



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

Distr.: General
10 August 2022

Original: English and French
English, French and Spanish only

**Committee on the Elimination of Discrimination
against Women**

**Tenth periodic report submitted by Canada under article 18 of
the Convention, due in 2020*****

[Date received: 30 June 2022]

* The present document is being issued without formal editing.

** The annexes to the present document may be accessed from the web page of the Committee.



Introduction

1. Canada is pleased to submit to the Committee on the Elimination of Discrimination against Women its Tenth Report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This report focuses on key measures adopted in Canada to enhance implementation of the Convention since Canada's last appearance before the Committee on October 25, 2016, to December 2021 and responds to a list of issues provided by the Committee.¹
2. The report addresses most of the Committee's questions while respecting the word limit and refers the Committee to additional information recently provided by Canada to this and other human rights treaty bodies as well as in Canada's Common Core Document.
3. This report provides information on implementation by the two orders of government. References to "the Government of Canada" refer to the Canadian federal government, while a reference to "Canada" is generally a reference to the federal, provincial and territorial (FPT) governments combined. References to a specific province or territory is generally a reference to its government.

Question 1: General

Information and statistics on the current situation of women in Canada

4. Canada has a longstanding commitment to gender equality and is committed to taking actions that contribute to an inclusive and democratic society that allows everyone to participate fully in all aspects of life. FPT governments in Canada have adopted a number of transformative measures, including through significant investments and legislation, to build on this foundation and continue to make progress on gender equality.
5. However, the COVID-19 pandemic has put the major advancements in the areas of gender equality and diversity at risk and has exacerbated a range of gaps and barriers that threatened equality. This is why FPT governments have implemented a number of measures to support those most affected by the pandemic and address long-standing inequalities. Information on the impact of the COVID-19 pandemic on women in Canada and measures adopted by FPT governments to mitigate the impact of the pandemic is provided in Annex 1.
6. The information and statistics presented in Annex 2 are organized according to four gender equality goals stemming from the Government of Canada's (GC) Gender Results Framework. The statistics span the period since Canada's appearance in 2016 and reflect the most up to date information available at this time.

Question 2: Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

Visibility and awareness of the Convention

7. The GC promotes awareness of human rights and the United Nations (UN) treaties to which Canada is a party, including the CEDAW and its Optional Protocol, through a variety of activities such as: dissemination of information and updates related to the CEDAW, managing and coordinating a human rights portal on the Canada.ca platform and distributing printed copies of the *Canadian Charter of Rights and Freedoms* and the *Canadian Bill of Rights*.

¹ CEDAW/C/CAN/QPR/10 (dated November 15, 2019).

8. Provincial and territorial (PT) governments also promote awareness of human rights, including the CEDAW. For example, Prince Edward Island's Advisory Council on Status of Women's key activities include coordinating annual projects and events that encourage gender equality, such as International Women's Day on March 8 and the Purple Ribbon Campaign against Violence on December 6. These activities reference the CEDAW.

9. The government of Quebec recently created an Internet section aimed at raising awareness of its actions in the area of human rights on the international scene and informing the Quebec population of its international commitments.

Capacity building for judges, prosecutors and lawyers

10. In order to respect the constitutional principle of judicial independence, the delivery of education for federally appointed judges in Canada is managed by the judiciary itself, as part of the statutory mandate of the Canadian Judicial Council (CJC).

11. In 2018, the CJC reiterated and underscored its commitment to judicial education by approving its Professional Development Policies and Guidelines, recognizing that "effective judicial education demands a three-dimensional approach encompassing substantive content, skills development and social context awareness." The CJC further recognized that judges must be aware of the social context within which they perform their role: "This requires awareness and knowledge of the realities of individuals who appear in court, including an understanding of circumstances related to gender, race, ethnicity, religion, culture, sexual orientation, differing mental or physical abilities, age, socio-economic background, children and family violence."

12. An *Act to amend the Judges Act and the Criminal Code* received Royal Assent on May 6, 2021. This legislation amended the *Judges Act* to require candidates seeking an appointment to a provincial superior court to agree to participate in continuing education on matters related to sexual assault law and social context. This would ensure judges hearing sexual assault matters will have the necessary training to decide matters fairly and properly, without the influence of myths and stereotypes.

13. In Prince Edward Island, the *Mandatory Sexual Assault Law Education Act* was proclaimed in 2019. It amends the *Provincial Court Act* and does not stand on its own. Pursuant to the *Provincial Court Act*, the Lieutenant Governor in Council may appoint, as a judge, a person who has agreed to comply with the continuing education plan for judges established by the Chief Judge, including any continuing education in sexual assault law. Education in sexual assault law is defined in the act to include instruction respecting evidentiary prohibitions, principles of consent, the conduct of sexual assault proceedings, and myths and stereotypes associated with sexual assault complainants.

14. In 2019-2020, the Public Prosecution Service of Canada offered a variety of training and capacity building activities for prosecutors and their supervisors on Gender-based Analysis Plus (GBA Plus), discrimination, diversity, inclusion and equity. It further committed to reviewing its prosecutorial policies to ensure that GBA Plus factors are considered in the guidelines and directives that instruct and guide federal prosecutors.

15. Over the reporting period, federal government lawyers have also had access to a number of training activities on international human rights law, including the CEDAW, as well as on domestic equality and non-discrimination laws.

16. The task of establishing information, training and professional development programs for judges of the Court of Quebec, presiding justices of the peace and judges of a municipal court falls to the Conseil de la magistrature du Québec. To better fight against crimes related to sexual exploitation, whose primary victims are mainly women and girls, the Government of Quebec each year offers special training on aspects unique to this type of crime to its criminal and penal prosecutors. Quebec also offers all new prosecutors training that includes a section on sexual violence and another on spousal violence. Specialized training is also offered to

prosecutors working on spousal or sexual violence. To allow prosecutors to deepen their knowledge of crimes forming the broad spectrum of sexual violence, a guide for prosecutors has been distributed as a reference tool to prosecutors dedicated to the treatment of sexual violence.

17. From 2017-2021, Alberta Crown Prosecution Service hosted Sexual Violence Prosecutions courses that were designed to develop the necessary skills to prosecute cases involving allegations of sexual violence fairly and effectively. The courses generally reviewed law relevant to cases involving sexual violence with a focus on specific substantive law, evidentiary, and procedural matters. Leading experts from a variety of fields, including law, medicine, psychology and science, shared their expertise in an effort to develop the skills required to fairly and effectively prosecute these cases. Infused throughout these courses was the concept of a “trauma-informed” approach to prosecutions.

18. In June 2019, with the support of federal funding, British Columbia launched the Trauma-Informed Practice Foundations Curriculum for Justice, Public Safety and Anti-Violence Community Sectors. The curriculum supports justice system personnel to better understand how trauma impacts victims/survivors, reduce potential re-traumatization, and assess their own practices and processes accordingly.

Question 3: Application of the Convention under the federal system

19. Achieving gender equality and realizing the commitments under the Convention are not solely the responsibility of the federal government. Given the nature of Canadian federalism and the jurisdiction of each province and territory, FPT governments are responsible for planning, organizing, and managing their programs and policies relating to gender equality within their respective areas of legislative competence.

20. There are three FPT tables that serve as forums for discussion on the elaboration, adherence to and implementation of international human rights instruments:

- The Continuing Committee of Officials on Human Rights, which was established in 1975, is composed of representatives from FPT governments and meets every month;
- The FPT Senior Officials Committee Responsible for Human Rights, which was established in 2017, works to enhance high level FPT collaboration on human rights and meets at a minimum every 4 months;
- The Forum of Ministers on Human Rights, which was established in 2020, will meet every two years to share information and discuss matters related to Canada’s international human rights obligations.

21. In addition, the FPT Forum of Ministers Responsible for the Status of Women, is another helpful platform to discuss gender equality-related initiatives, priorities, best practices and challenges, including providing updates on international files. This consensus-based Forum meets annually and is co-chaired by the Department for Women and Gender Equality (WAGE) at the federal level and a provincial/territorial Minister Responsible for the Status of Women.

Question 4: Constitutional, legislative and institutional framework

Implementation of the Convention

22. The CEDAW is implemented through constitutional and statutory protections, and legislative, administrative and other measures including:

- The *Canadian Charter of Rights and Freedoms*, which is part of the constitution and applies to all government action, guarantees all individuals fundamental freedoms and rights, including the right to equality and non-discrimination on the basis of sex and gender;
 - The *Canadian Bill of Rights*, which applies to federal laws and protects fundamental freedoms, legal rights and equality before the law;
 - FPT human rights legislation, which apply to the public and private sectors and prohibit discrimination on grounds such as sex and gender, in regard to employment, and the provision of goods, services and facilities customarily available to the public and accommodation; and
 - Specific FPT laws, policies and programs governing areas that impact women.
23. Information on Judicial consideration of Canada’s international obligations can be found in paragraphs 141 to 143 of Canada’s Common Core Document.

Indian Act

24. *An Act to amend the Indian Act, in response to the Superior Court of Quebec decision in Descheneaux c. Canada (Procureur général) (S-3)* of the GC, partially came into force in 2017 and addressed some outstanding sex-based inequities in the registration provisions of the *Indian Act*. Following extensive nation-wide engagement with First Nations on the *Indian Act* between 2018 and 2019, the removal of the 1951 cut-off came into force in 2019, which eliminated all known sex-based inequities in registration. The full coming into force of S-3 responds to long-standing concerns raised by First Nations peoples and organizations, the UN Human Rights Committee, the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) and other key stakeholders.

25. As required by the legislation, the Final Report to Parliament on the Review of S-3 was tabled in the House of Commons on December 11, 2020. The report summarizes the implementation of the provisions enacted by S-3 and determined that sex-based inequities in the registration provisions of the *Indian Act* have been eliminated.

26. The GC recognizes that there are residual effects of the previous sex-based laws, as well as persisting inequities that continue to affect registration, including, the “second-generation cut-off,” scrip and enfranchisement and therefore continues to work to address these impacts.

27. Since 2017, the GC has steadily made investments into policy solutions, technical efficiencies and digital modernization efforts such as the creation of the Secure Certificate of Indian Status Smartphone Application (Photo App). The GC has dedicated staff to process S-3 files and increased processing efficiency through a workload realignment project.

28. As of December 2021, investments to reduce wait times for applicants impacted by S-3 resulted in the Processing Units processing an average of 1,800 files per month up from 934 files per month in April 2021.

