



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Forty-second session

Summary record of the 854th meeting (Chamber A)

Held at the Palais des Nations, Geneva, on Wednesday, 22 October 2008, at 10 a.m.

Chairperson: Ms. Šimonović (Croatia)

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined sixth and seventh periodic report of Canada (CEDAW/C/CAN/7; CEDAW/C/CAN/Q/7 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Canada took places at the Committee table.*

2. **Ms. Beckton** (Canada), introducing the report (CEDAW/C/CAN/7), said that Canada's federal, provincial and territorial Government authorities played distinct roles and had specific responsibilities in implementing the articles of the Convention.

3. Overall, there had been significant increases in Canadian women's labour force participation and levels of education during the reporting period. Women's employment rates were converging towards those of men. Their representation in various professions, including medicine, dentistry, business and finance, had increased. The percentage of women in university studies, particularly at the undergraduate level, was higher than men's and still increasing. Canada had continued to close the gender gap in earnings. In 2007, women had earned 84 cents per hour for every dollar earned by men. Moreover, the proportion of low-income women, although slightly higher than that of low-income men, had declined from 16.3 per cent in 1997 to 10.9 per cent in 2006.

4. Yet there was room for further progress. Aboriginal women, women with disabilities and immigrant women, continued to face labour market challenges; there was significant gender imbalance with regard to unpaid labour, since child-oriented work and the care of older or disabled family members fell largely to women; and women were more likely to be victims of sexual assault, criminal harassment, spousal assault and spousal homicide.

5. The Government's overall approach to gender mainstreaming entailed gender-based analysis coupled with accountability. In 2006, Status of Women Canada, the federal agency responsible for matters relating to the status of women, had been modernized to make it more responsive to women's needs and in 2007, the federal Government had stepped up funding for the Women's Program, administered by Status of Women

Canada, bringing the organization's total budget to its highest level ever. Related provincial and territorial initiatives included the adoption by the Government of Quebec of a \$24 million action plan on gender equality for the period 2007-2010.

6. Canada endeavoured to address specific gender-related economic gaps, including through support for families with children, such as the National Child Benefit Supplement for low-income families, an initiative of federal, provincial and territorial Governments and First Nations. The value of such benefits was increasing. As a result, in 2004, the number of low-income families with children and of single-parent low-income families had declined by 12.1 and 9.5 per cent, respectively. Canada provided choice in childcare and tax relief for working families, including through the Working Income Tax Benefit, a refundable tax credit and fiscal incentive for lower-income taxpayers to enter or remain in the workforce. As a result of such investments, the percentage of children in low-income families had fallen from 18.6 per cent to 11.3 per cent between 1996 and 2006. Furthermore, such programmes as the Aboriginal Human Resources Development Strategy, the Targeted Initiative for Older Workers, the Youth Employment Strategy and the Trades and Apprenticeship Strategy facilitated women's participation in the labour market and had boosted their presence in non-traditional trades by 77 per cent since 2000.

7. Poverty reduction efforts at the provincial and territorial levels included a new Poverty Reduction Strategy drawn up by the Government of Newfoundland and Labrador and designed to enable income support clients, marginalized workers, persons with disabilities and other low-income workers, including women, to make a successful transition to employment, work more hours, increase their skills and earnings and maintain long-term employment. Investment in Quebec's Government Action Plan to Combat Poverty and Social Exclusion had helped to significantly improve conditions for Quebec families living in poverty and the number of adults receiving benefits under last resort financial assistance programmes — particularly persons under 25, families with children and women — had decreased.

8. Action taken in order to end violence against women and children included funding for the Shelter Enhancement Programme, part of the federal Government's Family Violence Initiative, to support

the construction, repair and improvement of shelters for women, child and adolescent victims of family violence. Combating the sexual exploitation of children was a continuing priority; the Government had implemented numerous Criminal Code reforms. The definition of “sexual exploitation” had been modified in order to increase protection for young people, the age of sexual consent had been raised to 16 and the penalties for use of the Internet to facilitate commission of a sexual offence involving a child had been increased. The provinces and territories had also adopted measures to address the problems of domestic and sexual violence. In order to combat trafficking in women and girls at the domestic and international levels, Canada had amended the Criminal Code by establishing new indictable offences involving human trafficking; the first conviction under these offences had occurred in 2008.

