

**UN QUESTIONNAIRE TO GOVERNMENTS  
ON IMPLEMENTATION OF THE BEIJING PLATFORM FOR ACTION (1995)  
AND  
THE OUTCOME OF THE TWENTY-THIRD  
SPECIAL SESSION OF THE GENERAL ASSEMBLY (2000)**

**CANADA'S RESPONSE  
June 2004**

**INTRODUCTION**

The present response to the United Nations (UN) questionnaire is the 2<sup>nd</sup> report submitted by Canada on the implementation of the Beijing Platform for Action (BPfA) (1995) and the Outcome of the 23<sup>rd</sup> Special Session of the General Assembly (2000). Canada's 1<sup>st</sup> national response to the questionnaire submitted in 2000 contained detailed information on measures adopted in Canada in support of the implementation of the BPfA. This report has been prepared as an update and contains information on measures adopted since 2000.

In response to the methodological note of the Secretary General, efforts have been made to keep this report at a requested length. Additional details on the situation of women in Canada can be found in other reports to the UN, in particular, Canada's 5<sup>th</sup> Report on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), (CEDAW/C/CAN/5) as well as the advance report prepared for Canada's presentation before the CEDAW Committee (CEDAW/C/CAN/5/Add.1).

## Part 1

Canada's progress in implementing the Beijing agreements reflects the context of our country, which is diverse in many respects. Its population is spread across a vast geography, with regional differences in language, economic base and demography. It has large rural areas and densely populated urban centres. It is a multicultural, multiethnic and multiracial society where Aboriginal Peoples hold a unique and important role in Canadian society. Canadian women, men, and children live in a growing and dynamic variety of family arrangements. Canada's economy is evolving and presenting new opportunities and challenges.

Canada is a federal state comprised of ten provinces and three territories. Under Canada's constitutional structure, different aspects of the critical areas of concern of the BPfA fall within the jurisdiction of the different levels of government. Canada has a clear legal foundation for gender equality in its *Charter of Rights and Freedoms*. In addition, the federal and all provincial and territorial governments have adopted human rights legislation that prohibits discrimination based on such characteristics as race, nationality and ethnic background, colour, sex and disability.

At the time of the World Conference on Women in Beijing, Canada developed a national plan to advance the situation of women, both within its own borders and globally. The *Federal Plan for Gender Equality* (FPGE), presented in 1995, is both a statement of commitments and a framework for the future, representing a collaborative initiative of 24 federal departments and agencies. This Plan presented eight key objectives, all linked to the twelve critical areas in the BPfA. Most importantly, it set a long-term goal of undertaking gender-based analysis (GBA) to ensure that all future legislation and policies would include, where appropriate, an analysis of the potential for different impacts on women and men. The commitment to GBA included the development and application of tools and methodologies; the development and delivery of GBA training; the development of indicators to assess the progress made toward gender equality; the collection and use of gender-disaggregated data as appropriate; the use of gender-sensitive language throughout the federal government; and the evaluation of the effectiveness of the gender analysis process.

Also at that time, provincial and territorial governments were placing increased emphasis on the need for gender analysis. Some also had policies in place and/or their own action plans for promoting/advancing women's equality.

The year 1995, however, was also one of significant change in public policy in Canada. There was increasing concern about the long-term sustainability of fundamental social programs and governments over a number of years imposed increasingly tight limits on spending. The federal *Budget Act*, introduced in 1995, placed an immediate focus on program reduction and fiscal responsibility, making implementation of some policy commitments made under the BPfA a challenge. Stronger gender analysis capacity at that time may have altered some of the specific budget decisions, but would ultimately not have changed the need for stringent measures.

Since 1997, our economy has improved and governments have renewed investments for a stronger long-term social policy agenda, including in areas related to the Millennium Development Goals (MDGs), such as child benefits for low-income families, child support, supports for early childhood care and education, post-secondary education, and the public health care system. Part 2 of this report provides more information on many of these achievements from 1997 to the present. Some of these initiatives are part of long-term investment plans and the future plans in these areas are found in Part 4.

It is also important to note here that while Canada does not have a specific gender and budget initiative, GBA policy does apply to the development of policies that are reflected in budgets. Monitoring reports as well as other information are available and show the impacts of policies and programs on Canadian women, men and children.

In 2000, the federal government built on the previous FPGE by approving the Agenda for Gender Equality (AGE), a five-year government-wide strategy with the following components:

- Engendering policy and program initiatives within a new policy framework, and communicating how these initiatives support both women and men, in a more coherent, deliberate and visible way;
- Accelerating implementation of GBA in order to strengthen government policy capacity;
- Enhancing voluntary sector capacity, including funding for new organizations and for the purpose of addressing new and emerging issues;
- Engaging Canadians in the policy process in a sustained, structured manner that will enable women's experience and perspectives to inform current issues on the public policy agenda and planning for the future;
- Meeting Canada's international commitments and treaty obligations.

Canada is proud of its achievements, which are described in parts 2 and 3. Overall, we recognize that there has been progress in areas such as GBA capacity-building and some major policy achievements; however, we still face challenges to mainstream and institutionalize the application of gender equality objectives, analyses and processes in the work of governments.

The Canadian policy development process related to equality between women and men, has also been influenced by CEDAW. In particular, the importance of the Convention for Canadian civil society has become more evident since Canada's 2003 presentation of its Fifth Report to the CEDAW Committee. This is attributable, in part, to the active engagement of women's and equality-seeking non-governmental organizations (NGOs). It is having a greater impact in discussions about future initiatives, particularly with respect to poverty among women, the situation of Aboriginal women and issues of government machinery and accountability mechanisms for gender equality. The 2004 Speech from the Throne reinforced the Government of Canada's commitment to gender equality for the future as an essential part of strengthening Canada's social foundations.

### **The situation of Women in Canada**

Trends in the population show that women's situation overall reflects continuing improvement in many areas such as income and education and some challenges in others, such as the wage gap or the unequal distribution of unpaid work. For example, while women's earnings and incomes are steadily improving relative to men's, there are still significant gaps. A gender equality index for after tax (disposable) income shows increases in women's income from 59% of men's in 1991 to 63% in 2001. This reflects the continuing positive impact of transfers from government programs that support children as they are growing up and adults during periods of unemployment, illness, disability, maternity and dependant care demands. It also reflects the gender equality effects of progressive taxation and, most significantly, increases in women's paid work. The low-income rate among women in Canada has markedly decreased in recent years, from 14.8% in 1996 to 10.1% in 2002.

Time use surveys show that the gap in the division of paid and unpaid work between women and men is narrowing, reflecting, in particular, increases in the amount of time women spend in paid work. More women have entered the labour force as well. In 2003, 61.6% of women were in the paid labour

force compared to 73,6% for men. Women are still largely responsible for unpaid work activities in the home. In 2001, about 21% of women devoted 30 hours and more, per week, to unpaid household work compared to 8% for men.

Women have made tremendous strides in terms of educational attainment, accounting for 56.4% of all university enrolment in 2001, and are making inroads into male dominated fields. There is solid data showing both similarities with men and differences in women's health status, including population/health indicators. Women are having fewer children and at later ages, overall our population is aging. Violence against women shows some signs of improvement but is still prevalent.

Inside the aggregate information, however, there are patterns of particular difficulties for some groups of women, such as lone-parents, senior women living alone and Aboriginal women. They indicate particular gaps or challenges for some women concerning health, education, employment and other areas covered in the Beijing documents. Factors such as age, race, ethnicity, immigrant status and Aboriginal heritage have significant effects on women's economic status. For example, in 2000, 38% of Aboriginal women and 27 % of immigrant women were in low-income situations. In 2000, 35.1% of lone mothers were in low-income situations. Aboriginal lone parents face even higher rates, a particular concern, as Aboriginal birth rates are higher and the population younger than among the non-Aboriginal population.

An assessment of these trends and patterns has been, and will continue to be important in identifying gaps and areas for future work on gender equality, with greater attention to diversity among women and those who face the greatest challenges.