29. Following the coming into force of S-3, the GC allotted \$19 million in 2018 to support its implementation. Additional funds were supplied to support programs affected by increases in individuals newly entitled under the *Indian Act*. The GC allocated an additional \$21.2 million in 2019 to support processing, stakeholder engagement and impact monitoring.

30. There is continued engagement and outreach with First Nations and Indigenous partners on monitoring the impacts of the implementation of S-3 and on persisting inequities in registration under the *Indian Act*.

31. The GC recognizes the impacts of past sex-based discriminations in registration on First Nation women and their descendants. However, measures to provide reparations are currently not being considered.

Questions 5 and 6: Access to justice

Access to legal aid

32. A strong legal aid system for economically disadvantaged persons is an important pillar of Canada's justice system.²

33. In 2018-2019, PT legal aid agencies provided civil legal aid services (in matters other than immigration and refugee legal aid) to 111,793 female clients, including 7,404 Indigenous women.

34. PT governments also have initiatives that aim to improve access to legal aid and services, including for Indigenous women. For example:

- In Quebec, a 20.0% weighting on financial eligibility thresholds for legal aid services is applied for clients living in remote areas, which applies to many Indigenous people. The network includes 11 regional legal centres and 112 legal aid offices distributed among 91 communities in Quebec. Legal aid services are mostly offered in French and English but can also be obtained in Indigenous languages in some legal aid offices. Interpretation and translation services are offered when the resources are available. In addition, the remuneration of lawyers in private practice who provide services in certain remote regions is increased, which serves women from Aboriginal communities;
- Furthermore, in Quebec, in recent years, Community Justice Centres have been set up, including one in Nunavik to serve the Inuit nation. It is an important source of legal information and aid that is accessible to many Indigenous women. Also, recent investments have been made to increase the number and scope of the Courtworker mandate;
- Even where clients are not eligible for representation by a legal aid lawyer, clients in British Columbia may still be eligible for legal advice services. Regarding family law and child protection, clients may have access to lawyers at courthouses who provide advice to people representing themselves in court and guide them to fill out their forms. They may have access to lawyers at Family Justice Centres and Justice Access Centres, who provide advice about parenting time, custody, access, support, and agreements to people going through a separation or divorce. In addition, Family Limited Representation Contracts provide advice and limited representation for clients in family law matters requiring assistance to mediate, negotiate a settlement, or represent themselves for any family law issue, except divorce, in the Provincial or Supreme Court. They also have access to Family LawLINE, a telephone service where family lawyers provide advice about parenting time, custody, access, support, agreements, and child protection matters;
- Nova Scotia Legal Aid employs Social Justice Support Workers for Cape Breton who play a significant role in delivering legal information to communities and clients and assisting clients navigating housing and income security administrative tribunal processes.

Cases before the courts

35. In Canada, various modes of redress for human rights violations are available under both the *Canadian Charter of Rights and Freedoms* (the Charter) and human rights statutes, depending on the nature of the right infringed and the form of remedy sought. While the courts deal with discrimination under section 15 of the Charter, the primary means of enforcing human

² For more information on legal aid see Canada's Common Core Document at para. 167.

rights codes and legislation is through the human rights commissions or tribunals established under them (see Canada's Common Core Document at paras. 90-94, 99-106, 131-133, 138-142 and 164-166).

36. Between November 2016 and November 2020, approximately 50 proceedings before federal-level decision makers (i.e., the Supreme Court of Canada, Federal Courts, the Canadian Human Rights Tribunal, and the Federal Public Service Labour Relations and Employment Board) have involved claims/complaints with respect to discrimination against women on the basis of sex. Generally, the majority of cases involved claims of discrimination in the context of employment and have frequently overlapped with claims of discrimination based on disability or ethnic origin. Claims of sex and gender discrimination under the Charter or the *Canadian Human Rights Act* may also be considered by a number of federal administrative tribunals.

37. Nine final decisions of the Supreme Court of Canada and the Federal Courts since November 2016 have involved claims of discrimination on the basis of sex under s.15 of the Charter. Of those cases, two Supreme Court decisions found that s.15 had been violated.

38. In *Quebec (Attorney General) v. Alliance du personnel professionnel et technique de la santé et des services sociaux*, 2018 SCC 17, the majority of the Supreme Court held that certain provisions of Quebec's *Pay Equity Act* violated s.15 of the Charter by perpetuating pre-existing disadvantages faced by women. The provisions at issue were 2009 amendments to the Act, which replaced employers' continuous pay equity obligations with a system of periodic audits. As a result, pay inequities would only be corrected by an employer every five years, and employees would not be compensated on a retroactive basis unless an employer acted in bad faith, arbitrarily, or with discrimination. The Court held that while the purpose of the Act was to provide "equal pay for work of equal value", it instead denied women benefits routinely enjoyed by men. To comply with this decision, Quebec adopted in April 2019 the bill to amend the *Pay Equity Act in order mainly to improve the assessment of the maintenance of pay equity*. In addition to reviewing the process for evaluating the maintenance of pay equity in view of the decision rendered by the Supreme Court of Canada, the Act also aims to promote the participation of employees during an evaluation of the maintenance of pay equity, to oversee the processing of a complaint and improve the elements of implementation of the *Pay Equity Act*.

39. In *Fraser v Canada (Attorney General)* 2020 SCC 28, the majority of the Supreme Court held that the terms of the Royal Canadian Mounted Police (RCMP) pension plan discriminated against women on the basis of sex contrary to s.15 of the Charter, by precluding employees who participated in job-sharing arrangements, who were primarily women with child care obligations, from obtaining full-time pension credit for their service. In that case, RCMP members who job-shared were classified as part-time employees under the terms of the pension plan and could not obtain a full-time pension credit unlike full-time members who took unpaid leave and could buy-back their full-time pension credit. The Court held that the inability of employees who temporarily reduced their working hours under a job-sharing agreement to buy-back full-time pension credit had a disproportionate impact on women. Further, the majority found that this perpetuated the disadvantage of women in light of a number of factors, including the economic and gendered constraints affecting the "choice" to work part-time, as well as the persistence of gender divisions in domestic labour and child care.

40. The Canadian Human Rights Tribunal rendered seven decisions involving claims of discrimination against women on the basis of sex under the *Canadian Human Rights Act* between November 2016 and October 2021. Of those cases, three complaints have successfully demonstrated adverse differential treatment on the basis of sex. In two cases, the Tribunal awarded compensation to complainants who had been dismissed from their employment in part due to taking sick leave for pregnancy-related complications.

41. The Supreme Court of Canada referenced the Convention in three of its four decisions involving claims of discrimination on the basis of sex between November 2016 and 2020, in

support of the principles of equal pay for work of equal value,³ and of spousal equality.⁴ Further, CEDAW reports are frequently cited by the Immigration and Refugee Board of Canada cases where a refugee claimant fears persecution due to Gender-Based Violence (GBV).

42. Two rulings rendered by the Human Rights Tribunal of Quebec refer to provisions in CEDAW: *Commission des droits de la personne et des droits de la jeunesse (Pheneus et une autre) c. Fornella*, 2018 QCTDP 3 and *Commission des droits de la personne et des droits de la jeunesse (Saumier) c. Les Entreprises Mirabel (RA) inc.*, 2017 QCTDP 6.

Recourse and remedies for violations of the rights of Indigenous women and girls

43. Indigenous women and girls may seek recourse and remedies for violations of their rights through the normal court channels. Class actions have been brought before the courts in which family and community members of MMIWG seek restitution and other remedies. The 2021 National Action Plan on MMIWG, including the Federal Pathway, (see paragraph 96) provides commitments to address the root causes of the violence experienced by Indigenous women, girls and Two-Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual plus (2SLGBTQIA+) people. The GC commits to take broader action to address issues related to access to justice faced by victims and their families through improving trauma-informed and culturally-informed family and victims supports, and exploring Indigenous-led solutions and community-based justice systems as alternatives to the main stream justice system.

44. Recognition of Indigenous rights and upholding human rights for Indigenous women and girls is a priority for the GC. The Government introduced legislation to implement the *United Nations Declaration on the Rights of Indigenous Peoples* in December 2020, which came into force on June 21, 2021. Implementation of this legislation will include measures: to address injustices, combat prejudice and eliminate all forms of violence and discrimination, including against Indigenous women and girls; and to promote human rights education.

Question 7: National machinery for the advancement of women

Department for Women and Gender Equality

45. In 2018, the *Department for Women and Gender Equality Act* came into force and transformed the former Status of Women Canada agency into a full federal department, overseen by the Minister for Women and Gender Equality. The Act solidifies and formalizes the important roles of the department and its Minister. The Department for Women and Gender Equality (WAGE) is responsible for the advancement of equality, including social, economic and political equality, with respect to sex, sexual orientation, and gender identity or expression. The Department:

- Promotes a greater understanding of the intersection of sex and gender with other identity factors that include race, national and ethnic origin, Indigenous origin or identity, age, sexual orientation, socio-economic condition, place of residence and disability;

³ *Centrale des syndicats du Québec v. Québec (Attorney General)* 2018 SCC 18 at para 83; *Quebec (Attorney General) v. Alliance du personnel professionnel et technique de la santé et des services sociaux*, 2018 SCC 17 at para 9.

⁴ *R.S. v. P.R.*, 2019 SCC 49 at para 128.

- Initiates, recommends, coordinates, implements and promotes policies and programs, undertakes research and data collection and analysis related to these policies and programs, and raises public awareness through outreach;
- Provides advice to government to achieve Canada's gender equality outcomes and goals, including advocacy for gender-based budgeting, and facilitates the advancement of gender equality among other partners and stakeholders, through its expertise, contribution to research, and funding to community initiatives; and,
- Serves as a central point for sharing expertise across Canada and with international partners, and uses this knowledge to inform and support Canada's gender equality priorities.

46. Since its creation, the GC committed significant resources to support the mandate of the department. For example, in the department's 2021-2022 Department Plan, the total planned spending in fiscal year 2021-2022 and 2022-2023 was approximately \$125 million and \$130 million respectively.

47. To fulfil its mandate, WAGE works closely with PT governments as well as other partners and stakeholders to advance gender equality across the country.