9. Canada was committed to improving the quality of life of the aboriginal peoples — First Nations, Inuit and Metis — through cooperation between aboriginal organizations and governments and the federal Government. Federal, provincial and territorial government leaders and officials had participated in the 2007 and 2008 National Aboriginal Women’s Summits in order to discuss existing challenges and formulate recommendations for government funding and action in targeted areas. On 11 June 2008, in a spirit of reconciliation, the Government of Canada, on behalf of all Canadians, had offered a formal apology to former students of the Indian Residential Schools, including aboriginal women, for the suffering caused by that system and its lasting negative impact on aboriginal culture and society; a Truth and Reconciliation Commission had been created. Section 67 of the Canadian Human Rights Act, which prevented members of First Nations living or working on reserves from filing complaints of discrimination pursuant to the Indian Act, had been repealed and the Canadian Human Rights Commission had committed itself to cooperating with First Nations organizations and the Government of Canada in developing a human rights system respectful of the aboriginal peoples’ cultures and traditional laws.

10. Canada had participated in the development of the World Health Organization (WHO) Global Strategy for the Prevention and Control of Sexually Transmitted Infections and, together with the Pan American Health Organization (PAHO) and WHO, in the adoption of the

“Sexual Health for the Millennium” Declaration. Through that Declaration, it had renewed its commitment to supporting the Millennium Development Goals (MDGs) by promoting sexual rights for all, gender equality and equity, universal access to information on sexuality and recognition of the crucial role of sexual health. Voluntary HIV testing was available in all provinces and territories as part of a comprehensive approach to prenatal care, and the infection rate of HIV-exposed infants had fallen from 22 per cent in 1997 to 3 per cent in 2006.

Articles 1 to 5

11. **Mr. Flinterman** said that, although progress had been made in recent years, the reports of non-governmental organizations (NGOs) regarding women’s economic, social and cultural rights in Canada offered a mixed picture. He commended the Government on its ratification of the Optional Protocol but noted that under article 13 thereof, every State party undertook “to make widely known and to give publicity to the Convention and the Optional Protocol and to facilitate access to information about the views and recommendations of the Committee, in particular, on matters involving that State party”; he wondered what the Government had done in that respect, especially in view of the substantial case law built by the Committee thus far. Under the Optional Protocol, a communication could only be submitted to the Committee after all local remedies had been exhausted; however, it was not clear how the substance of a complaint could be raised at the domestic level if it was impossible for claimants to invoke the provisions of the Convention directly in the courts. Although it applied common law, Canada had a Charter of Rights and Freedoms. It also applied a dualist system and in such jurisdictions, the judiciary was required to interpret domestic law in light of the State’s international obligations. He therefore would like to know whether the judiciary, and the legal profession in general, were aware of the provisions of the Convention as interpreted by the Committee over the years in its general recommendations and within the framework of individual communications.

12. Under the equality principle, which was central to the Canadian Charter of Rights and Freedoms, the federal and provincial Governments had a positive obligation to improve the situation of women. It was therefore regrettable that the Canadian Human Rights

Commission was not represented in the delegation so that it could present its views on the situation of women's human rights. It would be interesting to know how significant the Convention was in the work of the national and provincial human rights commissions; whether those commissions were actually viewed as a link between the international and the national and provincial systems for the protection of women's human rights; whether they were adequately staffed and financed at all levels; and why British Columbia did not have a human rights commission.

13. Since a right could not exist without a remedy, in light of the lack of identical criteria for the provision of legal aid at the federal and the various provincial levels, he would welcome up-to-date information on what legal aid schemes existed in Canada. The federal Government had an obligation to ensure that every woman could obtain legal aid. Lastly, it would be interesting to know whether the Court Challenges Program had been cancelled in 2006 and, if so, what the grounds for that step had been.

