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MISSED OPPORTUNITIES

A parallel report on Canada's implementation of the Beijing Declaration and Platform for Action

Prepared by a network of women's rights and gender equality-seeking organizations, trade unions and independent experts

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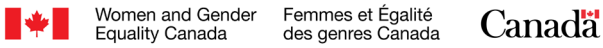

Missed opportunities

A parallel report on Canada's implementation
of the Beijing Declaration and Platform for Action

Foreword

Missed Opportunities: A Parallel Report on Canada's Implementation of the Beijing Declaration and Platform for Action has been prepared by a network of over 70 women's rights and equality-seeking organizations, trade unions and independent experts to mark the 30th anniversary of the Fourth World Conference on Women.

Women's rights and gender equality organizations have been conducting reviews of Canada's progress in meeting the goals set out in the Beijing Platform every five years since 1995. Our goal this year was to produce a report that highlights the diverse realities of women and gender-diverse people who face multiple and intersecting forms of discrimination, incorporating an up-to-date assessment of federal policy and programs supporting women and gender equality in Canada. (This report uses an inclusive definition of women that embraces women, queer women, trans women and gender-diverse people.)

This parallel report is being submitted to the UN Women Regional Office for Europe and Central Asia in advance of the Beijing +30 Regional Review Meeting. It provides an analysis of the 12 priority areas of concern identified in 1995 as well as additional information on key policy areas that are essential to women's progress today. It contains sets of recommendations, developed in consultation with chapter authors and Beijing +30 network members, for the accelerated implementation of the Beijing Platform.

These recommendations represent the diverse views and positions of women's rights and gender equality groups in Canada. As such, they are offered as a point of departure for ongoing advocacy and public education work in the lead-up to Beijing +30—including the annual UN Commission on the Status of Women Meetings and the high-level meeting of the UN General Assembly in September 2025.

Introduction

Progress on the Beijing Declaration and Platform for Action

Thirty years ago, about 50,000 activists, diplomats and world leaders met in Beijing, China, to plan for a world in which all women everywhere—in all their diversity—could live full and equal lives. The resulting declaration and platform for action was the most progressive blueprint ever for advancing women's rights.[1] Together with the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Beijing Declaration identified some of the greatest obstacles to gender equality and strategies for advancing transformative change.

Considerable progress has been made in the intervening years. Gender equality is now understood to be integral to sustainable development, as expressed in the UN's 2030 Agenda for Sustainable Development.[3] Canada's 2030 Agenda National Strategy, Moving Forward Together, noted that "[s]ustainable development cannot be achieved if half of humanity continues to be left behind."[4]

No country—including Canada—has finished this agenda. But Canada has made notable progress in elevating gender equality as a core policy goal since 2015. There also have been notable accomplishments in the past five years, including a robust response to the precipitous drop in household incomes when large sectors of the economy shut down in 2020, the commitment of $30 billion over five years to build a universal, publicly funded child care system, the introduction of a National Action Plan to End Gender-Based Violence[5] and the first Federal 2SLGBTQI+

Action Plan.[6] In 2024, the federal government introduced framework legislation to establish universal pharmacare, starting with free contraception and diabetes treatments. It's been 55 years since the birth control pill was legalized in Canada. Since that time, community activists, gender equality organizations and health care providers have worked tirelessly to expand access—little by little—to high-quality sexual and reproductive health care for all. Free birth control is finally in sight.

But as this report shows, Canada is not nearly close enough to meeting its 2030 Agenda goals. The COVID-19 pandemic was a significant setback for many women.[7] Large gaps in our market-oriented care infrastructure and the failure of Canadian governments to take effective action further amplified the pandemic's impacts—and resulting stresses—on women and marginalized communities. These included increased violence, greater isolation and ill health, heightened economic insecurity, and loss of access to vital community supports. Four years later, the emergency phase of the pandemic is over but critical questions remain about its long-term impact. At this juncture, it is fair to say that the recovery has proven to be as unequal as the pandemic itself.

Gender equality and the COVID-19 pandemic

At the beginning of the pandemic, all countries took steps to respond to the health crisis and mitigate the ensuing economic and societal shocks.[8] Yet, as UN Women has documented, very few put in place a "holistic gender response"[9] to the unfolding crisis and the erosion of women's rights and well-being. Fewer still considered the unique position or experiences of marginalized women or gender-diverse people in their recovery programs.

In Canada, the federal government, for its part, clearly acknowledged the gendered character of the COVID-19 crisis in its policy statements. It was one of a small group of countries, as reported by the OECD, that explicitly undertook gender impact assessments in the design and delivery of its pandemic and recovery response.[10]

It also marshalled a sizeable pandemic response in comparison to its peers, providing nearly 19 per cent of GDP in total support to keep Canadians and businesses afloat,[11] directing an above-average share of funding to households.[12,13] Through the first waves of the pandemic, the federal government introduced approximately 150 different measures, covering health, income security, loan guarantees for private business,

and more. The lion's share of all direct spending came from the federal government: 86 per cent.[14]

Looking at measures that directly impacted households and businesses, 30.4 per cent met the criteria set out in the UNDP–UN Women Global Gender Response Tracker for being "gender-sensitive," a figure in line with the global average (32 per cent of the 226 countries surveyed),[15] but a comparatively small fraction (11.6 per cent) of Canada's total spending package.[16]

Of these funds, 38 per cent was spent on programs that helped women and other marginalized communities cope with the economic fallout of the pandemic, including top-ups to Canada Child Benefit and GST/HST credit recipients, funds for food banks and community service organizations, and training dollars for workers in hard-hit sectors, such as food and accommodation.

