



INTER-AMERICAN COMMISSION OF WOMEN

THIRTY-FOURTH ASSEMBLY OF DELEGATES
November 10 to 12, 2008
Santiago, Chile

OEA/Ser.L/II.2.34
CIM/doc.25/08
27 October 2008
Original: Textual

NATIONAL REPORT: CANADA

(Item 3 b) on the agenda

CANADA'S REPORT TO THE THIRTY-FOURTH ASSEMBLY OF DELEGATES
The 2006-2008 Biennial Work Plan of the
Inter-American Commission of Women

This report provides an overview of Canadian initiatives undertaken to promote the status of women since the 2006 Assembly of Delegates of the Inter-American Commission of Women (CIM) of the Organization of American States (OAS).

I. GENERAL ASPECTS

Women and girls account for 51% of the population in Canada (16.1 million compared to 15.5 million men and boys). General trends show sustained improvements in many aspects of women's lives such as educational achievements and labour force participation. However, challenges remain in key areas, including women's lower earnings and under-representation in high-level decision-making positions. While overall crime rates in Canada have declined, women continue to be disproportionately the victims of certain types of crime including criminal harassment and intimate partner abuse. Some groups of women face particular challenges – for example, Aboriginal women and immigrant women have higher rates of low income.

Canada remains committed to advancing the equality of women through the improvement of their economic and social conditions and their participation in democratic life.

Legal, political and socio-economic situation

Canada is comprised of ten provinces and three territories. Under Canada's constitutional division of powers, jurisdiction over policies and programs which advance women's equality is shared by the federal and provincial-territorial levels of government.

Canada has a strong legal foundation for gender equality in its *Charter of Rights and Freedoms*. The federal, provincial and territorial governments have also adopted human rights legislation prohibiting various forms of discrimination, including gender-based discrimination.

Canada continues to be strongly influenced by its commitments as signatory to the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) and is scheduled to appear before the CEDAW Committee in October 2008. Canada also remains committed to the Beijing Declaration and Platform for Action and continues to work actively within the United Nations system, including at the UN Human Rights Council (HRC) the UN General Assembly (GA) and the UN Commission on the Status of Women (UNCSW).

Federal departments and agencies are expected to demonstrate Gender-Based Analysis (GBA) and gender considerations in the design of programs or initiatives. Canada has been improving accountability mechanisms for integrating GBA in government reporting instruments, including new requirements for departments seeking program funding from Canada's Treasury Board Department and reporting on GBA as part of departmental performance reports.

II. IMPLEMENTATION OF THE CIM BIENNIAL WORKPLAN (2006-2008)

a) Gender-based violence

Canada is committed to the long-term goal of reducing the occurrence of all forms of family violence, including intimate partner abuse against women. The Public Health Agency of Canada leads and coordinates the Family Violence Initiative (FVI), a horizontal collaboration of 15 federal departments and agencies. The FVI facilitates partnerships with provinces, territories and non-government organizations and undertakes research, develops resources and promotes policies, programs and projects that contribute to the prevention of family violence. The FVI also works collaboratively with international bodies, such as the World Health Organization (WHO), to address family violence and violence prevention.

As part of the FVI, the Canadian Centre for Justice Statistics at Statistics Canada produces an annual report entitled *Family Violence in Canada: A Statistical Profile*. With a different focus each year, it provides the most current data on family violence as well as analyses of trends. In 2007 and 2008 it analyzed data on spousal homicide and patterns of police contact, as well as data on family violence against children and seniors.

In 2007, Canada announced the allocation of \$52 million over four years for programs, services and funding for victims of crime to help federal, provincial and territorial governments respond to a variety of emerging victim issues across the country.

Canada recognizes that certain groups of women may be at increased risk of experiencing violence and abuse. Canada continues to support the Native Women's Association of Canada's (NWAC) *Sisters in Spirit* initiative, a five-year initiative (2005-2010) which aims to quantify the extent of violence against Aboriginal women, identify root causes, and implement programs and services aimed at eliminating racial and gender-based violence.

In June 2007, at the first annual National Aboriginal Women's Summit (NAWS), Canada also announced it is helping First Nations communities address the critical need for family violence prevention programs and services on-reserve through a five-year investment of \$55.6 million, including \$2.2 million to build five new shelters across five provinces and increased operational support for the existing network of 35 shelters.