48. The GC is investing and taking action to address persistent gender inequalities that affect all Canadians. WAGE has three programs (Women's Program; Gender-Based Violence Program; and Equality for Sex, Sexual Orientation, Gender Identity and Expression Program) that provide funding to advance equality in social, economic and political spheres, build the capacity of women's and equality-seeking organizations across the country, and support at-risk populations and GBV victims and survivors and their families.

49. In particular, WAGE supports at-risk and underserved populations such as Indigenous women, women with disabilities, members of the 2SLGBTQQIA+ communities, and racialized women, including newcomer women, seniors and young women.

Provincial and territorial governments

50. PT governments are also working actively to advance equality between women and men. For example, the Government of Newfoundland and Labrador, created its first standalone Minister Responsible for the Status of Women in 2019, and announced a deepened mandate for the Office for the Status of Women. Priorities include implementation of an 'all-of-government' commitment to GBA Plus, a strengthened approach to the prevention of GBV, and focused promotion of women in leadership roles.

51. In 2017, Quebec launched its Government Strategy for Gender Equality Toward 2021 (Equality Strategy). This strategy proposes concrete actions to promote: the economic empowerment of women, women in positions of power and influence, and the fair distribution of family responsibilities and better balance between family, work, school, social, and political life.

52. In 2017, the New Brunswick Women's Council was established in legislation as a statutory arm's length agency with the mandate to promote the equality of women and girls, advise the government and bring attention to issues of interest and concern to women.

GBA Plus and Gender budgeting

53. In addition to advancing GBA Plus within the federal government, WAGE has worked with provincial and territorial partners to develop an evaluation framework for GBA Plus, which will help demonstrate its value and the benefits it can provide for the public. This work will also

help identify best practices in GBA Plus implementation and allow for promising approaches to be emulated by other jurisdictions.

54. In recent years, PT governments have developed training and analytical tools on GBA Plus or similar analytical processes. For example:

- In 2017, the Manitoba Status of Women Secretariat launched Gender and Diversity Analysis online resources for civil servants. In 2019, the Secretariat held a three-hour introductory GBA Plus Primer training to build knowledge of key concepts and processes to support the application of this analysis to government work;
- Ontario is developing a Gender and Diversity Analysis online course for the Ontario Public Service, which will help identify both positive and potentially negative impacts of policies, programs and services;
- The Nova Scotia Advisory Council on the Status of Women is collaborating with the Public Service Commission and the Office of Social Innovation to implement GBA Plus training for Nova Scotia Public Service employees;
- Work is also underway by the Government of Quebec to review and update its approach to GBA, in particular through the establishment of a working committee in February 2021. Members of the committee, selected for their expertise in GBA and intersectionality, come from both levels of government (provincial and federal) as well as local and regional governments and from research and community circles. The work of this committee aims to integrate an intersectional perspective into the GBA approach of the Government of Quebec and to encourage its mainstreaming in the development of public policies.

55. In addition, many PT governments are considering gender in budgeting processes and decision-making. For instance:

- In 2018, British Columbia committed to advancing gender equity by appointing a Parliamentary Secretary for Gender Equity and creating a Gender Equity Office. GBA Plus is a required component for all Cabinet and Treasury Board submissions and is referenced in every Minister and Parliamentary Secretary's mandate letter under the foundational principle of "equity and anti-racism". GBA Plus has been part of the budget process since Budget 2020;
- As part of an ongoing evolution to better understand the impact government decisions will have on diverse segments of population, New Brunswick released a gender impact statement for the first time for Budget 2021-2022. The gender impact statement is a starting point for publishing information about the GBA Plus impacts of specific budget measures, and to signify a commitment to expanding New Brunswick's approach to gender budgeting;
- Newfoundland and Labrador's Office of Women and Gender Equality reviews departmental budget submissions to ensure GBA Plus analysis is conducted and makes recommendations on areas in which departments should utilize GBA Plus in their budget development;
- Prince Edward Island has formed a Task Force for Advancing Gender Equity and Diversity, which seeks to ensure policies and programs are as equitable as possible, including through consulting with Island groups that advocate for women and other under-represented groups on ways to make the pre-budget consultation process more inclusive. The province's next steps include promoting the application of a gender, diversity and inclusion lens on departmental spending priorities submitted during the budgeting process.

Question 8: Temporary special measures

56. Canada has focussed in recent years on adopting a number of transformative measures that set the foundation and continue to build the momentum to achieve gender equality. A systemic and holistic approach through legislation, policies and program will help ensure a change in behaviour in the long term. Recognizing that there is still work left to do, Canada has also implemented some temporary special measures to promote and accelerate gender equality through employment and women's participation in political life (see paragraphs 122 and 135).

57. In July 2021, the GC launched a Task Force to undertake a comprehensive review of the *Employment Equity Act* (EEA), applicable in federally regulated workplaces, and provide concrete, independent and evidence-based recommendations on modernizing and strengthening the federal employment equity framework. The Task Force will also consult with stakeholders, communities and Canadians on issues related to employment equity. The modernization of the EEA will contribute to advancement of equity in federally regulated workplaces.

Question 9: Extraterritorial obligations

Impact Assessment Act (formerly Bill C-69) and projects carried out outside of Canada

58. The *Impact Assessment Act* (IAA) applies to projects outside Canada that are carried out by a federal authority (i.e., a federal government entity) or for which a federal authority provides financial assistance to any person for the purpose of enabling that project to be carried out.

59. Before carrying out the project or providing financial assistance, the federal authority must determine the likelihood that the project will cause significant adverse environmental effects, including impacts on health, social and economic conditions. When making this determination, the federal authority may consider the results of a GBA Plus. The Impact Assessment Agency of Canada (IAAC) has developed interim guidance to help authorities in meeting their obligations relating to projects outside Canada.

60. The IAAC has also developed Guidance on GBA Plus to assess the social, economic and environmental impacts of designated projects. Although this guidance is tailored for the assessment of designated projects within Canada, its contents are of use to projects outside of Canada as well. The guidance is available to the public through the Agency's website and provides a series of guiding questions used to assist proponents in considering the potential effects of projects on diverse groups and, in particular, those who are marginalized and/or potentially most impacted by a proposed project.

Question 10: National human rights institution

61. The Canadian Human Rights Commission (CHRC) is Canada's federal equality commission. It is established, together with the Canadian Human Rights Tribunal, by the *Canadian Human Rights Act*, Canada's federal equality statute. Each of Canada's FPT governments has its own equality commission and/or tribunal.

62. The CHRC's primary mandate is to deal with discrimination complaints arising in federally regulated employment and provision of goods and services. The CHRC was neither designed nor intended to receive all manner of human rights claims; its mandate has always centred on equality and non-discrimination. Canada uses a variety of laws and institutions to adjudicate human rights claims, for instance claimants may invoke the *Canadian Charter of Rights and Freedoms* (the Charter) before the courts and before administrative decision-makers where appropriate.

63. To bring a discrimination complaint to the CHRC, the victim of the practice must have been “lawfully present” in Canada at the time of the alleged discrimination. This requirement comprises all legal immigration statuses, including visitors and refugees. Individuals who are imprisoned in a correctional facility but without a legal status can also access the CHRC. The GC has no plans to expand access to the CHRC to individuals who have exhausted their immigration processes and are residing in the country illegally. However, depending on their circumstances, individuals who are not legally present in Canada may have other legal avenues available to bring forward any complaints of discrimination, including bringing a claim before a court under the Charter.

64. The CHRC is empowered to produce several types of reports, including: annual reports on its activities; special reports on any matter within the scope of its powers; investigators’ reports regarding individual complaints; and several other types of highly specialized reports. The annual report on the activities of the Commission and any special reports are transmitted to the Speaker of the Senate and to the Speaker of the House of Commons for tabling in those Houses.

Question 11: Discriminatory stereotypes and harmful practices

Discriminatory stereotypes

65. FPT governments are taking measures to eliminate discriminatory stereotypes. For example:

- WAGE invests in organizations across Canada to implement projects that address or remove systemic barriers impeding women’s progress and equality. Projects funded through the Women’s Program are diverse and apply a variety of approaches and strategies to address the complexity of the issues affecting women, including discriminatory stereotypes concerning the roles and responsibilities associated with women and men as they impact women’s economic security and prosperity, women in leadership and decision-making roles, or GBV;
- The purpose of the Government of Quebec’s Strategy for equality between women and men towards 2021 is to encourage egalitarian education free of gender stereotypes and sexism. The primary measure developed and promoted with this goal in mind is the SansStéréotypes program. This project has three components: development of informative content, communication, and support for training availability. Notably, it made it possible to develop and put online a web portal addressing seven targeted themes: identity of girls and boys, sharing of family responsibilities, school and professional choices, academic success, body image, the sexualization of the public space and the emotional and love life.

Harmful practices

66. FPT governments are working on raising awareness on ways to combat harmful practices, including through education and training. For example:

- WAGE’s approach to address female genital mutilation/cutting (FGM/C) in Canada involves collaboration with governmental and non-governmental partners, including victims and survivors, to focus on awareness-raising, prevention and ensuring that women having experienced FGM/C have access to appropriate health and social services;
- The Government of Quebec has allocated funding to the Table de concertation des organismes au service des personnes réfugiées et immigrantes to support the

development of a project dedicated to creating educational and information tools to support the intervention of professionals from different sectors called upon to work with girls, women, and communities affected by FGMC in Quebec. The project also plans to develop educational and informative tools for women, girls, and communities affected by FGM/C to inform them about Canadian and Quebec laws, and resources available for women and girls who have suffered or are in danger of suffering FGM/C;

- Alberta’s Culture and Status of Women is working to advance gender equality, change conversations, and prevent and end gender-based violence, including Female Genital Mutilation. As part of the 2019 16 Days of Activism Against Gender-Based Violence, the Government of Alberta hosted a film screening and panel discussion to raise awareness on this issue. On February 6, 2021, the government proclaimed the International Day of Zero Tolerance for Female Genital Mutilation in Alberta;
- The Government of Manitoba funds the Sexuality Education Resource Centre of Manitoba to develop and deliver “Our Selves, Our Daughters” – Community-Based Education and Engagement Addressing Female Genital Cutting (FGC) with Refugee and Immigrant African Women in Winnipeg. This initiative provides space and resources for newcomer women affected by FGC working for change within their communities. The project also provides training for health and social service providers to improve their ability to provide culturally competent care for FGC-affected women.