Another 62 per cent of federal gender-sensitive spending targeted care needs, encompassing pandemic-related family leave provisions, cash benefits to help compensate parents for lost earnings due to care responsibilities (via Canada Emergency Response Benefit, Employment Insurance, and the Canada Recovery Caregiving Benefit), and funds to expand and strengthen care services like emergency child care and essential worker wage top-ups.[17] A total of $300 million over three years was directed to organizations supporting women, girls and gender-diverse people experiencing gender-based violence.[18]

Federal emergency transfers had a substantial impact on household incomes, more than offsetting what would have been a large rise in poverty, especially among economically vulnerable households.[19] Eligibility was extended—at least temporarily—to those providing essential care and schooling to those in need. Historic new investments in child care announced in 2021 hold out the promise of finally creating a Canada-wide system of early learning and child care that is affordable, inclusive and accessible—and essential for the advance of gender equality in Canada.

The scale of the federal intervention was also a key factor in Canada's robust employment recovery in 2021 and 2022, opening opportunities for women and other marginalized communities. Government spending helped sustain economic demand across provinces, creating the conditions for a speedy economic recovery.

At the same time, the response to the crisis in care, and its disproportionate impact on women, was hit and miss. The federal measures were not enough to deliver on the promise of gender justice—certainly not in a country where a full response to the pandemic hinged

on subnational levels of government, many of which were wholly silent on the pandemic's gendered impacts.

Most provinces sat back and let the federal government do the heavy lifting on their pandemic responses, giving only a cursory nod to programming to address the pandemic's disproportionate impacts on women and other marginalized communities. Had it not been for federal transfers tied to specific goals, such as the provision of child care or services for vulnerable populations, the number of provincial programs qualifying as gender-sensitive would have been considerably smaller, indeed potentially non-existent.

As it was, there were significant policy gaps that neither provincial nor federal programming adequately addressed. As our report shows, these included comprehensive and co-ordinated programs to combat the substantial rise in gender-based violence and to support to larger numbers of individuals coping with mental health challenges. Access to health care remains a pressing challenge as health care authorities and community service providers struggle to recruit and retain care workers. The crisis in our care economy shows no signs of abating soon as Canada's stalled progress on child care expansion shows.[20] The cost-of-living crisis is placing great stress low-income households, especially those led by women. The proportion of women reporting great difficulty in meeting their financial needs increased by more than 30 per cent between 2021 and 2023—and by almost 80 per cent among racialized women.[21]

There is a good deal yet to learn about the pandemic's gendered impact and potential long-term consequences for gender equality in Canada. There is also a good deal more to learn about the strategies that worked, in whole or in part, to address diverse women's needs during this crisis.

Strengthening foundational income supports as well as introducing targeted programs were essential in delivering needed financial aid to millions of women struggling with employment and income losses and the burden of care. These interventions offer important lessons for permanently strengthening income security and expanding coverage to better protect precarious workers including those with caregiving responsibilities.

Time-limited pandemic investments in the care economy, however, were not enough to stabilize the system, which had been drained and strained by years of austerity. Provincial governments have key roles to play in creating more inclusive, gender-equal communities, including expanding the number of public/non-profit child spaces; scaling up

community-based mental health services; raising the minimum wage and strengthening labour standards; expanding the stock of second-stage housing for women fleeing violence; and improving the wages and working conditions of care workers across the board.

Moving beyond a fragmented approach of underfunding, privatization and exploitation in the care economy must be an investment priority going forward at both levels of government.

All future action demands a laser focus on feminist intersectionality to capture the diversity of women's lived experience and to break down the program silos that reinforce discrimination and injustice. It is imperative that the federal government establish intersectional human rights monitoring system to help dismantle systemic legacies of exclusion and the structural barriers facing marginalized women and that it invests in women's rights organizations that represents the voices of women facing intersecting sources of discrimination. These same organizations are essential to the effort to upend systemic bias through the design and delivery of community-specific and culturally responsive supports to communities in most in need. To this end, we also need to tackle the data gaps that silence and render invisible women and girls most likely to be left behind.[22]

Most pandemic programs have now run their course. With the notable exception of new investments in child care and the wholly inadequate new Canada Disability Benefit program, provincial and federal programming continues to respond poorly to the systemic barriers that women face in a new context of heightened economic uncertainty and high costs of living. The current policy debate about gender equality is much diminished. Critical issues such as rising levels of gender-based violence and hate are receiving scant attention despite the virulent far-right backlash against feminist movements and 2SLGBTQI+ communities taking hold.

The imperative now is to apply the lessons of COVID-19 in service of a more sustainable, resilient and gender-just future, ensuring that those who bore the brunt of the pandemic are not again left behind.

The 30th anniversary of Beijing provides new opportunities to reconnect, regenerate commitment, charge up political will and mobilize the public. The Beijing Platform for Action, still forward-looking at 30, offers an important focus for rallying people around gender equality and women's empowerment. Its promises are necessarily ambitious. But over

time, and with the energy of new generations, those promises can be kept.

This report, which was jointly produced by a network of national women's rights organizations, civil society groups and trade unions, details Canada's progress toward equality over the past five years. It addresses priority areas identified in 1995, but also provides additional information not covered in the Beijing documents about the status of key groups, while discussing other issue areas such the environment. In each of the 21 chapters, contributors consider the achievements, challenges and setbacks to progress on gender equality then make recommendations for the accelerated implementation of the Beijing Platform, summarized in the conclusion.

Notes

1 UN Women, Fourth World Conference on Women, 1995, Beijing Declaration and Platform for Action.

2 The Convention of the Elimination of All Forms of Discrimination Against Women, adopted by the UN General Assembly in 1979, defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

3 United Nations, 2015, Transforming our world: The 2030 Agenda for Sustainable Development .

4 Government of Canada, 2021, Canada's 2030 Agenda National Strategy: Moving Forward Together. For the most recent annual update, see: Government of Canada, 2023, Canada's 2023 Voluntary National Review—A Continued Journey for Implementing the 2030 Agenda and the Sustainable Development Goals.

5 Government of Canada, 2023, The National Action Plan to End Gender-Based Violence.

6 Government of Canada, 2022, Federal 2SLGBTQI+ Action Plan.

7 Katherine Scott, 2023, Still in Recovery: Assessing the pandemic's impact on women, Canadian Centre for Policy Alternatives.

