

**REVIEW OF CANADA'S FIFTH REPORT ON THE IMPLEMENTATION
OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN**

**Responses by Canada to the Advance Written Questions
of the Committee on the Elimination of Discrimination
against Women**

PART 2
November 21, 2002

ADDITIONAL RESPONSES TO THE LIST OF ISSUES AND QUESTIONS WITH
REGARD TO CONSIDERATION OF CANADA'S 5TH PERIODIC REPORT

The information below provides additional responses to specific questions (highlighted in italics) posed by the United Nations Committee on the Elimination of Discrimination against Women in preparation for the review of *Canada's Fifth Report on the Convention on the Elimination of All Forms of Discrimination against Women*, and should be read in conjunction with responses to the same questions submitted in Part I of Canada's response, which was submitted to the UN in October 2002. Due to the extensive consultation process required, certain responses to the Committee's questions remain incomplete. The Canadian delegation will endeavour to bring this information to their presentation to the Committee in January 2003.

Constitution and Law

2. The report (para 48) states that the amendment to the Canadian Human Rights Act in 1998 made the Canadian Human Rights Tribunal a permanent court-like body. Please provide information on the rationale of this amendment. Do similar bodies exist at the provincial and territorial levels? If not, how does the federal government promote a national system for the investigation and adjudication of complaints of discrimination, in particular discrimination against women in all provinces and territories.

Response:

British Columbia

British Columbia is enhancing human rights in the province by restructuring the enforcement system to make it more accessible, timely and efficient. The *Human Rights Code Amendment Act, 2002*, was passed in the legislature and will be brought into force in early 2003.

The new system is based on direct access by complainants to a human rights tribunal and will increase the effectiveness and efficiency of the human rights protections contained in the *Human Rights Code*. The new system will make the Human Rights Tribunal directly responsible for receiving, mediating and adjudicating cases.

The new approach legislates responsibility for conducting a program of human rights education, research and consultation and assigns this responsibility to the Minister. The government will see that public education remains a priority and work with independent organizations to ensure that those people who need publicly funded legal advice can get it.

New Brunswick

Under the New Brunswick *Human Rights Act*, a Commission is created and charged with the investigation and settlement of complaints of discrimination. When the Commission finds that a complaint is within its jurisdiction and that it cannot be settled amicably, it may recommend that a Board of Inquiry be instituted to hear the matter. Boards of Inquiry are appointed on an *ad hoc*

basis, usually from a roster of panel members to the provincial Labour and Employment Board. The Tribunal function is therefore not entrusted to a permanent Human Rights Tribunal. Boards of Inquiry usually sit in panels of three members, comprised of a chairperson (a lawyer) and two other members (one employee representative and one employer representative); however, a Board of Inquiry can be a one-person panel.

Québec

Amendments to the Québec *Charter of Human Rights and Freedoms* (R.S.Q., c. C-12) were adopted in 1990, creating the *Tribunal des droits de la personne du Québec* [Québec's human rights tribunal] in response to the recommendations of the National Assembly's Committee on Institutions. The Tribunal is made up of at least seven members, including the chair and the assessors, who are appointed by the government. The chair is chosen, after consultation with the chief justice of the Court of Québec, from among the judges of this court who have significant experience, expertise, education and interest in the field of human rights and freedoms. Members of the Tribunal have renewable five-year terms.

Québec's human rights tribunal has jurisdiction to hear any application made under sections 80, 81 or 82 of the Charter pertaining to employment, housing, goods and services usually provided to the public, or any application under sections 88, 90 or 91 pertaining to an affirmative action program. With some exceptions, only the *Commission des droits de la personne et des droits de la jeunesse* [Québec's human rights and youth rights commission] can initially refer one of the remedies set out in these sections to the Tribunal.

The Tribunal also has jurisdiction to hear any application made under sections 6, 18 or 19 of the *Act respecting equal access to employment in public bodies* (R.S.Q., c. A-2.01) regarding an equal access to employment program. With some exceptions, only the Commission, or one of its members, may refer one of the remedies set out in these sections to the Tribunal.

3. The report (para 50) indicates that the Law Commission of Canada which was established in 1997, is mandated to engage Canadians in the renewal of the law to ensure that it is relevant, responsive, effective, equally just and accessible to all. Please provide information on the extent to which the Commission has made recommendations relating to the renewal of laws aimed at full implementation of the Convention on the Elimination of All Forms of Discrimination Against Women. Does the work of the Commission impact at provincial and territorial levels? Are there corresponding commissions at provincial and territorial levels? If so, what are the interactions of the commissions at the different levels?

Response:

British Columbia

The British Columbia Law Institute was created in 1997 to promote the clarification and simplification of the law and its adaptation to modern social needs. The Law Institute promotes and carries out scholarly legal research. In addition, the Institute promotes improvement of the administration of justice and respect for the rule of law.