## Part 2

In the Canadian context, many of the critical areas of concern are interconnected rather than treated separately. For example, measures related to the girl child are often integrated into our work on children or on specific thematic issues, such as poverty or violence. The following report is structured in a way that reflects priorities within Canada. We have provided an overview of Government of Canada initiatives that affect women across Canada as well as some examples from the wide range of programs of provincial and territorial jurisdictions, many of which may be comparable but adapted to specific circumstances. We have focused on developments that are new or that build on existing policies, programs and legislation. For more comprehensive information, we invite readers to consult Canada's detailed reports under CEDAW or to visit federal, provincial and territorial government websites for specific program information.

### **1. WOMEN AND POVERTY / WOMEN AND THE ECONOMY / WOMEN AND ENVIRONMENT**

Poverty reduction efforts are viewed as part of, not separate from, efforts to improve the economic well-being of women generally. Economic autonomy enables women to provide for themselves and their families, reducing the risk of poverty. Recognizing the strong links between children's and women economic well-being and the importance of early childhood development, providing support for families with children, especially low-income families, has been a priority.

**Parental Leave and Benefits** - In 2000, the Government of Canada amended the *Employment Insurance Act* (EI) to extend parental benefits from 10 weeks to 35 weeks, resulting in a combined maternity/parental benefit period of one year. In addition, to improve flexibility, the second two-week waiting period, normally served by fathers claiming parental benefits, was dropped. Parents are also now allowed to work while receiving benefits, a change expected to help mothers make a gradual return to the workplace, if they so choose. Initial results showed that there was a substantial increase in the number of employed parents staying at home with their newborns. About 211,000 parents accessed benefits in 2001/02 compared to almost 180,000 in 2000/01, an increase of close to 18%. About 90% of new parental claims were for women. However, parental claims by men increased by almost 80% from 13,000 in 2000/01 to 23,120 in 2001/02, showing that the new rules gave fathers greater opportunity to share the caregiver role during the first year of the child's life.

The success of this initiative is also due to the fact that all jurisdictions in Canada amended their labour legislation to enable parents to take advantage of the longer parental benefit period and still maintain job protection.

To respond to situations where a child is hospitalized during parental leave, in 2002 the parental benefit period was increased by the number of weeks of hospitalization, up to a maximum of 104 weeks. As well, maximum benefits for parents claiming a combination of maternity, parental and sickness benefits for themselves was extended from 50 to 65 weeks.

**Child Benefits** - In 1998, the federal government introduced the Canada Child Tax Benefit (CCTB), which was comprised of the former Child Tax Benefit and a new National Child Benefit Supplement, to provide additional monthly benefits to low-income families with children. The National Child Benefit Supplement is the federal contribution to the federal, provincial, territorial National Child

Benefit (NCB) initiative. The NCB initiative, launched in 1998, also includes a First Nations component. As the federal government increases the NCB Supplement, provinces, territories and First Nations reinvest their savings into other benefits and services for low-income families with children, in ways that best meet their needs, such as earned income supplements, childcare, early childhood and children-at-risk services, and supplementary health benefits. Several provinces are assisting low-income families through their own income support programs. For example, the Saskatchewan Employment Supplement helps low-income parents, who are mostly women, with child-related costs of working.

In 2002-2003, the CCTB provided \$8.1B to 3.2 million families with 5.7 million children, or more than 80% of families with children. This includes an estimated \$2.5B in the NCB Supplement, provided to about 1.5M families with 2.7 million children, or 40% of families with children. Provinces, territories and First Nations reinvested approximately \$777M in additional benefits and services. A progress report in 2002 estimated that as a result of the NCB, approximately 55,000 children in 22,900 families were no longer living in a low-income situation, representing 5.1% fewer low-income families, with a higher average annual disposable income of almost \$1,800 or 7.5%<sup>1</sup>. The NCB Supplement was increased in July 2003 and further increases are planned for July 2005 and July 2006.

**Child Support** - A 2002 report of Child Support Guidelines introduced in 1997, indicates that child support amounts are fairer, more predictable and consistent, ensuring that children receive the financial support they need from both their divorcing parents. They have reduced conflict, tension and potential power imbalance between parents by making the calculation of child support more objective. This, in turn, has improved the efficiency of the legal process, as most parents are now setting child support amounts without going to court.

**Child Care** - In 1997, the Government of Quebec adopted, as part of its family policy, measures providing for the introduction of a low-cost day care service network. Since then, the number of available day care spaces has increased from 82,302 in 1997- 1998 to 146,600 in 2001-2002, offered to parents at a cost as low as \$7 a day.

In 2000, federal, provincial and territorial governments reached an Early Childhood Development (ECD) Agreement, including a federal transfer of \$500 M per year in support of a range of ECD initiatives. In 2003, a Multilateral Framework on Early Learning and Child Care was approved to specifically support early learning and childcare, including a federal contribution of \$1.059B over 5 years. Also in 2003, the federally funded First Nations and Inuit Child Care initiative and Aboriginal Head Start programs provided over 17,500 early learning and childcare spaces for children in Aboriginal communities.

**Other Caregiving Measures** - In 1998, a new caregiver tax credit was introduced for individuals residing with and providing in-home care for a low-income parent, grandparent or infirm, dependant relative. It provides approximately \$120M in tax assistance to about 450,000 caregivers.

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<sup>1</sup> *The low-income gap is the gap between a family's income and Statistics Canada's Low-Income Cut-Offs (LICOs). Although the LICOs are not official poverty lines, they are a widely used relative low-income measure that takes into account family size and the size of the city or rural area in which people reside.*

Since January 2004, six weeks of EI Compassionate Care benefits are available to enable eligible workers to take a temporary absence from work to provide care or support to a child, parent, spouse or common-law partner who has a serious medical condition with a significant risk of death within six months. Eight weeks of job protection for compassionate leave are provided for federally regulated employees. Six provinces and two territories also provide protection and over the coming year, it is expected that other jurisdictions will introduce similar changes.

**Work and Family Supports** - The Family Supplement (FS) provides additional help to low-income families in receipt of EI benefits by increasing their benefit rate from 55% to a maximum of 80%. Results show that 187,320 clients received 14% higher weekly benefits through the FS in 2001-02.

In 2000, EI amendments made it easier for parents returning to the workforce after an extended absence caring for children to qualify for regular benefits if they lose their jobs. Given that the duration of interruptions from the labour market is on average three times longer (4.5 years) for women than for men, women are more likely to benefit from the re-entrant parent provision. Due to other EI changes in 2001 and 2003, weeks with income lower than \$225 (“small weeks”) are now excluded from the calculation of EI entitlements, providing Canadians with an average \$14 weekly benefit increase. Women represented 60% of beneficiaries of this provision in 2001-02.

In 2001, the definition of “immediate family” in the *Canada Labour Code* was expanded to allow bereavement leave for an employee's grandparents and grandchildren and the children of an employee's partner. As of 2004, eight provinces provided short-term leave without pay (ranging from three to 12 days per year, depending on jurisdiction) to allow employees to meet family obligations, a dramatic increase from 1995 when only three provinces had such provisions.

**Employment Measures** – In addition to income support, the EI program also contains active re-employment programs to help unemployed Canadians obtain work experience, improve skills, or start new businesses and to encourage employers to provide opportunities for work experience. In 2001/02, women participated in almost 45% of interventions delivered, close to their representation of the employed in Canada. Women were more likely to take part in short- rather than long-term interventions: 48% compared to 44% when apprentices (where the participation of women and men is historically quite different) are removed from the analysis of long-term interventions

In 2000, New Brunswick amended its *Employment Standards Act* to allow the three-day family responsibility leave per year. This is particularly important to single parents, majority of whom are women. In addition, a minimum reporting wage, or “call-in” pay, has become a requirement to ensure low-wage earners do not incur a “net cost” (i.e. transportation, child care costs) to go to work.