Question 12: Gender-based violence against women

New legislation

67. In the last few years, FPT governments have passed legislation to help prosecute perpetrators of sexual assault:

- *An Act to amend the Judges Act and the Criminal Code* received Royal Assent in May 2021. It requires all newly appointed provincial superior court judges participate in continuing education in sexual assault law and social context;
- *An Act to amend the Civil Code, in particular to make civil actions for sexual aggression, violence suffered during childhood and spousal violence imprescriptible* came into effect in Quebec in 2020. The main objective of the Quebec law is to make imprescriptible the action for compensation for bodily injury resulting from an act that may constitute a criminal offense when the damage results from sexual assault, violence suffered during childhood or violence from a spouse or former spouse;
- *An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act* received Royal Assent in 2018. It amended the *Criminal Code* to codify and clarify certain aspects of sexual assault law to prevent incorrect applications of the law and to make the criminal justice system more compassionate towards complainants in sexual assault matters.

Canada’s Strategy to Prevent and Address Gender-Based Violence

68. *It’s Time: Canada’s Strategy to Prevent and Address Gender-Based Violence* (federal GBV Strategy) builds on current federal initiatives, coordinates existing programs and lays the foundation for greater action on GBV. Federal budgets provided nearly \$200 million, starting in 2017-2018 until 2022-2023, and over \$40 million per year ongoing to establish, launch, and expand the Strategy, including the creation of the GBV Knowledge Centre. The Knowledge Centre, housed within WAGE, brings together program and research evidence and resources to enable evidence-based action on GBV.

69. The Strategy's initiatives are organized across three pillars: preventing GBV, supporting survivors and their families and promoting responsive legal and justice systems. The Strategy fills gaps in supports for diverse at-risk population groups.

National Action Plan to End Gender-Based Violence

70. In 2019, the Minister for Women and Gender Equality was mandated to build on the foundation laid by the federal GBV Strategy and move forward to develop a National Action Plan to End Gender-Based Violence (GBV NAP), with a focus on ensuring that anyone facing GBV has reliable and timely access to protections and services, no matter where they live.

71. At their 38th Annual Meeting held in January 2021, the FPT Ministers responsible for the Status of Women endorsed the Joint Declaration for a Canada Free of Gender-Based Violence.⁵ Through this declaration, governments announced their common vision, principles, and goals for the development of the GBV NAP.⁶

72. Through the declaration, governments further committed to continue to work with federal partners, stakeholders, experts, victims and survivors, families and people with lived experience to create a Canada free of GBV.

73. The GBV NAP would align with and complement other initiatives such as the implementation of the Truth and Reconciliation Commission Calls to Action and the response to the National Inquiry into MMIWG Calls for Justice.

Prosecution of family violence

74. The responsibility for the criminal justice system is shared between the FPT governments. The GC is responsible for enacting criminal laws and procedures that apply across the country and provincial governments are responsible for the administration of justice within their jurisdictions, which includes investigating and prosecuting *Criminal Code* offences, and providing assistance to victims of crime. The *Criminal Code* contains robust provisions that address intimate partner violence and other forms of family violence.

75. The *Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts* (2019) enhances measures to better respond to intimate partner violence by amending the *Criminal Code* to define intimate partner to include current or former spouse, common-law partner and dating partner. It also requires courts to consider prior intimate partner violence convictions when determining whether to release the accused or impose bail.

Non-consensual distribution of intimate images

76. In 2015, the *Protecting Canadians from Online Crime Act* came into effect and created a new criminal offence of non-consensual distribution of intimate images. It also clarified that *Criminal Code* offences of harassing/indecent communications can be committed by any means of telecommunication.

⁵ See <https://women-gender-equality.canada.ca/en/gender-based-violence-knowledge-centre/joint-declaration-canada-free-of-gender-based-violence.html#declaration>.

⁶ Quebec supports the general principles of the joint declaration and will continue to be active in the fight against gender-based violence by prioritizing its own actions and measures. It also intends to continue to share information and best practices with other governments on this issue. For more information see <https://women-gender-equality.canada.ca/en/gender-based-violence-knowledge-centre/joint-declaration-canada-free-of-gender-based-violence.html#declaration>.

77. The number of police-reported incidents of non-consensual distribution of intimate images was 1,988 in the year 2019 and 2,217 in the year 2020 (the most recent years for which the data is available).

78. While incidents may come to the attention of police, there may not ultimately be charges laid for a number of reasons, including pre-charge diversion, as well as insufficient evidence to proceed. The Integrated Criminal Court Survey provides data on case outcomes in both youth and adult criminal court. The data shows that convictions are around 50% or above of total cases for both adult and youth court. For example, of 355 adult cases involving a charge of non-consensual distribution of intimate images in 2019-2020, 257 resulted in a guilty verdict. Of 144 youth cases in the period, 83 resulted in a guilty verdict. Sentences for adult cases include both custodial and non-custodial types with probation and “other” being the most frequently imposed. For youth cases, the most frequent sentences include probation and community service orders.

Question 13: Missing and Murdered Indigenous Women and Girls

79. In August 2016, the GC, in cooperation with all PT governments, launched the National Inquiry into MMIWG, with a mandate to investigate and report on the underlying causes and systemic issues that contribute to the high levels of violence against Indigenous women and girls. In June 2019, the Inquiry released its Final Report including 231 Calls for Justice.

80. Examples of the GC’s measures to implement the recommendations contained in the report of the National Inquiry into MMIWG are listed below. This includes investments in the Fall Economic Statement 2020 and Budget 2021, in which Canada has dedicated \$2.2 billion to address root causes of MMIWG and 2SLGBTQQIA+ people.

Services and Supports

81. In 2020, the GC announced funding over five years to build 10 new shelters for First Nations communities, and two in the territories. This will bring the total number of government shelters to 58.

82. The GC also announced ongoing funding to support engagement with Métis leaders and service providers to assess shelter needs, and community-led violence prevention projects for Métis women, girls, and 2SLGBTQQIA+ people.

83. In addition, funding will be provided to the Moose Hide Campaign Development Society to support the implementation of their Five-Year Strategic Plan; this campaign engages men and boys in standing up against violence against women and children.

84. The GC is providing funding to support access to cultural, emotional, and mental health counselling for survivors, family members, and others affected by the issue of MMIWG. A national MMIWG toll-free 24/7 support line is available for anyone who requires immediate emotional assistance. In 2021, the Government announced additional funding to ensure that access to these important mental wellness services continues until March 31, 2024.

85. The GC has extended Family Information Liaison Units services to 2023 for those looking for information about a missing loved one and other community-based organizations supporting Indigenous families.

Justice, policing and safety

86. In 2019, legislation to amend the *Criminal Code* passed to reduce delays, reduce overrepresentation of Indigenous Peoples in the justice system, and make changes that better protect Indigenous women victims of intimate partner violence.

87. The GC continues to work on its Federal Victims Strategy, the State of the Criminal Justice System Dashboard and Report, the Indigenous Justice Program, the Indigenous Courtwork Program, the Pan-Canadian Strategy to Address the Overrepresentation of Indigenous People in the Criminal Justice System and its response to the Truth and Reconciliation Commission's Calls to Action. All of these efforts contribute to the response to the MMIWG Final Report and its Calls for Justice

88. In response to the National Inquiry into MMIWG's Interim Report, the Royal Canadian Mounted Police (RCMP) announced the creation of the National Office of Investigative Standards and Practices. This new unit acts as an internal RCMP centre of expertise and national oversight for high profile/major case investigations, increasing the prospect of successful investigations and criminal prosecutions within RCMP jurisdictions. This unit will not take over ongoing investigations, but is an integral tool in the governance, oversight, coordination and application of sound major case management principles to high-risk investigations such as missing person investigations, homicide investigations, sexual assault or suspected serial/multi-jurisdictional investigations. By setting national standards and providing advanced investigative training, the unit will benefit all major case investigations, including cases of MMIWG.

89. The GC funded a review of police policies and practices to identify gaps and challenges in the delivery of culturally competent policing services. The Community Safety Knowledge Alliance, Pauktuutit Inuit Women of Canada, Saint Francis Xavier University, and Université Laval received funding to undertake the review, make recommendations and identify tools, resources and promising practices that may help in fostering a more trusting relationship, and building confidence in police services. These reports are being made available to law enforcement organizations across the country to aid in the development of future resources to improve police cultural sensitivity, and facilitate positive relations with Indigenous Peoples across Canada.

90. The Government will continue to deliver the Aboriginal Community Safety Planning Initiative, established as a means to address violence against Indigenous women, by supporting community-led planning that builds capacity of community members to work together on the safety issues of concern to them.

91. The GC continues to work with Indigenous communities and organizations, and provinces and territories, to better support dedicated and culturally responsive policing services and community safety options for Indigenous communities across Canada.

Socioeconomic conditions of Indigenous women

92. The GC's Indigenous Skills and Employment Training Program, launched in 2019, helps to close the education, skills, and earnings gaps between Indigenous and non-Indigenous people by focussing on employment skills and training for higher-quality jobs. Following engagement with Indigenous partners, the program has placed greater emphasis on overall client outcomes and progression.

93. In 2018, the GC, the Assembly of First Nations, Inuit Tapiriit Kanatami, and the Métis National Council jointly released the co-developed Indigenous Early Learning and Child Care Framework. It sets out a shared vision, principles and a path forward for Indigenous early learning and child care where all Indigenous children have the opportunity to experience high-quality, culturally rooted early learning and child care programming. Improved access to affordable, accessible and culturally relevant child care also helps to address barriers to

employment, entrepreneurship, traditional economy, workplace skills training and education for Indigenous Peoples, and particularly for Indigenous women.

94. The GC's Poverty-Reduction Strategy, released in 2018, benefitted from engagement with Indigenous communities, and includes a chapter dedicated to Indigenous considerations. The Strategy includes a commitment to work with National Indigenous Organizations and others to identify and co-develop distinctions-based indicators of poverty and well-being, including non-income-based measures of poverty, that reflect the multiple dimensions of poverty and well-being experienced by First Nations, Inuit, and Métis.⁷

Culture-related initiatives

95. Culture-related initiatives to address MMIWG and 2SLGBTQQIA+ people include:

- Support for Indigenous Peoples' efforts to reclaim, preserve, revitalize, maintain and strengthen Indigenous languages, as part of the implementation of the *Indigenous Languages Act*;
- Funding for the digitization and preservation of Indigenous documentary heritage;
- Support to ensure Indigenous women and girls have access to sport activities; and,
- Support for the Indigenous Screen Office, an independent, Indigenous-led organization supporting the Indigenous screen-based sector and narrative sovereignty.