8 For a more detailed discussion of Canada's gender response to the pandemic, see: Katherine Scott, 2023, Canada's Gender Pandemic Response: Did it measure up? Canadian Centre for Policy Alternatives.

9 UNDP–UN Women, 2021, COVID-19 Global Gender Response Tracker.

10 OECD, 2021, Toward Gender-inclusive Recovery.

11 Government of Canada, 2020, Fall Economic Statement, p. 68.

12 Dominic Richardson et. al., 2020, Supporting Families and Children Beyond COVID-19: Social protection in high-income countries, Innocenti Research Report, UNICEF Office of Research-Innocenti, Florence.

13 Between 2019 and 2020, Canada's public social spending-to-GDP ratio increased by 6.2 percentage points, reaching 25 per cent in 2020, the largest increase among OECD countries. The average for the OECD was roughly three percentage points. Spending ratios sharply declined in 2021 and 2022, a result of a strong economic recovery and a slowdown in the pace of real public social spending growth after COVID peaked in 2020–21. See: OECD, 2023, Social Expenditure (SOCX) Update 2023: The rise and fall of public social spending with the COVID-19 pandemic.

14 These figures refer to program spending over three fiscal years: 2019–20, 2020–21 and 2021–22. They represent direct pandemic expenditures and do not include the value of liquidity programs, such as loans or deferral of tax payments, estimated at $191 billion over this period. See: David Macdonald, 2021, Still Picking up the Tab, Canadian Centre for Policy Alternatives.

15 UNDP–UN Women, 2021, COVID-19 Global Gender Response Tracker.

16 A total of $42.6 billion was spent between March 2020 and June 2021 on gender-sensitive measures of total pandemic expenditures of $366 billion. These figures on Canadian government spending on gender-sensitive measures are taken from Katherine Scott, 2023, Canada's Gender Pandemic Response: Did it measure up? Canadian Centre for Policy Alternatives.

17 In total, the federal government allocated $26.4 billion to address care needs, two-thirds of which ($17.8 billion) was directed to women and families via the Canada Emergency Response Benefit (March 15–September 26, 2020), the Canada Recovery Caregiving Benefit (available after September 27, 2020) and expanded access to Employment Insurance special benefits.

18 An initial $100 million in emergency funding was provided in 2020–21 to over 1,200 organizations. A further $200 million over two years was committed in the 2021 federal budget to enhance the capacity and responsiveness of organizations providing gender-based violence supports.

19 Statistics Canada, July 13, 2022, "Pandemic benefits cushion losses for low income earners and narrow income inequality—after-tax income grows across Canada except in Alberta and Newfoundland and Labrador," *The Daily*.

20 Canadian Institute for Health Information, 2023, Taking the Pulse: A snapshot of Canadian health care, 2023. See also: House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, 2023, Labour Shortages, Working Conditions and the Care Economy; and Care Economy Team, 2023, Submission to Standing Committee on Finance Pre-Budget consultations in advance of the 2024 Budget.

21 Statistics Canada. Table 45-10-0087-01—Difficulty meeting financial needs, by gender and other selected sociodemographic characteristics.

22 Arjumand Siddiqi, Ryoa Chung, Jeffrey Ansloos and Paulette Senior, 2021, Addressing Economic Racism in Canada's Pandemic Response and Recovery, Broadbent Institute.

1. Indigenous women and girls

This chapter includes an account of Indigenous women, girls and Two-Spirit people, including First Nations, Métis and Inuit women. It presents submissions from Pauktuutit Inuit Women of Canada, Les Femmes Michif Otipemisiwak, the Ontario Native Women's Association and the Canadian Feminist Alliance for International Action (FAFIA).

The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls exposed the devastating effects of colonization, racism and sexism on Indigenous women and girls. The report shows that, over time, colonizing governments in Canada have built a structure of laws, policies and practices that treat First Nations, Métis and Inuit women, girls and Two-Spirit people as lesser human beings—sexualized, racialized and disposable—because of their gender/sex and their Indigeneity. The result is high rates of violence, exploitation, rapes, disappearances and murders. Colonial laws and policies have also created the context in which violence against Indigenous women and girls also occurs within their own communities. All levels of government must dismantle this deeply embedded discrimination against Indigenous women, girls and Two-Spirit people. This can only be done through strategic, concerted and co-ordinated action that is grounded in human rights as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples and affirmed by the Committee on the Elimination of Discrimination against Women (CEDAW) General Recommendation 39. Actions must be planned, measured and monitored.

1. Sex discrimination in the *Indian Act*

On August 15, 2019, the Government of Canada brought into force provisions that will remove a significant part, though not all, of the longstanding sex discrimination against First Nations women and their descendants prescribed in the *Indian Act*. Since 1876, the *Indian Act* has discriminated against First Nations women and their descendants. It has privileged Indian men[1] and their descendants over Indian women and their descendants. For more than 100 years being entitled to Indian status required being related to a male Indian by blood or marriage. There was a one-parent rule for transmission of status, and that one parent was male. In addition, Indian women who married non-Indian men lost their status, while Indian men who married non-Indian women endowed their Indian status on their wives.

This discrimination has had profoundly harmful effects on First Nations women, their descendants and their communities. It has functioned effectively as a tool of assimilation, defining thousands of First Nations women and their descendants as non-Indian and therefore not entitled to recognition, community belonging, political voice, or the benefits of treaties or inherent rights. This discrimination has been identified by CEDAW and the Inter-American Commission on Human Rights as a root cause of the violence against Indigenous women and girls. On January 11, 2019, the United Nations Human Rights Committee (HRC), ruling on the petition of Sharon McIvor, found that the *Indian Act* violates the rights of First Nations women to equal protection of the law and to equal enjoyment of their culture.[2, 3]

The significant changes to the *Indian Act* introduced in 2019 did not automatically confer status on First Nations women and their descendants. Until they are registered by Government of Canada, they still do not have status or enjoy its benefits. As of June 2024, Canada had registered only 55,804[4] of the 270,000 to 450,000 who were estimated to be potentially eligible according to the Parliamentary Budget Officer in 2017.[5] This means that the thousands of First Nations women and their descendants who have been denied their rights to equality and equal enjoyment of their Indigenous culture have not yet received a remedy.