New Brunswick

There is no law commission in New Brunswick. However, the Department of Justice considers the work of the Law Commission of Canada when addressing policy and law reform issues.

4. How does the federal government ensure compliance with its obligations under the Convention at the provincial and territorial levels? How is coordination amongst different levels of government ensured in order to obtain uniformity in the implementation of the Convention?

Response:

In addition to the federal-provincial-territorial (FPT) coordination mechanisms indicated in Part I of Canada's Response, other FPT committees also foster information sharing that ultimately contributes to the implementation of the CEDAW convention within Canada. For example, discussions with respect to violence against women, the economic situation of women, and equality between men and women, have taken place within the FPT Justice and Public Security forum and the FPT Health forum.

As indicated in Part I, international human rights treaties are implemented by legislative and administrative measures enacted by the federal, provincial and territorial governments. As a result, there may be some differences in the way human rights obligations are implemented in the various jurisdictions. However, to a significant extent, international human rights values and principles are reflected in the *Canadian Charter of Rights and Freedoms*, which applies to all governments in Canada, and in the federal, provincial and territorial human rights legislation, which can render discriminatory provisions unenforceable in many contexts. The Charter can also help avoid major omissions in the protection of human rights. All measures adopted by any government in Canada are subject to judicial review in terms of the Charter. This ensures uniform protection in all of Canada of the civil and political rights recognized by the Charter and also ensures that economic and social measures covered by the human rights conventions meet the same criteria set out in the Charter for issues of discrimination and regular law enforcement. The Supreme Court of Canada interprets and enforces the laws adopted everywhere in Canada, thus helping to produce a degree of harmonization. Moreover, the interaction between the various constitutional, legal and administrative forms of protection for human rights have strengthened human rights protection in Canada. For example, the courts have tended to look at human rights case law to assist in the interpretation of section 15 (equality rights) of the Charter,

and vice-versa, in order to ensure a broad and purposive interpretation of equality rights in accordance with the social policy goals of each statute.

Violence against Women

7. The report (para 42) states that “the 1993 Violence Against Women Survey found that the rate of victimization of young women in the months prior to the study was almost three times higher among 18-to-24 year olds (27 per cent), than for women in general (10 per cent)”. Describe measures taken to decrease the vulnerability of young women to violence.

Response:

British Columbia

The Government of British Columbia supported a number of projects for youth, including for school age and university students. The *No means No* campaign, referenced in the Canada’s Fifth Report, is a project to promote awareness of violence, in particular sexual assault, on university campuses.

New Brunswick

The New Brunswick *Human Rights Act* prohibits discrimination on the basis of sex and has explicit provisions prohibiting sexual harassment in employment, association membership, housing or in the provision of goods, services, facilities or accommodation to the public. The Human Rights Commission has placed increased awareness to sexual harassment issues at the forefront of its promotion and education efforts. It has made increased use of policy development tools in the settlement of these types of complaints. Thus, following upon the settlement of sexual harassment complaints, the Commission has assisted large and small employers in developing sexual harassment and workplace harassment policies and assisted in training staff in the application of such. This approach has been used successfully in work environments with a predominantly young staff. The Commission has developed and offered workshops on sexual harassment in schools and in colleges and universities. The Commission is assisting in the review of existing child abuse and women abuse protocols to ensure that all intervention agencies are aware of compensation mechanisms available through the Commission. The Commission ensures that complainants are made aware of other recourses, including criminal sanctions in every appropriate instance.

The New Brunswick Department of Education sponsors the program *Making Waves/Vague par Vague*. It involves a weekend retreat where representatives of high schools (students and teachers) from around the province participate in workshops and role-playing exercises to help them understand the issues surrounding dating violence and healthy relationships. Participants return to their schools and share the information they have learned with their peers.

The following additional measures have also been undertaken by the Department of Education to decrease the vulnerability of young women to violence:

- As part of the *Key Result Area: Prevention and Education of the Government Response to the Minister's Working Group on Violence Against Women*, the government will begin to expand the Healthy Learners program to Grades 6 to 8 through a reallocation of public health nurses. The Healthy Learners program is one method of addressing the unique emotional, social and health requirements of youth by reason of public health nurses in the school system. The program currently is being evaluated and the Departments of Education and Health and Wellness will bring forward further advice pending the results of the evaluation.
- The Department is represented on the Protocols Team, and is participating in the update and distribution of the Woman Abuse Protocols, as well as the Child Abuse Protocols.
- The Department is represented on the Steering Committee of Deputy Ministers for a *Better World for Women: Government Response to the Minister's Working Group on Violence Against Women*.