2021 National Action Plan on MMIWG and 2SLGBTQQIA+ People

96. The 2021 National Action Plan to address MMIWG and 2SLGBTQQIA+ people was launched on June 3, 2021. It was developed in an Indigenous-led process, and includes the contributions of, the National Family and Survivor's Circle, First Nations, Inuit, Métis, urban, and 2SLGBTQQIA+ working groups, data experts, and FPT governments. Each group developed specific priorities. The Federal Pathway to Address Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People is the GC's contribution to the National Action Plan and includes commitments to address the root causes of MMIWG and 2SLGBTQQIA+ people.

97. Since 2019, the GC has provided support to Indigenous partners, including Indigenous Women's Organizations, families and survivors, and 2SLGBTQQIA+ groups, to engage their members on how Indigenous peoples and organizations wished to be involved throughout the development of the National Action Plan, as well as to identify priorities for early action within the Calls for Justice.

98. A whole-of-Canada approach will continue to be an integral part in achieving the renewal of nation-to-nation, Inuit-Crown and government-to-government relationships with Indigenous Peoples.

99. The GC will continue to advance negotiations of treaties and other constructive arrangements, as they contribute to the longer-term goal of ensuring Indigenous communities are able to advance their visions of self-determination and governance, including re-establishing the roles of women in governance structures, and to pursue their cultural traditions in their constitutions and laws.

⁷ Information about the GC's first Poverty Reduction Strategy can be found in paragraph 9 of Canada's Common Core document.

Provincial and territorial governments

100. PT governments are also preparing their next steps in addressing the final report of the National Inquiry into MMIWG and the Calls for Justice. For example, on June 3, 2021, British Columbia released *A Path Forward: Priorities and Early Strategies* that reflects community-based priorities identified through Indigenous-led community dialogues and sets a solid foundation with early strategies for a path forward to ending violence. British Columbia will invest directly in a community fund - accessible to First Nations communities, urban/off reserve communities, Métis citizens and 2SLGBTQQIA+ communities – to support capacity to develop safety plans.

101. In 2021, Ontario released a strategy developed in collaboration with Indigenous partners that reinforces its commitment to act on the Calls for Justice in the Final Report of the National Inquiry into MMIWG. The plan addresses critical gaps in supports for Indigenous women, children, and 2SLGBTQQIA+ people, including the need for better access to stable housing, health care, education and employment.

102. In December 2021, the Government of Northwest Territories released a draft Action Plan in response to the calls for justice on missing and murdered Indigenous women, girls and 2SLGBTQQIA+ people.

103. The Government of Nova Scotia is working collaboratively with Indigenous partners to determine the best path forward to identify priorities and implement findings of the National Inquiry. The province continues to identify opportunities to address the findings of the report and integrate the issue of MMIWG into strategic initiatives across government.

104. Quebec has also undertaken to follow up, in collaboration with Indigenous communities, the calls to action set out in the reports of the Commission of Inquiry on Relations between Indigenous Peoples and Certain Public Services in Quebec and the National Inquiry into MMIWG. Twenty-four measures have already been made public since last October and cover, among other things, cultural security in the health and social services network, improvement of training and police practices of Indigenous police forces, as well as awareness of Indigenous realities for public service personnel.

105. Many provinces and territories have formed committees to guide the way forward. For example, in 2020, the Yukon Advisory Committee on Missing and Murdered Indigenous Women, Girls and Two-spirit+ People (MMIWG2S+) released *Changing the Story to Upholding Dignity and Justice: Yukon Strategy on MMIWG2S+*. The Strategy groups 31 priority actions under four paths: Strengthening Connections and Supports; Community Safety and Justice; Economic Independence and Education; Community Action and Accountability.

106. In 2020, the Alberta Joint Working Group on MMIWG was established to provide advice and make recommendations to the Alberta government on actions to address violence against Indigenous women and girls and the Calls for Justice.

107. Prince Edward Island formed the MMIWG Interdepartmental Working Group with representation from provincial government departments that will review the MMIWG Final Report's Calls for Justice to determine and coordinate priorities, next steps, and futures actions within provincial jurisdiction. It also formed the Indigenous Working Group with representatives from the province's First Nations and local Indigenous organizations to work cooperatively with the Interdepartmental Working Group to identify priorities and ensure that the work is Indigenous informed and led.

Questions 14 and 15: Trafficking and exploitation of prostitution

Investigation, prosecutions and convictions

108. Between 2009 and 2018, police services in Canada reported 1,708 incidents of human trafficking, an average annual rate of 0.5 incidents per 100,000 population. Nearly all (97%) victims of police-reported human trafficking were women and girls. Close to three-quarters (74%) of all victims were under the age of 25. In adult criminal courts, 582 cases involving at least one charge of human trafficking were completed from 2008-2009 to 2017-2018. These cases, on average, involved more charges, took longer to complete, and were less likely to result in a guilty decision when compared to other criminal cases. When there was a guilty finding, however, 76% of cases resulted in a sentence of custody.⁸

109. While statistics on human trafficking provide important information about the nature of this crime in Canada, it is important to note that human trafficking can be underreported and underrepresented due to victims' fear of coming forward and the use of other Criminal Code offences when charging individuals with human trafficking.

Specific services for victims and survivors of human trafficking

110. In Canada, the protection of victims and survivors of human trafficking is a shared responsibility of the FPT governments, with PT governments providing the majority of services (e.g., health and social services, emergency housing, and legal aid) to victims and survivors. For example:

- In 2019, the GC launched the Canadian Human Trafficking Hotline, a central response and referral service. It offers 24/7, multilingual access to a safe and confidential space to ask for help; connect to emergency, transition, and long-term supports and services; and for members of the public to report tips;
- The Ontario government provides multi-sectoral access to supportive services to prevent at-risk individuals from being trafficked and to help survivors of human trafficking heal and rebuild their lives. These services include:
 - The Anti-Human Trafficking Community Supports Fund (CSF), which supports community-based solutions for helping survivors of human trafficking and increasing protection for people at risk of being trafficked;⁹
 - The Anti-Human Trafficking Indigenous-led Initiatives Fund (ILIF), which supports community-focused anti-human trafficking services and supports designed for, and by, Indigenous people.¹⁰ It is estimated that CSF and ILIF agencies have provided services to over 2,000 victims and survivors of human trafficking;

⁸ For more information on Trafficking in Persons in Canada, see: www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00006-eng.htm.

⁹ Activities include long-term recovery programs, outreach, education and prevention, emergency and crisis-response support, residential treatment programs, peer support, health services, legal education/legal system navigation, and wraparound support services.

¹⁰ Activities include wraparound services (including emergency shelter, bed, transportation, food, and trauma-informed, culturally respectful care), survivor's circles, counselling, cultural teachings, specialized staff, comprehensive programs that incorporate traditional Indigenous teachings, survivor-informed outreach services and supports, treatment services, community engagement and regional working groups.

- The 2017 New Brunswick Guide on Human Trafficking provides information on how to recognize, support, protect and assist a person who may be trafficked, and is a guide to provincial services, including transition houses, crisis lines, sexual assault counselling and emergency shelters;
- In 2021, the Government of Quebec announced investments to support and intensify the efforts of Quebec police forces to detect and repress the sexual exploitation of minors and bring perpetrators to justice, in particular to the integrated team of fight against pimping to increase its capacity to fight against pimping networks, human trafficking and child prostitution.

National Action Plan to Combat Human Trafficking

111. In 2019, the GC announced the National Strategy to Combat Human Trafficking, which brings together federal efforts under one strategic framework. The National Strategy builds on the internationally recognized pillars of Prevention, Protection, Prosecution, and Partnerships, and incorporates a new pillar of “Empowerment”. The Empowerment pillar places greater focus on enhanced support services for victims and survivors of human trafficking, helping victims and survivors regain control and independence, and reintegrate into their communities during the healing and recovery process. The Empowerment pillar also includes funding for leading Canadian organizations that provide a wide range of trauma informed, long-term, wrap-around services and supports to victims and survivors of human trafficking.

112. Investments under the National Strategy support a number of anti-human trafficking initiatives, including a national public awareness campaign; enhanced support services for victims, survivors, and youth at risk of being trafficked; training tools for key sectors; and guidelines for community-based service providers.

113. The National Strategy continues to work towards addressing vulnerabilities among at-risk populations, including Indigenous women and girls, 2SLGBTQQIA+ persons, migrants and new immigrants, at-risk youth and others who are socially or economically disadvantaged.

Women in the sex trade

114. In 2014, former Bill C-36, the Protection of Communities and Exploited Persons Act, criminalized purchasing sexual services, profiting from others’ sexual services, procuring others to provide sexual services and advertising others’ sexual services (sections 286.1 to 286.4 of the Criminal Code). This legislation expressly protects persons who sell their own sexual services from criminal liability for the part they play in these sex trade offences (section 286.5). The Government continues to monitor the impact of former Bill C-36.

115. In 2021, Statistics Canada released “Crimes related to the sex trade: Before and after legislative changes in Canada”, which examines changes in sex-trade-related crime before and after the enactment of former Bill C-36.

116. Many PT governments are undertaking initiatives to ensure the safety of women working in the sex trade. For instance:

- In Quebec, the 2016-2021 Government Strategy to Prevent and Counteract Sexual Violence provides for a number of actions and measures to ensure the safety of women working in the sex trade. For example, the government:
 - Supports the deployment of resource persons in some cities in Quebec to inform and help people who wish to leave prostitution;

- Supported a study documenting the physical, psychological, relational, and social impact of prostitution on girls and women in Quebec, and disseminated the findings;
- British Columbia provides annual funding to support the Women’s Information Safe Haven Drop-In Centre Society’s Mobile Access Project (MAP) Van. The MAP Van trains and employs former sex workers to deliver services to women working in the street-level sex trade. The Van is unique in that it operates both a day shift and a night shift (from 11:00 pm to 5:00 am) across Vancouver, providing a safe place of respite with referrals, support and supplies for women who are vulnerable to violence and sexual exploitation;
- Newfoundland and Labrador funds the Safe Harbour Outreach Project annually to provide core services to women engaged in the sex trade in St. John’s, the provincial capital. The project’s core activities include: providing peer support; safety and exit planning; crisis support; navigation of public services; housing support; referrals for health and addiction issues; one-on-one counselling; legal advice; and development of life skills;
- Tracia’s Trust is Manitoba’s interdepartmental strategy to prevent sexual exploitation and human trafficking in children, youth and adults. The strategy is guided by the input of survivors and community partners, focuses on creating broader awareness on the prevention of sexual exploitation, and implements direct service interventions to support youth and adults. The interdepartmental Gender Violence Committee of Cabinet plays a role in consideration of the work of the Tracia’s Trust Strategy. This whole of government approach, along with continued engagement with community partners, will guide next steps and investments for the strategy.