Canada has strengthened activities to address trafficking in women and girls. Canada's *Criminal Code* includes three indictable offences related to human trafficking. Since July 2007, federal partners and local police have delivered training sessions on the laws and issues surrounding human trafficking to law enforcement officials across the country. Canada has also extended the length of Temporary Resident Permits (TRP) available to victims of trafficking to 180 days. In addition to providing access to health-care benefits, including medical treatment and counselling, recipients of a TRP are now also able to apply for a work permit. Victims are not required to participate in law enforcement investigations in order to gain any temporary or permanent immigration status.

Canada's criminal laws provide a broad-based response to all forms of violence against women. These protections include prohibitions on specific forms of violence such as assault, sexual assault and criminal harassment. As well, procedural protections (e.g. the use of testimonial aids for vulnerable victims/witnesses including those in spousal abuse or sexual assault cases), preventative measures (e.g. restraining orders), and sentencing principles (e.g. spousal abuse and abuse of a position of trust/authority are aggravating factors for sentencing) ensure that violence against women is addressed at all stages of the criminal justice process. Relevant *Criminal Code* reforms over the reporting period include:

- raising the age of sexual consent from 14 to 16 years to protect young people, including girls, from sexual exploitation by adult predators. (May, 2008);
- strengthening the peace bond provisions in relation to those who have been previously convicted of sexual offences against children (May, 2008);
- preventing the use of "house arrest" for offences involving serious personal injury including for sexual assault and aggravated sexual assault (December, 2007);
- increased mandatory minimum penalties for serious offences involving the use of a firearm such as attempted murder, discharging a firearm with intent, sexual and aggravated sexual assault, and kidnapping (May 2008); and,
- making testimonial aids more readily available to adult vulnerable victims/witnesses such as women who have experienced violence (January, 2006).

In 2006-2007, a total of 29 initiatives addressing the issue of violence against women were funded under the Women's Program of Status of Women Canada, for a total amount of \$2,890,866. In 2007-2008, a total of 91 initiatives addressing the issue of violence against women were funded under the Women's Community Fund and the new Women's Partnership Fund for a total amount of \$19,212,012 over three years.

Internationally, Canada is a strong supporter of the work of the UN *Special Rapporteur* on violence against women, its causes and consequences, whose mandate was established by a Canadian-led resolution on the elimination of violence against women in 1994. In 2008, Canada led the resolution renewing the *Special Rapporteur's* mandate.

Convention of Belém do Pará

Although active in its development, Canada is not a party to the Convention of *Belém do Pará*. Canada continues to address violence against women and girls both domestically and internationally and has ratified a number of relevant international treaties including the CEDAW and its Optional Protocol.

b) Gender and HIV

Preventing the acquisition and transmission of new HIV infections is a primary goal of the

Federal Initiative to Address HIV/AIDS in Canada, and this includes preventable mother-to-child transmission of HIV. Voluntary HIV testing is available in all provinces and territories as part of a comprehensive approach to prenatal care. Screening pregnant women voluntarily for HIV can reduce the likelihood of mother-to-child transmission of HIV if positive testing results are combined with antiretroviral treatment, which can reduce HIV transmission rates to the infant from approximately 25% to 2% or less.

In Canada, the proportion of pregnant women diagnosed with HIV receiving antiretroviral treatment to prevent the transmission of HIV to their babies has steadily increased from 60% in 1997 to 89% in 2006. In this same time period, the HIV infection rate of perinatally HIV-exposed infants in Canada has decreased significantly from 22% in 1997 to 3% in 2006. The Public Health Agency of Canada continues to collect national data on the HIV status of infants exposed perinatally to HIV infection to monitor perinatal exposure and transmission of HIV.

Canada was involved in the resolution on “*Women, the girl child and HIV/AIDS*” adopted at the 52nd UNCSW session in March 2008, which highlights the interconnections between gender inequalities and the HIV/AIDS pandemic. A key Canadian contribution led to the inclusion of language urging governments and other stakeholders to address the increased risk of HIV/AIDS faced by women and girls with disabilities, and to ensure their equal access to prevention, treatment, care and support.

c) Gender and Migration

Canada recognizes the need to integrate gender considerations in the development of migration policies, including those related to the protection of migrant workers and responding to trafficking and human smuggling. Citizenship and Immigration Canada (CIC) has also mainstreamed gender and diversity analysis within its policy and program development framework.

Canada continues to promote the protection of the rights of migrants, particularly women and children. The Canadian legal system provides protection for the human rights of all persons in Canada, regardless of their immigration status. Federal and provincial labour standards also apply to all workers in the same industry.