In 2003, a federal Task Force on Women Entrepreneurs report resulted in a number of government commitments, such as the creation of a national Women’s Economic Forum, the development and planning of an Aboriginal Women’s Business Planning Guide entitled *Journey to Success*, and a new Canadian Women’s Innovation Award. Provinces and territories also provide supports. For example, in Saskatchewan, the Small Business Loans Association Program has provided over \$11M in loans to women business owners and entrepreneurs since it commenced in 1989.

In 2004, the federal Aboriginal Human Resources Development Strategy (AHRDS) was renewed until 2009. Introduced in 1999 as a five-year initiative to help Aboriginal people prepare for, find, get and keep jobs, it has directly helped 58,044 clients find jobs and served close to 170,000 people through 255,341 interventions between 1999-2003. The AHRDS directly targets Aboriginal women through a

childcare component that has created over 7,500 childcare spaces and over 1,000 caregiving jobs to date.

Several provinces also have specific Aboriginal employment programs. For example, through the Aboriginal Employment Development Program, Saskatchewan has signed a number of partnership agreements, linking employers to the Aboriginal community and emphasizing hiring based on merit, removing barriers to employment, improving Aboriginal retention rates, and identifying and developing business opportunities. Another program prepares Aboriginal candidates for work in the public service where, since 2001, 88% of the interns have been women.

Canada is also working to ensure immigrant women and men are better enabled to successfully integrate into the labour market and other aspects of life in Canada. Efforts are being made to simplify processes for the recognition of foreign credentials, to provide additional language training appropriate to labour market needs, and to provide immigrants with comprehensive information on occupational requirements.

The federal Youth Employment Strategy (YES) helps young people, particularly those facing barriers to employment, to make a successful transition to the workplace. Programs are delivered by community organizations and employers and some focus particularly on young women, such as a project providing "at risk" female participants with introductions to carpentry and other trades, along with work experience and guest panels of employers and tradeswomen. The First Nations and Inuit Youth Employment Strategy (FNIYES) has recently been refocused to emphasize the importance of education to effective labour market participation and to enhance employability skills.

**Pay Equity** - The federal government and most provincial and territorial governments have adopted pay equity laws or policies. For example, thanks to the *Pay Equity Act (1996)*, in Quebec, pay equity applies in both the public and private sector in any business with ten employees or more. Specific obligations are set out according to the size of the company. Almost one third of businesses that have already implemented pay equity have paid out an average of 8.1% in adjustments. At the federal level, a task force created to look at potential for improvements to pay equity measures has just released its report.

**Employment Equity** - Strengthened federal legislation covering women, persons with disabilities, members of visible minorities and Aboriginal people, that came into force in 1996 gave the Canadian Human Rights Commission the authority to conduct audits and gain compliance among federally-regulated employers. As of March 31, 2002, 78 employers had been found in compliance although only eight had complied at the end of the initial audit. Of the remaining employers, the majority signed undertakings to reach compliance.

In the federal Public Service, as of 2003, women accounted for 52.8% of employees overall, 40.3% of the scientific and professional categories, and 33.8% of the executive category (up from 30% in 2001). Despite some progress for all designated groups, however, visible minorities are still significantly under-represented. A Task Force to address this issue reported in 2000 and the government has endorsed the report and will continue to move forward to achieve progress in visible minority representation. A benchmark of 1 in 5 by 2003 was set for external recruitment of visible minorities into the Public Service as a whole, and the same benchmark will be used until 2005 for executive appointments.



**Pensions** - Public pensions have been essential in reducing poverty among elderly women. The Canada and Quebec Pension Plans (C/QPP) cover workers in all jurisdictions and provide retirement, survivor and disability benefits. They include provisions to help protect a contributor's benefits from periods of low or no earnings, including periods raising young children, credit-splitting and full indexation of benefits, features seldom available in private plans. The percentage of senior women who obtained part of their income from the C/QPP increased from 61.9% to 77.6% between 1990 and 1999. And in 2003, 86% of women received CPP Survivors benefits compared to 14% of men. Other components of Canada's retirement income system provide assistance to those with little or no other income and are particularly important for women, who comprise 65% of guaranteed income recipients.

The other key component of Canada's retirement income system, the Old Age Security program, (OAS), includes support to low-income women, particularly through the Guaranteed Income Supplement (GIS) and the Allowance. These programs are instrumental in improving the financial security of women by providing assistance to those with little or no other retirement income and are particularly important for women, who comprise 65% of GIS recipients and 91% of Allowance recipients.

As a result of changes to public pensions in 2000, same-sex common-law partners now have the same benefits and obligations as opposite-sex common-law partners. This positively impacts surviving women in same-sex relationships in that they can now receive survivors and other low-income benefits that were previously unavailable.

**Environmental Reviews** - In 2001, Newfoundland and Labrador included gender-based analysis as part of its formal government-wide environmental assessment review process that involves a combined federal/provincial assessment. It is the only province in Canada to do so and this requirement has meant that offshore oil development and mining projects, for example, must implement equity and women's employment plans. The province has found that having this tool that commits major economic development programs to include the needs of women is reducing women's poverty, ensuring far more training and education opportunities for women in non-traditional occupations, and providing greater economic security for communities and residents.

## 2. EDUCATION AND TRAINING OF WOMEN

**Post-Secondary Education** - In all jurisdictions, assistance is available for those who need help in financing their studies. For example, the Canada Student Loans Program ensures access for more than 350,000 students each year and is recognized by the Organisation of Economic Cooperation and Development (OECD) as one of the most effective systems in the world; about 58% of borrowers are women. Recent improvements include increasing loan limits; provisions to address childcare costs; broadening eligible expenses to include new essentials, such as computers; creating a new first year grant for students from low income families and a new annual grant for students with permanent disabilities; measures to help students who have repayment difficulties; allowing students to earn more while they learn; and allowing Protected Persons, including Convention Refugees, to apply. These improvements will further help women, many of whom study part-time and earn less than their male counterparts. Since 2000, the federal government has also provided scholarships to over 100,000 students annually through an endowment fund of \$2.5 billion. This initiative helps students who demonstrate high levels of need and merit in accessing post-secondary education. Female lone-parents benefit greatly from these scholarships. Other measures help many families start saving early for their child's education, including a new "learning bond" for every child born to a low-income family.

**First Nations Education** – The United Nations (UN) Human Development Index clearly shows that education is a key contributor to First Nations women in closing the gap with the rest of Canadian society in terms of socio-economic well-being. In 2001, 5.3% of Aboriginal women had a university degree, compared with 15% of non-Aboriginal women. However, some improvement has been observed. In particular, Aboriginal women have moved ahead of Aboriginal men, as two-thirds of Aboriginal post-secondary education graduates are women.

In 2002, a National Working Group (WG) on Education was appointed and of the 13 Aboriginal expert members, six were women. The WG was tasked to research and provide advice on how to better foster excellence in First Nations education, celebrate some of the successes achieved and help narrow the gap in academic results between First Nations students and other Canadian students. That year the WG submitted its final report with a focus on on-reserve education but, given the high percentage of First Nation students attending provincial schools, it also addresses the needs of First Nation students in those schools. The report contains 27 recommendations that are intended to facilitate the establishment of a high-quality First Nation education system, grounded in indigenous knowledge.

**Immigrant and Refugee Education and Training** - Canada provides funding for immigrant settlement and integration programs, including basic language instruction for adult immigrants and refugees. Measures have been taken to ensure women's access to adult literacy and language instruction classes by providing components such as child minding, flexible hours of instruction and a transportation allowance.

### 3. WOMEN AND HEALTH

Women are frequent users of health care services; they represent 80% of health care professionals in Canada and are often informal caregivers for family members. It is, therefore, important for the health system to monitor and address gender as a key determinant of health and assess how women may be affected differently by various programs and policies.