14. **Ms. Shin** congratulated the delegation on the Government's investment in women's human rights during a global financial crisis and for its support for the work of the human rights treaty bodies. She asked what procedure Canada would follow in implementing and following up on the concluding observations that the Committee would issue at the current session. Noting that advocacy, research and lobbying were crucial to combating violence against women and addressing other fundamental issues, she asked what the rationale for not funding relevant NGO activities and providing only direct assistance was and whether the Government considered that the advocacy and research carried out by NGOs were not of high quality.

15. Since the delegation considered gender-based analysis essential to gender mainstreaming, she would welcome information on any impact analysis regarding federal budget allocations to the various ministries and to the provincial and territorial authorities. Lastly, in view of the significance of the Court Challenges Program in terms of legal redress and of the Committee's positive evaluation of that program in the past, she would welcome information on the reasons that had prompted its cancellation.

16. **The Chairperson**, speaking as a member of the Committee, stressed the importance of parliamentary involvement in the reporting process, over and above

the wide dissemination of concluding comments among civil servants and politicians. She wondered whether that approach had been followed in preparing the combined sixth and seventh report and, if not, whether such a policy could be envisaged. Parliament's involvement in implementation of the concluding observations of human rights committees would also facilitate their uniform, consistent implementation in all territories and provinces.

17. Noting the importance of awareness-raising initiatives to implementation of the Optional Protocol and expressing surprise at the Government's decision not to fund NGO advocacy activities, she wondered whether NGO funding for promotion of the Optional Protocol would be affected. Lastly, she welcomed the use of the Convention and the Committee's recommendations by the Supreme Court of British Columbia in its judgement in the *McIvor v. Canada* case; the Court had required the federal Government to remove sex discrimination from the determination of Indian status. However, she wondered why the Government had sought to appeal against that decision, in contrast to its repeal of section 67 of the Canadian Human Rights Act.

18. **Ms. Venasse** (Canada) said that as soon as concluding observations were received from the Committee, they were distributed to all federal departments concerned and to provincial and territorial Governments, posted on the web site of the Department of Canadian Heritage and made available to anyone upon request. They were then discussed by an inter-departmental committee, which subsequently met on a yearly basis to review the issues raised by the Committee. During the reporting period, discussions had also been held with provincial and territorial bodies through the Continuing Committee of Officials on Human Rights, which was the primary intergovernmental mechanism dealing with international human rights treaties. The concluding observations were also distributed to deputy ministers and discussed by the Deputy Minister Committee on Global Affairs, Security and Human Rights.

19. **Ms. Beckton** (Canada) added that Status of Women Canada had a Standing Committee on the Status of Women which followed up on issues related to the Convention and could call ministers to appear before it.

20. **Ms. Venasse** (Canada) said that the Court Challenges Program had been cancelled as part of a Government review aimed at ensuring that all programmes were transparent and accountable and that every taxpayer dollar spent provided value for money and met the needs of Canadians. The Government, however, would honour all commitments made up to the date of elimination of the programme. In addition to publication on the Canadian Heritage and Status of Women Canada websites and distribution of printed copies on request, the Convention and the Optional Protocol were promoted through educational activities involving the international human rights treaties ratified by Canada. Pamphlets on Canada's obligations under the Convention and the Optional Protocol were also distributed. Under the Women's Programme, funding was provided for projects aimed at the advancement of all women in Canada. The report provided examples of provincial government activities aimed at promoting the Convention.

21. **Ms. Eid** (Canada) said that although they did not have direct effect under the dualist system, international human rights treaties played an important interpretative role in Canada's domestic legal system in relation to the Constitution, the Canadian Charter of Rights and Freedoms, and ordinary laws such as the Immigration Act. Section 15 of the Canadian Charter, which guaranteed equality, had been interpreted by the Supreme Court in a manner consistent with the Convention in order to provide protection, including through special measures, against direct, indirect and systemic discrimination.

