

**Club Name**

CFUW Advocacy Committee

**Title of Resolution**

Archiving Selected Policies I

**Resolved Clauses:**

**RESOLVED**, That the Canadian Federation of University Women (CFUW) Clubs support the removal of the following policies from the current online CFUW Policy Book:

1. Education - Literacy – 1991
2. Education - Nutrition – 1980
3. Education - Learning Disabilities – 1978
4. Education - Volunteer Help – 1972
5. Education - Commonwealth Scholarships – 1968
6. Education - Educational Television - 1967
7. Education - Continuing Education and Women - 1965
8. Employment Equity - Armed Forces and Women - 1987
9. Employment Equity – Affirmative Action and Human Rights Legislation - 1975
10. Employment Equity – Women Working at Universities and Other Educational Institutions - 1973
11. Environment - Canada's Ratification of the Kyoto Protocol – 2002
12. Environment - Global Warming – 1990
13. Environment - Combatting Transboundary Pollution – 1988
14. Environment - Ecological and Environmental Problems – Education – 1972
15. Environment - Pollution – 1970
16. Government - National Unity – 1991
17. Government - Constitution Amendment (Meech Lake Accord) – 1987
18. Government - Canada Elections Act – 1980
19. Government - Location of Indochinese Refugees in Canadian Communities – 1979
20. Government - Pension for MPs – 1973
21. Government - Human Rights Commission – 1973
22. Government - Status of Women Council: Federal – Timetable – 1972

**Background:**

In 2018 the Policy Book Sub-Committee was tasked with enhancing the value of the CFUW Policy Book. The initial step was studying the current value and use of the

policies found within the CFUW Policy Book. From this study, the Advocacy Action document was created which includes active policies plus a listing of those that are less current. On close review of these policies by the Sub-Committee and other interested CFUW committees, clubs and individuals it was apparent that there were many policies that had had action taken or were out of date. These policies, while valuable in their time, had outlived their usefulness in the active Policy Book.

The Board-approved policy concerning the rescinding of any policies, states that they must be removed through the same method as they were approved, that is, by club discussion and approval at a CFUW Policy Session, and that multiple policies for removal could be combined in one proposed resolution. (Board motion – April 6, 2021)

This resolution is the next step in this process. If this resolution is approved by the CFUW Policy Session membership these policies will be removed from the CFUW Policy Book and will reside in the CFUW Historical Policy Book, a historical record of adopted resolutions. The following information provides a summary of the purpose of each policy along with an explanation of why the policy is considered redundant.

**1. Education - Literacy – 1991 – CFUW International Relations (CFUW Policy Book 2021)**

This policy calls on the International Federation of University Women (IFUW) to encourage national federations and associations to work towards the right of all people to education. A 1992 IFUW policy entitled “Education for All” (GWI Policy Book 2019) addresses this request by CFUW. The CFUW 2016 policy entitled Sustainable Development Goals, in particular SDG #4 on education, has supplanted the goals set by the World Declaration on Education For All.

**2. Education - Nutrition – 1980 (CFUW Policy Book 2021)**

This policy encourages member clubs to sponsor and/or support a nutrition awareness program. As nutrition awareness is now evident in most schools, it is identified that action has been taken.

**3. Education - Learning Disabilities – 1978 (CFUW Policy Book 2021)**

This policy advocates for teachers to receive training in early recognition of learning disabilities. Identification of special needs is now mainstream in teacher education curriculum. This policy has achieved its objective.

**4. Education - Volunteer Help – 1972 (CFUW Policy Book 2021)**

This policy has CFUW endorsing the principle of volunteer help in schools. CFUW supports volunteer work and the action this policy identifies has been taken.

**5. Education - Commonwealth Scholarships – 1968 (CFUW Policy Book 2021)**

This policy urges H.M. Government to include specific subject areas and mutual problems. The Commonwealth Scholarship Programs have evolved to include these program changes (British Council, Commonwealth Scholarships). This policy no longer requires any action.

**6. Education - Educational Television – 1967 (CFUW Policy Book 2021)**

This policy asks CFUW to inform Provincial Governments of the need for University credit and refresher courses to be provided on educational TV channels. This policy has achieved its intent.

**7. Education - Continuing Education and Women – 1965 (CFUW Policy Book 2021)**

This policy asks CFUW members to provide leadership encouraging university women to resume their studies and augment their qualifications. This dated policy suggesting action by CFUW members has achieved its purpose.

**8. Employment Equity - Armed Forces and Women – 1987 – UWC Winnipeg (CFUW Policy Book 2021)**

This policy urges the Government of Canada to open all trades in the Canadian Armed Forces to all women. In 1989 a Human Rights Tribunal decreed that all Canadian Forces occupations and trades be open to women within 10 years. That same year the Canadian Forces opened all occupations including combat roles to women. (Government of Canada, Women in the Canadian Armed Forces) This policy has achieved its goal.

**9. Employment Equity - Affirmative Action and Human Rights Legislation – 1975 (CFUW Policy Book 2021)**

This policy has CFUW renewing its active support for the enactment of human rights legislation. The Canadian Human Rights Act of 1977 responds to the requirements of this policy. (Government of Canada, Canadian Human Rights Act, July 2019)

**10. Employment Equity - Women Working at Universities and Other Educational Institutions – 1973 (CFUW Policy Book 2021)**

This policy is very generic in its request of, “urge the appropriate authorities” and much has been achieved.

**11. Environment - Canada’s Ratification of the Kyoto Protocol – 2002 – Montreal Lakeshore UWC (CFUW Policy Book 2021)**

This policy urges the Government of Canada to ratify the Kyoto Protocol (UN Climate Change, What is the Kyoto Protocol). The Kyoto Protocol was replaced by the Paris

Agreement in 2016 and Canada is a signatory of the Paris agreement. (UN Climate Change, The Paris Agreement)

**12. Environment - Global Warming – 1990 (CFUW Policy Book 2021)**

This policy recommends that Canada make plans to include an International Law of the Atmosphere at the United Nations Conference on Environment and Development in Brazil in 1992 (Rio Earth Summit). This did not occur, however, in 2013 the UN International Law Commission decided to include the topic “Protection of the Atmosphere” in its programme of work. (UN International Law Commission, Protection of the Atmosphere)

**13. Environment - Combatting Transboundary Pollution – 1988 – Montreal Lakeshore UWC (CFUW Policy Book 2021)**

This policy calls on the IFUW at their Helsinki Conference to encourage national federations and associations to improve the quality of the natural environment and to prevent its deterioration. A 1989 IFUW policy entitled “Environment Our Common Future” addresses this request by CFUW. (GWI Policy Book 2019) A 1989 CFUW policy titled “Nurturing Global Co-operation and Mutual Trust” also addresses this topic.

**14. Environment - Ecological and Environmental Problems – Education – 1972 (CFUW Policy Book 2021)**

This policy urges all levels of government to make greater use of mass media communications to alert the public to ecological and environmental problems. Given the significant changes in mass media since 1972, this policy is considered out of date and no longer applicable.

**15. Environment - Pollution – 1970 (CFUW Policy Book 2021)**

This policy calls on IFUW to urge member organizations to take action to prevent further pollution on a worldwide basis. A 1971 IFUW policy (GWI Policy Book 2019) entitled “Pollution” addresses this request by CFUW therefore action on this policy has been taken.

**16. Government - National Unity – 1991 (CFUW Policy Book 2021)**

This policy has CFUW affirming the desire of its members to maintain a united Canada. A 1997 policy titled Renewed Federalism states similar and identifies that CFUW should identify to the governments a desire to maintain Quebec in Canada.

**17. Government - Constitution Amendment (Meech Lake Accord) – 1987 – CFUW Executive Board (CFUW Policy Book 2021)**

This policy directs that a letter be sent to the Prime Minister and the 10 Provincial Premiers expressing concern regarding the equality rights of Section 15 of the Charter of Rights. Action has been taken so this policy should be retired.

**18. Government - Canada Elections Act – 1980 (CFUW Policy Book 2021)**

This policy urges the Parliament of Canada to revise the Canada Elections Act. This Act has been replaced by a number of acts, the last being an updated version of the Canada Elections Act (Government of Canada, Justice Laws Website, Canada Elections Act).

**19. Government - Location of Indochinese Refugees in Canadian Communities – 1979 (CFUW Policy Book 2021)**

This policy urges Clubs and Associations to sponsor and support Indochinese refugees in Canadian communities. This policy is now out dated.

**20. Government - Human Rights Commission – 1973 (CFUW Policy Book 2021)**

This policy urges the Government of Canada to establish a Human Rights Commission which was established in 1977. (Canadian Human Rights Commission)

**21. Government - Pension for MPs – 1973 (CFUW Policy Book 2021)**

This policy petitions all members of Parliament to revise the pension plan for members of Parliament to be a retirement benefit rather than a permanent patronage payment. Members of Parliament Retiring Pensions Act, last amended in 2015 has addressed this concern. (Government of Canada, Members of Parliament Retiring Allowances Act, June 2015)

**22. Government - Status of Women Council: Federal – Timetable – 1972 (CFUW Policy Book 2021)**

This policy requests that the Minister in charge, implement the Status of Women Council by September 1<sup>st</sup>, 1972. It speaks only to the timetable. The Canadian Advisory Council on the Status of Women was established in 1973, (Canadian Advisory Council on the Status of Women) currently Women and Gender Equality Canada. This implementation has been accomplished and this date specific policy should be retired to the CFUW Historical Policy Book.

**Implementation:**

Upon approval at the CFUW Policy Session, these policies will be removed from the CFUW Policy Book and will reside in the CFUW Historical Policy Book. This action will be taken by the Chair of the CFUW Policy Book Review Sub-Committee.