**Research** - The Women's Health Contribution Program, established in 1996, funds four Centres of Excellence, the Canadian Women's Health Network and other initiatives, such as working groups. Using strong community participation, the central aim of the Program is to inform the policy process and narrow the knowledge gap concerning women, gender and health determinants. In 2002, Canada launched the Women's Health Indicators project, a research initiative that takes gender and diversity into account to more accurately measure and monitor changes in women's health status/outcomes. The 2003 Women's Health Surveillance Report provides information and statistics on determinants of health, health status and outcomes for women and includes, as a key objective, supporting the development of health policy, public health programs and interventions to improve the health of Canadian women.

**Sexual and Reproductive Health and HIV/AIDS** - Sexual and reproductive health is an area of importance, particularly given the high rates of sexually transmitted infections (STIs) observed over the last five years and the potential long-term health consequences especially for women. Part of the strategic process involves providing those working in the field with research and surveillance information, as well as various learning tools upon which to build effective preventive measures, policy and services. For example, one study provides valuable insight into youth's knowledge, attitudes and behaviours with respect to HIV/AIDS and determinants of sexual health, another

addresses marginalized youth at risk. The Enhanced Surveillance of Canadian Street Youth Program, for youth aged 15-24, continues to monitor and analyze trends in sexual health and risk behaviours.

As a measure of improving access and reducing barriers, , some provinces, such as British Columbia, Saskatchewan and Quebec, have enacted legislative changes allowing pharmacists in those provinces to prescribe emergency contraception. Furthermore, in 2004, Canada moved forward to allow access to levonorgestrel -- known as the "morning after pill" -- without a doctor's prescription. The measure would mean more timely access to emergency contraceptives for women who need them.

Since 1998, the Canadian Strategy on HIV/AIDS (CSHA) has provided stable, ongoing funding of \$42.2 million annually to address the HIV/AIDS epidemic in Canada. Canada recently announced that funding for the CSHA would double to \$84.4 million annually by 2008-09. Through the CSHA there have been several initiatives related to gender and HIV/AIDS, including research on perinatal HIV transmission and microbicides and resource materials for survivors of sexual assault and service providers. The CSHA also provides funding through the AIDS Community Action Program to support local and regional projects, many of which are focussed on women.

In recent years, an increase in the HIV/AIDS epidemic has been observed in some Aboriginal communities, particularly those in inner-cities. Aboriginal women represent nearly half (45.3%) of all positive HIV test reports among Aboriginal persons, compared to non-Aboriginal women that represent 19.9% of reports for non-Aboriginal persons. Federal support is provided to the activities of the Pauktuutit Inuit Women's Association in the areas of HIV education, prevention, care, treatment and support of Inuit women.

The Canada Prenatal Nutrition Program (CPNP) funds community groups to develop or enhance programs for pregnant women living in conditions of risk. It is estimated that 60% of low-income pregnant women and over 40% of teens who deliver live births participate in CPNP. British Columbia's Sheway Project is one provincial example that supports pregnant and parenting women living in high-risk conditions since 1993.

Since 1999, Nunavut, where the population is 85% Aboriginal, is increasingly focused on maternal and child health services in Aboriginal communities, such as establishment of regular well-women and well-baby health clinics, increased screening for breast cancer and post diagnostic support services, incorporation of traditional Inuit midwifery practices, and promotion of traditional Inuit diets for healthy living.

**Breast Cancer** - Since 1993, breast cancer incidence rates have stabilized in Canada and mortality rates have declined steadily since 1990, with the lowest mortality rates occurring in the two provinces with the most extensive participation in organized screening programs. Since 1998, breast cancer stakeholders have collaborated to produce pan-Canadian guidelines, measures and targets, regular reports, support for community groups and networks and education resources for women and health care providers.

**Aboriginal Health** - Since 1999, federal health programs have been initiated in over 600 Aboriginal communities, many targeted to youth and caregivers and involving many Aboriginal women. Linkages have been made to the CPNP in many regions to increase awareness of and provide education about gestational diabetes. Other Aboriginal health initiatives address early childhood development, mental health support for those affected by former Indian residential schools, healthy community development and alcohol and drug abuse.

Because Aboriginal people are disproportionately affected by STIs and Aboriginal women are at greater risk for developing cervical cancer, a new initiative is exploring ways to obtain better estimates of cervical cancer among First Nations and Inuit women as well as possibilities for improving access to cancer screening services in remote and isolated communities. In a federal initiative, STI data from British Columbia, Alberta, and Yukon Territory for the years 1994-2000 related to Aboriginal people has been analysed and reported back to the communities to empower those serving the Aboriginal population to raise awareness and to lobby for targeted programs and services.

**Diabetes** - Over 2 million Canadians have diabetes and among First Nations people, the prevalence is three to five times the national average. Gestational diabetes affects women with varying severity during pregnancy and while about 3-5% of women in the general North American population are affected, the rates for Aboriginal women range from 3.2% to as high as 14.5%. Under the Canadian Diabetes Strategy, the Government of Canada allocated \$115 million dollars over five years (1999 - 2004) to develop measures needed to prevent, control and combat diabetes, with \$58 million of this funding allocated to the Aboriginal Diabetes Initiative.

**Tobacco Control** – Canada signed the Framework Convention on Tobacco Control in 2003, which sets minimum standards for domestic tobacco control initiatives, and provides a framework for international co-operation. It promotes the full participation of women at all levels of policy-making and implementation and highlights the need for gender-specific tobacco control strategies.

#### 4. VIOLENCE AGAINST WOMEN

In 2002, Federal-Provincial-Territorial (FPT) Ministers Responsible for the Status of Women released a report entitled *Assessing Violence Against Women: A Statistical Profile*, which indicated that the incidence and even the severity of spousal violence against women appears to have declined slightly over the past decade, which may be the result of several factors, including increased confidence in the administration of the criminal justice system (more reports to police), reduced societal tolerance for spousal violence and the increased availability of shelters (from 18 in 1975 to 524 in 2002) and other needed services. In 2003, Ministers placed priority attention on the circumstances of Aboriginal women both on- and off-reserve, with violence as one of the priorities, and agreed to develop a plan of action to guide their work in this important area. Status of Women Canada, as part of its contribution, has allocated its share of Family Violence Initiative (FVI) of \$1M over four years to national initiatives by Aboriginal women's organizations (see Family Violence section below).

Canada also works actively at the UN Commission on Human Rights (UNCHR), the UN General Assembly (GA) and the UN Commission on the Status of Women (UNCSW) to support resolutions and participate in negotiations on agreements calling for the elimination of violence against women.

**Legal Measures** – In 2001, a review of the national pro-charging and pro-prosecution policies for spousal abuse was undertaken at the direction of FPT Ministers Responsible for Justice. The resulting 2003 report assessed criminal justice measures undertaken during the preceding 20 years and identified three key objectives for responding to spousal abuse: criminalizing spousal abuse, promoting the safety and security of the victim; and maintaining confidence in the administration of justice. The report recommended the retention of pro-charging and pro-prosecution policies in spousal abuse cases as well as the development and enhancement of supporting programs, services and structures.

Eight provinces and territories have implemented civil domestic violence legislation that provides avenues of support for victims of intimate domestic violence in addition to protections offered under the *Criminal Code of Canada*. Several jurisdictions have also created Domestic Violence Courts, which provide a range of specialized services, such as advocacy and support for women and children, expedited court processing, better victim cooperation and support, translation services, greater conviction rates and appropriate sentencing, including treatment for abusers.

Criminal law reforms initiated since 2001, include measures to create a new offence of voyeurism, and stronger child pornography provisions. There is also increased protection to children from sexual exploitation through the creation of new offences to target criminals who use the Internet to lure and exploit children or who transmit, make available, export or intentionally access child pornography. In addition, reforms were made to help ensure that participating in the criminal justice system is less traumatic for the victim or witness.

The regulations supporting the *Immigration and Refugee Protection Act (IRPA)* address key areas to better protect women from violence. A sponsorship bar against sponsors in the Family Class exists where they have been found guilty of criminal convictions for offences related to bodily harm or the threat of bodily harm in the context of the family, including common-law and conjugal partners. A sponsorship bar also exists for those with criminal convictions related to crimes of a sexual nature, or an attempt or threat to commit such an offence against anyone. The federal government also provides information to immigrants and refugees emphasizing that there are laws in place to protect women from violence and abuse. Funding is also available to immigrant and refugee service providing agencies for referral to existing services in the community.