22. With regard to domestic remedies, Canadian human rights legislation comprised the Human Rights Act at the federal level and human rights codes, with a quasi-constitutional status, at the provincial and territorial levels. Canada's justice system had a long history of responding to complaints under the Optional Protocols to the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Although Canada's ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women was a relatively recent development, two complaints under that instrument were currently pending. In the interests of independence, training for the judiciary was administered by the National Judicial Institute and included programmes on international law, particularly

international human rights law, and on social issues involving violence against women, gender equality, domestic violence and diversity. Although legal aid — especially on family law matters, which were of particular interest to women — lay under provincial jurisdiction, the federal Government cooperated extensively with the provinces and territories in order to ensure an accessible justice system and, to that end, provided funding through the Canada Social Transfer.

23. **Ms. McCarthy Mandville** (Canada) said that Newfoundland and Labrador endeavoured to improve its civil legal aid system by providing funding for additional lawyers and support persons in respect of particular areas of the province, persons with mental illness, and parties involved in child, youth and family matters; and for specific projects, such as a family violence court's holistic approach to victim safety and defender accountability and a pilot project designed to deal efficiently and effectively with disputes involving child, youth and family services.

24. **Ms. Otton** (Canada) said that Ontario considered access to family legal aid to be essential and provided funding, family justice programmes, child support enforcement measures, specialized domestic violence courts and a new programme for placing legal aid officers in every courthouse. Ontario was reorganizing its human rights system by providing complainants with direct access to a human rights tribunal, using the Human Rights Commission to focus on systemic matters and creating a human rights legal support centre. Funding for the human rights system had increased by 40 per cent in one year.

25. **Ms. Paře** (Canada) said that the Government's appeal against the judgement in the *McIvor v. Canada* case had been prompted by its desire to maintain the status quo in view of the scale of the stakes, which were related to Indian and Northern Affairs Canada (INAC) policies and programmes, and by its conviction that there had been an error in the lower court's analysis.

26. **Ms. Beckton** (Canada) said that the Government's decision to terminate the research fund which had existed in the past had been based on a review that had shown that the expenditure most beneficial to women would be the provision of direct benefits. That decision, however, did not preclude the dissemination of information about important international instruments such as the Convention. In

fact, Status of Women Canada funded organizations that informed women about equal pay legislation, as well as lobbying groups and research necessary for achieving specific objectives. It also conducted extensive research in cooperation with other departments, other branches of Government and the international community in order to provide the Government with evidence-based advice. The Standing Committee on the Status of Women had drawn up telling reports on the use of gender-based analysis in federal budgets and, where possible, Status of Women Canada had carried out gender-based analyses of budget items.

27. **Mr. Flinterman** asked whether the federal Government was empowered to attach conditions to Canada Social Transfer legal aid schemes in order to establish identical criteria for legal aid applicants in all provinces and to ensure that all provincial Governments provided at least a basic level of legal aid. He would also like to know what the federal Government could do in order to ensure — in keeping with its obligations under international human rights instruments, including the Convention — that a provincial government which, like British Columbia, lacked a human rights commission, would strengthen its human rights infrastructure by establishing such a body.

28. **Ms. Shin**, noting the delegation's statement that the Court Challenges Program had been cancelled in order to ensure transparency and accountability, asked whether the Program had lacked those qualities. Furthermore, stressing that advocacy and research by NGOs at grass-roots level was necessary and different from the advocacy and research conducted by a Government body such as Status of Women Canada, she inquired as to the kind of assessment that had preceded the decision to discontinue funding for such NGO activities. It was to be hoped that the programme in question would be reinstated.

29. **The Chairperson**, speaking as a member of the Committee, noted that the Supreme Court of British Columbia, in the *McIvor v. Canada* case, had ruled that bill C-31 contravened the Convention; she would therefore appreciate more information on the reasons for the appeal filed by the Government.