Data on migrant women in the sex trade

117. Statistics Canada looks at trends in the prevalence and nature of human trafficking and prostitution as reported by Canadian police services and adult criminal courts. However, Canada does not collect data on arrests, detention or removal of migrant women in the sex trade.

Question 16: Participation in political and public life

Women in decision-making positions

118. FPT governments have taken steps to increase the number of women in decision-making positions in appointed and elected bodies. For example:

- In 2016, the GC established an open and transparent process for selecting Governor in Council (GIC) appointees. The current GIC population is made up of approximately 51% women, 6% Indigenous Peoples, 4% of persons with a disability, and 11% of persons who identify as a visible minority;
- In Prince Edward Island, many women currently hold senior positions in the courts and the Public Service Commission, including: the Chief Justice of the Supreme Court; three of the five justices of the Supreme Court; two of the three provincial court judges; the Prothonotary of the Supreme Court; and the CEO of the Public Service Commission;
- In 2021, following the federal election, a third gender balanced federal Cabinet was appointed. Gender parity was a key consideration when these Cabinets were appointed;
- In 2020, British Columbia’s newly elected Cabinet maintained gender parity for a second term;

- In 2017, the Government of New Brunswick changed the way political parties are subsidized to encourage them to recruit more women as candidates in provincial elections. The per-vote funding that parties receive based on their last election result is now 1.5 times higher for the votes cast for their candidates who are women. In 2020, New Brunswick elected an historic number of women in its provincial election. Twenty of the 49 Members of the provincial Legislative Assembly were women compared to eight in 2017;
- In 2018, the GC provided 3-year funding to Daughters of the Vote, to empower the next generation of women leaders and increase women’s participation in politics to create more gender-balanced governments. This funding supports young women across Canada, aged 18 to 23, to experience taking a seat in Canada’s Parliament – one for each of Canada’s 338 federal ridings. Participants develop community pilot initiatives in their respective ridings with mentorship from former parliamentarians and senators, and elected officials;
- To mark the 2018 UN International Day of the Girl Child, 27 young women from across Prince Edward Island were invited to sit in the Legislature seats during a full day of learning and sharing. These young women had the privilege to meet and hear from Prince Edward Island’s Famous 5, five women from different backgrounds and political stripes who made history by holding five of the most influential positions of government in the province in 1993;
- Nova Scotia hosts a campaign school for women on a regular cycle in advance of a federal election. This campaign school offers a comprehensive overview of federal, provincial and municipal election processes and opportunities for political leadership in these spheres. In conjunction with this campaign, school resources were developed, which are available online. In 2020, they were made further accessible as self-education webinars;
- The “She Can” social marketing campaign is funded by the Government of the Northwest Territories to encourage women to consider running for elected positions at all levels - federal, territorial, municipal and school board/District Education Authorities;
- The Northwest Territories Campaign School for Women is a “made in the North” program designed to help women overcome the challenges and barriers they face when considering running for elected office.

Women in management and leadership positions

119. The following are examples of initiatives aimed at advancing women in management and leadership positions in Canada:

- Launched in 2021, the 50-30 Challenge is an initiative between the GC, business and diversity organizations to increase the representation and inclusion of diverse groups within their workplace, while highlighting the benefits of giving all Canadians a seat at the table. It asks that organizations commit to achieving gender parity (50%) and significant representation (30%) of other under-represented groups—including racialized persons, Indigenous Peoples, people living with disabilities, and members of the 2SLGBTQQIA+ community—on corporate boards and in senior management positions;
- In 2018, Bill C-25 received Royal Assent. This Bill amends the *Canada Business Corporations Act* to require federally incorporated corporations to disclose diversity information to their shareholders, including representation of women, Indigenous peoples, racialized people, and persons with disabilities on their boards of directors and senior management teams;

- In 2020, Nova Scotia hosted a women’s leadership in local government conference, which was a two-day learning and engagement event organized by Government FOCUS, a coalition of women leaders in municipal and First Nation communities with the goal of fostering cross-cultural leadership;
- In 2018, Newfoundland and Labrador held focused engagement sessions with government and community partners to identify challenges, barriers, and solutions to the advancement of women in leadership roles. A total of nine engagement sessions were held with women business leaders, women Public Service Executives, women Indigenous leaders, youth leaders (both women and men), leaders who are men, and the public/community;
- Ontario’s Building Indigenous Women’s Leadership Program provides training and mentorship opportunities to Indigenous women to increase their participation in leadership roles in their communities. Since the program was established in 2007, over 7,500 Indigenous women from 30 communities have participated in training and information sessions;
- New Brunswick hosts “Women in Leadership” workshops to encourage women’s participation in government agencies, boards and commissions. These workshops provide information on how those bodies function and practical tools such as: chairing meetings, effective decision-making techniques, conflict resolution, risk management, and finding the right board opportunity.

Questions 17 and 18: Education

Education for women and girls with disabilities

120. PT governments have taken diverse measures to ensure all students, including students with disabilities, have equal access to education. For example:

- Manitoba’s Amendment to the *Public Schools Amendment Act* (Appropriate Educational Programming) and regulations supports Manitoba’s Philosophy of Inclusion to help all students participate in the academic and social life of schools;
- Ontario’s *Education Act* requires all school boards to provide safe, inclusive, and accepting learning environments for all students. Its Equity and Inclusive Education Strategy aims to promote inclusive education, as well as to understand, identify, and eliminate the biases, barriers, and power dynamics that limit students’ prospects for learning, growing, and fully contributing to society;
- The Northwest Territories’ *Education Act* states “every student is entitled to have access to the education program in a regular instructional setting, in their home community.” Its Ministerial Directive on Inclusive Schooling (2016) ensures all students have access to quality education programming within a common learning environment in the community in which the student resides;
- Many aid measures have been implemented in preschool and primary and secondary education institutions in Quebec to support the integration and success of students with disabilities, regardless of their gender;
- The Alberta government provides resources to students in the kindergarten through twelfth grade education system who are blind or visually impaired. It also manages the braille transcription of authorized student basic textbooks in the four core subject areas of language arts, mathematics, social studies, and science.

Post-secondary education for Indigenous women and girls

121. FPT governments are working to ensure access to post-secondary education for Indigenous people, including women and girls. For example:

- In 2019, the GC committed to work with the Assembly of First Nations, the Inuit Tapiriit Kanatami and the Métis National Council to develop distinctions-based strategies to advance post-secondary education. These strategies will incorporate student support, understanding of local needs, and community-based programs and services to support Indigenous students holistically to attain a post-secondary credential. A new Inuit Post-Secondary Education Strategy and a new Métis Nation Post-Secondary Education Strategy came into effect in 2020;
- Alberta's Indigenous Career Award encourages Indigenous Peoples living in Alberta to pursue and complete post-secondary studies in certificate, diploma, applied degree and bachelor's degree programs;
- Ontario's Indigenous Graduation Coach Program provides funding to targeted district school boards for the recruitment of Indigenous Graduation Coaches to help Indigenous students obtain an Ontario Secondary School Diploma and successfully transition into post-secondary education, training or labour market opportunities.

Ensuring enrolment in education and preventing the dropout of students

122. PT governments have taken measures to support and encourage students to stay in school. For example:

- Manitoba created an Attendance Task Force to provide recommendations to reduce chronic student absenteeism which includes a high proportion of Indigenous and newcomer students;
- Prince Edward Island's Public Schools Branch follows a specific attendance policy that includes many layers of supports and interventions when students are struggling to attend school. Some schools have Aboriginal Youth Workers working specifically with Indigenous students to support their attendance at school, their academic achievement and their social/emotional growth. This service fosters improved student attendance;
- In 2018, an Advisory Committee for School Early Leaving Prevention was established in Newfoundland and Labrador. The Committee's mandate is to develop strategies aimed at reducing the number of students leaving school before graduation, providing supports to students who return to school to complete education, and providing alternate opportunities for students who do not return to school before graduating to complete their education.

Indigenous languages instruction

123. Certain governments in Canada are taking measures to provide Indigenous language instruction in schools. For example:

- British Columbia is working with the First Nations Education Steering Committee to establish a language revitalization and reconciliation strategy to better support First Nations languages in schools. This strategy will consider policy, curriculum, resource supports, teacher certification, and funding to develop a comprehensive approach consistent with the Tripartite Education Agreement and the *Declaration on* ;

- British Columbia's Indigenous Language Fluency Degree Framework bridges community-based certificates and diplomas into bachelor degrees related to Indigenous languages and the Bachelor of Nsyilxcn Language Fluency is one example;
- The Northwest Territories Junior Kindergarten (JK) to Grade 12 Indigenous Languages and Education Policy ensures that students are welcomed within learning environments that centre on respect and promote the Indigenous worldviews, cultures and languages of the community in which the school is located. The policy emphasizes the required collaboration between education bodies and communities to develop and deliver effective Indigenous languages and education programming. Included in the policy is the expectation that the schools that provide Indigenous language instruction (42 of 49 schools) must offer dedicated time for Indigenous language instruction within the regular education program.

Education on sexual and reproductive health and rights

124. In Canada, the provision of education falls under the jurisdiction of PT governments, and the GC has no direct role in decision-making about education curricula, including sexual health education curricula.

Canadian Guidelines for Sexual Health Education

125. The GC, through the Public Health Agency of Canada's HIV and Hepatitis C Community Action Fund, supported the Sex Information and Education Council of Canada (SIECCAN) to revise and update the Canadian Guidelines for Sexual Health Education, which were released in 2019. Electronic (PDF) and hard copies of the Guidelines are available through SIECCAN's website (www.sieccan.org), and CATIE, Canada's source for accessible, evidence-based information about HIV and hepatitis C prevention, testing, care, treatment and support, online ordering centre (www.catie.ca).