In addressing trafficking in persons and migrant smuggling, *IRPA* includes new offences with penalties of up to life imprisonment and fines up to \$1M. In accordance with the Trafficking Protocol, sentencing considerations include the presence of aggravating circumstances, such as physical harm, degrading treatment, sexual exploitation, etc. suffered by the trafficked person. Victims of trafficking may request permanent resident status in Canada based on humanitarian and compassionate considerations. There may also be situations where a trafficking victim may seek protection in Canada as a refugee.

**Family Violence** - The first five-year report of the current federal Family Violence Initiative (FVI) completed in 2002, described progress achieved and affirmed the need to continue the course. The FVI aims to promote public awareness of the risk factors of family violence and the need for public involvement in responding to the problem; to strengthen the ability of the criminal justice, health and housing systems to respond; and to support efforts to identify effective interventions. The FVI continues to make significant advances in enhancing the national capacity for policy-relevant data collection and analysis as well as research and evaluation. As a result, policy-makers, researchers and community groups are better equipped with timely information to support action.

Through the FVI, in its earlier phase, a national network of five Research Centres was established. Since 1997, they have operated as an "Alliance", conducting policy-relevant, participatory action research, and are affiliated with over 600 government and community agencies across the country. In 2002, the "Alliance" hosted a National Roundtable on Violence Prevention and the Girl Child and launched its report entitled *In the Best Interests of the Girl Child*, which includes recommendations for governments, research, education, health service providers, media, and programs and service delivery.

Aboriginal women experience higher levels of spousal violence, compared with non-Aboriginal women. According to the 1999 General Social Survey, Aboriginal women were three times more likely than non-Aboriginal women to report having been assaulted by a current or former spouse. The FVI supported Aboriginal communities (on- and off-reserve) in their efforts to address family violence issues through a variety of means, including the use of holistic approaches that emphasized — among other things — the importance of teaching traditional values, culture and practices. Between 1989 and 1998, construction of shelters in Aboriginal communities expanded. In 1999/2000, 63% of shelters for abused women in Canada reported they provided culturally sensitive services for Aboriginal women.

**Services** – A wide range of services and supports are provided by all provincial and territorial governments. Saskatchewan, for example, implemented a *Child Abuse Protocol* in 1995 and it continues to implement and evaluate its strategy on the sexual exploitation of children and youth, the majority of whom are female.

Ontario has a \$5M Early Intervention Program for Child Witnesses of Domestic Violence to help children recover from the effects of witnessing violence and deal with the trauma they have experienced. Approximately 131 support groups have been established through this program since its inception in 2000. In 2002/03, the program supported 6,320 children and 2,547 mothers. In addition, the Early Childhood Educator Training program assists childcare workers to develop their ability to identify situations of abuse and respond appropriately. Survey results indicate that over 75% of participants who completed the training felt it had a high degree of utility for their work.

In British Columbia, the Children Who Witness Abuse Program provides individual and group counselling services for children-witnesses of abuse. Support is also provided to the abused parent. As part of its Action Plan on Violence Against Women, the Government of New Brunswick incorporated an Abuse Information Page in all telephone directories. It provides education information on the different forms of abuse as well as a listing of all crisis lines, shelters, and information lines related to violence against women.

Over the last decade, Government of Quebec has introduced several measures and implemented a number of initiatives to help women victims of violence, particularly victims of domestic violence and sexual assault. For example, it provides annual funding to approximately 100 shelters for women victims of domestic violence, and their children, as well as to about 30 Sexual Assault Crisis Centers.

Federally, the Shelter Enhancement Program (SEP) assists in repairing and improving existing shelters for women and children, youth and men who are victims of family violence. SEP also assists in the acquisition and construction of new shelters and second stage housing. From 1997/98 to 2001/02 over \$51M was provided to create and/or renovate shelters, including funding for First Nations communities. According to a 2001 evaluation, 70% of shelters and second stage housing have received funding for repairs and improvements and SEP funding covered 60% of all repair costs in these shelters; the program had positive impacts on shelter usage by women and enhanced family violence programs; a third of shelters that received SEP repair funding reported an increase in the number of women coming to the shelters; and nearly 30% said that women were staying longer. Shelters reported an increase of 6% or 5,567 more women and children served in 2000 versus 1998, and the majority reported that improved shelters helped women better address family violence problems and move to non-violent situations. In many jurisdictions victims of domestic violence have also been assigned first priority for subsidized housing vacancies.

In 2001, Prince Edward Island (PEI) designed violence prevention educational materials, based on templates for violence prevention created by Women in Employment Committee (WIEC) and involving local community and business partnerships. From 1999 to 2001, PEI has worked with the violence survivors, justice, police, social services, health practitioners and community advocates to generate common cross-sectoral protocols in order to improve service understanding and responsiveness. These protocols can be found at [www.isn.net/cliapei/womaabuse](http://www.isn.net/cliapei/womaabuse).

Through its funding programs, Canada supports initiatives to examine innovative programming for children and youth involved in prostitution. In relation to victims of trafficking, although not specifically targeted to trafficked victims, there are a number programs and services within Canada ranging from health care to legal assistance which victims of trafficking may access.

## **5. WOMEN AND ARMED CONFLICT**

Through the Women at Risk Program, which addresses the needs of refugee women in situations where their safety cannot be ensured, Canada has given over 2,250 women and children a safe home and the opportunity for a better future since the beginning of the program in 1988. The Urgent Protection Program, enables Canada to respond to requests from the United Nations High Commission on Refugees to assist persons who qualify for resettlement and who are in need of urgent protection because of immediate threats to life, liberty or physical safety. Refugee women have been the primary beneficiaries of this program, particularly because of the lack of support and protection otherwise available to them.

At the international level, Canada's efforts led to the adoption of Security Council Resolution 1296 on Protection of Civilians in Armed Conflict and Security Council Resolution 1325 (SCR 1325) on Women, Peace and Security, both in 2000. In 2001 Canada has created the Canadian Committee on Women, Peace and Security comprised of parliamentarians, civil society representatives and government officials whose mandate focuses on implementing SCR1325. The Committee's work focuses on advocacy, capacity-building and training and developing links between Canadian women and women in conflict and post-conflict areas to support women's participation in conflict resolution and peace-building processes [ . In 1999, Canada established the Human Security Program, which has supported over 300 international projects including initiatives to advance women's rights in Afghanistan, Sudan, Sri Lanka, and other areas. Canada is also working in this regard with other countries, as it has with the United Kingdom (UK) on the joint Canada-UK Gender Training Initiative.

## **6. HUMAN RIGHTS OF WOMEN**

In 2001, Canada signed the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Pornography and Child Prostitution and is in the process of consulting with the provinces and territories prior to ratification. In 2002, Canada acceded to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and ratified the Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against Smuggling of Migrants by Land, Sea and Air. Canada was also instrumental in ensuring sexual and gender-based crimes were included in the draft Statute for the International Criminal Court.

The policy development process of the new *Immigration and Refugee Protection Act (IRPA)* is an example of how legislative measures are being adopted in Canada to strengthen human right

protection. The *IRPA* provides that individuals subject to a removal order from Canada may request protection prior to removal to a country where they may be at risk. In the course of their training, officers responsible for these determinations are given extensive guidance on how to apply international conventions, including CEDAW, as well as the *Canadian Charter of Rights and Freedoms* and the *Guidelines on Gender-Based Persecution*. Sensitivity to protection issues affecting women, children, and in relation to sexual orientation is also provided.