30. **Ms. Beckton** (Canada), referring to the possibility of unifying funding conditions across Canada, said that the Canada Social Transfer was a

block transfer used to provide provinces and territories with stable, predictable and growing funds that helped meet the needs of residents in such areas as post-secondary education, social assistance, social services, early childhood development and childcare. In the past, conditionality had been a part of such transfers but the Government of Canada now considered that in view of their geographic and demographic diversity, the provinces were best able to meet the needs of their people and should be allowed to design and deliver the appropriate programmes. Efforts were made to bring together some of the overlying principles and structures through accords, for instance in the area of health care. Legal aid issues could be raised in regular annual federal-provincial-territorial meetings of justice ministers, in keeping with the decentralized federalism practised in Canada.

31. **Ms. Eid** (Canada) said that under the Canadian Charter of Rights and Freedoms, as interpreted in light of the country's international obligations, provincial and territorial governments had an obligation to ensure that sufficient human rights recourse mechanisms were available. There was extensive cooperation between the federal Government and those of the provinces and territories within the framework of a biannual forum and through monthly conference calls and issues related to transfer payments, human rights, the Convention and women's rights were always part of those discussions. Regarding the *McIvor v. Canada* case, the Government believed that the Court of Appeal should examine the decision of the Supreme Court of British Columbia because of the scope of the remedy ordered and the significant legal issues involved.

32. **Ms. Venasse** (Canada) said that she would endeavour to obtain information on assessments related to the Court Challenges Program by the end of the day. British Columbia successfully applied the direct access model; a publicly funded human rights clinic which provided comprehensive assistance, including legal representation, to eligible complainants and respondents, as well as public human rights education services, was a key component of that success. Statistical evidence and feedback indicated that complaints were dealt with in a timely and effective manner by the British Columbia Human Rights Tribunal.

33. **Ms. Paře** (Canada) said that amid many competing interests involving the Indian Bands Council and First Nations, bill C-31, adopted in 1985,

had struck a necessary balance between collective and individual rights by drawing a distinction between Indian status and membership of a specific band. Bill C-31 had helped regularize the status of many persons of Indian ancestry. The Government therefore believed that in the *McIvor v. Canada* case, the trial judge had improperly ruled against its provisions.

34. **Ms. Beckton** (Canada) said that Status of Women Canada valued the work of civil society; without women's groups, the advances made to date would not have been possible. Interaction with such groups enabled Status of Women Canada and other Government departments to hear first-hand the needs of women and to learn what policies and programmes had succeeded or failed. Research, including at grass-roots level, was funded when it was a component of a project. The Government encouraged universities, especially gender studies departments, to partner with NGOs in conducting research. Some provinces funded advocacy and research activities and government ministers met regularly with NGOs to hear their concerns, views and proposals; such work was also done through constituency offices as part of the parliamentary process.

35. **Ms. Madsen** (Canada) said that the Yukon Government had established the Women's Equality Fund in response to women's organizations' need for sustained funding. The Fund supported advocacy and research aimed at the achievement of women's equality, as well as policy development for gender equity, education and social action on women's equality issues, and capacity-building in women's organizations. Several aboriginal women's organizations were among the bodies funded.

36. **Ms. Tavares da Silva**, after praising Canada's proactive stance in international forums for the promotion of women's human rights, asked for clarification of two apparent contradictions related to the implementation of article 3 of the Convention. First, according to the delegation, Status of Women Canada currently enjoyed a record budget but, according to a credible international organization, the agency's budget had been slashed by approximately 40 per cent in 2006. Second, according to information from independent sources, funding guidelines for women's programmes currently precluded advocacy research by NGOs, some of which had been obliged to shut their offices; the delegation had maintained that funding of such research was possible. Full clarity on

that point was necessary because advocacy and lobbying were an essential part of the dialogue between governments and civil society. Changes did not occur automatically; they had to be promoted by women themselves.

37. Moreover, according to independent reports, social assistance under the new system of transfers was at an all-time low and failed to address the vulnerability of aboriginal women, who faced higher rates of poverty, unemployment, violence, homelessness and incarceration than other categories of women. In certain areas of the country, that vulnerability reached such extremes as disappearance and murder in significant numbers; those cases had not been effectively investigated. Social assistance also failed to address the problem of young women and adolescent girls who were victims of domestic violence. Almost 80 per cent of reported sexual assault victims were girls. They often became homeless, but the shelters available to them and the detention facilities where they might be held were centres for boys and girls, a fact which had negative consequences for their safety and recovery. Those girls went unnoticed under the broad categories of women, children or youth. Inaction in the case of those two groups of women was incompatible with article 3 of the Convention, which provided for the economic, social and cultural rights of women.