**Bibliography:**

Advocacy Action Document [Advocacy-Action-Documents-2021.pdf \(cfuwadmin.org\)](https://cfuwadmin.org/Advocacy-Action-Documents/Advocacy-Action-Documents-2021/Advocacy-Action-Documents-2021.pdf)

British Council, Commonwealth Scholarships (n.d.) This url must be copied and pasted into your internet browser as link may not work from Word or pdf documents.  
<https://study-uk.britishcouncil.org/scholarships/commonwealth-scholarships>

Canadian Advisory Council on the Status of Women (n.d.). Retrieved from  
<https://www.thecanadianencyclopedia.ca/en/article/canadian-advisory-council-on-the-status-of-women>

Canadian Human Rights Commission (n.d.). Retrieved from <https://www.chrc-ccdp.gc.ca/en>

Canadian Federation of University Women Policy Book 2021. [Policy-Book-2021.pdf \(cfuwadmin.org\)](#)

Government of Canada, Justice Laws Website, Canadian Human Rights Act, last amended July 2019. Retrieved from <https://www.laws-lois.justice.gc.ca/eng/acts/h-6/page-1.html>

Government of Canada, Justice Laws Website, Canada Elections Act (S.C. 2000, c.9) Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/e-2.01/>

Government of Canada, Justice Laws Website, Members of Parliament Retiring Allowances Act, last amended June 2015. Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/M-5/index.html>

Government of Canada, Women in the Canadian Armed Forces (n.d.). Retrieved from <https://forces.ca/en/women-in-the-caf/>

Graduate Women International Policy Book 2019 [GWI-Policies-1925-2019-2.pdf \(cfuwadmin.org\)](#)

United Nations Climate Change, What is the Kyoto Protocol (n.d.). Retrieved from [https://unfccc.int/kyoto\\_protocol](https://unfccc.int/kyoto_protocol)

United Nations Climate Change, The Paris Agreement (n.d.). Retrieved from <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

United Nations International Law Commission, Analytical Guide to the Work of the International Law Commission, Protection of the Atmosphere (July 20, 2021). Retrieved from [https://legal.un.org/ilc/guide/8\\_8.shtml](https://legal.un.org/ilc/guide/8_8.shtml)

**Club Name**

CFUW Advocacy Committee

**Title of Resolution**

Archiving Selected Policies II

**Resolved Clause:**

**RESOLVED**, That the Canadian Federation of University Women (CFUW) Clubs support the removal of the following policies from the current online CFUW Policy Book:

1. Child Care and Early Learning – Child Care – National Legislation -1972
2. Children – Rights of the Child - 1991
3. Culture, Heritage and Information – Translations of Modern Canadian Writings – 1964
4. Finance and Pensions – A Motion to Rescind the 1985 Coquitlam B.C. Pension Resolution - 2014
5. Finance and Pensions – Survivor Benefits - 1978
6. Health – Birth Planning – Implementation of UN Resolution 16 1974 -1976
7. Health – Birth Planning - 1976
8. Health – Drug Abuse - 1976
9. Health – Abortion – 1975
10. Health Care System – Health Care Practitioners and Nursing Services as an Insured Service – 1990
11. Health Care System – Health Insurance Coverage - 1978
12. Indigenous Issues – Revision Committee of the Indian Act - 1978
13. Indigenous Issues – Statement of the Government of Canada on Indian Policy 1969 - 1970
14. Justice and Legal System – Marriage Laws - 1964
15. Peace, Security and Trade – Defence White Paper – 1988
16. United Nations - A High-Level Women’s Agency for the UN – 2007
17. United Nations - Millennium Development Goals – 2005
18. United Nations – UN Decade for Women – 1985
19. United Nations – Domicile of Married Women – 1967
20. Violence and Exploitation - Wife Assault Victims – 1992
21. Violence and Exploitation - Censorship – 1985
22. Violence and Exploitation - Regulation of Pornography – 1982

## **Background:**

In 2018 the Policy Book Sub-Committee was tasked with enhancing the value of the CFUW Policy Book. The initial step was studying the current value and use of the policies found within the CFUW Policy Book. From this study, the Advocacy Action document was created which includes active policies plus a listing of those that are less current. On close review of these policies by the Sub-Committee and other interested CFUW committees, clubs and individuals it was apparent that there were many policies that had had action taken or were out of date. These policies, while valuable in their time, had outlived their usefulness in the active Policy Book.

The Board-approved policy concerning the rescinding of any policies, states that they must be removed through the same method as they were approved, that is, by club discussion and approval at a CFUW Policy Session, and that multiple policies for removal could be combined in one proposed resolution. (Board motion – April 6, 2021)

This resolution is the next step in this process. If this resolution is approved by the CFUW Policy Session membership these policies will be removed from the CFUW Policy Book and will reside in the CFUW Historical Policy Book, a historical record of adopted resolutions. The following information provides a summary of the purpose of each policy along with an explanation of why the policy is considered redundant.

### **1. Child Care and Early Learning - Child Care – National Legislation – 1972 (CFUW Policy Book 2021)**

This policy has CFUW requesting the Federal Government undertake a study to provide a basis for drafting national childcare legislation. The requirements for a National Strategy on Child Care are identified in 2006 and 1988 CFUW Policies.

### **2. Children - Rights of the Child – 1991 – CFUW Guelph (CFUW Policy Book 2021)**

This policy supports the United Nations Convention on the Rights of the Child, something also found in the 2013 policy The Need for a Federal Commissioner for Canada's Children. This policy also urges the Government of Canada to ratify this Convention. Canada became a signatory to this convention in May 1990 and ratified it in 1991 (United Nations Human Rights, Office of the High Commissioner, Convention on the Rights of the Child). The second resolved clause urges CFUW to support the World Declaration on the Survival, Protection and Development of Children (Sept 29-30, 1990) and communicate this support to federal, provincial and territorial governments. This policy is date-sensitive and action has been taken.

### **3. Culture, Heritage and Information - Translations of Modern Canadian Writings – 1964 (CFUW Policy Book 2021)**

This policy identifies that a request regarding translations of modern Canadian writings be made to the Royal Commission on Bilingualism and Biculturalism. While the Royal Commission was discontinued in 1970 (The Canadian Encyclopedia, Royal Commission on Bilingualism and Biculturalism), Canadian translations have continued through the Canada Council for the Arts and its Arts Across Canada initiative. (Canada Council. Arts Across Canada. Translation)

**4. Finance and Pensions - A motion to rescind the 1985 Coquitlam**

**B.C. Pension Resolution – 2014 – CFUW Guelph (CFUW Policy Book 2021)**

This policy calls for the rescinding of a 1985 resolution on pensions. As the 1985 policy has been placed in the CFUW Policies 1919 to Present document, this 2014 policy should also be moved to this historical document.

**5. Finance and Pensions - Survivor Benefits – 1978 (CFUW Policy Book 2021)**

This policy calls for pension legislation to provide for survivor's benefits. A 1984 policy entitled "Survivors" also calls for pension legislation that addresses survivor's benefits among other recommendations. In light of two policies that effectively say the same thing, the policy with less information is recommended for removal.

**6. Health - Birth Planning – Implementation of UN Resolution 16 1974 – 1976 (CFUW Policy Book 2021)**

This policy linking food aid and family planning is dated. Canada now has a Feminist International Assistance Policy (Government of Canada. Canada's Feminist International Assistance Policy) dealing with a number of topics, including family planning.

**7. Health - Birth Planning – 1976 (CFUW Policy Book 2021)**

This policy requests CFUW member organizations study multiple aspects of birth planning and carry out actions in the upcoming year, 1977. This is an outdated policy. Another 1976 policy titled Birth Planning: Education and Availability, a 1977 policy, Birth Planning: Counselling and a 1976 policy titled Sex Education cover the topics addressed in this policy on Birth Planning.

**8. Health - Drug Abuse – 1976 (CFUW Policy Book 2021)**

This policy requests that the Government of Canada use all possible avenues to educate the public on the dangers of drug abuse. It further states that the government is not condoning the use of marijuana by the passage of this Bill. No Bill is referenced in the resolved clauses and marijuana use is now legal in Canada.

**9. Health - Abortion – 1975 (CFUW Policy Book 2021)**

There are two policies in the Policy Book on abortion. This 1975 policy requests that the government take the criminal code amendment action also identified in the 1970 policy. Two virtually identical policies are not required.

**10. Health Care System - Health Care Practitioners and Nursing Services as an Insured Service – 1990 (CFUW Policy Book 2021)**

This policy asks CFUW to support provincial and territorial nurses' associations in having nurses holding a baccalaureate degree named as "Health Care Practitioners". To become a Health Care Practitioner, nurses require training beyond the level of a baccalaureate degree (College of Nurses of Ontario, Nurse Practitioner Programs).

**11. Health Care System - Health Insurance Coverage – 1978 (CFUW Policy Book 2021)**

This policy discusses provincial health insurance coverage of a spouse following the death of a partner. All Canadians are now required to have their own provincial health card so this policy is out of date.

**12. Indigenous Issues - Revision Committee of the Indian Act – 1978 (CFUW Policy Book 2021)**

This policy asks CFUW members to write letters to the Minister of Indian Affairs and Northern Affairs requesting that both status and non-status Indian women be appointed as members of the *Revision Committee of the Indian Act*. While we can no longer find mention of a Revision Committee, a major revision of the Indian Act in 1985 (Bill C 31) clarified the non-status Indian woman concerns therefore the action intent of this policy is considered achieved. (Government of Canada, Background on Indian registration)

**13. Indigenous Issues - Statement of the Government of Canada on Indian Policy 1969 – 1970 (CFUW Policy Book 2021)**

This policy urged the Government of Canada to continue to consider proposals submitted by the Indian people of Canada in response to the "Statement of the Government of Canada on Indian Policy, 1969" This 1969 White Paper was a proposal set forth by the Government of Canada. The White Paper's lead purpose was to abolish all legal documents that had previously existed, including the Indian Act, and all existing treaties within Canada. The White Paper was met with widespread criticism and activism, causing the proposal of the White Paper to be officially withdrawn in 1970 (The Canadian Encyclopedia, The White Paper 1969).

**14. Justice and Legal System - Marriage Laws – 1964 – CFUW Victoria (CFUW Policy Book 2021)**

This policy requests that CFUW members study existing marriage laws in Canada. This study led to a 1965 policy titled "Marriage Age".

**15. Peace, Security and Trade - Defence White Paper – 1988 – CFUW Sub-Committee on Global Peace and Security (CFUW Policy Book 2021)**

The Defence White Paper of 1987 was replaced in 2017 by a new defence policy called *Strong, Secure, Engaged: Canada's Defence Policy*.

**16. United Nations - A High-Level Women's Agency for the UN – 2007 – CFUW Victoria (CFUW Policy Book 2021)**

This policy urged both the Canadian Government and the IFUW to encourage the United Nations to establish a high level agency for women. In January 2011, the United Nations Entity for Gender Equality and the Empowerment of Women, also known as UN Women, became operational (UN Women, About Us).

**17. United Nations - UN Millennium Development Goals – 2005 – CFUW Kingston (CFUW Policy Book 2021)**

In 2015 all United Nations Member States adopted the Sustainable Development Goals (SDGs). In 2016 the CFUW membership adopted a resolution titled "Sustainable Development Goals", also known as Global Goals. These SDGs replaced the UN Millennium Goals (United Nations, Millennium Goals and Beyond 2015) therefore this 2005 policy is no longer required.

**18. United Nations - UN Decade for Women – 1985 – Montreal Lakeshore UWC (CFUW Policy Book 2021)**

This policy commends the Government of Canada for its past contribution to the Voluntary Fund for the United Nations Decade for Women and urges it to continue this financial support in the future. The Voluntary Fund evolved into UNIFEM which in turn became UN Women. Canada has continued to support UN Women. (UN Women. Partner Spotlight: Canada).

**19. United Nations - Domicile of Married Women – 1967 – UWC Winnipeg (CFUW Policy Book 2021)**

This policy requests that CFUW itself endorse a UN Resolution. Endorsement is a responsibility of the Federal Government.

**20. Violence and Exploitation - Wife Assault Victims – 1992 – UWC North York (CFUW Policy Book 2021)**

This policy asks Club members to take action to promote the use of violence prevention education programs. There is significant social action regarding this topic and the required action is being taken.

**21. Violence and Exploitation - Censorship – 1985 – UWC North York (CFUW Policy Book 2021)**

This policy has CFUW examining and searching for alternatives to censorship for the control of pornography. This is not a policy but action guidance.