### Part 3

#### **Federal Machinery for the Advancement of Women**

Canada has had a federal Minister Responsible for the Status of Women since 1971, following the Report of the Royal Commission on the Status of Women which recommended establishing a policy agenda to achieve women's equality with the necessary structures and mechanisms to sustain progress over time. The Minister acts to ensure women's concerns are an integral part of government decision-making. Since 1976, a number of federal departments and agencies have established mechanisms to integrate women's concerns into policy formulation. The creation of Status of Women Canada (SWC) in 1976 was a major step in this development.

As the federal government department mandated to "coordinate policy with respect to the status of women and to administer related programs", SWC provides leadership, expertise and strategic advice to the Minister Responsible for the Status of Women and to other federal departments and agencies on issues affecting women. Through policy research, analysis and development, international and intergovernmental activities, and communication, SWC actively promotes gender equality, the integration of gender equality in all federal government initiatives, and the full participation of *all* women in the economic, social, cultural and political life of Canada.

In 1995, SWC assumed new funding, research and additional public information responsibilities. The Women's Program (established in 1973), now within SWC as of 1995, is the primary source of financial and technical assistance to women's and other equality-seeking organizations working to advance gender equality. SWC's regional structure allows it to establish and maintain contact with women's organizations across the country. The Policy Research Fund at SWC supports independent, policy research on gender equality issues. It supports research that identifies policy gaps, trends and emerging issues, and provides policy options and concrete recommendations for alternative solutions.

In 1999, following the adoption of the federal Gender-Based Analysis (GBA) policy within the 1995 *Federal Plan for Gender Equality*, SWC created a GBA directorate to increase the understanding and the use of the federal policy on GBA as well as to enhance department's use of GBA through capacity-building.

#### Gender Focal Points in federal government departments

While SWC is the central department of the federal women's machinery, it is not its sole component. Every government department is responsible for implementing the government's commitment to gender-based policy analysis within its mandate. Several departments have offices or units on women's issues. Some are relatively new; others have existed for many years, but have undertaken changes to their work and structure to adapt to new developments. Some examples are:

- The Women's Health Bureau, established in 1993, builds capacity and provides policy analysis and advise within Health Canada to promote the development of equitable and effective programs and policies, increase knowledge about sex and gender as key determinants of health and advance national and international commitments on gender equality in health in partnership with other federal departments, provincial and territorial governments, non-governmental organizations and international agencies. Its work is guided by Health Canada's Women's Health Strategy.
- The former Department of Human Resources Development Canada had a strong focus on incorporating gender analysis into its policy, program, legislative and service delivery work. It created a Network of Gender Advisors consisting of individuals who received training in gender

analysis and served as contact points for sharing information on gender analysis and its application. It also launched a department-wide policy on gender analysis that provides a framework for the department's commitment and ongoing efforts to integrate gender analysis into its work. It has recently been reorganized into two departments (Human Resources and Skills Development Canada and Social Development Canada) and both are adapting their gender focal points accordingly.

- Justice Canada (JC) established the Office of the Senior Advisor on Gender Equality in 1996. In 1997, it adopted a Policy on Gender Equality Analysis, requiring the analysis of every issue with respect to its impact on gender equality. In 2000, the Gender Equality Initiative was merged with the Diversity, Equality and Access to Justice Division to form the Diversity and Gender Equality Office. The Office works with other departmental units as well as other government departments to integrate diversity and gender perspectives into all of the work of the Department.
- The Office of the Senior Advisor on Aboriginal Women's Issues and Gender Equality was established by Indian and Northern Affairs Canada in 1998. It is assisted by a department-wide Advisory Committee on Gender Equality. The Women's Issues and Gender Equality Directorate (WIGE) coordinates the implementation of the departmental Gender Equality Analysis Policy, promoting awareness and implementation of GEA throughout the department's business lines and across headquarters and regional offices. It is supported by a network of Gender Equality Analysis Representatives (GEARs) in all branches and regions of INAC.
- Agriculture and Agri-Food Canada's Farm Women's Bureau provides a single window for Canadian women in agriculture. It promotes and supports the advancement of farm women in leadership, in policy discussions and representation in agricultural decision-making fora.
- The Department of the Solicitor General has a Strategic Policy Division with responsibility for promoting GBA practices.
- In 2003, the GBA Unit became a permanent part of Citizenship and Immigration Canada (CIC). It is responsible for mainstreaming gender considerations into the policy, legislative and program processes of CIC. In order to accomplish its mandate, the Unit focuses on capacity-building activities and training, horizontal policy initiatives, and legislative analysis of gender impacts. A Strategic Framework for Gender-Based Analysis (2005-2010) is in development. The Framework will provide the strategic direction from which CIC will fulfill a legislative requirement to report annually on the gender impacts of the *Immigration and Refugee Protection Act* to the House of Commons, and build its ongoing capacity to undertake GBA.
- The Human Rights, Humanitarian Affairs and International Women's Equality section of Foreign Affairs Canada functions as the focal point on issues of gender equality and women's human rights within the Department. It also integrates these issues into foreign policy development, Canada's input into world conferences and the work of multilateral organizations.
- The Gender Equality Division of the Canadian International Development Agency is the agency's focal point for gender equality. Its activities include, among others: contributing to the agency's knowledge base on gender equality; participation in international policy dialogue; and the management of information on gender equality issues, particularly lessons drawn from gender equality policy implementation in developing countries.
- Statistics Canada is also a key partner in Canada's machinery. Through close cooperation over many years, Canada continues to develop its highly comprehensive body of statistics and indicators to support GBA.

The work of SWC and the framework of the federal Agenda for Gender Equality (AGE) in 2000 highlight the importance of working horizontally across federal departments and in collaboration with various partners from both the public and private sectors to address gender issues and current gaps in

public policy and programming. Specifically, AGE fosters the creation of partnerships among departments and various stakeholders. The implementation of AGE provides a more structured approach to achieving measurable and concrete results that will contribute in a pragmatic way to expanding opportunities for women and will ensure the reflection of the diverse realities of women and men in government responses through the application of GBA.

### **Relations with Provincial and Territorial Governments**

Under the Canadian Constitution, the provinces and territories have primary jurisdiction in the areas of education, the administration of justice, social services and health care delivery. The advancement of women's equality is thus largely influenced by actions taken by provincial and territorial governments. Among other recommendations, the 1970 Report of the Royal Commission on the Status of Women called for close partnership between all levels of governments to foster gender equality.

There are Ministers Responsible for the Status of Women at federal, provincial, and territorial levels supported by government mechanisms dedicated to advancing women's concerns. Many jurisdictions also have government-funded arm's-length advisory councils on women.

Collaboration among the federal, provincial and territorial governments is undertaken through the Federal-Provincial-Territorial (FPT) forum of Ministers Responsible for the Status of Women. Meeting on an annual basis since 1982, the FPT Ministers, among other things, work together on policy issues and raised public awareness in areas of concern to women, providing leadership in promoting women's equality across Canada. They have addressed issues such as violence against women, education and training, gender equality in the justice system, work and family balance, and women's economic future. They have also collaborated with other FPT Ministerial fora to advance women's and girls' equality, including First Ministers, responsible for pensions, education and employment.

At their 1995 meeting, FPT Ministers supported a gender-based approach to policy development and agreed "on the importance of having GBA undertaken as an integral part of the policy process of government". In addition, joint initiatives resulted in significant new developments such as: the 1997 *Economic Gender Equality Indicators*, and the 2002 *Assessing Violence Against Women: A Statistical Profile*.

In 1998 the FPT Ministers made a commitment to promote and monitor the integration of sex and gender considerations in health research, health legislation and population health reporting. As a result, there is annual monitoring of health reporting for inclusion of sex and gender, advocacy for the creation of the Institute of Gender and Health and currently has brought their attention to the potential to promote the integration of gender in renewal of health protection legislation.