38. **Ms. Beckton** (Canada) said that Status of Women Canada had been streamlined, along with all Government departments. As part of that process, some regional offices and other administrative units had been closed and others had been combined. The savings thereby achieved had been reinvested in the front-line programme through a community fund and a partnership fund. In 2007, the Government had provided additional budget allocations, bringing Status of Women Canada's programme funding to a record level; it had been able to allocate \$33 million over to project funding over a three-year period for a variety of purposes, including combating violence against women, empowering First Nation girls through arts and culture, reconciling culture and community needs and helping aboriginal women develop leadership skills. The agency had also focused on girls, immigrant women and other vulnerable cohorts. Moreover, because the Government understood the importance of NGO work in advancing women's equality, Status of

Women Canada also provided funding to a number of organizations that could be termed “advocacy groups”.

39. **Ms. McCarthy Mandville** (Canada) said that as part of an extensive poverty reduction strategy, social assistance rates in Newfoundland and Labrador had increased significantly; women accounted for 54.7 per cent of the income support caseload. The minimum wage had been raised by 33 per cent in the past three years and assistance was provided for, inter alia, shelter, private childcare and mother and infant food supplementation.

40. **Ms. Otton** (Canada) said that the Ontario Ministry of Community and Social Services, through Ontario Works and the Ontario Disability Support Programme, provided social assistance through income and employment assistance benefits, including job-search support, skills training and placement, health care and disability benefits. In recent years, there had been increases in the minimum wage and in the overall social assistance budget.

41. **Ms. Mailloux** (Canada) said that Quebec operated effective social assistance programmes; poverty and social exclusion legislation, adopted in 2002, addressed gender differences, established rights with respect to poverty and a decent standard of living and was accompanied by a Government action plan for the period 2004-2009. The plan included minimum wage increases, employment benefits, child support and more generous allowances for the poorest families; some of those benefits could be cumulative. The policy had produced tangible results, including a dramatic drop in the number of single-parent families, most of which were headed by women who received employment and social assistance.

42. **Ms. Beckton** (Canada) said that the Government of Canada shared the Committee’s concern over violence against aboriginal women and their social and economic condition. As the causes were complex, multifaceted solutions had been adopted. “Sisters in Spirit” was an initiative undertaken in partnership with the Native Women’s Association of Canada (NWAC) in order to address race-related and sexual violence. Through research, 500 murdered or missing aboriginal women had been identified and their names entered in the NWAC database. Other steps included close cooperation with law enforcement agencies and training police officers in the specific needs of aboriginal women. National Aboriginal Women’s

summits had brought the provinces, the territories and the federal Government together to discuss those issues, and other measures were also being taken in that area.

43. **Ms. Paře** (Canada) said that 75 per cent of aboriginal women lived off-reserve and 42.7 per cent of them were poor. Aboriginal women’s average income amounted to \$13,300, as compared to \$19,350 for non-aboriginal women and \$18,200 for aboriginal men. Aboriginal women were also overrepresented in the prisons. The Canadian Government was extremely concerned at that problem, which was complex and required coordinated multidisciplinary approaches. The Government wished to cooperate with aboriginal organizations, provinces and territories in order to achieve tangible improvements regarding the aboriginal people and had invested substantial funds in critical areas. Although Government efforts targeted all Canadians, including the groups in question, specific steps were being taken by federal ministries, including the Ministry of Indian and Northern Affairs, in order to support economic development, improved housing conditions, access to safe drinking water and educational and social programmes for aboriginal families. The Ministry had decided to increase basic financing for aboriginal organizations, particularly those of women. The budget of NWAC had been increased and multi-year financing helped ensure greater organizational stability. The Ministry had made major reforms to its basic social and economic programmes in the areas of education and human resource development.