**22. Violence and Exploitation - Regulation of Pornography – 1982 –**

### **UWC Montreal Inc. (CFUW Policy Book 2021)**

This policy solely requests that CFUW adopt a policy of active opposition to all aspects of pornography. Several other policies on pornography suggest that pornography opposition is occurring.

#### Implementation:

Upon approval at the CFUW Policy Session, these policies will be removed from the CFUW Policy Book and will reside in the CFUW Historical Policy Book. This action will be taken by the Chair of the CFUW Policy Book Review Sub-Committee.

#### Bibliography:

Advocacy Action Document [Advocacy-Action-Document-2021.pdf \(cfuwadmin.org\)](#)

Canadian Federation of University Women Policy Book 2021 [Policy-Book-2021.pdf \(cfuwadmin.org\)](#)

Canada Council. Arts Across Canada. Translation. (n.d.) retrieved from <https://canadacouncil.ca/funding/grants/arts-across-canada>

College of Nurses of Ontario, Nurse Practitioner Programs (June 7, 2021) retrieved from <https://www.cno.org/en/become-a-nurse/approved-nursing-programs/np-programs/>

Government of Canada, Canada's Feminist International Assistance Policy (n.d.) retrieved from [https://www.international.gc.ca/world-monde/issues\\_development-enjeux\\_developpement/priorities-priorites/policy-politique.aspx?lang=eng](https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/priorities-priorites/policy-politique.aspx?lang=eng)

Government of Canada, Background on Indian Registration (n.d.) retrieved from <https://www.rcaanc-cirnac.gc.ca/eng/1540405608208/1568898474141>

Graduate Women International Policy Book 2019 [GWI-Policies-1925-2019-2.pdf \(cfuwadmin.org\)](#)

The Canadian Encyclopedia, The White Paper 1969 (June 10, 2020) retrieved from <https://www.thecanadianencyclopedia.ca/en/article/the-white-paper-1969>

The Canadian Encyclopedia, Royal Commission on Bilingualism and Biculturalism, (July 24, 2019) retrieved from

<https://www.thecanadianencyclopedia.ca/en/article/royal-commission-on-bilingualism-and-biculturalism>

UN Women. Partner Spotlight: Canada. (n.d.) Retrieved from <https://www.unwomen.org/en/partnerships/donor-countries/top-donors/canada>

UN Women, About Us (n.d.) retrieved from <https://www.unwomen.org/en/about-us/about-un-women>

United Nations Human Rights, Office of the High Commissioner, Convention on the Rights of the Child (n.d.) retrieved from <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

United Nations, Millennium Goals and Beyond 2015, (n.d.) retrieved from <https://www.un.org/millenniumgoals/>

#

**TITLE:** Strengthening Employment Equity  
**CLUB:** CFUW Nelson & District (2022)

**RESOLVED**, That the Canadian Federation of University Women (CFUW) urge the Government of Canada to:

1. Update and expand the designated equity-seeking groups in the *Employment Equity Act* to reflect current Canadian demographics and experiences of discrimination;
2. Provide designated equity-deserving groups with meaningful representation and participation in all governing and decision-making bodies related to the *Employment Equity Act* and *Pay Equity Act*;
3. Update and apply Designated Group policy and implementation guidelines for the *Employment Equity Act*. (Riddle & Service Growth Consultants, 1994)

**RESOLVED**, That CFUW urge the federal, provincial and territorial governments of Canada to ensure that all *Labour Market Transfer Agreements* on training and work require adherence to the *Pay Equity Act* and *Employment Equity Act* implementation for designated equity-deserving groups, regardless of an individual's Employment Insurance status.

**RESOLVED**, That CFUW urge the federal, provincial, territorial, and municipal governments of Canada to strengthen the implementation of the *Pay Equity Act* and the *Employment Equity Act* by:

1. Eliminating exemptions for major employers;
2. Ensuring employment eligibility includes "qualifiable with training";
3. Working with all labour market partners to decrease discrimination and increase training and workforce participation of designated equity-deserving groups.

**BACKGROUND:** Since 1920, the Canadian Federation of University Women (CFUW) has adopted many policies to support equal pay for work of equal value and employment equity as essential components of a fair and equitable social fabric (CFUW, 2021, pp. 34-40). This new policy proposal will extend but not duplicate current policy.

**Opportunity to strengthen equity.** In summer 2021, Canada's new *Pay Equity Act* came into force and a federal Task Force was launched to review the *Employment Equity Act (EEA)* by 2022 (ESDC, 2021b). The review, changes and implementation of these two acts by governments will have far reaching effects on women's socioeconomic recovery from the COVID pandemic.

**1.Update and expand the designated equity-deserving groups.** In 1986, the *Employment Equity Act (EEA)*, was first passed after women's organizations demanded a Royal Commission on Equality in Employment headed by Judge Rosalie Abella. This Commission found that Canada needed new legislation to create working conditions *free from barriers* and to correct conditions of disadvantage in employment (Abella, 1984). The resulting *Employment Equity Act (EEA)* responded to historic discrimination

#

#

by legislating that effective *special measures* are needed to accommodate differences and decrease systemic barriers for four designated groups in Canada: women, visible minorities, Aboriginal people and persons with disabilities. These groups had lower salaries, higher unemployment rates, and were disproportionately in lower-paying occupational groups (Abella, 1984, p.17).

Since the 1990s, research has been documenting experiences of employment discrimination against members of the four designated groups, and showing that intersectional equity barriers can differ significantly, even within subgroups groups (Canada, 2001). For example, visible minorities is a broad group that experiences systemic racism, and also encompasses multiple ethnicities that experience different types of intersectional discrimination and barriers (Statistics Canada, 2022; PIPSC; 2021). The 2021-22 EEA Task Force is considering redefining and adding designated *equity-deserving groups*. In addition to Indigenous people, women and persons with disabilities, *LGBTQ2+ people, Black and other racialized minorities*, are amongst the groups petitioning to be more fully considered (ESDC, 2021b; PIPSC, 2021). *While Canadian demographics have shifted, some subgroups only get counted in the census after discrimination decreases and multilingual access increases. Thus, in addition to reflecting Census demographics, all groups must be defined within and by the groups themselves. We believe that updating and expanding the designated equity-deserving groups to reflect current Canadian demographics and experiences of discrimination is necessary for future effective implementation of the EEA. These designated equity-deserving groups also need to have meaningful representation and substantive input in all governing and decision-making boards and policies related to employment and pay equity implementation.*

**2. Update and ensure use of Designated Group Policy, Strategy and Implementation Guidelines.** The EEA mandated that federal crown and government-owned corporations and federally regulated employers with 100 or more employees create equity plans and report publicly and annually on the makeup of their workforce, with specific reference to hiring, terminations, promotions, salary levels and occupational categories of the four designated groups. EEA-mandated employers must, in consultation with employees' representatives and unions, identify and eliminate employment barriers against members of the designated groups and institute positive policies, practices and reasonable accommodations to ensure representation of these groups at least in proportion to their representation in the area workforce or the "qualified" workforce depending on the job. Currently, Employment and Social Development Canada (ESDC) is responsible for assisting companies that are mandated or voluntarily implementing Employment Equity.

The EEA implementation has *no requirement for entry level or advanced training despite that training is often required to enter or be promoted in the workforce (Braundy & Grzetic, 1995)*. Back in 1998, the government department responsible for implementing the EEA developed some important implementation tools: the Designated Group Strategy (WDB, 1988) Policy and Guidelines (EIC, 1989, 1991, 1993). These were never properly implemented due to political leadership changes, government department restructuring, and funding cuts; however, they contain core elements valuable for implementing equity today (Riddle & Service Growth Consultants, 1994).

#

#

These tools need to be updated for current government departments and then implemented to include: training on the rationale and practical application of the EEA, and performance measures for all ESDC employees and EEA implementers.

**3. Ensure Labour Market Transfer Agreements adhere to employment and pay equity.** Currently, the federal government provides funding to provinces and territories to help people prepare for and return to work under two labour market transfer agreements: Labour Market Development Agreements (LMDA) and Workforce Development Agreements (WDA). LMDAs provide employment insurance (EI) funded skills training and supports to EI-eligible individuals; WDAs support provinces and territories in their delivery of employment and skills training programming (ESDC, 2021). These agreements devolve the federal government's employment counselling and training functions to the provincial and local levels (EIC, 1989).

While there are some benefits to this approach, there is a significant concern that employment and pay equity requirements may not apply because local-funded non-governmental organizations are not considered federally funded employers. That needs to be addressed under the new Employment Equity Act. Employment equity obligations should follow the money. We recommend that all Labour Market Transfer Agreements – wherein funding is transferred between governments to help people prepare for, train and return to work — are negotiated to require adherence to the *Pay Equity Act* and *Employment Equity Act* implementation for designated equity-deserving groups. Additionally, many members of designated equity-deserving groups experience gaps in employment due to systemic discrimination affecting Employment Insurance (EI) eligibility. These agreements should ensure that funding to helping people prepare for, train, and return to work is accessible to designated equity-deserving groups, regardless of an individual's EI status.

**4. Eliminate equity employment exemptions.** Shortly after the Employment Equity Act (EEA) was initially enacted, the Federal Contractors Program (FCP) was also established and initially required Federal Contractors with 100 or more employees and Federal Contracts in excess of \$200,000 to sign an agreement to develop a plan and implement Employment Equity (ESDC, 2021a). Although these contractors did not have to report to Parliament, they could be audited at any time and if found in non-compliance with the agreement, they could lose the right to bid on federal contracts.

A 1990 EEA review recommended expanding the FCP's reach by reducing the dollar value threshold and required employee numbers, and ending initial exemptions for major employers (construction, legal services) & grants and contributions. These steps would have made the FCP more effective in promoting employment equity. Instead, after a 1995 EEA review, the equity compliance threshold was raised to Federal Contracts in excess of \$1 million dollars and 100 employees. (ESDC, 2021a) Notably, the construction industry has successfully lobbied to remain exempt from FCP equity requirements. Exemptions like these have denied women and other designated equity-deserving group members opportunities on federal infrastructure projects for decades (Braundy & Grzetic, 1995, p.5-7). Employment and pay equity exemptions for major employers in federal, provincial, territorial and municipal law and regulations need

#

#

to be eliminated because these exemptions are barriers to equitable workforce participation of designated equity-deserving groups.

**5. Make employment eligibility "qualifiable with training".** As labour markets change, very few working-age adults can acquire and retain jobs without some type of ongoing training and job development (CLMPC, 1990). Research shows that discrimination impacts the work history of members of designated equity-deserving groups. Employment eligibility should be defined to include the concept of "qualifiable with training" and this should be in the *Pay Equity Act* and *Employment Equity Act* implementation for designated equity-deserving groups (Braundy & Grzetic, 1995). This is an easy concept. An individual is qualified to be hired to do the job, provided they receive initial training. Government needs to work with employers to ensure that members of designated equity-deserving groups get the training they need to succeed. Unless we provide training to address the effects of past discrimination in education and opportunity, Canadian labour markets will continue at current levels of discrimination and employment equity systems will have failure built into them (Braundy, 2020; Highway Constructors Ltd. & BC Highway and Related Construction Council, 1994).