The lack of a proactive, effective information campaign to ensure First Nations women and their descendants know that they are newly entitled, the cumbersome process, and the unacceptable delays in registering the newly entitled—these all indicate an unwillingness on the government's part to give up this colonial tool of assimilation.[6]

In December 2022, the Government of Canada tabled Bill C-38,[7] another amendment to the *Indian Act*. It addresses the automatic loss of status by women and children of men who enfranchised, whether voluntarily or involuntarily,[8] and a provides a new legal mechanism to facilitate reconnection with their natal bands for women who were automatically transferred to their husbands' bands when they married because of the patriarchal structure and operation of the *Indian Act*.[9]

But this is another incomplete legislative fix. To fully eliminate the remaining sex discrimination, Canada must immediately address three outstanding issues that are not resolved in the proposed amendment:

1. Removal of the bar to compensation for discrimination in the status registration provisions;

2. Removal of the 6(1)(f) and 6(2) status categories, and of the "second generation cut-off" and two-parent rule, which perpetuate the sex discrimination of the past and lead to legislative extinction of status Indians because they bar transmission of status after two generations of out-parenting;

3. Removal of differential entitlement to status based on pre- and post-1985 birth and marriage dates.

At this time, Bill C-38 is at second reading in Parliament and has not been debated in Committee yet. Indigenous women have been fighting to end this sex discrimination for more than 50 years. It is time for Canada to fully and finally end this discrimination.

2. Violence against Indigenous women, girls and Two-Spirit people

Violence against Indigenous women in Canada occurs in several different contexts and is interwoven into Canadian systems, including justice, health care, education and other social services. The legacy of colonization and its manifestations in society today exacerbate the risk of violence Indigenous women face. It also exacerbates the barriers that Indigenous women confront when reporting violence, in the justice system, and in accessing supports as they navigate their healing journeys.

Data shows that Indigenous women's experiences of violence are unique and therefore require dedicated responses:

- **High rates of violence:** In Canada, Indigenous women are three times more likely than non-Indigenous women to report having been a victim of a violent crime. Almost two-thirds of Indigenous women have experienced physical or sexual assault in their lifetimes.[10]
- **Lifetime experiences of violence:** Indigenous women were more likely than non-Indigenous women to have been physically or sexually abused by an adult during childhood and to have experienced harsh parenting by a parent or guardian, experiences that are associated with an increased prevalence of lifetime violent victimization.[11]
- **MMIWG crisis***:* Indigenous women and girls are 12 times more likely to go missing or to be murdered than any other women in Canada.[12]
- **Higher fatality rates:** Indigenous women account for approximately five per cent of all women in Canada, but account for 21 per cent of all women killed by an intimate partner.[13]
- **Perpetuation of biases:** When Indigenous women and girls report experiencing sexual violence, they are often blamed, dismissed or ignored by multiple systems (justice, health care and others) due to multi-faceted systemic discrimination, racism and stigma. As a result, Indigenous women were more than twice as likely to report having not very much or no confidence in the police compared with non-Indigenous women.[14]
- **Access to culturally grounded healing:** Indigenous women often do not have access to comprehensive, wraparound and culturally grounded supports that are developed and implemented by and for them. This creates a significant gap for their healing and ability to rebuild their lives.

In 2021, the Government of Canada released a national action plan in response to the findings of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG).[15] In 2022, it released a five-year National Action Plan to End Gender-Based Violence that includes an Indigenous-specific pillar. There has been little measurable progress on either. For example, CBC's recent comprehensive review of progress on the MMIWG calls for justice determined that only two of the 231 calls have been completed, and more than 50 per cent have not even been started.[16]

"Family members who have lost loved ones and Indigenous advocates expressed very clearly…that they believe there has been little action compounded by a lack of accountability. They have shared that striking

committees does not constitute action. Continuous consultation does not constitute action. Words filled with good intentions do not constitute action."[17]

3. Trafficking of Indigenous women and girls

Human trafficking—primarily for the purposes of sexual exploitation—is part of the crisis of violence, murders and disappearances of Indigenous women and girls. The impacts of colonization and its lasting intergenerational legacies have created the conditions for Indigenous girls to be targeted by human traffickers, including:

- **Child welfare system:** The child welfare system, as a colonial institution, continues to perpetuate the conditions whereby Indigenous children are disproportionately placed at risk of being targeted by traffickers. This is because they are often isolated from family, community and cultural supports. In Canada, about 54 per cent of children in foster care are Indigenous although they account for only about eight per cent of the child population.[18]
- **Mental health and substance use***:* Human trafficking is strongly linked with other co-occurring complex care needs, including mental health, substance use issues and severe trauma. In Canada, mental health and substance use treatment programs often have extremely long waitlists. Mainstream programs often do not meet the unique needs of Indigenous women and girls, especially those who have been trafficked/exploited.
- **Resource extraction**: Resource extraction activities perpetuate the circumstances through which Indigenous women and girls experience heightened vulnerability to human trafficking and other forms of violence.[19]

Canada's five-year National Strategy to Combat Human Trafficking is expiring this year and there has been no public indication of its continuance. To date, funding for the strategy has focused on education, training and public awareness campaigns. There have been no core funding commitments to Indigenous women's organizations that support Indigenous survivors of trafficking (e.g., crisis, exit and long-term healing supports).