44. The federal Government was committed to developing a cross-cutting strategic plan for indigenous community development with gender equality as a basic principle. Reform of the child and family support services was under way with a view to proactive measures involving income assistance and legislation to protect individual rights. To that effect, strategic partnerships had been formed, for instance in British Columbia regarding education and in Alberta, Saskatchewan and New Brunswick regarding child and family support.

45. **Ms. Eid** (Canada), referring to the co-incarceration of girls and boys, said that under the Youth Criminal Justice Act, provinces and territories were required to respect gender differences. Although young males heavily dominated the youth justice

system, efforts were made to ensure that young female detainees were accorded gender-specific treatment.

46. **Ms. Otton** (Canada) said that in Ontario young female offenders were, with few exceptions, accommodated separately, including in cases where it was desirable to keep the girls in question close to their communities. The province endeavoured to strengthen gender-specific programming in education, employment and life skills training and to facilitate women's access to housing, family and personal counselling.

47. **Ms. Coker-Appiah** requested additional information regarding the Family Violence Initiative, especially in respect of programming and success in reducing violence against women, particularly aboriginal women. She also asked what steps the Canadian Government took to address such reported malfunctions of the prison system, such as the high rate of incarceration of aboriginal women, their segregation and the employment of male front-line staff in women's facilities, a practice that led to the sexual exploitation of women and girls. She would also welcome information on external redress mechanisms for such victims since the treatment to which they were subjected could be considered torture under international standards; various bodies, including the Canadian Human Rights Commission, had criticized that situation. Lastly, she would like to know what further action would be taken with respect to the crimes identified through "Sisters in Spirit" as many of those murders had not been properly investigated.

48. **Ms. Tavares da Silva**, referring to article 5, stressed the importance of childcare in reconciling work and family life and challenging gender stereotypes. Accordingly, in view of the reported severe shortage of childcare, she would like to know the rationale for reducing funding for early learning and childcare as part of the policy on federal transfers. In order to assess the significance of the Universal Child Care Benefit, she asked what the regular monthly fee per child in childcare centres was. Lastly, according to reports, the vast majority of Canadians would prefer a national childcare programme somewhat different from the current one; she inquired as to whether the Government's childcare policies were in line with the views of the Canadian population.

49. **Ms. Shin**, noting that domestic violence was directed predominantly against women, not men, pointed out that according to available information, there was a growing tendency in Canada to bring

charges against not only the violent male, but also the female. She wondered whether any gender-based analysis of court cases had been carried out and would welcome information on the adequacy of the number of women's shelters and on plans to invest more heavily in such facilities. Underscoring the significance of men's participation in combating violence against women, she inquired as to the current extent of the White Ribbon Campaign. Lastly, she stressed the need for a proper investigation into the murder of hundreds of aboriginal women and urged the Government to take steps to prevent sexual harassment in facilities accommodating both males and females.

50. **The Chairperson**, speaking as a member of the Committee and referring to violence against women, asked whether Canada applied minimum federal standards, applicable to all provinces, with regard to the number of available centres and helplines and whether there was systematic statistical follow-up on cases in that area.

51. **Ms. Morency** (Canada) said that an initiative addressing all forms of family violence had been in operation since 1988. It sought to strengthen public response through the criminal justice, housing and health systems and through data collection, research, evaluation, policy improvement and federal-provincial-territorial coordination. The results of the initiative, as reflected in Statistics Canada reports, showed a slight decline in spousal violence and identified other long-term trends.

52. The "dual charging" issue had been addressed in the broader context of a 2003 review of spousal abuse. Three key objectives had been established: spousal abuse should remain a criminal offence; the safety and security of victims should be secured; and confidence in the criminal justice system should be maintained. Two recommendations had been made: in domestic violence cases, the police should formulate a primary aggressor assessment; and minimum standards should be applied across the country by issuing guidance to the various jurisdictions in order to ensure that the criminal justice system responded to spousal aggression in a consistent manner.