Provincial and territorial governments have also developed policies and established mechanisms to promote consideration of gender equality issues in policy formulation. Some have created action plans for Gender Equality (Saskatchewan, 2003); others developed plans specifically targeting the implementation of the Beijing *Platform for Action* within their jurisdictions. Many have committed to the integration of GBA in their policies and programs. For example, the period from 1997 to 2003 marked an experimental phase for the Government of Quebec. The introduction of nine GBA projects in seven departments produced a wealth of information and made possible certain observations concerning the conditions necessary for integrating this management approach into the overall government decision-making process. In Prince Edward Island, a standing interdepartmental policy forum examines policies and programs from gender perspectives and provides gender analysis of

policy options since 1996. In the Yukon, gender analysis also looks at the impact on Aboriginal women as a specific area of analysis.

In 2003, the Women in Employment Committee of the Canadian Association of Administrators of Labour Legislation (CAALL-ACALO) produced a practically illustrated six step *Gender and Diversity Lens* and a background Discussion Paper, following consultation with jurisdictional labour sectors, academia and gender advisors. It is designed to appeal to various dimensions of the Labour sector by using examples, which have utility to diverse labour policy interests.

### **Societal Partners**

Canada has a well-developed network of over 1,500 women's organizations as well as equality-seeking groups, which play a significant role in progress toward gender equality. They contribute to setting local, regional and national agendas for gender equality, provide direct services to women and children and educate all sectors of the public and government on issues relevant to gender equality. The importance of violence against women on the public policy agenda is an excellent example of how women's voices and experiences have shaped legislation, policies and programs in recent years.

There are two national Aboriginal women's organizations with whom Canadian governmental departments are increasingly partnering. Pauktuutit is the national non-profit association representing all Inuit women in Canada. Its mandate is to foster a greater awareness of the needs of Inuit women, and to encourage their participation in community, regional and national concerns in relation to social, cultural and economic development. The Native Women's Association of Canada (NWAC), incorporated in 1974 to enhance, promote, and foster the social, economic, cultural and political well-being of First Nations and Metis women with First Nation and Canadian societies. In 2004, it was announced that NWAC would be provided \$20,000 to develop a strategic plan for the *Sisters in Spirit* campaign, an approach that will leverage public and private sector funding to increase public awareness and education levels about violence against Aboriginal women in Canada. In addition, it would document the circumstances around the disappearance of the estimated 500 missing or murdered Aboriginal women, create a national registry and a toll-free hotline.

SWC's network of regional representatives maintains regular contact with such organizations across the country and provincial and territorial governments operate similarly in their jurisdictions. Ministers Responsible for the Status of Women also meet with a wide variety of organizations. Consultation provides the government with information about the ideas and concerns of Canadian women on public policy issues affecting them. For example, SWC organized a roundtable on gender and homelessness in 2000 to discuss the gender implications of national data collection relating to women's transition houses. Women's organizations also participate in public consultations, organized by other parts of government, e.g., the annual federal budget organized by the Department of Finance. Canada regularly includes NGO partners as part of official government delegations to international meetings, such as the Commission on the Status of Women.

### **Gender Equality Accountability Mechanisms**

Nearly 35 years ago, the Royal Commission on the Status of Women tabled a report recommending both substantive change in key policy areas and the creation of institutional mechanisms to foster continuous and lasting progress as times change. Much in Canada has changed since then. We now have equality guarantees in the *Charter* and Canada is a party to international treaties on gender equality. Governments have tackled many of the more obvious forms of discrimination. Canada has one of the best constitutional and legal frameworks for equality in the world and one of the longest-standing systems of government machinery. In 2002, the *Immigration and Refugee Protection Act*

included the requirement to report on the impacts of the Act from a gender-based perspective in the department's Annual Report to Parliament, an unprecedented requirement that strengthens legislative accountability. It has a wealth of data and research and a vibrant non-governmental sector, including women's organizations, engaged in gender equality issues. Today, governments are increasingly focused on improving accountability, including for gender equality.

As an international monitoring/accountability mechanism, the CEDAW reporting process is consistent with Canada's commitment to human rights and Canadian values on democracy, diversity and good governance. It is a primary vehicle for reporting on progress on national implementation, including information from federal, provincial and territorial governments. Regular monitoring of compliance with domestic and international commitments has produced constructive criticism that has made front-page headlines and has had positive impacts in the lives of Canadian women.

Following the presentation of Canada's fifth report under CEDAW, the CEDAW Committee acknowledged that while significant progress has been made in recent years to improve the situation of women, much remains to be done to achieve full gender equality. The Committee's recommendations, as well as the strong presence of Canadian NGOs during the presentation and their sustained activism since then, reinforce the need for increased focus on accountability.

Canada is committed to follow-up on the CEDAW Committee's Concluding Comments and to engage Canadians more actively between reporting cycles. SWC, together with Canadian Heritage, is working closely with relevant federal, provincial and territorial governments, as well as NGOs, to address to the recommendations of the CEDAW Committee and to continue to improve accountability for gender equality in Canada.

## Part 4

Based on the information provided in the previous section, Canada's main gender equality challenges can be described in four aspects:

- to continue to learn from our experience and that of others in areas where progress has been demonstrated, such as in education for women or income security for seniors, and where we can build onto or improve what is already in place;
- to accelerate GBA and gender mainstreaming activities to ensure that as wide a range of policies and programs as possible are designed to support gender equality along with other objectives and to ensure that we can demonstrate results;
- to better identify and address the specific areas where there are gaps reflecting the most serious disadvantage for some women such as those who are Aboriginal, long-standing problems such as high vulnerability to poverty or emerging patterns such as a rise in precarious work that may exacerbate existing inequalities;
- to examine potential improvements to accountability mechanisms.

While Canadian women have made many gains towards equality, especially in the formal sense, governments in Canada recognize that full substantive equality has yet to be achieved. Due to public environment that largely perceives women's issues as "solved", it proves difficult to mobilize adequate political attention and economic resources. Many challenges remain, both long-standing and new, including the fact that within positive overall trends for women, not all women are benefiting and some continue to be seriously disadvantaged or at risk of facing further barriers. The CEDAW Committee at the presentation of Canada's 5th report in January 2003, for example, highlighted a number of issues, including poverty among women, the situation of Aboriginal women, trafficked women, live-in caregivers and the implementation of GBA across the federal government.

Changes in Canada's demographic, social and economic landscape also affect the policy environment. For example, trends such as the overall aging of Canadian society, the high proportion of women in the paid labour force (including those with young children), the increasing diversity of family and personal relationships, such as same-sex couples and dual-earner, childless and lone-parent families, affect the roles and responsibilities of governments, individuals, families, communities and the business and voluntary sectors. Among other factors of particular importance to Canada are the growth of the Aboriginal population and increasing racial and ethnic diversity within the Canadian population related to patterns of migration.

In addition, different parts of Canada may have very particular issues to face. For example, the newly created territory of Nunavut faces many challenges that most southern Canadian jurisdictions do not. With a land mass of over 2 million square miles, with 26 isolated communities only accessible by air, and with a population of less than 28,000 residents, 85% of whom are Inuit, Nunavut's ability to provide a comprehensive range of services is limited.

Concerning institutional mechanisms, there has been increasing pressure by various stakeholders on governments, especially at the federal level, to improve accountability for gender equality. Recent calls for a second royal commission, for the creation of a parliamentary standing committee, and for improved CEDAW follow-up reinforce the need for greater attention to accountability issues.

Many federal and provincial/territorial gender focal points have identified common challenges related to gender analysis capacity, such as the need for: a policy requiring gender analysis; the entrenchment

of training courses within the policy training process; specific gender analysis policy guides tailored to jurisdictional or ministry needs; high level support or champions at political and public service levels.

The following identifies examples of future-oriented commitments that have already been made by governments in Canada that can contribute to gender equality and improvement in the lives of women and girls.

**Economy and Poverty** - The Government of Canada has put in place an investment plan that will increase the income supplements for low-income families by a projected \$185 per child in July 2005 and \$185 per child in July 2006. This represents significant additional income support and will bring annual federal support delivered through the Canada Child Tax Benefit to over \$10 billion in 2007-2008.