**6. Expand mandatory and voluntary implementation of employment and pay equity.** ESDC is already mandated to help labour market partners implement employment equity and pay equity measures including but not limited to equity plans, performance measures, hiring individuals who are "qualifiable with training", and providing on-the-job training. We call on all levels of government to create employment equity action plans, expand requirements, and to set measurable goals to decrease experiences of discrimination and increase workforce participation by designated equity-deserving groups.

Voluntary measures alone will not address the "pervasiveness of systemic discrimination in Canadian workplaces" (Abella, 1984, viii). Systemic discrimination requires system-level responses including mandated employment and pay equity mechanisms and access to training. We urge all Canadian governments and labour market partners to implement the above employment and pay equity measures.

#### **IMPLEMENTATION:**

- **CFUW National can:** advocate with key national and federal entities to strengthen equity mechanisms and provisions; educate members about employment equity/pay equity (EE/PE) rights, discrimination, and options for redress; create ways to survey and track membership's employment and pay equity experiences; and create checklists to help clubs assess, audit, or document how equity is being implemented across their communities.
- **Clubs and Provincial Councils can:** review provincial and territorial equity tools and implementation mechanisms; educate members on their rights, programs, and redress; learn how EE/PE works and impacts their region(s), using surveys, focus groups, and meetings; organize speakers on employment and pay equity issues; advocate on policies to their local representatives at all levels of government; ally and communicate with women's groups and agencies doing equity work in their region(s).

#

#

- **CFUW members can** write to their local MP and MLA to request funding and policies that strengthen equity mechanisms and provisions.

#

#

## Bibliography

Abella, R. (1984). *Equality in employment: A Royal Commission report*. Canada: Human Resources and Skills Development Canada. Retrieved from <https://publications.gc.ca/site/eng/471737/publication.html>

Bakan, A. & Kobayashi, A. (2004). Backlash Against Employment Equity: The British Columbia Experience. *Atlantis: A Women's Studies Journal*, vol. 29.1, 61-70. Retrieved from [https://www.academia.edu/8825408/Backlash\\_Against\\_Employment\\_Equity\\_The\\_British\\_Columbia\\_Experience](https://www.academia.edu/8825408/Backlash_Against_Employment_Equity_The_British_Columbia_Experience)

Bakan, A. & Kobayashi, A. (2007). Affirmative Action and Employment Equity: Policy, Ideology, and Backlash in Canadian Context. *Studies in Political Economy*, 79, Spring 2007, 145-166. Retrieved from [https://www.academia.edu/3063085/AFFIRMATIVE\\_ACTION\\_AND\\_EMPLOYMENT\\_EQUITY\\_POLICY\\_IDEOLOGY\\_AND\\_BACKLASH\\_IN\\_CANADIAN\\_CONTEXT](https://www.academia.edu/3063085/AFFIRMATIVE_ACTION_AND_EMPLOYMENT_EQUITY_POLICY_IDEOLOGY_AND_BACKLASH_IN_CANADIAN_CONTEXT).

Braundy, M. & Grzetic, B. (1995). Brief to the Standing Committee on Human Rights in the matter of Bill C-64 the Employment Equity Act. 20 pp. Canada: Kootenay Women in Trades & Technology; Women in Trades & Technology Newfoundland.

Braundy, M. (2020). Lessons Learned & Best Practices for Success for Women in Apprenticeship & Skilled Technical Jobs. Retrieved from [https://www.academia.edu/59166737/2020\\_08\\_16\\_Lessons\\_Learned\\_and\\_Best\\_Practices\\_for\\_Success\\_for\\_Women\\_in\\_Apprenticeship\\_and\\_Skilled\\_Technical\\_Jobs\\_corrected\\_and\\_revised](https://www.academia.edu/59166737/2020_08_16_Lessons_Learned_and_Best_Practices_for_Success_for_Women_in_Apprenticeship_and_Skilled_Technical_Jobs_corrected_and_revised)

Canada. Human Resources and Skills Development Canada. (2001, December). *Employment Equity Act Review: A Report to the Standing Committee on Human Resources Development and the Status of Persons with Disabilities*. Retrieved from <https://web.archive.org/web/20120317143112/http://www.rhdcc-hrsdc.gc.ca/eng/lp/lo/lswewe/review/report/main.shtml>

Canadian Federation of University Women (CFUW). (2021). *CFUW Policy Book 2021*, pp. 34-40. Retrieved from <https://cfuw.b-cdn.net/wp-content/uploads/2021/07/Policy-Book-2021.pdf>

Canadian Labour Market and Productivity Centre (CLMPC). (1990). *Report of the CLMPC Task Forces on the Labour Force Development Strategy*. Ottawa. Retrieved from <https://webcat.library.ubc.ca/vwebv/holdingsInfo?searchId=8637&recCount=100&recPointer=1&bibId=762037>

Employment and Immigration Canada (EIC). (1989). *Success in the works -- A Policy Paper -- A labour force development strategy for Canada*. Ottawa.

#

#

Employment and Immigration Canada (EIC). (1993). Operational Guidelines for the Designated Group Policy. Chapter 18, In *Employment Manual* (pp. 1-31). Ottawa.

Employment and Social Development Canada (ESDC). (2021a). *Federal Contractors Program*. Retrieved from <https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/employment-equity/federal-contractors.html>

Employment and Social Development Canada (ESDC). (2021b). *Terms of Reference - Employment Equity Act Review Task Force*. Retrieved from <https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/employment-equity/task-force/terms-reference.html>

Employment and Social Development Canada (ESDC). (2021c). *Employment Equity Act: Annual Report 2020*. Ottawa. Retrieved from <https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/employment-equity/reports/2020-annual.html>

Employment and Social Development Canada (ESDC). (2020, May 22). *Labour Market Transfer Agreements*. Ottawa. Retrieved from <https://www.canada.ca/en/employment-social-development/programs/training-agreements.html>

Government of Canada. (1995). *Employment Equity Act, (SC 1995, c. 44)*. Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/e-5.401/page-1.html>

Government of Canada. (2018). *Pay Equity Act, (SC 2018, c. 27, s. 416)*. Retrieved from <https://laws-lois.justice.gc.ca/eng/acts/P-4.2/>

Highway Constructors Ltd. & BC Highway and Related Construction Council. (1994, June 17). *Collective Agreement between Highway Constructors Ltd. and British Columbia Highway and Related Construction Council*, pp.17-18.

Riddle, D. & Service-Growth Consultants. (1994). *Assessment of the implementation of the designated group policy. Phase II Report*. Ottawa: Service-Growth Consultants.

Statistics Canada. (2022). *Black History Month 2022...by the numbers*. Retrieved from [https://www.statcan.gc.ca/en/dai/smr08/2022/smr08\\_259](https://www.statcan.gc.ca/en/dai/smr08/2022/smr08_259)

The Professional Institute of the Public Service of Canada (PIPSC). (2007). *Pocket Guide to Employment Equity*. Ottawa. Retrieved from <https://pipsc.ca/sites/default/files/2018-07/employment.en.pdf>

#

#

The Professional Institute of the Public Service of Canada (PIPSC). (2021, September 22). Submission to the Employment Equity Act Review Task Force. Retrieved from <https://pipsc.ca/submission-to-employment-equity-act-review-task-force>

Worker Development Branch (WDB). (1988). Designated Group Strategy. Ottawa: Employment and Immigration Canada.

#

**Club Name**

University Women's Club of North York

**Title of Resolution**

Tightening Bail Laws to Protect Victims of Intimate Partner Violence

**RESOLVED**, That the Canadian Federation of University Women urge the federal government of Canada to strengthen the Criminal Code to protect victims of Intimate Partner Violence (IPV) by:

- a) Limiting bail to first time IPV offenders who have not violated any previous bail conditions and who have not committed a weapons-related offence.
- b) Making it a legal duty to inform victims automatically in a timely manner when an offender is released on bail, and about the conditions of release.

**RESOLVED**, That the Canadian Federation of University Women urge the federal, provincial and municipal governments and territories of Canada to work collaboratively to provide adequate funding for the mandatory attendance of IPV offenders at violence prevention programs in order to reduce repeat offences.

**OVERVIEW**

The CFUW since its founding has been working to improve human rights and social justice. It encourages its members to bring about change to women's issues e.g. violence against women. The UWCNY supports these issues and envisions a world where women are safe. One of the ways to strive towards these goals is to urge the government to toughen bail laws in order to protect women, and sometimes their children as well, from further domestic abuse and homicide (Dion, Matt, October 2021). Domestic abuse or intimate partner violence escalates over time and the risk increases when the victim's partner has access to a weapon. Granting bail to a repeat offender of IPV leaves the victim in danger as 50% of men charged with IPV violate their bail conditions and often seek out their victim again (Beeby, Dean, Global News).

**BACKGROUND**

In 2020, 160 women were killed by violence, a rise from 2019, in Canada. This equals a woman or girl killed every 2.5 days. Of this number, 60 women on average are victims of domestic or intimate partner homicide each year, which is every 6 days, according to the Canadian Women's Foundation (Canadian Women's Foundation website). Some of these intimate partner homicides are committed by men out on bail. Although homicide rates are generally higher for males than females, females are at a much higher risk of homicide by their male intimate partners. Women were killed by an intimate partner at more than five times the rate at which men were killed by an intimate partner, according to a study in 2015 by the Canadian Femicide Observatory for Justice and Accountability, (CFOJA website). Intimate partner violence has increased since the Covid-19 pandemic began, endangering more women (D'Amore, Rachael, September 2020). Matters are worse with women at

home with their abusers, and shelters are overflowing and having to turn women away (Ireton, Julie, March 2020) (Thompson, Nicole, January 2019).

### Bail Procedures of Canada's Criminal Justice System

It is a basic Constitutional right to be considered innocent until proven guilty. Section 11 of the Canadian Charter of Rights and Freedoms (Government of Canada, Justice Laws Website, Canadian Charter of Rights and Freedoms), states that an accused person is not to be denied bail without just cause, according to a Federal Ombudsman publication on bail reform (Bail Reform, November 2017). After a person is arrested and charged he or she may be released pending the court date, or kept in custody. If kept in custody, the accused is usually brought before a Justice within 24 hours for a bail hearing to determine if the accused will be released for the period leading up to the trial date; this could be months away or even a year or more from the date of arrest.

The Crown is to carefully review all the charges and evidence against the accused and should consider consulting with the victim or witnesses to ascertain all facts, including safety issues, prior to conducting the bail hearing. If additional information is required for decision-making, the Crown Counsel may request an adjournment of bail proceedings of up to 3 days unless the accused consents to a longer adjournment. The Justice of the Peace or Judge can deny bail if there is enough proof the offender is a danger to society, as victims also have rights under the Canadian Charter of Rights and Freedoms to secure their personal safety. If an accuser is released on bail there may be certain conditions such as abstaining from any communication with the victim or witnesses. Under the Criminal Code (Government of Canada, Justice Laws Website, Criminal Code), the victim is entitled to receive, on request, a copy of the bail hearing order (Bail Reform, November 2017). At a bail hearing the safety of the victim is supposed to be taken into serious consideration but is not always done. Sometimes a bail hearing happens too quickly before all the facts are known such as the victim's safety concerns and concerns of the police and other frontline workers involved. There may have been several previous assaults by the offender (perhaps not all reported), a recent separation, threats of death from the offender, access of the offender to weapons, and previous bail violations.