4. Indigenous women and health

Indigenous women have inherent knowledge about wellness and how to heal themselves, their families and their communities. Cultural practices, traditions and ceremonies have been used to support Indigenous women's healing and wellness since time immemorial. Despite Canada's international treaty obligations and its commitment to uphold Indigenous rights through the *United Nations Declaration on the Rights of Indigenous Peoples Act*, 2021, Indigenous women in Canada do not experience full and equal enjoyment of their human rights, including the right to enjoyment of the highest attainable standard of physical and mental health.[20]

Indigenous women and their families experience disproportionately poorer health outcomes than the general population. Anti-Indigenous racism and discrimination in the health care system directly contributes to poor quality care or a complete lack of care, resulting in poor health outcomes and even death. For example:

- Life expectancies for Indigenous household populations are significantly lower than for non-Indigenous household populations.[21]
- Fewer Indigenous women (compared to non-Indigenous women) have access to a regular health care provider.[22]
- Indigenous women living off-reserve report worse physical and mental health along with higher prevalence of chronic diseases than non-Indigenous women.[23]
- More Indigenous women than non-Indigenous women report unmet health needs, especially mental health care needs. These disparities persist even when findings are adjusted for social and demographic characteristics, which suggests that systemic barriers (e.g., racism) are responsible.[24]

Racism is embedded in the health care systems that Indigenous women interact with daily. This was graphically illustrated most recently by the death of Joyce Echaquan, a member of the Atikamekw community of Manawan, at the Joliette Hospital in Lanaudière, Quebec. Ms. Echaquan died while seeking medical assistance as staff racially taunted her. A recording of the appalling incident sparked the call, once again, from Indigenous communities for governments to guarantee the right of Indigenous peoples to equitable access to all social and health services without any discrimination, as well as right to the enjoyment of the

highest attainable standard of physical, mental, emotional and spiritual health.[25]

The Government of Canada, for its part, hosted four national dialogues between October 2020 and 2023 to discuss measures to address anti-Indigenous racism in health systems and provided $126.7 million over three years, beginning in 2021, "to take action to foster health systems free from racism and discrimination, where Indigenous Peoples are respected and safe."[26] The government is working to co-develop distinctions-based health legislation with First Nations, Inuit and Métis Nation partners. Draft legislation is yet to be released.

In March 2023, the Quebec government's National Assembly shut down an opposition motion seeking the government's recognition of the existence of systemic racism against women and girls and the adoption of Joyce's Principle.[27] This example reveals once again Canada's piecemeal and wholly inadequate approach to recognizing and upholding the rights of Indigenous peoples.

5. Participation in governance: Indigenous women's voice excluded

Indigenous women have inherent leadership rights and have always been leaders in their families, communities and nations. While colonization and ongoing colonial practices and policies disrupted Indigenous women's leadership, our right to leadership is inherent and must be upheld—this is affirmed under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Convention on the Elimination of Discrimination Against Women (CEDAW), including guidance provided by CEDAW General Recommendation No. 39.[28]

Canada's nation-to-nation/distinctions-based policy to Indigenous relations is discriminatory towards Indigenous women, as it refuses to recognize Indigenous women and the organizations they have chosen to represent themselves as legitimate and equal partners in decision-making, engagement processes, policy development and program design, and it refuses to allocate equitable resources for their work. This is in direct contravention to UNDRIP and CEDAW and disregards the Beijing Declaration and Platform for Action strategic objective G.1, para 190(g).[29]

In Canada, 83 per cent of Indigenous peoples live "off-reserve" in rural and urban centres and access services from Indigenous organizations in these settings.[30] But Canada's nation-to-nation/distinctions-based policy

does not align with the current reality of where Indigenous women live and access services, contributing to ongoing service gaps and unmet needs.

Engaging exclusively with national organizations and distinctions-based Indigenous governance organizations excludes the voices and needs of a significant proportion of Indigenous women who do not have a connection to these organizations and/or who live outside of Indigenous governed territory. The continued use of this policy is a propagation of paternalistic (as well as systemically racist and sexist) tactics that have long contributed to Indigenous women's marginalization and silencing. Indigenous women's right to participate in decision-making must be upheld so that others do not speak for them.

Without engagement with Indigenous women and interventions led by and for them, Indigenous women will continue to have their safety compromised, experience disproportionate involvement with the child welfare system, see themselves overrepresented in the justice system and have their social determinants of health negatively impacted. The failure to adopt an approach that includes Indigenous women is a fundamental barrier to the advancement of human rights in Canada.

Recommendations on Indigenous women and girls

- Implement the recommendations of the Convention on the Elimination of Discrimination Against Women and Human Rights Committee to fully eliminate all sex discrimination from the *Indian Act*.
- Initiate a proactive, effective information campaign to ensure that First Nations women and their descendants know that they may be newly entitled to status. Assign sufficient resources to register them promptly.
- Include a new provision in the *Indian Act* to clarify that women and their descendants whose status has been restored, corrected or improved by changes to the *Indian Act* are entitled to band membership, including in s.10 bands.
- Remove bars to compensation for all forms of discrimination against First Nations women and their descendants caused by status provisions of the *Indian Act*. Provide full reparations including

compensation, apology and education on sex discrimination in the *Indian Act.*

- Remove from the *Indian Act* the status categories of 6(1)(f) and 6(2), the second-generation cut-off and the two-parent rule, and establish a one-parent rule for transmission of status for both men and women parents.
- Provide sufficient funding and land to First Nations to support new members and to correct historic underfunding/under-resourcing of infrastructure and social programs.
- Implement the Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People National Action Plan and the calls for justice that prioritize Indigenous women's safety and healing.
- Invest in Indigenous women's safety by supporting Indigenous women's organizations with long-term, core, sustainable funding to continue to develop practical, tangible and culturally grounded safety mechanisms, including for survivors of human trafficking and sexual exploitation.
- Develop an Indigenous-specific anti-human trafficking strategy, with appropriate funding allocated to Indigenous women's organizations to inform this work.
- Create a national anti-human trafficking co-ordination body to co-ordinate service providers, police and child welfare agencies in responding to and preventing human trafficking. Include an embedded Indigenous women/girls–led pillar.[31]
- Fund Indigenous women's organizations to undertake research to understand the impact of resource extraction projects on Indigenous women's safety and to develop strategies to ensure Indigenous women's safety and well-being.
- Invest in equitable funding to Indigenous women's organizations to design and deliver Indigenous-led health services.
- Ensure Indigenous women and their organizations are included in decisions about health care at all levels.
- Fund Indigenous women's organizations to scope, write and implement training for the health care system to counteract the systemic bias and prejudice that Indigenous women face when accessing mainstream health care services.

