www.sexualhealthandrights.ca/cescr-submission-2015/>> at fn 7.

<sup>15</sup> Action Canada for Sexual Health and Rights, *Submission to the United Nations Committee on Economic, Social and Cultural Rights* (2015) online: <<http://www.sexualhealthandrights.ca/cescr-submission-2015/>> at 2.

and services, consistent with international human rights standards.

## RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Ensure equal access to sexuality and reproductive health information and services across all provinces and territories;**
- **Revise the Muskoka Initiative on Maternal, Newborn and Child Health to fund the full range of sexual and reproductive health services and reframe the program to include a gender equality perspective that extends beyond issues related only to women giving birth;**
- **Assist governments, UN agencies, and other multilateral actors to ensure universal access to a comprehensive and integrated package of sexual and reproductive health information and services, consistent with international human rights standards; and**
- **Ensure that all resolutions and positions advanced within international fora addressing the challenges faced by women and girls are rooted in a gender equality framework, which respects and promotes sexual and reproductive rights.**

## VI. MIGRANT DOMESTIC WORKERS

Migrant domestic workers are brought into Canada on terms that leave them open to exploitation and human rights violations.<sup>16</sup> No jurisdiction in Canada has adopted legislation aimed specifically at protecting the estimated 70,000 women in the country who are employed as domestic workers.<sup>17</sup> Once these workers arrive in Canada, they are wary of asserting their rights, afraid that doing so could mean losing their employment. In October 2014, Canada announced significant changes to the Live-in Caregiver Program (LCP) that did not fundamentally address the problematic provisions that leave migrant domestic workers susceptible to exploitation and abuse.<sup>18</sup>

Migrant domestic workers remain tied to their employers by their work permit, and face a wait time of several months to obtain permission to change employer.<sup>19</sup> For this reason, caregivers often feel as though they must accept poor work conditions to avoid losing their right to be legally employed in Canada. Some caregivers have reported being intimidated, threatened

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<sup>16</sup> Metcalf Foundation, "Made in Canada: How the Law Constructs Migrant Workers' Insecurity" (2012) online: <<http://www.metcalffoundation.com/stories/publications/made-in-canada-how-the-law-constructs-migrant-workers-insecurity/>>.

<sup>17</sup> Migrant Workers Alliance, "Massive "Stop Mass Deportations" sign to be delivered to Joe Oliver's office" (4 March 2015) online: <<http://www.migrantworkersalliance.org/massive-stop-mass-deportations-sign-to-be-delivered-to-joe-olivers-office/>>; Ethel Tungohan, "Migrant advocacy groups fight April 1 temporary foreign worker deportations" (30 March 2015) online: <<http://rabble.ca/news/2015/03/migrant-advocacy-groups-fight-april-1-temporary-foreign-worker-deportations>>.

<sup>18</sup> Canadian Union of Public Employees, "Fact Sheet: Temporary Foreign Workers Program and the Live-in Caregiver Program" (8 January 2015) online: <<http://cupe.ca/fact-sheet-temporary-foreign-workers-program-and-live-caregiver-program>>.

<sup>19</sup> Association des Aides Familiales du Québec, "Enjeux et Problématiques des Aides Familiales Immigrantes" (2015) online: <<http://aafq.ca/dossiers/>>.

with being fired, having their pay withheld, having their property withheld, or being punished in a variety of ways.<sup>20</sup> The new rules have also removed the guaranteed pathway to permanent residency for migrant domestic workers who complete 2 years of work over a 4-year period and imposed a limit of 5,500 individuals working as caregivers who can be granted residency each year.<sup>21</sup> The changes place limitations on the nature of the work needed to meet the 2-year requirement to be eligible for residency, among other restrictions.<sup>22</sup> Those who are not granted residency within 4 years are sent home, either because the cap has been filled or because they have failed to meet the more stringent work requirements.<sup>23</sup>

## RECOMMENDATIONS

Amnesty International recommends that Canada:

- Allow migrant domestic workers to move freely between employers by offering open work permits, thereby improving working and living conditions and rendering them less susceptible to abuse;
- Provide a guaranteed pathway to permanent residency for migrant domestic workers, including reasonable extensions to temporary visas; and
- Ensure that migrant domestic workers who experience human rights violations have effective access to justice, including legal aid.

## VII. INDIGENOUS WOMEN PRISONERS

While Indigenous men are disproportionately represented in the Canadian prison population, the disparity is even greater for Indigenous women. Indigenous women now make up more than 36 per cent of the female prison population, and the number appears to be on the rise.<sup>24</sup> Indigenous women represent about four per cent of the female population in Canada.<sup>25</sup>

<sup>20</sup> Ontario Women's Justice Network, "Rights and Protections for Live-in Caregivers under the Ontario Employment Protection for Foreign Nationals Act" (2013) online: <<http://owjn.org/>>.