### Consequences of Granting Bail to Repeat Violent Domestic Abusers

Research done by an expert in the field, Peter Jaffe, founding partner of the Centre for Research and Education on Violence Against Women and Children (CREVAWC) at Western University, shows that there is a pattern to domestic abuse. It is almost never a one-time event. It is ongoing, escalates and often leads to homicide (Jaffe, Peter, April 2020). This pattern is also seen in an examination of police reports (Haines, Avery, Part One, November 2020). The risk is greater when the abusive partner or ex-partner is jealous, controlling and has access to a weapon (Jaffe, Peter, April 2020). As defined in Section 2 of the Criminal Code, a weapon is anything designed to be used in causing death or injury to any person, such as a knife or firearm (What constitutes a weapon, Liberty Law Blog). As Canadian journalist, Rachel Giese puts it; in the abuser's eyes his victim ceases to be an individual but

instead becomes his property (Giese, Rachel, November 2001). The most dangerous time for the victim is when she tries to leave and up to 6 months after separation as the offender does not like to relinquish control (Haines, Avery, Part One, November 2020). Therefore granting bail under such circumstances to a repeat domestic abuse offender is a serious risk to the woman's life (Di Luca, Joseph, Department of Justice Canada, 2012).

A Department of Justice study revealed that 50% of men charged with intimate partner assault violate their bail conditions with at least 25% committing further crimes (Beeby, Dean, Global News). According to Dr. Katreena Scott, Director of CREVAWC, a previous violation of a court order is a huge red flag for the likelihood of further IPV violence. Each violation increases the risk that the offender is 2 ½ times as likely to offend again (Haines, Avery, Part One, November 2020). Due to lack of funding, there can be lengthy delays before an offender goes to trial. The more time an offender of domestic violence is out on bail, the more dangerous he may be to his victim even with stay away bail conditions. Even when some women have had the courage to try to escape and have charged their offender or voiced their concerns to the police, they have been let down by weak bail laws or by a disconnect between existing laws and reality, resulting in their murder.

Specific Cases Here are two examples of the tragic consequences of this happening. Bridget Takyi Bridget left her home and two young children to walk to her car to drive to her job as a waitress at Pearson International Airport in Toronto. She was attacked, stabbed numerous times then set on fire. Police charged Emmanuel Owusu- Ansah with first degree murder. At the time of the attack he was out on bail following numerous charges of assault, assault with a deadly weapon and threatening to kill Ms. Takyi (Bail and Violence Against Women, January 2013).

Darian Hailey Henderson- Bellman Darian, 25, was shot multiple times and killed by Darnell Reid, her former intimate partner, on July 28, 2020. The victim's family and the police had struggled to keep the victim safe. Reid had been arrested not once, not twice but four times for violating his bail terms by contacting the victim following a violent domestic incident and for possession of illegal guns. Despite clear concerns regarding risk to the victim he was released again into the community with a GPS monitoring device. Peel Region Police Chief Nishan Duraiappah called the case a "complete failure" of our Justice System and said we collectively need to do better. When this case was reviewed by Avery Haines of CTV's W5 "Unrestrained" on Nov. 14, 2020, it was revealed that Reid had a ten-year criminal record including illegal guns, drunken driving and domestic violence. When arrested two months earlier for drunken driving and possession of an illegal weapon he and his lawyer used the excuse of the risk of contracting Covid-19 if held in jail until his trial, and he was let out on bail (Haines, Avery, Part One, November 2020).

#### Lack of Communication between the Justice System and the Victim

Although it is a recommendation, it is not yet a legal duty to automatically inform victims when an offender is released on bail (Bail Reform, November 2017). This means victims with legitimate concerns for their safety may not be made aware when

the accused person is released and what conditions may or may not be in place. Sometimes the victim may be told but not early enough to execute safety planning. It should be a Compulsory legal duty to inform victims automatically in a timely manner when an offender is released on bail and what the release conditions are.

### Counselling and Treatment Programs for Violent Men

One way to try to stop the cycle of IPV is to mandate offenders attend programs to help stop their abusive behaviour and challenge them to take an active role in preventing woman and child abuse. Violence prevention programs such as “Changing Ways” (About Us, Changing Ways) and “Caring Dads” (Why Caring Dads) have had impressive results in reducing reoffending rates by 50% over two years. However, funding from the Ontario Ministry of the Attorney General has been cut, resulting in a watered-down program from 26 to 12 weeks which is less effective (Haines, Avery, Part Two, November 2020) (Haines, Avery, November 2020). By comparison in the U.S. the program runs for 52 weeks. Peter Jaffe of CFOJA says the men can change; they are unhappy too.

### **CONCLUSION**

Conditions of bail such as stay away orders do little to stop some of these determined offenders from offending again. As Canadian lawyer Pamela Cross says, "A piece of paper (restraining order) doesn't stop a bullet or knife" (Haines, Avery, Part One, November 2020). Therefore we need our governments to work together to toughen the bail laws in order to protect victims of intimate partner violence from further violence and homicide.

### **IMPLEMENTATION**

- CFUW members could work with other organizations with a similar view on bail reform to advocate to the Government of Canada.
- CFUW members could write to their local MP regarding the identified situation and express the need for a national action plan that is well funded.
- Clubs could feature speakers in a webinar or public lecture on new policy issues.

### Bail Reform Bibliography

"About Us", "Men's Programs", "News & Media", Changing Ways

<https://www.changingways.on.ca/about-us>

"Bail and Violence Against Women," The Sunday Magazine, CBC Radio, Jan 27, 2013 <https://www.cbc.ca/radio/sunday/bail-and-violence-against-women-1.2904430>

"Bail Reform, Getting fair outcomes for victims in Canada's criminal justice system", Pages 2, 3. Office of the Federal Ombudsman for Victims of Crime, November 2017 <https://www.victimfirst.gc.ca/res/pub/gfo-ore/Bail.html>

Beeby, Dean “Justice Department Study says women batterers on bail batter again.” Global News <https://globalnews.ca/news/174136/justice-department-study-says-women-batterers-on-bail-batter-again-3/>

Canadian Women’s Foundation <https://canadianwomen.org/>

Canadian Femicide Observatory for Justice and Accountability  
<https://www.femicideincanada.ca/about/trends>

D’Amore, Rachael, “Domestic disturbances calls jump amid coronavirus, as many advocates feared”. Global News, September 2, 2020  
<https://globalnews.ca/news/7309496/domestic-crime-canada-coronavirus/>

Di Luca, Joseph, Dann, Erin, Davies, Breese, “Best Practices where there is Family Violence (Criminal Law Perspective)”, Page 9. Department of Justice Canada, 2012  
<https://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/bpfv-pevf/bpfv-pevf.pdf>

Dionne, Matt, “Brampton Mayor Patrick Brown, Peel Police demand bail reform to stop violent crimes,” Insauga, Oct 6, 2021 <https://www.insauga.com/brampton-mayor-patrick-brown-advocating-for-bail-reform-for-violent-criminals>

Giese, Rachel, “In the Eyes of an Abuser, a Woman is his Property”, rabble.ca, November 15, 2001 <https://rabble.ca/columnists/eyes-abuser-woman-his-property>

Government of Canada, Justice Laws Website, Canadian Charter of Rights and Freedoms <https://laws-lois.justice.gc.ca/eng/const/page-12.html>

Government of Canada, Justice Laws Website, Criminal Code  
<https://laws-lois.justice.gc.ca/eng/acts/c-46/FullText.html>

Haines, Avery, “W5: Unrestrained”, CTV, part one, Nov. 14. 2020 CTV News  
<https://www.ctvnews.ca/video?clipId=2077053>

Haines, Avery, “W5: Unrestrained”, part two. Nov. 14, 2020 CTV News  
<https://edmonton.ctvnews.ca/video?clipId=2077055>

Haines, Avery, “Why Does He Keep Abusing? Changing the question about intimate partner violence”, CTV News, November 14, 2020 <https://www.ctvnews.ca/w5/why-does-he-keep-abusing-changing-the-question-about-intimate-partner-violence-1.5188349>

Iretton, Julie, “Eastern Ontario shelters turning away 2 of every 3 fleeing abuse.” CBC, March 5, 2020 <https://www.cbc.ca/news/canada/ottawa/more-than-4000-turned-away-from-women-s-shelters-eastern-ontario-2019-1.5485474>

Jaffe, Peter, MacQuarrie, Baker, Linda, Dawson, Myrna, "Violence Against Women is a threat to us all." Globe and Mail, April 28, 2020

<https://www.learningtoendabuse.ca/our-work/vaw-mass-shootings.html>

Kingston, Anne, "We are the dead." Maclean's, September 17, 2019

<https://www.macleans.ca/news/canada/we-are-the-dead/>

Thompson, Nicole, "Every 2.5 days, a woman or girl is killed in Canada, new report shows", The Canadian Press, January 30, 2019

<https://globalnews.ca/news/4904975/a-woman-or-girl-is-killed-every-2-5-days-in-canada-report/>

"A Victim's Guide to the Canadian Criminal Justice System: Questions and Answers", Canadian Resource Centre for Victims of Crime 2007

[https://www.crcvc.ca/docs/A\\_Victims\\_Guide\\_to\\_the\\_Canadian\\_CJS\\_07.pdf](https://www.crcvc.ca/docs/A_Victims_Guide_to_the_Canadian_CJS_07.pdf)

"What constitutes a weapon?" Liberty Law Blog <https://libertylaw.ca/what-constitues-a-weapon/>

"Why Caring Dads" <https://caringdads.org/about-caring-dads>

**Club name:** CFUW Oakville

**Resolution Title:** Violence Against Women in Politics

**Resolved**, That the Canadian Federation of University Women (CFUW) urge all levels of government to develop and implement action plans to end Violence Against Women in Politics (VAW-P) including but not limited to:

1. A national inquiry into the root causes of violence against women in politics with the goal of developing actions and implementing plans to address the issues identified;
2. A broad regulatory framework for Social Media companies to ensure they address the online increase of violence against women in politics;
3. Mandated public stands by political parties across Canada against violence and harassment of women in politics.

### **Background**

VAW-P happens at all levels of government and is the result of deep-rooted prejudice, structural inequality and antiquated gender role theory (Carnegie, 2020, p. 2). VAW-P is increasingly recognised around the world as a significant barrier to women's participation in politics (Krook, M. L., & Restrepo Sanin, J., 2019). "VAW-P is motivated by a desire to repress, deter, control or otherwise coerce the political rights of the victims because of the victim's gender" (SSHRCC, March, 2019).

For the purposes of the development of this resolution, the following definition of VAW-P has been used.