In addition, four initiatives of the Department of Justice are related to the issue of domestic violence:

- Domestic legal aid plan: The domestic legal aid plan was redesigned to incorporate family violence. It offers a comprehensive program for victims of family violence. It is part of a government response to help alleviate violence against women.
- Review of women's abuse protocols: New Brunswick has women abuse protocols. One of the six interdepartmental teams that will be addressing family violence, the Protocols team, will be reviewing the current protocols and drafting new ones. These protocols pertain to the abuse of women and inherently deal with power dynamics between men and women.
- Policy of prosecutors: New Brunswick is reviewing the policies and protocols with respect to spousal violence. Training will be offered as well.
- Family support orders service: Women, especially women who are single parents, most commonly experience poverty. The family support orders service can be seen as an initiative to help reduce poverty experienced by women.

Prince Edward Island

In Prince Edward Island, a number of initiatives are aimed at reducing family violence and violence against women, including:

- The Premier's Action Committee on Family Violence Prevention is a 23-member committee appointed by the Premier in 1995 to implement a five-year strategy on family violence prevention. The Committee works closely with police, municipalities, and community organizations to address a variety of issues related to violence within families and communities, including domestic violence, child abuse, and elder abuse. It provides support to crisis centres, sponsors workshops and training sessions, offers public education, and is involved in developing policy/protocols related to services to victims of family violence.
- The main objective of the Family Violence Prevention Program is to financially assist First Nations in establishing and operating shelters designed to arrest and offset high levels of family violence among populations living on reserve. The program also encourages First Nations people to actively participate in addressing the issues of family violence and to design and deliver their own initiatives to alleviate the problem.
- The Purple Ribbon Campaign Against Violence commemorates the 14 women who died in the Montréal Massacre on December 6, 1989, and raises awareness about violence against women and children in PEI. Islanders are urged to wear a purple ribbon during the week of December 6 and make a donation to local organizations working to end violence. The annual campaign is cost-shared with the Premier's Action Committee on Family Violence Prevention.

Québec

In Québec, a three-phase violence prevention campaign was conducted from 1998 to 2001. Developed as part of a partnership between the government and community groups, this campaign was aimed at the general population as well as 13 and 14-year olds. The purpose of the campaign was to raise public awareness of various forms of violence. Emphasis was placed on promoting equality between girls and boys, and informing people about lesser known forms of violence, such as psychological abuse.

In addition, Québec's ministry of health and social services launched a public awareness campaign about sexual assault in 2002. This campaign will extend over three years. Its purpose is to overcome myths and prejudices about sexual assault and to encourage victims to report assaults.

Yukon

The following are initiatives of the Government of Yukon related to the issue of violence against women:

- *A Cappella North 2*: This follow-up to the *A Cappella North* study, published in 1995, includes a significant quantitative survey component as well as a qualitative component through focus groups. It also includes boys as well as girls. *A Cappella North 2* survey provides an overview of youth issues and concerns, and highlights gender issues for program and policy development throughout the Government of Yukon. Results of the survey are being published in the form of thematic Bulletins. The first one, in May 2002, focussed on Sexual Assault. The second one reported on issues of interest to First Nations youth. The third was published in September and focussed on Education in honour of Education Week. Upcoming bulletins will address Alcohol and Drug Use, Active Living and Sexuality.
- *A Little Respect*: The Women's Directorate, in collaboration with the Department of Education's MAD (Music Art & Drama) program and the Yukon Liquor Corporation, produced a stage play based on a series of five radio plays focussing on teen violence. The stage play was developed by the original playwright and was produced in Whitehorse in March 2002. It toured the rural communities in May 2002, as part of Sexual Assault Prevention Month.

The radio episodes dramatized the insidious, escalating nature of relationship violence, and its various forms. The Directorate received positive feedback from youth and parents who had heard the episodes. The episodes aired in May 2000 and 2001, during Sexual Assault Prevention Month.

- *Attitudinal Survey on Family Violence*: The Women's Directorate commissioned a survey on attitudes towards family violence in the Yukon, after consulting with a variety of direct service providers. The survey was administered by the Bureau of Statistics and the results of the survey were compiled and analyzed by the Bureau of Statistics and the Women's Directorate. They include quantitative and qualitative information.

The report has been sent to other jurisdictions and all service providers in the Yukon that deal with family violence. The intent is for service providers and government organizations to better target public education campaigns and workshops on family violence

- *Gender Equity Awareness Week*: The Women's Directorate recognized "Equality Day", April 17, and Gender Equity Awareness Week, April 14 to 20, 2002 through a series of print ads. These ads were developed in partnership with the Department of Education to highlight non-traditional careers for girls and women.

In May 1996, the *Gender Equity in Public Schools Policy* was introduced in the Yukon Legislature. The policy was developed in conjunction with the Department of Education, Yukon Teachers Association, and representatives from school councils and responds to many of the concerns raised in the *A Cappella North* report released by the Women's Directorate in 1995. The policy provides guidelines to promote gender equity in all aspects of the school system: curriculum, teaching practices, student-teacher relations, as well as school-community relations.