At the provincial level, Saskatchewan has a number of initiatives in the areas of affordable housing, child care, income support and tax incentives. In Alberta, the newly reinforced *Income and Employment Supports Act* (2004) will help single women with children negotiate a more adequate support agreement, help locate the other parent and provide court services. In 2004, Quebec committed to reaching a target of 200,000 subsidized child care spaces at low cost (\$7 per day) by 2006. Moreover, in order to diversify choices in childcare options, the Government of Quebec will increasingly call upon private child care.

Employment Insurance benefits will continue to be assessed to ensure that they are responsive to the needs of all Canadians. The federal and other levels of government will also continue to examine such issues as the costs of workplace stress and exploring work-life balance policies and practices abroad, and will continue to explore ways to address the specific challenges faced by women in non-standard or precarious employment, including self-employment where access to benefits is limited.

The 2004 renewal of the Aboriginal Human Resources Development Strategy expects to help 100,000 Aboriginal people enter the workplace over the next five years.

Wage gaps between men and women and between Aboriginal women, or women with disabilities, compared to other women have changed little in several years. The recently released report of the federal Task Force on Pay Equity provides recommendations on these issues that the government will take into account for future direction.

In response to a parliamentary Committee that reviewed the *Employment Equity Act* in 2002, the government initiated a Workplace Integration Strategy for Persons with Disabilities as a pilot project in 2003, and in 2004 is developing a similar strategy for Aboriginal people. It is also developing an education and promotion strategy that will assist all four designated groups. These strategies will specifically assist women who experience multiple disadvantages.

**Education** - In 2004, the Government of Canada provided a grant of \$85M to the Canadian Council on Learning to promote and support evidence-based decision-making in all areas of lifelong learning, which will help provide better support to women in their education and career pursuits.

**Lifelong Learning and Aboriginal Women** - The concept of life long learning has been adopted as a way of taking a more integrated approach to education through every stage of the learning process. To be successful, this approach has to be based on a continuum of relationships and partnerships. This will support the advancement of all Aboriginal people in Canada, while responding to the specific

needs of Aboriginal women. As this process continues, the use of gender analysis will ensure the needs of Aboriginal women are well addressed.

**Health** - The Government of Canada will take further action to close the gap in health status between Aboriginal and non-Aboriginal Canadians by promoting health and preventing disease. Examples of initiatives include the implementation of a targeted immunization program and work to improve health care delivery on-reserve. Examples of provincial initiatives in this area include the establishment of the Nunavut Nursing Programme and Saskatchewan's Aboriginal Participation Initiative and Northern Health Strategy, which includes a new hospital to be built offering space for First Nations health services, including a spiritual center and a winter healing lodge.

Continued implementation and ongoing renewal of the federal Women's Health Strategy will ensure that it remains current and addresses emerging issues. Continued development of tools, methods and training materials will assist in integrating gender perspectives across many areas of health policy. Work will also continue on the Women's Health Indicators research initiative launched in 2002 to develop and evaluate a core set of indicators that takes gender and diversity into account.

**Violence** - The federal Minister of State (Multiculturalism, Status of Women) has allocated \$250,000 annually from 2003-07 to fund national initiatives undertaken by Aboriginal women's organizations on the issue of violence against Aboriginal women. At the provincial level, Ontario has increased its funding to the Aboriginal Healing and Wellness Strategy by \$25 M over five years to reduce family violence and improve primary care in Aboriginal communities.

The follow-up on the implementation of the 1995 "Governmental Directions regarding Sexual Assault" (*Orientations gouvernementales en matière d'agression sexuelle*) as well as introduction of the 2<sup>nd</sup> Plan of Action to update the 1995 "Intervention Policies with regards to Spousal Violence" (*Politique d'intervention en matière de violence conjugale*) will allow the Quebec Government to improve its actions with regards to domestic violence, reaching out to the groups of women that are most at risk, such as young women, Aboriginal women and immigrant women.

At the international level, Canada will continue to lead the UNCHR resolution on the elimination of violence against women and to support the work and mandate of the UN Special Rapporteur on violence against women, its causes and consequences.

**Institutional Mechanisms** - In March 2004, the Minister of State (Multiculturalism, Status of Women) began a series of dialogues across Canada to discuss accountability mechanisms. The input will be used to develop future directions for the Government's agenda for the next five-year period (2005-2010), especially as we move towards the end of the current Agenda for Gender Equality and into planning for the next five-year period (2005 to 2010).

**Human Rights** - The federal, provincial and territorial forum of Ministers Responsible for the Status of Women will continue to focus specifically on the situation of Aboriginal women on- and off-reserve, through a range of activities including collaboration with non-governmental and other actors to advance Aboriginal women's human rights, as well as research and policy development in areas having an impact on Aboriginal women's ability to access entitlements affecting their participation in social, economic, political and cultural life.

The special theme of the 2004 United Nations Permanent Forum on Indigenous Issues (PFII) was Indigenous Women. At the Forum Canada made statements and recommendations in the areas of



education, human rights, economic and social development, and health (available at: [http://www.ainc-inac.gc.ca/nr/spch/unp/indiss\\_e.html](http://www.ainc-inac.gc.ca/nr/spch/unp/indiss_e.html)). Canada also hosted three side events at this session of the Permanent Forum: Indigenous Women as Agents of Change; Indigenous Connectivity and Violence Against Women.

**Matrimonial Real Property (MRP):** Under Canadian family laws in each province or territory, spouses have certain matrimonial property rights and protections during marriage as well as on separation and divorce. However, for Indigenous people living on-reserve lands under federal jurisdiction, these family law protections are not fully available. In particular, the protection of MRP, which includes the family home and the land on which it is situated, is limited.

There is currently no law in place to protect MRP on reserves to the extent it is protected off reserves. As a result, many of the legal rights and remedies relating to MRP, such as exclusive possession of the home and prohibition against sale of the home without the written consent of both spouses, are not available to individuals living on reserves. While this issue affects all residents on reserves, women and children are more negatively impacted. This situation is further exacerbated by issues of domestic violence and housing shortages on reserves.

There are multiple and complex policy, legal and social considerations to the MRP issue, including, for example, constitutionally protected individual and Aboriginal collective rights. Steps taken by the Government of Canada to date to address this issue include comprehensive legal and policy research, a Senate of Canada study of MRP, as well as information-sharing and awareness-raising activities with Indigenous individuals and leadership. Canada is committed to resolving the MRP issue and is looking to do so in collaboration with Aboriginal peoples.

The federal government is committed to taking steps to review the Live-In Caregiver Program (LCP) that allows foreign domestic workers into Canada with a requirement that they live in their employer's home for a specified period, after which they can apply to become permanent residents. The review will be undertaken as part of a process of ongoing program integrity review and build on regulatory measures such as the mandatory employment contracts. The review will take note of concerns raised with respect to the rights of live-in caregivers and consult with community groups and other stakeholders.

In the area of human trafficking, the federal government has an Interdepartmental Working Group (IWG), which is the focal point for coordination of federal efforts to combat human trafficking and for the development of a federal strategy. In 2004, at the first Canadian anti-trafficking seminar for police, prosecutors, immigration, customs and consular officials, the government announced a series of proposals to prevent and prosecute trafficking and protect the victims. The Royal Canadian Mounted Police will establish an international human trafficking investigative unit to coordinate domestic investigations and conduct international investigations in partnership with affected countries and promote international development of operational protocols and mutual legal assistance. Also in 2004, the federal government launched an anti-trafficking poster to inform Canadians about human trafficking in Canada and explain that it is a serious crime. The poster will be distributed through police stations, victim's services, community centres, refugee and immigrant centres and other places throughout the country as well as overseas. The poster compliments an anti-trafficking brochure that is also being distributed overseas in fourteen languages.

In conclusion, Canada's response to the questionnaire demonstrates progress in advancing gender equality and also points to the work that still needs to be done. In meeting the gender equality

challenges , Canada will continue to be guided by existing legal frameworks, including *Canadian Charter*, CEDAW as well as Beijing commitments, current gender equality plans and other government priorities. Canada will also work with non-governmental organizations and other partners and stakeholders in developing future plans and priorities.