<sup>21</sup> Government of Canada, "Improving Canada's Caregiver Program" (31 October 2014) online: <<http://news.gc.ca/web/article-en.do?nid=898719>>.

<sup>22</sup> The TFWP now requires that the entirety of these 24 months corresponds to one of two pathways: care of children, or care of persons with high medical needs. Under the now-defunct LCP, by contrast, a caregiver was eligible to apply for permanent residency after completing 24 months in 48 months, irrespective of the nature of the work. If a worker must change her or his pathway, the 24-month period restarts. The wait times to change employer and the possibility of restarting the 24-month count when changing pathways provide a significant deterrent to workers experiencing abuse to leave their employers, whose primary objective is to complete the requirements of the program within 48 months. The additional restrictions include education and language requirements. See Government of Canada, "Processing Applicants for the Live-In Caregiver Program" (2 October 2014) online: <<http://www.cic.gc.ca/english/resources/manuals/op/op14-eng.pdf>>; "Caregiver Program" (30 November 2014) online: <<http://www.cic.gc.ca/english/immigrate/caregivers/>>.

<sup>23</sup> Caregivers Action Centre, "Live-In Caregivers reject the conservative government's discriminatory policies" (3 September 2015) online: <<http://caregiversactioncentre.org/permanent-status-now/campaign-updates/>>; Ethel Tungohan, "Migrant advocacy groups fight April 1 temporary foreign worker deportations" (30 March 2015) online: <<http://rabble.ca/news/2015/03/migrant-advocacy-groups-fight-april-1-temporary-foreign-worker-deportations>>.

<sup>24</sup> CBC News, "Prison watchdog says more than a quarter of federal inmates are aboriginal people" (14 January 2016) online: <<http://www.cbc.ca/news/aboriginal/aboriginal-inmates-1.3403647>>.

<sup>25</sup> *Ibid.*

The enormous number of Indigenous women in prisons is rooted in the social and economic marginalization that Indigenous women and girls experience in Canadian society. In addition, the justice system lacks an understanding of the lives of indigenous women needed to effectively prepare them for release.

## RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Increase funding to support alternatives to incarceration for Indigenous women where the individual does not represent a danger to the community;**
- **Ensure that women in prison have access to programs intended to rehabilitate and prepare them for eventual release, including programs specifically intended for Indigenous women; and**
- **Provide better access to justice, including free and affordable legal aid, for Indigenous individuals and families.**

## VIII. WOMEN, PEACE, AND SECURITY

In 2004, the UN Secretary-General called on Member States to develop national implementation plans (NAPs) for Resolution 1325. Canada responded by releasing the Action Plan for Implementation of United Nations Security Resolutions on Women, Peace and Security (WPS) in October 2010. Civil society representatives have raised concerns regarding the design and implementation of the Plan. They have noted, for example, that the lack of gender perspective, unclear or lack of definition of gender equality and lack of analysis of root causes of armed conflict means that the NAP only addresses symptoms of the problem rather than addressing the systemic issues.<sup>26</sup> As Canada's current five-year commitment to comes to end on 31 March 2016, Amnesty International calls on the new government to consider what contributions Canada can make to this global agenda and put forward a new and improved NAP.

## RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Prepare a new National Action Plan that makes bold commitments for action and investments in support of Women, Peace, and Security objectives, building on lessons learned from the first generation plan through engagement with stakeholders including women's organizations, development organizations, and humanitarian agencies.**

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<sup>26</sup> Women, Peace and Security Network Canada, *Submission – Canada's National Action Plan on Women, Peace and Security and the Response from Civil Society* (27 April 2015) online: <<http://wpsn-canada.org/2015/04/27/submission-canadas-national-action-plan-on-women-peace-and-security-and-the-response-from-civil-society/>>.

## IX. LAND RIGHTS AND RESOURCE DEVELOPMENT PROJECTS

Across the country, First Nations, Inuit and Métis peoples are under increasing pressure from large-scale resource development projects and related infrastructure development on and near their traditional territories. These projects can have differing impacts for women and girls than for men and boys.<sup>27</sup> This is especially true in situations in which women and girls are more deeply engaged in traditional land use activities such as tending plant medicines or, as is often the case, have less access to the high-paying jobs and other benefits that may arise from resource development projects.