In April of 1999, the Women's Directorate released *It All Adds Up* (a "user-friendly" guide to the policy) as a part of the first Gender Equity Awareness Week. The first Gender Equity in the Schools Award (\$500 to be spent on gender equitable school materials) was shared by Watson Lake Secondary School and St. Elias School in Haines Junction in 2000.

- *Hot Peach Pages/Abuse Help Lines*: The "Hot Peach Pages" is a peach-coloured page in the Northwestel telephone book. It contains a written description of what constitutes abuse, a concise list of help lines, and information on where an individual can go for help. The phone book is perfectly suited as the ultimate resource for information on abuse, education and referral. Every home with a phone in the Yukon has a telephone directory, ensuring easy to access to information. The "Hot Peach Pages" have proven to be a very powerful tool in other jurisdictions.

This year, in accordance with a decision taken by the originating body, the Provincial Association of Transition Houses of Saskatchewan, the name of the page will be changed to "Abuse Help Lines".

The Government of Saskatchewan, SaskTel, and the Saskatchewan Provincial Association of Transition Homes partnered to produce the "Hot Peach Pages." The Yukon was the first jurisdiction outside of Saskatchewan to implement the "Hot Peach Pages".

The Final Evaluation Report of the Hot Peach Pages carried out by Saskatchewan has been overwhelming. Individuals who have used the type of information outlined on the Page have indicated this is exactly the type of information they needed.

- *Free from Fear*: In early February, 2002, the Women's Directorate released a new publication, "Free from Fear", aimed at preventing sexual assault on teenagers. This release took place in conjunction with the third annual Youth Conference held in Whitehorse. The "Free from Fear" booklet is designed to ensure girls and boys are aware of sexual assault, how to protect themselves, and where to go for help if an assault occurs. The booklet is an excellent reference tool.

The teen sexual assault prevention booklet was developed in consultation with a range of agencies, and has drawn on work produced in other jurisdictions such as Northwest Territories (NWT), British Columbia (BC) and Ontario.

This publication was produced in partnership with the departments of Justice, Education, Health and Social Services, the Youth Directorate and the Royal Canadian Mounted Police (RCMP), and funded entirely by the Women's Directorate. The booklet was distributed to teenagers through schools, and to the RCMP, nursing stations, educators, youth groups, parents — anyone who has a connection to youth — throughout the Yukon.

- *Options, Choices, Changes*: As part of the Women's Directorate mandate to raise public awareness about violence against women, permission was obtained to revise and reprint a document produced by the Nova Scotia Advisory Council on the Status of Women in 1998.

The 50-page booklet, entitled *Making Changes: A Book for Women in Abusive Relationships*, was revised with a view to Yukon relevance in laws and available services. A committee comprised of victim service providers, members of the legal community, and RCMP assisted in its revision. It was focus-tested with victims residing at Kaushee's Place and those attending the women's program at the Family Violence Prevention Unit.

The "Options, Choices, Changes" booklet is designed to assist women in abusive relationships, by providing them with information about options available to them. The booklet was redesigned to incorporate the new Family Violence Prevention Act in July 2000, and 2000 copies were distributed. In 2002, it is in its fourth printing.

9. What are the results of the second phase of an evaluation of the effectiveness of the Victims of Domestic Violence Act adopted by the province of Saskatchewan in 1995? Has similar legislation been enacted by other provinces?

Response:

Please note that information related to Saskatchewan is provided in 'Responses by Canada to the Advance Written Questions of the Committee on the Elimination of Discrimination against Women, Part 1'.

British Columbia

British Columbia has a different legislative framework than Saskatchewan – the *Family Relations Act* contains many, if not all, of the remedies found in other provinces' domestic

violence legislation, and the availability of 24-hour justices of the peace allows for enhanced enforcement.

New Brunswick

There is no domestic violence act in New Brunswick. However, in response to the Minister Responsible for the Status of Women's Working Group on Violence Against Women, six interdepartmental project teams have been established to work on addressing different aspects of family violence. One of these communities, the Legislation team, will be reviewing family violence legislation from other jurisdictions and making recommendations to government regarding the feasibility of introducing such legislation in New Brunswick. Therefore, this committee will be reviewing the Saskatchewan legislation as well as other related acts in other jurisdictions as well as considering legislating "best practices".

Prince Edward Island

In Prince Edward Island, the *Victims of Family Violence Act* was proclaimed in 1996. The object of the Act is to reduce and prevent family violence and facilitate legal protection for victims by providing speedy civil remedies. Under the Act, a justice of the peace may make an emergency protection order if it is determined that family violence occurred and the seriousness or urgency of the circumstances merits the making of an order. The Act also authorizes a judge to make a victim assistance order where it is determined that family violence has occurred.

Québec

In Québec, during proceedings relating to divorce, separation from bed and board, nullity of marriage and relationship of parentage, the Superior Court may, in an emergency, issue an order protecting the rights of the parties for the time and conditions it establishes. Furthermore, the *Youth Protection Act* (R.S.Q., c. P-34.1) protects children in any emergencies.