*"Violence Against Women in Politics is part of a spectrum of gender-based violence that includes physical, psychological, economic and symbolic actions or threats against women that result in, or are intended to result in, harm or suffering against women simply because they are women. It is intersectional, as racialized minorities, members of LGBTQ2S community, the poor, religious minorities, disabled persons, and younger women tend to experience violence in politics disproportionately based on their social identities."*  
(SSHRCC, March, 2019)

Violence against women and gender-based violence has long been a priority for CFUW clubs across Canada, guided by policies including:

- Gender-based Violence in Post-Secondary Campuses
- Gun Control
- Missing and Murdered Indigenous Women and Girls

In addition, clubs regularly take an active part in International Women's Day, the 16 Days of Activism Against Gender-based Violence and events commemorating the Montreal Massacre.

There is no existing CFUW policy that addresses the issue of VAW-P. The background used in the development of this resolution has been limited to women running for public office or holding an elected position. Outside the scope for this resolution are many other women in the public eye.

### **Canadian Experience**

In Canada, like other jurisdictions, there is little quantitative data that paints a picture of the experience of women politicians. Participation levels provide some insight. In the current Federal parliament, 98 MPs out of 338 members are women. For provincial and territorial legislative assemblies, women make up 35.6% or 275 women of 772 legislators. While the goal of the Canadian Senate is to have an equal number of men & women (gender parity), as of August 27, 2021, there are 46 women in the 105 seat Canadian Senate. There are currently 13 vacancies in the Senate (January 2, 2022). “VAW-P is increasingly recognized around the world as an emerging tactic to deter women’s political participation as candidates and elected officials (Krook, et. al., 2016)”.

In Canada, there is a growing sense that VAW-P is becoming more prevalent. Anecdotal information in support of this alarming trend is provided by increased media coverage of these incidents and by female politicians speaking out. The following examples of harassment support the escalating concern regarding VAW-P.

- During the last Federal election, Conservative Member of Parliament (MP) Michelle Rempel-Garner spoke of being accosted on the street and in a restaurant by people yelling threats and conspiracy theories. She felt fear when out in the public and had to have enhanced security measures (Ibbitson, October 2021).
- Former Cabinet Minister Jody Wilson-Raybould was subject to political cartoons portraying physical violence and verbal abuse directed at her (Elwood, February, 2019).
- While serving as a Liberal Cabinet Minister, Catherine McKenna endured incidents at her home, attacks on her campaign office, and daily obscenities on social media. McKenna stated “They [social media companies] clearly have no incentive to do the right thing, so unfortunately that’s when governments step in” (Ibbitson, October 2021).
- Former member of Parliament Celina Caesar-Chavannes has publicly shared her experience of racism and the need she felt to self-censor, so as not to be seen as a “mad black woman”. She described racist micro-aggressions she experienced on Parliament Hill as a “death by a thousand cuts” (SSHRCC, March, 2019).

Attacks against Canadian women politicians are so common that it would be impossible to document them all here. “They all aim to deliver the same message, that women do not belong in politics” (SSHRCC, March, 2019).

### Magnitude of VAW-P worldwide

VAW-P is a growing problem worldwide and seems grounded in gender roles. Characteristics traditionally associated with politicians, such as ambition and assertiveness, are perceived to be male. Women who demonstrate those traits are moving outside traditional social norms and stigmatized (Carnegie, November 2020).

Globally, quantitative studies in this area of research are rare. Studies that are available include the following information:

- A 2016 study “Sexual harassment and violence against women parliamentarians” conducted for the Inter-Parliamentary Union found:
  - More than 80% of women MPs experienced psychological violence
  - One in three experienced economic violence
  - One in four experienced physical violence
  - One in five experienced sexual violence in their parliament.” (Inter-Parliamentary Union, October 2016).
- A 2018 study found more than 40% of women MPs and parliamentary staff in Europe experienced sexual harassment on the job (Inter-Parliamentary Union, October 2016).

- A recent European study (December 2020) said that women parliamentarians reported experiencing nearly twice as much exposure to torture, ill treatment and acts of violence as men and that the COVID-19 pandemic had exacerbated threats of violence (Inter-Parliamentary Union, October 2016).
- A 2016 Colombian survey showed 63% of respondents (women) were victims of violent acts and, in most cases, perpetrators were colleagues (47%) or in the same party (37%) (Inter-Parliamentary Union, October 2016)
- Krook, M.L. & Sanin Restrepo, J., in their 2019 article provided other international examples including:
  - Of 425 women who ran for office in Malawi in 2009, 225 quit before the election because of harassment and intimidation
  - In Afghanistan, nearly all female candidates in the 2010 election received threatening phone calls.
  - In Peru, 41% of female mayors and councilors had been subjected to violence
  - In Bolivia, 47% of women had been victims of violence more than once (Krook, M.L., et. al., 2019).

### The Role of Government

It has been argued that sexism in itself is an institutionalized feature of Westminster Parliaments (UK, Australia, New Zealand and Canada), and women “may or may not face hostile men, but they do face institutions that are constructed to exclude women”. (Collier, C. N., & Raney, T., 2018) The hyper-partisan nature of Canadian party systems results in loud, sometimes disrespectful heckling that is often gendered in nature. A 2015 survey of MPs conducted by the Samara Centre for Democracy found that men heckle more than women but that women are more likely to be the targets of jeering across the floor. Women reported hearing more heckles based on gender, age and appearance. (Samara Centre for Democracy, January 2016) In 2015, in response to inconsistencies in the managing of complaints within political parties, the House of Commons developed a *Code of Conduct on Sexual Harassment* governing non-criminal sexual harassment claims between MPs. While lauded by many as a positive step for Canadian democracy, the code is embedded within pre-existing norms and procedures of our Westminster-style of governance which themselves are gendered. The new institutionalized rules contained within the Code tend to reinforce masculinized norms that perpetuate violence against and harassment of female politicians. Symbolic change can have a detrimental effect for women by allowing rule makers to claim success and thus prevent further or more effective action being taken. (Collier, C. N., et. al, 2018)

### The Role of Political Parties

According to UN Women (Inter-Parliamentary Union, October 2016) political parties are among the most common perpetrators of violence. As noted earlier, in the 2016 Colombian survey, 37% of perpetrators of VAW-P were members of their own party. Political parties have a role to play in committing to a more respectful, safer, and humane political environment. They can address VAW-P in their party platforms and regulations. They can publicly reject any form of gender-based violence including VAW-P.

### The Role of Social Media

The proliferation of online abuse is particularly damaging. An online presence is essential in today’s political arena. This type of abuse presents a considerable barrier to equal opportunity. Women appear to be disproportionately targeted in such attacks. In a 2015 article by Karla

Mantilla, she describes these attacks as “gender trolling”, which is distinct from other types of trolling in that they are usually:

- Perpetrated against women who have an opinion online and state it;
- Graphic in sexuality and gender-based insults;
- Cross-platform in nature (i.e. Twitter/Facebook/Instagram);
- High in frequency, intensity and duration;
- Committed by multiple attackers in a coordinated campaign, e.g. cybermobs, bots. (SSHRCC, March, 2019)

“Worldwide, women in politics are frequent targets of abuse and threats online, but social media companies and governments are not doing nearly enough to combat it.” (Carnegie November 2020). One of the 14 recommendations from the April 2019 report of the Standing Committee on the Status of Women advises “that the Government of Canada develop and fund awareness campaigns and training programs to counter the negative effects of gender-based treatment and harassment of female politicians, both in traditional and social media”. (House of Commons Canada, April 2019)

### Conclusion

Attacks against women politicians are often focused on physical appearance and sexuality rather than political views. The Government of Canada is to be commended for allocating funds in the Fall 2021 budget to create a National Action Plan on Violence Against Women and Gender-based violence (Dale, A., et. al., 2021). While there are many factors in common, the uniqueness of the issues of VAW-P require specific action. In reviewing several key publications and worldwide and Canadian data we have concluded that the key factors and solutions to address VAW-P require a National resolution that allows CFUW clubs across Canada to advocate for change. The creation of a national inquiry into the root causes of violence against women in politics with actions and implementation plans is recommended to address the issues identified.

### Implementation

*CFUW National can:*

- Conduct an awareness campaign regarding the issues related to VAW-P

*CFUW Clubs can:*

- adopt & include the definition of VAW-P proposed in this resolution and include it in any club correspondence related to this issue
- contact and write letters to local MPs and MPPs supporting a National Inquiry
- send letters to editors and news media to denounce gender-based political violence
- include local women politicians as speakers to highlight this issue
- hold all candidates’ meetings focused on platforms and issues prior to elections
- encourage members to call out misogynistic behaviour when observed
- advocate to legislatures across Canada to immediately adopt explicit policies and procedures that prohibit VAW-P
- advocate for improved filtering tools by Social Media companies to identify and remove abusive or disinformation content from their platforms
- advocate for the development and enforcement of a code of conduct for users of Social Media that condemns VAW-P
- advocate for education in schools on appropriate use of social media including communicating respectfully.

*Individual CFUW members can:*

- volunteer to support female political campaigns
- lend financial support to female politicians/candidates for office

## **Bibliography**

Carnegie Endowment for International Peace (November 30, 2020). Tackling Online Abuse and Disinformation Targeting in Politics. Retrieved from <https://carnegieendowment.org/2020/11/30/tackling-online-abuse-and-disinformation-targeting-women-in-politics-pub-83331>

Centre for Strategic and International Studies (November 8, 2018). Against The Odds: Overcoming Online Harassment of Women in Politics. Retrieved from <https://www.csis.org/analysis/against-odds-overcoming-online-harassment-women-politics>

Collier, Cheryl N., & Raney, Tracey (2018) Canada's Member-to-Member Code of Conduct on Sexual Harassment in the House of Commons: Progress or Regress, Canadian Journal of Political Science 51: pp 759-815. Retrieved from <https://www.cambridge.org/core/terms>.  
<https://doi.org/10.1017/S000842391800032X>

Dale, A., Maki, K. and Nitia, R. (2021). "A report to Guide the Implementation of a National Action Plan on Violence Against Women and Gender-Based Violence." Ottawa, ON: Women's Shelters Canada. Retrieved from <https://nationalactionplan.ca/wp-content/uploads/2021/06/NAP-Final-Report.pdf>

Ellwood, L. J., Canadian cartoonists get backlash and support for violent Jody Wilson-Raybould 'satire', February 22, 2019 updated March 3, 2019. Indian Country Today: Digital. Indigenous. News. Retrieved from <https://indiancountrytoday.com/news/canadian-cartoonists-get-backlash-and-support-for-violent-jody-wilson-raybould-satire>

House of Commons Canada. (2019, April). *Elect Her: A Roadmap for Improving the Representation of Women in Canadian Politics: Report of the Standing Committee on the Status of Women. Karen Vecchio, Chair.* Retrieved from Our Commons website:  
<https://www.ourcommons.ca/Content/Committee/421/FEWO/Reports/RP10366034/feworp14/feworp14-e.pdf>