Reintegration in school of girls after pregnancy and delivery

126. PT governments have programs and supports to help women and girls stay in school after delivery. For example:

- Manitoba supports the education of pregnant women and new mothers at Villa Rosa to help them re-integrate into high schools when they leave the prenatal and postnatal residence in Winnipeg, Manitoba;
- Under British Columbia's Young Parent Program, parents under 25 may qualify for help with child care while they finish school, including help for costs of child care and space in a licensed program at or near the school they attend. In addition, supports for adolescent parents in government care that have children are also available. Specific supports depend on needs and circumstances. Older youth may receive supports through independent living programs to enable them to finish school. The provincial government provides other services to single parents to help them finish school, training and move to independence;
- Prince Edward Island's Child Care Subsidy Program is an integral support for teenaged parents to enable a return to school. It assists with the cost of child care and day-care services for children up to and including 12-year-olds. In addition, in school student services are provided to individually address the learning and support needs of parents returning to the school environment.

- New Brunswick's Daycare Assistance Program provides a higher child care subsidy to high school students. This benefit is not income tested. The parent must provide proof of enrollment and have their children in an approved child daycare facility.

Access to affordable, modern contraceptives

127. British Columbia recognizes that cost should not prevent individuals, particularly young people, from their right to make choices about their reproductive health. In recognition of this, the province is moving forward to make contraception free, and to improve timely, equitable and culturally safe access to effective contraception for all residents.

128. In Quebec, clinical and preventative services adapted to young people (ages 12 to 25), including hormonal contraception, back-up emergency contraception, and emergency oral contraception, are offered in local community service centres (CLSCs) and schools.

129. Alberta Health Services offers Sexual Health Clinics and/or Birth Control Centres that provide youth-friendly, non-judgmental and confidential sexual and reproductive health services. Confidential services may include: birth control information, prescriptions and supplies; no-cost birth control for those who qualify; and emergency contraception (e.g., morning after pill).

130. Manitoba Teen Clinics offer free and confidential health/medical services and are only for youth. They are located in schools or community health centres throughout Manitoba. Safer sex supplies, including condoms are usually available for free pickup.

Questions 19 and 20: Employment and economic empowerment

Women's access to the labour market

131. In 2021, the GC announced a transformative plan to build a Canada-wide early learning and child care, over the next five years, with PTs and Indigenous partners. The GC's goals are to provide high-quality, affordable, flexible and inclusive early learning and child care for Canadian families. This new investment will increase women's participation in the workforce, while creating new jobs and driving strong economic growth as Canada recovers from the pandemic.

132. PT governments have implemented the following actions to support women's participation and access to the labour market:

- In British Columbia, a variety of programs and resources specifically help women looking for employment, ranging from mentoring in business development to training in the trades; Community Benefits Agreements ensure that women, youth and Indigenous Peoples will have access to employment, training and apprenticeship opportunities on major infrastructure projects;
- Nova Scotia funds the Women Unlimited Program, a free 14-week program giving participants the opportunity to explore their career interests in the trades or technology fields. Upon program completion, participants can apply to enter any trade or technology program at the Nova Scotia Community College if they have the required prerequisites;
- Ontario's Women's Economic Security Program provides funding for the delivery of employment, pre-employment, apprenticeship and entrepreneurship training to help low-income women gain the skills, knowledge and experience needed to increase their economic security;

- Saskatchewan funds the Trade Journey Program, a 16-week program administered by the YWCA in Saskatoon, designed for women who like working with their hands, who already have some experience working in either construction, renovation, mining, or maintenance positions or want to make a transition into a career in the trades.

Pay Equity Act

133. FPT governments in Canada ensure equal pay for equal work through a combination of pay equity legislation, labour standards, human rights legislation and policies.

134. The federal *Pay Equity Act* came into force on August 31, 2021, and established a proactive pay equity regime for approximately 1.32 million workers in federally regulated workplaces with 10 or more employees. The Act is expected to be an effective step towards addressing the portion of the gender wage gap that can be attributed to the undervaluation of work traditionally performed by women. The *Pay Equity Regulations* will support the implementation of the legislation, ensuring that workers in federally regulated workplaces receive equal pay for work of equal value. A newly established Pay Equity Commissioner will be responsible for the administration and enforcement of the Act and its Regulations and will continue to work closely with federally regulated private- and public-sector workplace parties to provide support and guidance on the implementation of this proactive pay equity regime.

135. The government of Quebec has implemented the Action Plan to promote the application of the *Pay Equity Act* for non-unionized workers 2020-2023, which aims to increase understanding of the Act among non-unionized workers, as well as to support them in the exercise of their rights. It also aims to support their employers in meeting their pay equity obligations.

Domestic Workers Convention (C189)

136. FPT governments are currently working on the technical review to determine whether existing legislation, policy and programs are compliant with the Convention's provisions and where gaps exist.

Violence and Harassment Convention (C190)

137. The GC is committed to working with the provincial and territorial governments towards the ratification of C190.

Bill C-65

138. To promote safe and secure working environments for all workers, the GC passed Bill C-65 to amend the *Canada Labour Code* and the *Parliamentary Employment and Staff Relations Act* to better protect employees from harassment and violence in federal workplaces. It worked closely with Canadians and stakeholders on the Work Place Harassment and Violence Prevention Regulations, which came into force, along with the legislation, in January 2021.

139. The GC's Workplace Harassment and Violence Prevention Fund was established in 2019 to help guide culture change around harassment and violence in the workplace.

Sexual harassment in the workplace

140. FPT governments have taken measures to raise awareness about sexual harassment in the workplace. For example:

- In 2019, Manitoba carried out a sexual harassment awareness campaign aimed at changing behaviour and raising awareness of the new respectful workplace policy and reporting procedures for disrespectful behaviour, including harassment and sexual harassment. In 2020, webinars and other virtual courses were implemented related to respectful workplaces and other related topics;
- In 2019, the Workers' Safety and Compensation Commission published the Northwest Territories and Nunavut Codes of Practice – Harassment. It informs workers and employers about workplace harassment and sexual harassment and provides them with many resources and tools to prevent and address harassment;
- In 2019, new occupational health and safety regulatory requirements came into effect in New Brunswick, which address violence and harassment in the workplace, including the spillover of domestic and intimate partner violence and sexual harassment. New Brunswick provides information on these requirements on its WorkSafeNB website and provides resources, including a list of questions and answers, to help employers and employees understand the regulation;
- Alberta has mandated training with a Staff Safety Initiative for Workplace Harassment and Violence. The training includes: the recognition of violence and harassment; the policies, procedures, and workplace arrangements that effectively eliminate or control violence and harassment; the appropriate response to violence and harassment, including procedures for obtaining assistance; and the procedures for reporting, investigating and documenting incidents of violence and harassment;
- Ontario provides information on its workplace violence and harassment webpage to assist workplace parties in understanding the workplace violence and harassment requirements in the *Ontario's Occupational Health and Safety Act*. The resources include guides, a code of practice, fact sheets, and specific resources on domestic violence and sexual assault;
- Prince Edward Island developed a new Workplace Harassment Guide and a FAQ to support and educate stakeholders on the new *Occupational Health and Safety Act* and Workplace Harassment Regulations. The province added a landing page on the Worker's Compensation Board website for stakeholders to access a copy of the regulations and all applicable resources. It also developed education sessions on workplace harassment and is developing an educational online video.

Indigenous women and women with disabilities

141. Governments in Canada have services and programs facilitating the entry of Indigenous women and women with disabilities into the labour market. For example:

- In 2017, Ontario launched the Skills Catalyst Fund, a time-limited demonstration fund that supports the implementation of new workforce development ideas and approaches that align education and training with the needs of the economy and employers. The program has a focus on inclusivity and specifically seeks employment and training supports for women, Indigenous peoples and persons with disabilities that helps them enter, adapt to and/or remain in a changing workforce;
- Alberta's Persons with Developmental Disabilities Program helps eligible adults with planning and services to help them meet personal needs and goals. The program funds employment supports, home living supports, respite services, short-term support or training and specialized supports;
- Nova Scotia's Ability Works Program aims to improve employment outcomes for people living with a disability by: enhancing their employability; increasing employment

opportunities for individuals; and increasing labour market participation rates for individuals;

- The Native Council of Nova Scotia delivers an outreach program called the Social Assistance Recipient Support for Employment & Training program. This program provides long-term supportive services to the rural and urban off-reserve Aboriginal Peoples of Nova Scotia who are in receipt of Income Assistance and who experience barriers to employment, training, and upgrading;
- Quebec's First Nations and Inuit Employment Integration Program offers grants to employers to help them hire and integrate First Nations and Inuit employees. The goal of the program is to help members of First Nations and Inuit acquire work experience and maintain their employment.

Poverty, homelessness and nutrition

142. Governments in Canada are working to reduce poverty, homelessness and inadequate nutrition. Measures undertaken include:

- In 2019, British Columbia released TogetherBC, the Province's first poverty reduction strategy. TogetherBC brings together investments from across government and, over the next five years, aims to reduce the overall poverty rate in the province by 25% and cut the child poverty rate in half. There are thirteen population groups to focus efforts on, including: Indigenous Peoples, seniors, women, LGBTQ2, newcomers, and those living in rural communities, among others;
- In 2019, Manitoba launched Pathways to a Better Future: Manitoba's Poverty Reduction Strategy, a multi-year, whole of government strategy. The key target of the strategy is to reduce the rate of child poverty by 25% by 2025 compared to the baseline year of 2015. The strategy identifies 13 indicators to track progress in the areas that are strongly related to poverty such as employment, education, skills, training, child care, child welfare, health, housing and income inequality;
- The Saskatchewan Assured Income for Disability Program is an income support program for people with significant and enduring disabilities. It offers individuals the dignity of greater choice of services and participation in their community;
- The GC's Homelessness Strategy, Reaching Home, is a community-based program aimed at preventing and reducing homelessness across Canada. This program provides funding to urban, Indigenous, rural and remote communities to help them address their local homelessness needs;
- British Columbia's Farmers' Market Nutrition Coupon Program provides coupons to low-income pregnant women, families with children and seniors to buy select foods at local farmers' markets. Program participants receive \$21 in coupons per week for 16 weeks. In 2019, a total of 4,400 women enrolled in the program;
- In Newfoundland and Labrador, improving access to healthy food is an ongoing priority with a focus on long-term solutions through initiatives and partnerships with communities that reduce and alleviate poverty, including tax benefits, programs that support healthy food for families and affordable transportation options;
- Northwest Territories' Income Assistance Program provides a set amount for food, shelter, and utilities, and enhanced needs such as incidentals, clothing, allowances for seniors and persons with disabilities, child care, furniture, and educational assistance, depending on household income, size of family and community.