In addition, victims of violence can always benefit from the measures set out in the Criminal Code.

Lastly, a project is currently being considered that would allow the courts to issue orders to protect victims of domestic violence in emergency situations other than those mentioned above.

Yukon

The *Family Violence Prevention Act* is territorial legislation that focuses on the victim by offering three protective court orders that provide several ways in which victims can receive help. They include an Emergency Intervention Order which allows the victim and her children to stay in their home, is issued over the telephone and is available through the RCMP 24 hours a day; a

Victim's Assistance Order which allows the victim to apply in court and can only be issued by a Territorial Court Judge; and, a Warrant of Entry which can authorize a police officer to enter a residence, assist or remove the victim and search the home for signs of violence to use as evidence.

The Department of Justice contracted the Canadian Institute of Family and Law based at the University of Calgary to review the Act and make recommendations. The report was released September, 2002. The Women's Directorate is reviewing the findings of the recently released report and will continue to collaborate with the Department of Justice to address these findings.

10. Is there a database on "best practices" to address violence against women with a view to extending good programmes to other provinces and territories?

Response:

British Columbia

There is no database on "best practice" to address violence against women in British Columbia. B.C. participates in information sharing on such practices with other jurisdictions through its membership on the FPT Status of Women Minister's Forum.

New Brunswick

There is no database in New Brunswick. However, the province also participates in information sharing at both the FPT and interdepartmental levels, for example, the FPT Ministers of Justice share information on best practices to address violence against women.

Québec

Québec is part of the sub-working group on violence against women affiliated with the Federal/Provincial/Territorial Forum of Ministers Responsible for the Status of Women.

Also, the ministry of justice chairs an interdepartmental co-ordinating committee on domestic, family and sexual violence that is made up of eleven departments and agencies:

- | | | | |
|---|---|---|----------------------------------|
| ✓ | ministry of education | ✓ | ministry of public safety |
| ✓ | ministry of the family and childhood | ✓ | ministry of social solidarity |
| ✓ | ministry of justice | ✓ | Aboriginal affairs secretariat |
| ✓ | ministry of citizen relations and immigration | ✓ | recreation and sport secretariat |
| ✓ | ministry of health and social services | ✓ | status of women secretariat |

✓ ministry of public safety

There is ongoing discussion among these departments and agencies regarding the most appropriate ways to combat violence against women.

Participation in Public Life and Decision-making

14. Although acknowledging the increase in women's representation in elected bodies, as well as actions and guidelines on gender balance in appointments to federal boards and commissions and judicial appointments, women in most cases are still significantly under-represented, particularly in the House of Commons. Does the Government(s) consider adoption of temporary special measures as foreseen in article 4.1 of the Convention to accelerate participation of women in political life, particularly in the House of Commons and in provincial elected bodies?

Response:

British Columbia

While the B.C. government does not undertake specific measures to promote the participation of women in politics, a Women's Campaign School (WCS) is run through the University of British Columbia by the Canadian Women Voters Congress. The WCS explores the political skills, strategies and tactics required to run a winning campaign. Participants are comprised of women who are interested in political campaigns at all levels.

Québec

In order to support the achievement of equal representation of women in municipal and regional governments, in May 1999 the minister responsible for the status of women launched a program called *À égalité pour décider*, along with an annual resource envelope of \$1 million for five years. The purpose of this program is to create and support the initiative of the local and regional women's groups and other community groups to design and create projects to increase the number of women elected to municipal and regional governments.

The selected projects are designed to provide training to improve women's decision-making skills; to distribute information and make the members of municipal and regional governments aware of the reality of under-representation of women; to facilitate the integration of women into existing formal and informal networks; to provide mentoring for women who are or might be in decision-making positions; to find ways to eliminate the barriers women face in accessing decision-making positions, and to promote potential women candidates by distributing inventories of candidates.

15. Does the Government provide incentives, for example via the election expenses reimbursement system, to encourage political parties to promote women's participation as candidates and elected representatives?

Response:

Québec

Through its policy on the status of women, the government supports the need to share positions and power at all levels. There has also been a steady increase in the number of women representatives in the National Assembly.

16. The Inuit Women's Association of Canada focussed its work on a proposal for gender parity in the Nunavut Legislative Assembly and encouraged women's participation in the plebiscite on gender parity. Has this initiative, although not successful in the plebiscite, had any impact on a wider level than Nunavut or is it just an isolated interesting event?

Response:

No evaluative data is available at this time.

Education and Training

18. Paragraph 36 of the report states that, although access to higher education for women has increased and women make up a slight majority of students in Canadian universities, they are still under-represented in doctoral programmes and in college and university faculties. Please provide statistical data on women's participation at these levels? What measures have been taken to improve this situation?