Ibbitson, J., What is causing the rise in violence against Politicians?, October 19, 2021. *The Retrieved* from [www.theglobeandmail.com](http://www.theglobeandmail.com) *Globe and Mail subscription required.*

Inter-Parliamentary Union. (2016, October). *Sexism, Harassment and Violence Against Women Parliamentarians.* Retrieved from Inter-Parliamentary Union website:  
<https://www.ipu.org/resources/publications/issue-briefs/2016-10/sexism-harassment-and-violence-against-women-parliamentarians>

Krook, M.L., & Restrepo Sanfin, J. (2016). Gender and Political Violence in Latin America: Concepts, Debates and Solutions. *Politica y gobierno*, Volume xx111, Number 1, Semester 2016 pp. 125-157. Retrieved from [http://mlkrook.org/pdf/pyg\\_2016.pdf](http://mlkrook.org/pdf/pyg_2016.pdf)

Krook, M. L., & Restrepo Sanin, J. (2019). The Cost of Doing Politics? Analyzing Violence and Harassment Against Female Politicians, *Perspectives on Politics*, Volume 18, Issue 3, pp. 740-755. Retrieved from <https://www.cambridge.org/core/journals/perspectives-on-politics/article/cost-of-doing->

[politics-analyzing-violence-and-harassment-against-female-politicians/997569433135FA170B2789C88A48DD17](https://www.unwomen.org/en/digital-library/publications/2021/07/guidance-note-preventing-violence-against-women-in-politics)

Leadership and Governance Section UN Women. (2021, July). *Preventing Violence Against Women in Politics*. Retrieved from UNwomen.org: <https://www.unwomen.org/en/digital-library/publications/2021/07/guidance-note-preventing-violence-against-women-in-politics>

ParlAmericas. (no date). Preventing Political Harassment and violence against women: An Action Plan for Parliamentarians. Retrieved from ParlAmericas website: ParlAmerica.org: <https://www.parlAmericas.org/uploads/documents/action-plan-political-violence.pdf>

Mason, G., Politics has become a thankless and dangerous job, October 20, 2021. Retrieved from <https://www.theglobeandmail.com/opinion/article-politics-has-become-a-thankless-dangerous-job/>  
*The Globe and Mail subscription required.*

Samara Centre for Democracy (January 2016). Cheering or Jeering? Members of Parliament Open Up About Civility in the House of Commons. Retrieved from [https://www.samaracanada.com/docs/default-source/reports/20162001-cheering-or-jeering-final.pdf?sfvrsn=3d84042f\\_2](https://www.samaracanada.com/docs/default-source/reports/20162001-cheering-or-jeering-final.pdf?sfvrsn=3d84042f_2)

Social Sciences and Humanities Research Council of Canada (SSHRC), March 8, 2019. *Democracy During #MeToo: Taking Stock of Violence Against Women in Canadian Politics: A comprehensive Scope Report Prepared for Equal Voice*. Retrieved from Equal Voice website: [https://www.equalvoice.ca/democracy\\_during\\_metroo\\_taking\\_stock\\_of\\_violence\\_against\\_women\\_in\\_canadian\\_politics](https://www.equalvoice.ca/democracy_during_metroo_taking_stock_of_violence_against_women_in_canadian_politics)

UN Women, Office of the High Commissioner for Human Rights (OHCHR), Violence Against Women in Politics, Expert Group Meeting Report & Recommendations, 8-9 March 2018. Retrieved from [www.ohchr.orghttps://www.ohchr.org/Documents/Issues/Women/ViolenceAgainstWomeninPoliticsReport.pdf](https://www.ohchr.org/Documents/Issues/Women/ViolenceAgainstWomeninPoliticsReport.pdf)

**Club Name:** CFUW Headwaters

**Resolution Title:** A Clean, Healthy & Sustainable Environment is a Human Right

**RESOLVED**, That the Canadian Federation of University Women (CFUW) urge federal, provincial, territorial and municipal governments to commit to the tenets of the United Nations Human Rights Council (UNHRC) Resolution 48/13 that “**A Clean, Healthy, and Sustainable Environment is a Human Right**” in legislation, regulatory frameworks, and programs including, but not limited to:

- Pollution Prevention;
- Climate Change Mitigation; and
- Nature Conservation.

**RESOLVED**, That the Canadian Federation of University Women (CFUW) urges federal, provincial, territorial and municipal governments, and school boards, to develop programming to inform all Canadians of the new human right to “**A Clean, Healthy, and Sustainable Environment** as described in UN Resolution 48/13.

**RESOLVED**, That the Canadian Federation of University Women (CFUW) urges the Government of Canada to advocate and vote for a similar resolution at the United Nations General Assembly.

#### **BACKGROUND**

In 2022, we mark 50 years since the right to a healthy environment was first alluded to in the 1972 Stockholm Declaration: “*Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being.*” ([Stockholm..., 1972](#))

Since then, global awareness of environmental issues and environmental law-making has increased dramatically, as reported in 2019 by Canadian David Boyd, the UN Special Rapporteur on Human Rights and the Environment: “*The right to a healthy environment is included in regional human rights treaties binding more than 120 States. It enjoys constitutional protection in more than 100 States and is incorporated into the environmental legislation of more than 100 States. In total, **155 States have already established legal recognition of the right to a healthy and sustainable environment.***” ([Boyd, 2019](#))

In Canada, the right to a healthy environment is not explicitly entrenched in our federal Constitution Act, 1982, although upon reading **Part 1 Charter of Rights and Freedoms** one could argue that the Charter implicitly recognizes this right in Article 7: “*Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.*” ([Gov. of Canada, 1982](#))

Even so, according to EcoJustice: “Canada’s current patchwork of environmental laws and weak regulatory standards mean that thousands of people, disproportionately those in First Nations communities, do not have access to clean running water. Thousands of others are exposed to harmful levels of air pollution every day. Dozens of toxic chemicals already banned in other countries can still be legally used within our borders. These injustices make a clear case that Canada needs to take bold action and recognize environmental rights in the Charter of Rights and Freedoms.” ([EcoJustice, 2021](#))

While Canada continues its engagement in so many International Environmental Agreements and Instruments that it requires a Compendium ([Gov. of Canada, 2020a](#)) to keep track of it all, the right to a healthy environment has not yet been explicitly entrenched in our Constitution or Charter, nor other federal legislation.

### **A NEW HUMAN RIGHT**

On Oct 8, 2021, the United Nations Human Rights Council passed the landmark Resolution 48/13 with unanimous support: “*The Council recognizes **the right to a safe, clean, healthy and sustainable environment** and encourages states to adopt policies for the enjoyment of the right to a safe, clean, healthy and sustainable environment, including with respect to biodiversity and ecosystems, as appropriate, and invites the General Assembly to consider this issue.*” ([Resolution..., 2021](#))

According to Michelle Bachelet, UN High Commissioner for Human Rights, recognizing this right “***is about protecting people and planet – the air we breathe, the water we drink, the food we eat. It is also about protecting the natural systems which are basic preconditions to the lives and livelihoods of all people, wherever they live...*** Having long called for such a step, I am gratified that the Council’s action today **clearly recognises environmental degradation and climate change as interconnected human rights crises...** At the beginning of the current session of the Human Rights Council, (she described) the triple planetary threats **of climate change, pollution and nature loss** as the single greatest human rights challenge of our era. The resolution on a healthy environment acknowledges the damage inflicted by climate change and environmental destruction on millions of people across the world. It also underlines that the most vulnerable segments of the population are more acutely impacted.” ([Bachelet..., 2021](#))

### **POLLUTION PREVENTION**

The first attempt to federally legislate “**a healthy environment is a human right**” in Canada was on **April 23, 2021**, when **Bill C-28 Strengthening Environmental Protection for a Healthier Canada Act** ([Gov. of Canada, 2021](#)) was tabled in the House of Commons by Jonathan Wilkinson, then Minister of Environment and Climate Change. This was a largely technical bill to update language in the **Canadian Environmental Protection Act (CEPA), 1999 - An Act respecting pollution prevention and the protection of the environment and human health in order to contribute to sustainable development**. It died on the Order Paper, without debate, when the 43<sup>rd</sup> Parliament was dissolved four months later.

More recently, on **February 9, 2022**, during the 44<sup>th</sup> Parliament, Senator Marc Gold (Quebec) tabled a very similar piece of legislation in **Bill S-5, Strengthening Environmental Protection for a Healthier Canada Act**. ([Gov. of Canada a., 2022](#); [Gov of Canada b., 2022](#)) The proposed amendments seek to legislate “**a healthy environment is a human right**” and “*enable the Government to respond effectively to new science, which is pointing to harms that were unanticipated in the past and to enable the use of new tools and sources of information that are now available to assess those risks.*” ([Gov. of Canada c., 2022](#))

Recognizing the right to a healthy, clean, and sustainable environment will help push renewal of CEPA modernization to address current-day realities as an urgent priority to protect the health of women and girls: “*Women, children, and racialized people’s health are particularly vulnerable to adverse environmental effects for biological and socioeconomic reasons. We can use breast cancer as an example of how these differential impacts play out. ... A feminist, environmental health lens illustrates today’s exposures disproportionately impact women and other populations made vulnerable by social environments.*” ([McArthur & Beeman, 2021](#))

### **CLIMATE CHANGE MITIGATION**

Recognizing this new human right will also bolster public and private action towards mitigating climate change, which impacts women more than men because it deepens existing inequalities. ([Sellers, 2016](#)) This intersectional issue has significant impact, even in Canada: “*The effects of climate change disproportionately impact women and girls, especially those who are Indigenous, racialized and living in poverty. We should be shouting it from the rooftops: the climate crisis will kill women first.*” ([Ethans, 2019](#))

Indeed, it is notable that: “*domestic and international law requires Canada to act swiftly to protect women and girls from being further harmed by the climate crisis.*” ([Wormington, 2020](#))

### **NATURE CONSERVATION**

Closely tied to climate change is biodiversity loss and loss of ecological services provided by nature, such as water supply, food supply, protection from flooding, etc., such that **addressing sustainable ecosystem health, as measured by biodiversity and ecological services indicators, is of paramount importance.**

While “Canada was the first industrialized country to ratify the UN Convention on Biodiversity (CBD) in 1992, we may have fallen short ([Ray et.al., 2021](#)) of our 2020 targets ([Canada..., 2021](#), [Gov. of Canada, 2020b](#)). Further, comprehensive global assessments ([IPBES, 2019](#)), and even the theme topic for the 66<sup>th</sup> meeting of the UN Commission on the Status of Women in March 2022: “*Achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes*” ([CSW66, 2022](#)), all speak to the urgent need to mitigate the disproportionate impacts of environmental issues on women and girls.