53. **Ms. Mailloux** (Canada) said that in order to combat violence against women, including spousal violence, Quebec had effective policies and action plans structured under 10 provincial ministries, including the Ministries of Health, Education, Justice and Public Security, as well as the agency responsible for aboriginals. Those initiatives comprised a great

number of measures and absorbed considerable funding. Awareness-raising campaigns were conducted; sustained support was provided to community-based organizations working against spousal violence; the civil code had been amended in order to help victims of sexual violence or abuse to cancel their leases without penalty; and more than 100 shelters for victims of spousal violence were in operation. Ministry commitments involved promotion, prevention, psychosocial and judiciary assistance measures specifically targeting aboriginal women and measures against sexual assault and aggression. The province funded shelters for aboriginal women in Quebec and Montreal and in the northern regions.

54. **Mr. Mason** (Canada), referring to the shelter situation in relation to the Family Violence Initiative, said that the federal Government typically provided the provinces with capital funding through the Canada Mortgage and Housing Corporation (CMHC) and the Shelter Enhancement Program (SEP). The provinces decided on spending priorities for crisis centres, shelters and transitional housing and often provided the operating funds. The Government was aware of the urgent need for shelters for aboriginal women. Overall, the measures adopted had had a positive impact on shelter use by women and had helped them address family violence problems. Of approximately 7,500 persons residing in shelters across Canada in April 2006, 53 per cent had been women and 47 per cent dependent children. CMHC was conducting a 2008 SEP evaluation to assess whether current objectives including the contribution to the Family Violence Initiative, were being met.

55. **Ms. Morency** (Canada) said that the issue of missing and murdered women had been a concern at the federal, provincial and territorial ministerial levels. The issue was being dealt with in a number of ways, including through a federal-provincial-territorial working group of senior officials in the criminal justice system. The working group was completing a review of the problem of women who were marginalized or at risk of disappearance, such as sex workers, and was expected to recommend a set of best practices. Recently, federal, provincial and territorial authorities and aboriginal justice officials had signed a declaration pledging greater cooperation between jurisdictions on that matter, and a revised mandate had been approved for a renewed working group that would focus on victimization in aboriginal communities as a result of family and interpersonal violence. Priority areas, including spousal violence, child sexual abuse and

missing or murdered women, had been identified, and all jurisdictions would cooperate on integrated multisectoral activities with an emphasis on victim services and healing. From a front-line perspective, the British Columbia and Alberta police had each formed a working party to facilitate identification, and investigation into cases, of missing persons; establish best practices and lessons from that experience; and provide information at the federal, provincial and territorial levels. DNA was used to identify remains. The “Sisters in Spirit” project was expected to help those groups in their work.

56. **Ms. Beckton** (Canada), referring to men’s involvement in campaigns on women’s issues, said that in Alberta, shelter workers had recently organized a men’s event designed to combat violence against women. The event, which had been well attended and during which strong statements about men’s responsibility in that area had been made, had set an example for other parts of Canada.

57. **Mr. Cormier** (Canada) said that the White Ribbon Campaign, which had begun in Montreal in 1991 following the massacre of 14 young women in an educational institution, was actively promoted by an organization based in that city. It was expected that White Ribbon Campaigns would have been conducted in some 55 countries by the end of 2008. On 6 December of each year, Canada held a National Day of Remembrance and Action on Violence against Women. Canada had also played a leading role in the adoption of resolutions on the elimination of violence against women by the former Commission on Human Rights and the Human Rights Council.

58. **Ms. Beckton** (Canada) added that on 6 December 2007, the Prime Minister of Canada had made a strong statement regarding violence against women and that many parliamentarians wore white ribbons on the annual Day of Remembrance.

59. **Mr. Mason** (Canada), referring to the rationale for cancelling the childcare agreements and the population’s views on that issue, said that the agreements had been cancelled in order to allow parents more choice and flexibility in childcare and as part of a plan, on the basis of which the then Government had been elected, involving the Universal Child Care Benefit and funding to the provinces. As that Government had been recently re-elected, it could be concluded that the people of Canada supported that policy.

The meeting rose at 1 p.m.