Response:

Alberta

Representation of women in doctoral programs and as faculty at post-secondary institutions

In 1993-94, 37 percent of those participating in doctoral programs in Alberta were women. By 2001-02 the percentage of females participating in doctoral programs had risen to 47 percent.

Alberta does not keep track of females as full-time college and university faculty. Post-secondary institutions recruit faculty autonomous from government. The Center for Education Statistics did a comparison study of full-time university faculty by gender using the years 1987-88 and 1997-98. During this 10-year period the percentage of females in Alberta as full-

time university faculty rose from 16 to 26 percent. At 26 percent, Alberta was slightly higher than the national average (25 percent).

In May 2002, Alberta Learning released the results of a study on Faculty Retention. This study recommended that the department develop policies and ensure that policies/programs are in place to foster increased educational attainment for Alberta students at the graduate level, to ensure the province is producing sufficient graduate students to support research activity, and to respond to the future demand for faculty.

Post-secondary transitions

Since 1994/1995 women have comprised more than half of all students enrolled in Alberta's publicly funded post-secondary credit programs.¹ Females are only under-represented in various engineering disciplines.

With the exception of Alberta's technical institutes (NAIT and SAIT), females outnumbered males at all Alberta post-secondary institutions. Looking at the system total in 2000-2001, 57 percent of all attending students were female.

The extent to which females outnumber males varies significantly by sector. Within the university sector as a whole, 55 percent of students were female in 2000-2001. The proportion of female attenders was greater in the public college sector than in the university sector. At the start of the 2000-2001 academic year, females constituted 62 percent of all grade 12 Alberta students enrolling at public colleges.

British Columbia

In British Columbia, in 1996, women received 57.9 percent of bachelors' degrees, 53.5 percent of master's degrees, and 31.3 percent of doctoral degrees. The percentage of women full time educators at B.C. post-secondary institutions in 1996-1997 was 35 percent. Women educators were represented in universities at 24.7 percent and in community colleges at 42.2 percent. (Reference: Statistics Canada)

New Brunswick

The New Brunswick Human Rights Commission has not received applications or approved any special programs aimed at participation of women in doctoral level education. It has, however, granted special program approvals to three universities in the province (University of New Brunswick, University of Moncton, and St.-Thomas University) to promote the recruitment and

¹ Alberta Learning, Learner and Enrolment Reporting Systems (LERS).

hire of female faculty members. Other campuses and colleges may have initiated similar hiring practices without seeking the Commission's approval under section 13 of the *Human Rights Act*.

Yukon

In April 1999, the Women's Directorate conducted a statistical profile of Yukon women through the Northern Research Institute. Most of the information came from the 1996 Census data.

In the Yukon, in 1996, 15 percent of females reported a university degree as their highest level of educational attainment. A total of 14 percent of Yukon males reported a similar level. While non-aboriginal females in the Yukon have made considerable gains over the past few decades, males still hold a slightly greater proportion of graduate degrees at the Masters and Doctorate levels. A relatively small number (50) Yukon residents held doctoral degrees in 1996; 35 or 70 percent were held by men.

19. According to the report (para 34), women receive less employer-sponsored training than men and even though women's and men's job-related training participation rates are similar, women receive fewer hours of training. This fact certainly contributes to a more disadvantaged position in the labour market. What measures are taken to ensure that such situation is correctly addressed with an equality perspective?

Response:

British Columbia

While the B.C. Government has not undertaken a survey to assess access to employer sponsored training, the *Human Rights Code* and various collective agreements contain provisions to protect against discrimination on the basis of gender.

Québec

In its *Politique en matière de condition féminine : un avenir à partager* [policy on the status of women: a future to share], adopted in 1993, the government of Québec highlights the importance of women in the labour market and reaffirms its commitment to actively support their participation.

In 2001, the government also adopted an intervention strategy with respect to the female labour force, which focuses on two major areas of activity:

1. Recognizing and taking the female labour force into consideration
2. Organizing the services rendered by Emploi-Québec, an agency within the Québec ministry of employment and social solidarity. It began operations on

April 1, 1998. All work and resources relating to employment and work force services centre around this agency.

The main approaches to supporting and facilitating training for female workers in these areas involve:

- * Implementing differential gender-based analysis in Emploi-Québec's practices. This approach will ensure greater understanding of women's situation and needs, especially with regard to training;
- * Supporting, together with specialized resources, women's training and inclusion in non-traditional jobs and growth sectors through the *Programme d'apprentissage en milieu de travail* [learning in the workplace program];
- * Promote and support on-the-job training for women through the support provided to heads of businesses by virtue of the *Act to foster the development of manpower training* (R.S.Q., c. D-7.1), training management and project submission to the *Fonds national de formation de la main-d'œuvre* (FNFMO) [national labour force training fund], in particular, by encouraging businesses to consider the training needs of female employees in projects submitted to the FNFMO and by stimulating the emergence of training projects specifically designed for the female labour force.