Work is currently underway to develop the post-2020 global biodiversity framework and targets ([Preparations..., 2022](#)), although the reciprocity between human rights and the biodiversity crisis is not yet sufficiently addressed, as emphasized by David Boyd and Stephanie Keen in their August 2021 Policy Brief: *“The draft released in July aims to establish a “world living in harmony with nature” by 2050, in part by protecting at least 30 percent of the planet and placing at least 20 percent under restoration by 2030. However, in light of past failures, the achievement of the Framework’s conservation goals demands a dramatic departure from “conservation as usual.” Accelerated efforts to expand protected areas have proven insufficient to stop or even slow the tidal wave of environmental destruction sweeping the planet, with humans now causing the sixth mass extinction in the history of life on Earth. Ending the current biodiversity crisis will require a transformative approach to what “conservation” entails, who qualifies as a “conservationist”, and how conservation efforts are designed and implemented. Problematically, the current draft Framework is ill-positioned to catalyse such a transformation because human rights-based approaches and the specific rights and contributions of Indigenous Peoples, Afro-descendants, local communities, peasants, rural women, and rural youth (collectively referred to as “Indigenous Peoples and other rural rights holders” within this brief), which have the greatest potential for effectively and equitably protecting biodiversity, are not adequately prioritized.”* ([Boyd & Keene, 2021](#))

Recognizing this new human right will help resolve the deficiencies noted above. This was reinforced by Michelle Bachelet in her comments to UNHCR on September 13, 2021: *“It is urgent in this context that the States currently negotiating the post-2020 Global Biodiversity Framework integrate commitments to human rights-based approaches to biodiversity action.”* ([Environmental..., 2021](#))

## **SUMMARY**

While the Right to a clean, healthy and sustainable Environment (R2E) is already recognized in a majority of nations, the recognition as a new human right opens the door to effective integration in international law (via the UN General Assembly) and more robust and thorough domestic implementation in Canada and elsewhere:

*“Although not legally binding, its near-unanimous adoption shows consensus on the formulation, content, and importance of this human right. ... the symbol it represents could propel reluctant governments to recognize the right to a healthy environment in their domestic legislation. ... The text of the resolution makes it clear that it is not a final step, but a springboard for more ambitious measures.”* ([Aguila, 2021](#))

## **Implementation:**

Through its Canadian and global networks, CFUW is well-positioned to act as a partner to advocate for implementation of this newly recognized right through public policy, legislation, and awareness raising campaigns across Canada and abroad.

CFUW members could work with other organizations with a similar view on UNHRC Resolution 48/13 to advocate to the Government of Canada and increase awareness with Canadians.

- Clubs and Provincial/Regional Councils can advocate for this new human right to inform their local representatives at all levels of government.
- CFUW members could write to their federal MP sharing their support for entrenching this new human right in the Charter of Rights and Freedoms, as well as Bill S-5, and all other environmental legislation - and to ensure regulatory oversight is well funded - with CFUW templated letters.
- CFUW members could write to their provincial/territorial MPP to express support for entrenching this new human right in all provincial legislation, Environmental Bills of Right, and programs – particularly in regions that don't already have strong efforts – and to ensure this is well funded - with CFUW templated letters.
- Clubs could communicate with local, provincial and national women's groups and environmental groups to discuss ways to collaborate to get the word out that there is a new human right.
- Clubs and Provincial/Regional Councils could feature speakers in a webinar or public lecture on this new human right and the need to have its recognition entrenched in legislation, regulatory frameworks, and programs to mitigate environmental impacts, particularly on women and girls
- Clubs could publicize the new human right through social media with a social media toolkit.

In addition, the 1964-2021 CFUW Policy Book ([CFUW...,2021](#)), there are 49 policies related to Pollution Prevention, Climate Change Mitigation, and Nature Conservation, that have the potential to be aligned with this newly recognized human right. ([UNSR, 2021 \(video\)](#)). This fosters an opportunity for CFUW to consolidate all under a new 'umbrella' policy that may serve to align and strengthen those policies, and create a rights-based focal point for advocacy action to address environmental issues at all levels of government in communities across Canada and globally.

#### Bibliography:

Aguila, Y. (2021, Oct 29). The Right to a Healthy Environment. IUCN, International Union for Conservation of Nature. Retrieved from <https://www.iucn.org/news/world-commission-environmental-law/202110/right-a-healthy-environment> on February 13, 2022.

Bachelet hails landmark recognition that having a healthy environment is a human right. (2021, October 8). A press release from UN High Commissioner for Human Rights Michelle Bachelet. Retrieved from <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27635&LangID=E> on February 13, 2022.

Boyd, D., Chapter 2: The Right to a Healthy and Sustainable Environment *in* Aguila, Y. and Viñuales, J.E., 2019. A Global Pact for the Environment-Legal Foundations. *University of Cambridge*. Retrieved from <https://globalpactenvironment.org/uploads/Aguila-Vinuales-A-Global-Pact-for-the-Environment-Cambridge-Report-March-2019.pdf> on February 13, 2022.

Boyd, D. and Keene, S. (2021, August). Policy Brief No. 1, Human rights-based approaches to conserving biodiversity: equitable, effective and imperative. Retrieved from <https://www.ohchr.org/Documents/Issues/Environment/SREnvironment/policy-briefing-1.pdf> on February 13, 2022.

Canada – National Targets. (2020, September 13). Convention on Biological Diversity. Retrieved from <https://www.cbd.int/countries/targets/?country=ca> on February 13, 2022.

CFUW Policy Book. 1964-2021 (pages 41-57). Retrieved from <https://cfuwadmin.org/wp-content/uploads/2021/07/Policy-Book-2021.pdf> (2021). Can also be retrieved via this Advocacy website landing page <https://cfuwadmin.org/take-action/advocacy/policy-book/> (for most current version). This resource is password protected; CFUW members can access the Policy Book through use of a UserID and Password provided by their Club President or delegate.

CSW66. (2022). 66<sup>th</sup> meeting of the Commission on the Status of Women. United Nations Women. Retrieved from <https://www.unwomen.org/en/csw/csw66-2022> on February 13, 2022.

EcoJustice. (c. 2021). Right to a Healthy Environment. Retrieved from <https://ecojustice.ca/case/right-to-a-healthy-environment/>

“Environmental crisis: High Commissioner calls for leadership by Human Rights Council member states. 48th session of the Human Rights Council Item 2: global update by the High Commissioner. Statement by Michelle Bachelet, UN High Commissioner for Human Rights.” (2021, September 13). Retrieved from <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27443>

Ethans, P. (2019, November 15). The Climate Crisis Will Kill Women First. *The Tyee*. Retrieved from <https://thetyee.ca/Opinion/2019/11/15/Climate-Crisis-Women/> on February 13, 2022.

Government of Canada. (1982). Constitution Act, 1982. Part 1 Charter of Rights and Freedoms. Legal Rights: Life, liberty & security of the person, Article 7. Retrieved from <https://laws-lois.justice.gc.ca/eng/const/page-12.html> on February 13, 2022.

Government of Canada. (2020, April 27 a.) Compendium of Canada's Engagement in International Environmental Agreements and Instruments. Retrieved from <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/participation-international-environmental-agreements.html> on February 13, 2022.

Government of Canada. (2020, April 27 b.) Convention on Biodiversity. Plain language summary. Retrieved from <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-organizations/biological-diversity-convention.html> on February 13, 2022.

Government of Canada. (2021, April 23). 43<sup>rd</sup> Parliament House of Commons Bill C-28: Strengthening Environmental Protection for a Healthier Canada Act. Retrieved from <https://www.parl.ca/LegisInfo/en/bill/43-2/C-28> on February 13, 2022.

Government of Canada. (2022, February 9, a.). 44<sup>th</sup> Parliament Senate Bill S-5: Strengthening Environmental Protection for a Healthier Canada Act. Retrieved from <https://www.parl.ca/legisinfo/en/bill/44-1/s-5?view=progress> on February 13, 2022.

Government of Canada. (2022, February 9, b.). 44<sup>th</sup> Parliament Senate Bill S-5: Strengthening Environmental Protection for a Healthier Canada Act – Summary of Amendments. A plain language summary retrieved from <https://www.canada.ca/en/services/environment/pollution-waste-management/strengthening-canadian-environmental-protection-act-1999/bill-c-28-strengthening-environmental-protection-healthier-canada-act-summary-amendments.html#toc1> on February 13, 2022.

Government of Canada, c. (2022, February 9, c.). Government of Canada delivers on commitment to strengthen the Canadian Environmental Protection Act, 1999 and recognizes a right to a healthy environment. Retrieved from <https://www.canada.ca/en/environment-climate-change/news/2022/02/government-of-canada-delivers-on-commitment-to-strengthen-the-canadian-environmental-protection-act-1999-and-recognizes-a-right-to-a-healthy-enviro.html> on February 13, 2022.

IPBES, Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. (2019). Global assessment report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, Brondízio, E. S., Settele, J., Díaz, S., Ngo, H. T. (eds). IPBES secretariat, Bonn, Germany. 1144 pages. ISBN: 978-3-947851-20-1. Retrieved from <https://zenodo.org/record/5657041#.YqwgF-jMI2w> on February 13, 2022.

McArthur, J.E. and Beeman, J. (2021, April 22). 'Think adverse environmental effects affect people equally? Ask these women.' This is a secondary source since the original the Hill Times is behind a firewall. Retrieved from <https://cape.ca/stories/think-adverse-environmental-effects-affect-people-equally-ask-these-women/> on February 13, 2022.

Preparations for the Post-2020 Biodiversity Framework. (2022). Convention on Biological Diversity. Retrieved from <https://www.cbd.int/conferences/post2020> on February 13, 2022.

Ray JC, Grimm J, and Olive A. (2021). The biodiversity crisis in Canada: failures and challenges of federal and subnational strategic and legal frameworks. FACETS 6: 1044–1068. doi:10.1139/facets2020-0075. Retrieved from <https://www.facetsjournal.com/doi/pdf/10.1139/facets-2020-0075> on February 13, 2022.

Resolution adopted by the Human Rights Council on 8 October 2021 48/13. The human right to a clean, healthy and sustainable environment. Retrieved from <https://undocs.org/A/HRC/RES/48/13> on February 13, 2022.

Sellers, S. (2016, November). Gender and Climate Change: A Closer Look at Existing Evidence. Retrieved from <http://wedo.org/wp-content/uploads/2016/11/GGCA-RP-FINAL.pdf> on February 13, 2022.

Stockholm Declaration. (1972) Declaration on the Human Environment (Adopted by the United Nations Conference on the Human Environment, Stockholm, 16 June 1972; see U.N. General Assembly Resolutions 2994/XXVII, 2995/UVII and 2996/XXII of 15 December 1972). Principal 1, page 2. Retrieved from <https://wedocs.unep.org/bitstream/handle/20.500.11822/29567/ELGP1StockD.pdf?sequence=1&isAllowed=y> on February 13, 2022.

Wormington, T. (2020, January 24). The Disproportionate Impact of the Climate Crisis on Women and Girls in Canada. Retrieved from <https://inter-alia.ca/2020/01/24/the-disproportionate-impact-of-the-climate-crisis-on-women-and-girls-in-canada/> on February 13, 2022.

UNSR. United Nations Special Rapporteur on Human Rights and the Environment. (2021, Jun 3) Recognizing the human right to a healthy environment. YouTube video (helpful to facilitate CFUW club discussion of this proposed resolution). Retrieved from <https://www.youtube.com/watch?v=ytDeHt6u374> on February 13, 2022.