143. Annex 3 outlines data on women living under the official poverty line by province.

Questions 21 and 22: Health

Sexual health data

144. In 2020, the Canadian Community Health Survey collected data on a series of questions related to sexual behaviors, use of contraceptives, and the importance of becoming pregnant. These results will be available by gender, age group and other demographics in June 2021.

145. In 2019, the GC launched its Five-Year Action Plan on Sexually Transmitted and Blood-borne Infections (STBBI), which reaffirms Canada's commitment to develop a set of STBBI indicators and targets to accelerate efforts toward implementing the Pan-Canadian STBBI Framework for Action, and reaching global targets. The Public Health Agency of Canada leads the process to develop STBBI indicators and targets in collaboration with provinces¹¹, territories, National Indigenous Organizations, and key stakeholders, including the development of indicators and targets for sexual health education.

Abortion services

146. Surgical abortion services are deemed medically necessary and are insured in all provinces and territories. The availability of surgical abortion services varies nationally and, in many cases, within provinces and territories. This means that patients may need to travel distances to receive surgical abortions. Medical abortions are available in all jurisdictions on a fully covered basis, although some Canadians report difficulty in finding medical practitioners willing to prescribe Mifegymiso, particularly in rural and remote areas. In 2017, Health Canada reduced restrictions on the prescribing of Mifegymiso, making it available later into the period of gestation, and from more medical professionals. A study from the University of British Columbia, published in September 2020, said this policy change has greatly improved access to abortion services in Canada.

147. In July 2019, the GC's Minister of Health wrote a letter to all provincial and territorial premiers asking them to address barriers and delays to access abortion services, and noted that refusing to fund abortions in clinics violated the *Canada Health Act*.

Access to support services

148. PT governments offer access to support services for persons with disabilities. For example:

- In British Columbia, programs and services for persons living with a disability are offered through government, crown agencies and corporations. Health supports and services covered include: mental health services; choice in supports for independent living; and home and community care;
- In the Northwest Territories, health-related services for persons with disabilities include: on-the-ground access to mental health services in all of the regions; rehabilitation services, including physiotherapy, occupational therapy, speech-language pathology and audiology; and home and community care, which provides individuals with nursing care and support for personal care as well as daily living activities;
- Prince Edward Island's AccessAbility Supports provide persons with disabilities and their families access to personalized and empowering tools they need to reach their full potential. Individuals interested in this support can meet with a member of the staff who

¹¹ In Quebec, various data on sexual and reproductive health are listed on the website of the Ministry of Health and Social Services.

will assess how disability affects their daily life and how AccessAbility Supports can help them meet their needs.

Forced and coerced sterilizations

149. The scale and scope of forced and coerced sterilization is currently unknown. PT health systems (with the exception of Saskatchewan) do not track patient ethnicity, and Statistics Canada does not collect information on forced sterilization through its health surveys. However, since October 2017, a number of legal actions that name Canada as a defendant have been initiated by impacted women.

150. Consultations with the Royal Canadian Mounted Police's (RCMP) contract divisions revealed four allegations of forced sterilization. One of these allegations took place within the RCMP jurisdiction and is currently under investigation. The other three have been referred to the appropriate police services jurisdiction for follow-up. Specific direction is provided to RCMP personnel when dealing with complaints and allegations, encouraging compassion and active assistance of the alleged victim, investigation with cultural sensitivity and communications, and laying appropriate charges against the alleged offender(s).

151. In 2018, the GC launched the Advisory Committee on Indigenous Women's Wellbeing, which consists of National Indigenous Organizations, Indigenous Women's Organizations, and experts, to guide the department on current and emerging issues, including sexual and reproductive health (e.g., forced or coerced sterilization).

152. To improve cultural safety and quality of service, the GC is investing in services to support healthy pregnancies and births; investing for the first time in midwifery in First Nation and Inuit communities; and receiving guidance from the Indigenous Women's Advisory Committee. The department supported a national forum on informed consent and choice in Indigenous women's health services (held by the National Collaborating Centre on Indigenous Health in January 2020) and is supporting national Indigenous women's organizations as they develop information products on informed consent for the women they serve.

153. For more details, please see Canada's Interim report in follow-up to Canada's appearance before the Committee against Torture (CAT/C/CAN/FCO/7).

HIV infection rate

154. In 2018, the HIV infection rate among females in Canada in 2018 was 3.5 per 100,000 population, and the number of new HIV cases among females was 645.

Question 23: Disadvantaged groups of women

Ensuring effective access to employment, health, education, housing, and participation in political and public life

155. The following are examples of measures taken by FPT governments to help underrepresented groups of women access employment, health, education, housing, and participation in political and public life.

- Immigration, Refugees and Citizenship Canada launched the Racialized Newcomer Women Pilot (formerly the Visible Minority Newcomer Women Pilot) in December 2018 to provide support designed to improve the employment outcomes and career advancement of racialized newcomer women in Canada through the delivery of targeted

settlement services. The Pilot continues to contribute to greater opportunities for racialized newcomer and refugee women to participate equally and fully in the economy;

- Manitoba's Employability Assistance for People with Disabilities offers a wide range of employment focused services to assist adults with disabilities in preparing for, obtaining and maintaining employment. Services include vocational counselling, assessment, training, and assistance with resume and interview preparation;
- Saskatchewan's Immigration and Career Training Labour Market Services Branch has a large offering of specialized labour market programming to improve employment outcomes for marginalized Indigenous and newcomer groups as well as for persons with disabilities;
- The Government of Manitoba provides core funding to the Rainbow Resource Centre to support education, counselling, library services, self-help groups and youth-based programming to and for the 2SLGBTQIA+ communities across Manitoba;
- The Government of Newfoundland and Labrador, together with Indigenous governments and organizations, is developing an Indigenous Administrative Data Identifier in order to ensure that the identification of health records of Indigenous people is accurate and complete. This will allow Indigenous communities and decision-makers to better plan, deliver and measure the effectiveness of programs and services as well as monitor the health outcomes of Indigenous people;
- Ontario's Equity and Inclusive Education Strategy aims to help the education community identify and remove discriminatory biases and systemic barriers in order to support student achievement and well-being. The Strategy aims to promote inclusive education, as well as to understand, identify, and eliminate the biases, barriers, and power dynamics that limit our students' prospects for learning, growing, and fully contributing to society;
- Alberta's *Education Act* specifies that students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self;
- Alberta's Indigenous Housing Capital Program offers more flexibility and autonomy for Indigenous communities to build affordable housing. This initiative helps Indigenous families that are disproportionately affected by homelessness and helps ensure Indigenous Peoples living on-settlement, off-settlement, and off-reserve have access to a safe, stable and affordable place to call home;
- As part of the implementation of the measures in the Government Action Plan for the Social and Cultural Development of the First Nations and Inuit, the Government of Quebec is allocating funds for projects focused on Indigenous governance, leadership, and participation.

Question 24: Marriage and family relations

Division of property

156. PT governments have constitutional jurisdiction over property, and therefore the division of property upon marriage breakdown. Provincial and territorial legislation applies to unmarried or common-law couples, and to married couples who are separated but not divorcing.

157. In Alberta, matters pertaining to division of property upon separation, divorce, or dissolution of family relations are resolved primarily under the *Family Property Act* (FPA). The FPA came into force in 2020, replacing the *Matrimonial Property Act*. The FPA promotes certainty in the procedural and substantial law for both legally married spouses and adult

interdependent partners whose relationship has broken down, thereby improving access to justice.

Judicial proceedings addressing children

158. In June 2019, the Parliament of Canada adopted Bill C-78, which amends the *Divorce Act*, the *Family Orders and Agreements Enforcement Assistance Act* and the *Garnishment, Attachment and Pension Diversion Act* to better promote the best interests of the child, address family violence, help reduce child poverty and make Canada's family justice system more accessible and efficient. Amendments to the *Divorce Act* came into force in March 2021; other amendments will come into force over two to three years.

159. Amendments to the *Divorce Act* promote the best interests of the child by setting out specific factors that a court must consider when making decisions about parenting arrangements, with the primary consideration being the child's physical, emotional and psychological safety. The best interests criteria will help courts tailor parenting arrangements to each child's specific situation.

160. Bill C-78 made several amendments to the *Divorce Act* to address family violence. These include a broad definition of family violence, which is conduct that is violent or threatening, that constitutes a pattern of coercive and controlling behaviour, or that causes a family member to fear for their own safety or for the safety of another person. Within this definition, family violence includes physical, sexual, psychological, and financial abuse; threats to kill or cause bodily harm; failure to provide necessities of life, harassment and stalking; and threats to kill or harm an animal or to damage property, or actually causing that harm. In the case of a child, it also includes direct or indirect exposure to family violence. Judges will be required to consider the impact of any family violence on the best interests of the child when determining parenting arrangements.

161. On March 1, 2021, the *Moving Ontario Family Law Forward Act* came into force in Ontario. The changes featured in the Act simplified an outdated and complex family law system by modernizing language and simplifying appeal routes and amended parenting terminology in the *Children's Law Reform Act* to align with changes made to the federal *Divorce Act*. Several amendments expand upon the best interests of the child criteria for the court to consider when making a parenting or contact order. Courts are required to consider family violence and its impact on the ability and willingness of any person who engaged in the family violence to care for and meet the needs of the child. Courts are also required to consider the appropriateness of making an order that would require persons in respect of whom the order would apply to cooperate on issues affecting the child. The primary consideration for the court is the child's physical, emotional and psychological safety, security and well-being.

Question 25: Additional information

Integrating a gender-perspective in achieving the Sustainable Development Goals

162. Through its 2030 Agenda National Strategy and Federal Implementation Plan, the GC committed to reporting annually on its progress towards implementing the SDGs, including SDG 5, and is anticipated to release its first report in June 2022.

Canada's Role in the Generation Equality Forum

163. Canada fully supports the Generation Equality Forum. Canada is a leader of the Feminist Movements and Leadership Action Coalition, and has also made commitments across a number of the other Action Coalitions.