It should be noted that the government of Québec adopted the *Act to foster the development of manpower training* in 1995. The purpose of this Act is to improve the qualifications of the labour force through ongoing training, to facilitate employment adjustment and integration and to foster work force mobility. Québec's ministry of employment and social security is responsible for implementing this legislation.

Under this Act, employers who pay out more than \$250,000 in salaries must invest the equivalent of at least 1 percent of their total payroll in employee training. Any employer who does not meet this requirement must pay an equivalent amount to the FNFMO. Every year, the money accumulated in this fund is reinvested through grants that support work force training activities.

Although the evaluation process for this legislation will not be completed until 2005, the results of a recent preliminary evaluation by the MESS of these employers shows that, in 1998, employers tended to emphasize training for women slightly more than training for men.

Lastly, Emploi-Québec set up a monitoring group that, with help from all the administrative units involved in the female labour force issue, will implement and monitor the guidelines put forward as part of the intervention strategy for the female labour force.

20. The Federal Plan for Gender Equality outlines a strategy in the area of education aiming at equality for women in this area. At provincial level, in most cases, information is given using the terminology of equity issues, equity plans, equity programmes, equitable procedures and initiatives, equitable representation etc. What is the reason for the use of two different concepts? Does it reflect a different substantive approach to gender issues?

Response:

Alberta

One of Alberta Learning's 2002-2005 Business Plan core principles is to provide equitable access to lifelong learning opportunities. While the department has no specific gender-based policies, it does provide scholarships and other supports to ensure equitable access.

Examples include:

- Introduction of a Parent-Child Literacy Strategy which funds family literacy programs that integrate adult literacy instruction and early oral language development for children from birth to age six for economically and socially disadvantaged families. Many single parent families (often a female as head of household) fall into this category and will benefit from this intervention.
- Support to increase the number of First Nations, Métis and Inuit teachers in Alberta. The majority of individuals supported are female.
- Alberta Apprenticeship and Industry Training Scholarships — approximately 165 annual scholarships of \$1,000 each awarded annually to individuals who:
 - have a financial need component,
 - are designated for a specific trade or occupation,
 - are applicants of Aboriginal descent, and,
 - are women in non-traditional trades.
- \$5,000 scholarships awarded each year to assist students whose studies will ultimately contribute to the advancement of women, or who are studying in fields where members of their gender are traditionally few in number.

Employment

24. The report indicates that, although decreasing, there is still a significant wage gap between women and men (para. 22). On the other hand, it states that pay equity legislation remains one of the main measures to address the wage gap. However, complaints-based enforcement of most pay equity legislation and a narrow interpretation of equivalent value have slowed progress in addressing the wage gap (para. 280). What measures have been taken by the Government to enforce application of pay equity legislation and settlements? Has the provision on equal pay for work of equal value, included in the Canadian Human Rights Act, also been adopted in the provinces and territories?

Response:

British Columbia

The Government of British Columbia has a policy of equal pay for work of equal value for employment within the provincial government; however the policy does not extend to private sector employment. In addition, section 12(1) of the British Columbia *Human Rights Code* stipulates that “[a]n employer must not discriminate between employees by employing an employee of one sex for work at a rate of pay that is less than the rate of pay at which an employee of the other sex is employed by that employer for similar or substantially similar work.”

The Government of British Columbia appointed an independent task force in August 2001, to review the options, models, costs and effectiveness of private sector pay equity legislation and make recommendations to the legislature. The task force report, *Working Through the Wage Gap*, was tabled in the Legislature on March 7, 2002. The Attorney General has committed that government will study the report and provide an appropriate response in the coming months.

New Brunswick

The New Brunswick *Human Rights Act* does not have express equal pay for work of equal value provisions. However, the Commission does accept complaints of sex discrimination based on wage parity/wage gap issues.

In addition, the Government of New Brunswick has recently established a Roundtable on the Wage Gap. The mandate of the Roundtable is to assess existing research on the contributing factors, recommend additional research if needed, and consult with stakeholders and experts in the area. It will work to create an understanding among the stakeholders as to what are the real issues underlying the wage gap and how these can be practically addressed in a New Brunswick setting. The private sector is represented on the roundtable as well as labour and community organizations.

Québec

In Québec, pay equity has been a legal right since 1975, when Québec adopted the *Charter of Human Rights and Freedoms* (R.S.Q., c. C-12). Section 19 of the Charter states that “Every employer must, without discrimination, grant equal salary or wages to the members of his personnel who perform equivalent work at the same place.”

Moreover, on November 21, 1996, the National Assembly of Québec adopted the *Pay Equity Act* (R.S.Q. c. E-12.001), with the main provisions taking effect on November 21, 1997. The purpose of this Act is to ensure that, within a single company, employees receive the same pay for equivalent work in predominantly female job categories as employees in predominantly male job categories.