- Implement a nation-to-nation/distinctions-based PLUS approach[32] to uphold Indigenous women's inherent leadership rights and their right to participate in decision-making on issues that impact their lives, which are affirmed under United Nations Declaration on the Rights of Indigenous Peoples and the Convention on the Elimination of Discrimination Against Women General Recommendation 39 on the rights of Indigenous women and girls.

Notes

1 We use the term "Indian" in this context because it is the legal term in the *Indian Act*, but it's an archaic, colonial term and should never be used to identify an Indigenous person.

2 See: Patrick Clark, 2019, McIvor v Canada 2019, The Poverty and Human Rights Centre.

3 See: United Nations Human Rights Committee, 2022, Follow-up progress report on individual communications, CCPR/C/134/4, 25 August 2022, para 6.

4 Data provided by Indigenous Services Canada, June 24, 2024.

5 See: Government of Canada, Implementation of Bill S-3: Engaging on changes to registration. This estimate is based on the work of independent demographers and was endorsed by the Parliamentary Budget Officer in his report on Bill S-3. See: Office of the Parliamentary Budget Officer, 2017, Bill S-3: Report on Sex-Based Inequities in Indian Registration. Since 2019, the Government of Canada has revised downwards its estimate of the numbers eligible for status because of Bill S-3 amendments, and now predicts that there will be 241,000 First Nations women and their descendants newly eligible for registration by 2041. The explanations for this downward revision and the time frame for new eligibility are not clear. For discussion, see Senate Standing Committee on Indigenous Peoples, 2022, MAKE IT STOP!: Ending the remaining discrimination in Indian registration.

6 Indigenous Services Canada says that the registration process takes six months to two years, but community reports indicate longer delays and many other problems. Indigenous Services Canada's own report on the problems in *Indian Act* registration can be found here: https://www.sac-isc.gc.ca/eng/1657191112753/1657191157646#chp7 (section 7 of its Evaluation of First Nations Individual Affairs.) By contrast, Canada processes more than five million passports every year in 10 to 20 working days—a form of registration that requires similar authentication of identity, birth and ancestry.

7 See: Bill C-38, An Act to amend the Indian Act (new registration entitlements). First Reading, December 14, 2022.

8 Enfranchisement was a legal process whereby "Indians" renounced their Indian status so they could vote and hold property as "citizens." Indian status was also involuntarily removed from men when they served in the armed forces, gained a university education, became a minister or were absent from Canada for long periods of time. Provisions that remove the discrimination against women and children who were involuntarily enfranchised (lost their status) because their husbands/fathers were enfranchised are needed. To ensure that no women are left out it must be clear in the legislative language of the amendment that women who were pressed into "voluntary" enfranchisement before or after marriage will be re-entitled to status, and to band membership in their current or home First Nation—at their option.

9 A new legal mechanism is proposed that would allow women who lost the right to be members of their natal band prior to 1985 because they were transferred to their husband's band to apply to have their natal band membership restored. However, the amendment should clarify that women who were transferred automatically to their husband's bands have an unrestricted right to return to their natal band when and if they choose.

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28 Committee on the Elimination of Discrimination against Women, 2022, General Recommendation No. 39 on the rights of Indigenous women and girls (CEDAW/C/GC/39).

29 Beijing Declaration and Platform for Action strategic objective G.1, para 190(g)

30 Statistics Canada, September 21, 2022, "Indigenous population continues to grow and is much younger than the non-Indigenous population, although the pace of growth has slowed," *The Daily*.

31 In establishing a strategy and co-ordination body, the government should implement the recommendations from the Ontario Native Women's Association's 2019 report, Journey to Safe Spaces. They are based on the largest-ever Indigenous engagement *on human trafficking.*

32 Nation-to-nation/distinctions-based PLUS is an inclusive approach to relationship building with Indigenous Peoples that addresses matters impacting our rights and self-determination. It recognizes that many Indigenous Peoples, particularly Indigenous women and Indigenous Peoples living outside of their home communities, are excluded from the First Nation, Métis and Inuit governance structures that represent Indigenous Peoples affiliated with specific lands and territory. Nation-to-nation/distinctions-based PLUS goes beyond these governing organizations to include organizations that amplify, and are accountable to, the voices of Indigenous women and the growing population of Indigenous Peoples living in urban, rural and remote areas outside of government-defined First Nation, Métis and Inuit territory.

1A. Inuit women and MMIWG

Five years of inaction

Missing and Murdered Indigenous Women and Girls (MMIWG) is an active genocide in Canada, and it is through this genocide that many dimensions of violence, injustice and colonial destruction intersect. As a benchmark of Canada's progress, MMIWG speaks to the experiences of Indigenous women, girls and gender-diverse people.[1]

The National Inquiry into Missing and Murdered Indigenous Women and Girls closed in 2019. The Inquiry produced numerous reports, including 231 calls for justice, laying out the necessary steps to end MMIWG. Since that time, the Government of Canada accepted the inquiry's findings. There has been the appearance of progress but no real change. Indigenous women, girls and gender-diverse people continue to go missing and are murdered at the same rate they were in the years before the Inquiry.