Most large-scale resource development projects in Canada rely on bringing large numbers of outside workers into the regions where resources are being extracted. This model of development often leads to greatly inflated local housing prices, and an overall higher cost of living, as well as increased demands on government services in the region. This can adversely impact those who do not have access to the high wages offered by industry, which is a situation that disproportionately affects women and their families. A growing number of studies also link the stressful work conditions and other factors associated with the conditions of temporary work camps with increased rates of violence against women when workers are off shift.<sup>28</sup> While environmental assessments in Canada are intended to weigh environmental harm against the social benefits of a proposed project, these gendered impacts are routinely ignored.<sup>29</sup>

### RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Include social, cultural, and gender impacts in the assessment and regulation of resource development projects, ensuring that Indigenous Peoples, particularly women, participate fully and effectively in those assessments; and**
- **Collaborate with Indigenous peoples to ensure recognition of land rights and title across the country, consistent with the Supreme Court of Canada's Tsilhqot'in decision and international law.**

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<sup>27</sup> See e.g. KAIROS Canada, "Gendered Impacts: Indigenous Women and Resource Extraction" (20 November 2014) online: <<http://www.kairoscanada.org/product/gendered-impacts-indigenous-women-and-resource-extraction>>.

<sup>28</sup> See e.g. Clarice Eckford & Jillian Wagg, *The Peace Project: Gender Based Analysis of Violence against Women and Girls in Fort St. John – revised*, The Fort St. John Women's Resource Society, February 2014. See also Conseil du statut de la femme Quebec, *Opinion - Women and Plan Nord: For Equality in Northern Development*, October 2012. Pauktuutit Inuit Women of Canada and University of British Columbia School of Social Work, *The Impacts of Resource Extraction on Inuit Women and Families in Qamani'tuaq, Nunavut Territory* (Report for the Canadian Women's Foundation), 2014. Janis Shandro et al., *Ten Steps Ahead: Community Health and Safety in the Nak'at'la/Stuart Lake Region During the Construction Phase of the Mount Milligan Mine*, 2014.

<sup>29</sup> See Amnesty International, "Open Letter to Justin Trudeau and Christy Clark : Site C Dam and the Human Rights of Indigenous Peoples in the Peace Valley" (18 November 2015) online: <<http://www.amnesty.ca/sites/amnesty/files/2015.11.18%20TG%20AMR%202029022015%20open%20Letter%20to%20PM%20Canada%20and%20Premier%20of%20BC.pdf>>.

## X. MAXIMUM AVAILABLE RESOURCES

Supporting research, advocacy and other programs to address persistent gender inequalities and promote the empowerment of women and girls is critical to making progress towards gender equality. Status of Women funding for research and advocacy in Canada ended in 2006, and was followed by extensive funding cuts, which led to the closing of 12 out of 16 regional Status of Women offices. These cuts have substantially undermined the ability and capacity of civil society groups to engage in research and advocacy focused on promoting women's equality.<sup>30</sup>

In the province of Quebec, in particular, planned austerity measures threaten to reduce access to essential public services that will have a detrimental impact on women's rights. The Quebec government intends to cut public spending in the areas of health care and education, as well as to a key program devoted to improving women's welfare and position in society, which runs the risk of reinforcing gender inequality.<sup>31</sup> A recent study shows that these types of cuts disproportionately impact women.<sup>32</sup>

### RECOMMENDATIONS

Amnesty International recommends that Canada:

- **Ensure all policy and programming decisions, including with regard to proposals brought before Cabinet, include comprehensive gender analysis, and particularly potential impacts on women's rights;**
- **Restore Status of Women funding rules to support research and advocacy with respect to women's human rights and provide sufficient resources to ensure Status of Women offices are present across the country; and**
- **Ensure that all provinces investigate the gendered implications of funding policies in the development of annual budgets and the extent to which austerity policies disproportionately impact women's rights, and make revisions where the effect is to perpetuate systematic discrimination against women.**

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<sup>30</sup> The revised funding rules and closure of Status of Women offices attracted the concern of the UN Committee on the Elimination of Discrimination against Women at the time of its last review of Canada's record. United Nations Committee on the Elimination of Discrimination against Women, *Concluding observations with respect to Canada* (7 November 2008) UN Doc CEDAW/C/CAN/CO/7 at paras 25-28. See also Voices-Voix, "Status of Women Canada" (27 September 2012) online: <<http://voices-voix.ca/en/facts/profile/status-women-canada>>.

<sup>31</sup> Geoffrey Vendeville, "Quebec slashes budget for improving women's status" (26 March 2015) online: Montreal Gazette <<http://montrealgazette.com/news/quebec/quebec-slashes-budget-for-improving-womens-status>>.

<sup>32</sup> Simon Tremblay-Pepin & Eve-Lyne Couturier, "Les mesures d'austérité et les femmes: analyse des documents budgétaires depuis novembre 2008" (2 March 2015) online: IRIS <<http://iris-recherche.qc.ca/publications/austerite-femmes>>.



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