The *Pay Equity Act* establishes a proactive framework that requires all employers with 10 or more employees to make the necessary salary adjustments within their businesses and, in certain cases, to introduce a pay equity program. Smaller businesses, those with fewer than ten employees, are still subject to section 19 of the *Charter of Human Rights and Freedoms*.

Health

27. In paragraph 5963 of the report it is stated that the Department of Health and Community Services in New Brunswick conducted an information campaign in the fall of 1996 entitled “Don't kid yourself”. This was aimed at informing teens and their parents on how to reduce the risks of teenage pregnancy and to promote awareness of existing services. Was this information campaign necessitated by a high incidence of teen pregnancy? If so please give statistical data on this. Has the “Don't kid yourself” campaign yielded positive results?

Response:

The information requested is not available at this time.

28. Please provide details of the 1997-2000 action plan developed by the Departments of Health and Social Services (MSSS) in Québec (para 750). Have the measures provided in the action plan actually improved women's health and well-being, particularly that of poor women?

Response:

The information requested is not available at this time.

Rural Women

31. Please provide details of the new programme (para 429) initiated by the department of Education which is aimed at a greater access to adult basic education in rural Newfoundland. Has the programme been effective?

Response

Newfoundland

The program referred to in the Fifth Report was a program which began in the mid 1990's to allow private institutions to provide the Adult Basic Education Program. A number of private Open Learning Centres, sponsored by Human Resources & Development Canada (HRDC) and the Provincial Department of Human Resources & Employment, opened in many isolated areas in the Province. This Program undoubtedly improved access to adult basic education training and the concept of open and flexible learning was considered to be an excellent way to offer Adult Basic Education training. However, the Program was evaluated a couple of years after its inception and it was determined that despite the popularity of the system of delivery, the graduation results had shown no real improvement. At the same time funding to Open Learning Centres was discontinued by HRDC. Shortly afterwards, the provincial government transferred the responsibility of training all students sponsored by the Department of Human Resources and Employment to the College of the North Atlantic, a public funded post secondary educational institution. As a result of that decision, most Open Learning Centres closed and the ones that did remain open changed their method of program delivery. Currently the College of the North Atlantic offers as many programs as possible in rural areas throughout the Province.

33. Are rural women in Prince Edward Island and Alberta aware of their rights under the Convention? What measures are being taken to make women in these two provinces aware of their rights? What special programmes, if any, have been developed to meet the needs of rural women in Prince Edward Island and Alberta? Do the provincial budgets set aside specific amounts for programmes to benefit rural women? If so, what are these programmes?

Response:

Prince Edward Island

While there are no education programs in Prince Edward Island aimed specifically at rural women, a number of provincial departments and agencies undertake education and promotion activities related to women's issues and human rights generally, including:

- The Prince Edward Island Human Rights Commission develops programs of public information and education about human rights through seminars, publications, responses to general inquiries and a resource centre.
- The Interministerial Women's Secretariat is involved in education and research on gender equality and partners with community organizations on projects to promote the status of women.
- In addition to advising the government on matters related to the status of women, the Advisory Council on the Status of Women identifies issues of concern to Island women and provides leadership that educates and stimulates awareness about these issues, initiates and/or participates in joint undertakings with individual women, women's groups, committees, and government departments on community projects of benefit to women, conducts research on various topics, produces and distributes public information material for general distribution and public education, and initiates and/or participates in speaking engagements, conferences, and public education activities.

Alberta

The Northern Alberta Development Council (NADC) is indirectly involved with women's issues, as the organizer of the Northern BSW Council of Stakeholders and through the NADC Bursary programs. A number of government funded and non-profit organizations are designed to address women's issues in northern Alberta. The purpose of these groups varies from supporting women in their various roles, to performing charity activities and working with children. Among these organizations are the following:

- The Alberta government funds women's shelters and Family and Community Support Services (FCSS) in most of the communities in northern Alberta. Both the shelters and the FCSS programs address women's needs in communities.

- Alberta Women's Institutes promote personal growth, the family and community action through education and involvement in emerging issues. The group provides a rural women's voice to the government on issues affecting the home, family and community. Branches exist throughout the province, including the NADC region.
- Child and Family Services' Regional Authorities funds shelter/safe homes in rural areas for women and children who experience violence in rural areas.
- The Alberta Aboriginal Women's Society assists Aboriginal women, their families and communities in furthering their goals. They provide services to Métis, First Nations and Aboriginal women in Alberta.

British Columbia

The new *Human Rights Code Amendment Act, 2002*, was passed in the British Columbia Legislature on October 29, 2002, and will be brought into force in early 2003. Under the revised Code, the Attorney General is responsible for developing and conducting a program of public education and information designed to promote an understanding of the code. Plans for the Ministry's human rights education program include activities which will increase awareness of human rights protections throughout the province. The Minister is required to make public Annual Service Plans and report expected and actual results on the initiatives in his mandate.