The Government of Canada has recently increased its investments in settlement programs which aim to address language needs and support the development of labour market skills of immigrants. Canada has also recently created the Foreign Credentials Referral Office to assist immigrants in having their credentials assessed in Canada. Additionally, Canada’s Live-In Caregiver Program provides immigrant women with the opportunity to apply for permanent resident status after completing two years of care giving employment.

d) Gender and Natural Disasters

The Canadian International Development Agency (CIDA) works with key regional partners in the Caribbean to ensure that gender issues are appropriately addressed in disaster management strategies and programs. For example, CIDA recently supported a workshop attended by a number of Caribbean nations to deepen understanding of the necessity of integrating gender dimensions in the design and implementation of disaster mitigation interventions.

Canada has also partnered with countries through the Asia-Pacific Economic Cooperation (APEC) forum, where work is ongoing to examine the gender aspects of emergency preparedness and disaster management in key vulnerable regions.

III. IMPLEMENTATION OF THE INTRA-AMERICAN PROGRAM AND STRATEGIC PLAN OF ACTION OF THE CIM

The Eradication of Poverty

Providing support for families with children continues to be a priority in Canada's approach to addressing poverty. The Universal Child Care Benefit came into effect in July 2006, providing parents with \$100 in direct support monthly for each child under 6 years of age. In 2007 the Government introduced a new Child Tax Credit for each child under 18.

Additionally in 2007, Canada's lowest personal income tax rate was lowered by 0.5 per cent and the basic personal amount Canadians may earn without paying federal income tax was increased. The Working Income Tax Benefit was also introduced, providing tax relief of for low-income individuals, couples and single parents. These measures may especially benefit women, who are the majority of those living in low income in Canada.

In 2007-2008, a total of 99 initiatives addressing the issue of women's economic security were funded under the Women's Community Fund and Women's Partnership Fund of Status of Women Canada, for a total amount of over \$19 million over three years.

Education

In Canada, education delivery falls under provincial-territorial jurisdiction. The Government of Canada provides in-study interest-free loans to students, grants for students in low-income families, grants targeted to students with dependents, a loan-forgiveness benefit as well as grants directed to offset the extra costs incurred by students with permanent disabilities. Provinces and territories are also major collaborative partners in delivering financial assistance to students in their jurisdiction.

Women represented almost 60% of students enrolled in undergraduate studies at Canadian universities in 2006. In the past two years, the Government of Canada has made a number of investments in Post-Secondary Education (PSE) including: \$1.7 billion to help students and families

save for their education and deal with tuition and other costs via the tax system, including the tuition, education and textbook tax credits and carry-forward of unused credits; and \$2 billion towards grants, scholarships and loan programs, including the Canada Millennium Scholarship Foundation and Canada Student Loans Program (CLSP). Canada is also undertaking a review of the CSLP aimed at modernizing and simplifying this important student financial assistance program.

Women are major recipients of Canada student financial assistance and constitute 60% of Canada student loan borrowers and 77% of recipients of grants for students with dependents.

Participation by women in power structures and decision-making, as well as in the workplace

Employment and labour participation rates for Canadian women are near record highs and are converging towards those of men. The unemployment rate for Canadian women is near a thirty-year low and is below the unemployment rate for Canadian men. Women with disabilities experienced slightly more growth in employment than men with disabilities in recent years, with the number of women with disabilities who were employed increasing from 40.3% in 2001 to 48.9% in 2006.

Canada's Supreme Court has four women out of nine judges, including the Chief Justice, consistent with a nation-wide trend of women's increased appointment to the positions of Chief Justice and Associate Chief Justice through appointments by federal, provincial and territorial governments. Women account for one third of federally-appointed judges, 22% of Members of the House of Commons and 21.8% of Deputy Ministers.

Status of Women Canada's Women's Program has provided funding to numerous initiatives geared at developing women and girls in leadership and decision-making roles in both 2006-2007 and 2007-2008, including a number of projects directed to enhancing and restoring Aboriginal women's leadership roles in their communities.

Health

The Bureau of Women's Health and Gender Analysis (BWHGA) was established in 1993, enhancing Health Canada's capacity to promote equitable health outcomes for women and men, boys and girls in Canada. The BWHGA Women's Health Contribution Program (WHCP) was established in 1996 to help generate sex and gender sensitive evidence to support the development of health policies and programs in Canada. The Program funds research and supports community-academic partnerships in the development and dissemination of information on women's health. Currently, the program supports four Centers of Excellence for Women's Health, two working groups and the Canadian Women's Health Network.