In addition to developing the Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People National Action Plan, the Government of Canada adopted the United Declaration on the Rights of Indigenous Peoples (UNDRIP) without reservation and committed to the elimination of all forms of violence and discrimination against Indigenous Peoples. But to date the Government of Canada has fully implemented just two of the 231 calls for justice produced by the National Inquiry.[2] Since 2019, we have seen no progress, no change and no

meaningful action to end the genocide of MMIWG. This lack of change is disappointing, but not unexpected. Pauktuutit has been witness to decades of government inaction.[3]

Pauktuutit celebrated its 40th Anniversary this year, and we continue to work to amplify the voices of Inuit women and girls and gender-diverse Inuit. We continue to engage in consultation at many government tables, yet when we look to the outputs of these engagements, Inuit voices are not reflected in the content and our efforts are not translated into real change for Inuit living in Inuit Nunangat or in urban centres.

1. The colonial context

Inuit have been and continue to be excluded and marginalized in political spaces and across Canadian society. This exclusion and marginalization is a technique of colonial violence that Inuit have experienced since the beginning of the settler-colonial state. Despite the knowledge that colonialism is the root cause of violence, disparity and intergenerational trauma, Canada continues to fail to understand or address the needs of Indigenous peoples,[4] and little effort is being made to advance decolonization.

As an active settler colony, Canadian society continues to be shaped by colonial ideas of race, gender and hierarchy. For Indigenous women, girls and gender-diverse people, these beliefs are reinforced by sexism and heteronormativity, which work together to "produce the dominant image of the inherently sexually available, and therefore sexually violable" Indigenous woman.[5]

These colonial constructions have a long history and continue to be expressed in the targeting of Indigenous peoples by perpetrators of colonial, racialized, gendered and sexualized violence. Across Inuit Nunangat, colonialism brought these same structures of domination. Colonial actors like "explorers, missionaries, the Royal Canadian Mounted Police (RCMP), other government agencies, the Hudson's Bay Company" and churches all enforced structures of domination, control and violence in Inuit communities.[6]

Inuit were forced into settlements and denied safe, suitable and affordable housing. They experienced food insecurity and, in early decades, starvation. They were subjected to Residential Schools and relocation in tuberculosis sanatoria. These experiences continue today. In addition to the ongoing genocide of MMIWG, Inuit women and girls

continue to experience the highest rates of violence, resource deprivation, service denial and child removal, perpetuating historical patterns of forced relocation and the separation of Inuit families.

This violence is further compounded by the denial of basic services such as health care, mental health care, access to safe spaces and basic emergency services. The housing crisis and a lack of shelters and transitional housing also compel many Inuit women to remain in unsafe situations. When women are forced to return to relationships that they have left because of an escalation of violence, these cycles continue and, in most cases, become more severe. Many Inuit women have been murdered by partners they hoped to leave but were forced to return to because they are denied access to basic services such as safe shelter.

Inuit are also faced with a justice system and culture of policing that is colonial, punitive, victim-blaming and violent.[7] Indigenous women, girls and gender-diverse people across Canada experience disproportionate violence at the hands of police and are subjected to racism and criminalization across the justice system.[8] Settler-colonialism and systemic racism normalizes violence against Indigenous women, girls and gender-diverse people.[9] Contemporary incarceration rates reflect the mass incarceration of Indigenous women, clearly demonstrating one aspect of this structural and systemic violence.[10]

Recommendations on Inuit women and MMIWG

The violence Inuit experience today is rooted in the colonial suppression of traditional "values, identities, and systems" and the introduction of "insidious systems of hetero-patriarchy that value domination over shared power and agency."[11] Colonial structures and systems interact with "colonial mechanisms of genocide, displacement, and assimilation" to suppress Indigenous practices and perpetuate cycles of violence.[12]

The National Inuit Action Plan on Missing and Murdered Inuit Women, Girls and 2SLGBTQQIA+ People instructs governments, Inuit Land Claim Organizations (ILCOs) and other represented bodies on the Inuit Working Group on how to move forward with implementing the 46 Inuit-specific calls for justice provided in Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.[13]

The National Inuit Action Plan on Missing and Murdered Inuit Women, Girls and 2SLGBTQQIA+ People, the 231 calls for justice, the calls to

action from the Truth and Reconciliation Commission on Residential Schools, and the recommendations of the Royal Commission on Aboriginal Peoples: All have laid out a clear path for decolonization. It is time for the Government of Canada and all Canadians to walk this path.

Notes

1 This chapter was prepared by Pauktuutit Inuit Women of Canada. Pauktuutit is the national representative organization of Inuit women. It raises awareness of the needs of Inuit women, advocates for equality and social improvements, and encourages Inuit women's full participation in community, regional and national life of Canada.

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1B. Métis women and girls

Excerpt from Les Femmes Michif Otipemisiwak

Métis women and girls are distinct from First Nations and Inuit women and girls. We have different political and organizational approaches. Our life circumstances are different. While many of our women share the same levels of poverty, their circumstances stem from different socio-economic determinants and have been shaped by a long history of non-recognition by federal, provincial and municipal governments. The current systems of support—where they exist—are not focused enough to address these circumstances.

Les Femmes Michif Otipemisiwak (LMFO)/Women of the Métis Nation (WMN)[1] believe in holistic and co-ordinated approaches to addressing the unique social, cultural and economic circumstances of Métis women and girls. WMN believes that this requires all orders of government to work with the Métis Nation to recognize the rights, interests and jurisdictions of Métis governing bodies and to transfer or devolve responsibility for cultural, social and economic programs and services to Métis.

The federal government has placed a priority on addressing Indigenous issues and has announced the formation of a Métis Nation *Permanent Bilateral Forum* to address shared priority issues.[2] The forum is composed of the prime minister, provincial premiers and engaged

ministers with responsibility for Indigenous policy areas. This is a step in the right direction. Addressing social determinants of health will be a key to closing the gaps between Métis and other Canadians. Given the current understanding of the federal government's jurisdiction for Métis citizens, federal Indigenous programming in areas such as employment and training, housing, economic development, education, culture and health should be extended to the Métis Nation.[3]

Taking culture into account is of critical importance for the Métis Nation, which has in many cases fallen victim to pan-Indigenous approaches. Many times, these approaches completely fail to deal with the Métis as Métis or to deal with Métis at all. [As the government moves forward, particularly with the implementation of the United Nations Declaration on the Rights of Indigenous Peoples], there needs to be a clear plan as to how they intend to implement the Declaration and ensure that a gender-based [and culturally based] lens is employed in developing the implementation strategy.