Health Canada's Women's Health Indicators Initiative promotes the inclusion of gender and diversity perspectives in health reporting. Two external indicator research projects were completed in 2006-2007 and will serve to inform Health Canada's policies and programs. The first project, "Towards a Better Understanding of Women's Mental Health and Its Indicators" highlights the interplay of factors that influence gender differences in rates of psychotropic drug use to treat emotional distress. The

second project, "Measuring Health Inequalities Among Canadian Women: Developing a Basket of Indicators," produced a set of evidence-based women's health indicators to measure and monitor inequalities in health and health care associated with income, education, and ethnicity, which federal, provincial and local officials may use to inform health policy and program development.

In 2007, the Government of Canada also introduced a \$300 million dollar vaccine program to protect women and girls against cervical cancer.

National institutions responsible for the advancement of women

Status of Women Canada (SWC) is a federal government organization that promotes the full participation of women in the economic, social and democratic life of Canada, putting particular emphasis on increasing women's economic security and prosperity, and eliminating violence against women in order to create the conditions of success for women.

SWC works with federal departments and agencies to ensure that gender dimensions are taken into account in the development of policies and programs by conducting gender-based analysis and by providing advice to the Minister responsible for the Status of Women in her or his role to advance the equality of women in Canada. Through the Women's Program and its two components, the Women's Community Fund and the Women's Partnership Fund, SWC also plays a vital role in supporting the work of women's and other Canadian organizations. In 2007 the Government increased funding to the Women's Program, bringing the total budget for the organization to its highest level ever.

The all-party Parliamentary Standing Committee on the Status of Women was established in the fall of 2004 and it has continued to convene until the dissolution of Parliament in September 2008. The Committee has studied and heard testimony from stakeholders on key issues affecting women, and tabled a series of reports containing recommendations for action. The full reports are available at: http://cmte.parl.gc.ca/cmte/CommitteeList.aspx?Lang=1&PARLSES=391&JNT=0&SELID=e24_&COM=10477

Women in areas of conflict

The Canadian International Development Agency (CIDA) supports efforts to address gender issues in situations of conflict. This included a project implemented by Inter Pares and Project Counseling Service with grassroots women's organizations and others in Peru, Guatemala and Colombia aimed at empowering women to address impunity and reparation for gender-based violence during times of armed conflict (August 2005-August 2007). In Colombia, CIDA also supported the United Nations High Commissioner for Refugees in developing an awareness-raising strategy on the subject of sexual and gender-based violence and the need to mainstream the issue in the public policy. Guidelines for the Protection of Internally Displaced Women and Girls were also developed and will be put in practice at the local level in 2008.

Consideration of gender also affects Canada's approach to Children and Armed Conflict. Eliminating all violations against children in armed conflict is a priority for Canada. We place priority on Security Council Resolution 1612 and the implementation of an effective monitoring and

reporting mechanism for violations against children. Canada is pressing for more robust action by the Security Council against violators, including the use of targeted measures. We would also like the Council to consider all grave violations against children in conflicts, beyond their recruitment as soldiers in particular rape and other grave sexual violence. While recruitment disproportionately affects boys, sexual violence disproportionately affects girls.

IV. FUTURE ACTIONS TO ADVANCE THE IMPLEMENTATION OF THE CIM STRATEGIC PLAN OF ACTION

(i) At the national level

Working through Status of Women Canada, in partnership with federal departments and key stakeholders, Canada will work to further equality for women by continuing to identify barriers and challenges faced by women, as well as opportunities to promote women's full participation in Canadian society.

Future work will build on existing activities, such as strengthening gender-based analysis (GBA) accountability mechanisms and enhancing organization capacity to conduct GBA throughout government, working with the private sector and civil society partners through the Women's Program, and pursuing partnerships to develop horizontal initiatives aimed at addressing persistent gender inequalities.

(ii) At the regional/hemispheric level

Canada will continue to be involved in the work of the Inter-American Commission on Women (CIM). Canada supports annual OAS General Assembly resolutions that promote gender equality in the hemisphere, including one that pertains to the strengthening of the CIM.

Support for gender equality remains central to Canada's Official Development Assistance to the region. Canada's development goal in the Americas is to reduce poverty and inequality and to increase sustainable development. Across the region, Canada has provided support to projects and programming aimed at increasing respect for women's rights and women's role in decision-making processes, as well as enhancing the capacity of government and civil society to advance progress in these areas. Canada will continue to integrate gender equality considerations into programs and projects in such sectors as democratic governance, education and health, and will remain engaged in policy dialogue and providing assistance to key partners such as the OAS, the IADB and PAHO to build their capacity to support progress on gender equality in the region.