Notes

1 Les Femmes Michif Otipemisiwak (LFMO)/Women of the Métis Nation [WMN] is a Métis women's collective body representing the Métis Women from the Governing Members of the Métis Nation and is officially mandated by the Métis National Council. This section is taken from: Women of the Métis Nation (2018), *Métis Women Perspectives*, 5th National Indigenous Women's Summit.

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3 To date, the Métis National Council (MNC) and the federal government have concluded five sub-accords on: skills and employment training; housing; early learning and child care; post-secondary education; and homelessness. See: Government of Canada, New Permanent Bilateral Mechanisms.

1C. Urban Indigenous women

Indigenous women have the right to safety and healing within urban environments. In Canada, 83 per cent of Indigenous peoples live "off-reserve" in rural and urban centres and access services from Indigenous organizations in these settings.[1]

Indigenous women live in urban settings for a number of reasons.[2] These may include family dynamics and needs (e.g., relocating due to relationships or caregiving responsibilities), better access to services like education and health care, employment opportunities, safety considerations (e.g., they may have to leave their home communities to be safe from family violence, sexual violence or human trafficking), or displacement from communities as a result of gender discrimination in the *Indian Act*.

Urban Indigenous women may feel isolated and disconnected from their culture and lack supports and services suited their unique needs. Indigenous women are often put into the untenable position of having to leave their home communities and/or their families so they can access healing services, which prevents collective family healing. Jurisdictional disputes between the federal government and provincial/territorial governments contribute to gaps in services for Indigenous women living in Indigenous communities and urban Indigenous women.[3]

As leaders in community, Indigenous women have built vibrant communities and developed Indigenous women's organizations that provide essential services grounded in culture to Indigenous women living in urban settings. Yet Indigenous women's work continues to be

unrecognized and underfunded. Urban Indigenous organizations in all provinces are underfunded.[4]

The federal government has adopted a nation-to-nation/ distinctions-based policy for Indigenous relations that favours national organizations and male-dominated First Nations, Métis and Inuit governing organizations and excludes Indigenous women and their organizations. This policy compounds the problems that Indigenous women and girls face, especially in seeking responsive and culturally safe programs and supports.[5]

Recommendations on urban Indigenous women and girls

- Implement a nation-to-nation/distinctions-based PLUS policy for all community engagement and policy and program development to better understand the realities of Indigenous women's lives and establish funding models that ensure they and their organizations are informed, involved, consulted and funded to address key issues of concern.
- Prioritize core funding to Indigenous women's organizations to design, implement and analyze Indigenous-led, culturally grounded responses to the key issues that Indigenous women face.

Notes

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2. Women and girls with disabilities

DAWN Canada's Beijing +30 report highlights the unique forms of discrimination faced by women, girls and gender-diverse people with disabilities in Canada. An intersectional human rights framework is key to addressing the unmet needs of Canada's largest underserved community of rights holders. In Canada, 30 per cent of women have a disability and the majority of human rights complaints (i.e., over 50 per cent) at the federal, provincial and territorial levels in Canada continue to be disability related.[1]

Women, girls and gender-diverse people with disabilities are at highest risk of victimization and face significant barriers in education and training, employment and economic security, access to child care, health care and decision-making. Further marginalization is faced by those who experience multiple barriers because of their gender, race, sexuality, citizenship status, age and/or geographic location. Action is needed to uphold the rights of all women, girls and gender-diverse people with disabilities and ensure their full inclusion in society in accordance with the 1995 Beijing Declaration and Platform for Action, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities along with its optional protocols.

1. Women, girls and gender-diverse people with disabilities

Women, girls and gender-diverse people with disabilities face unique forms of discrimination[2] linked to living in a male-dominated society geared to able-bodied needs.[3] According to the 2022 Canadian Survey on Disability, 30 per cent of women have a disability.[4] Despite this significant prevalence, women with disabilities continue to be overlooked and ignored, hidden away in institutions and consigned to the footnotes in policy and program documents.[5] This invisibility has devastating consequences for women's well-being and their ability to live life on their own terms, especially for those who experience multiple barriers because of their type of disability, racialized status, age or geographic location.[6]

2. Violence against women

Research from Statistics Canada has confirmed for over a decade that women with disabilities consistently experience much higher levels of violence than women without disabilities. Over half (55 per cent) of women with disabilities who have been in a relationship report having experienced intimate partner violence (IPV) during their lifetimes, a rate that is 18 percentage points higher than women without disabilities. "Psychological abuse was by far the most commonly reported type of IPV experienced by women with disabilities (53 per cent), followed by physical assault (32 per cent) and sexual assault (18 per cent). These proportions were considerably higher than those for women without disabilities (36 per cent, 17 per cent and 7 per cent, respectively)."[7] The risk of IPV was particularly high among women with three or more disabilities; they were four times more likely than women without disabilities (31 per cent versus eight per cent) to have experienced sexual intimate partner violence.

Annual crime statistics tell the same story. Women with disabilities are at greater risk of violence, both inside and outside of intimate partner relationships. In 2019, for instance, women with disabilities were four times more likely to be sexually assaulted and three times more likely to be violently assaulted compared to women without disabilities.[8] Women with disabilities were also more likely to report being the victim of multiple and separate incidents of violence compared to women without disabilities.[9]

For women with disabilities, the risk of violence increases when they are racialized, younger, Indigenous, 2SLGBTQI+ , migrant workers, immigrants, non-status migrants or living in rural areas.[10] An intersectional analysis is critical to exposing how certain groups of women, girls and gender-diverse people with disabilities are disproportionately impacted.

3. COVID-19

Women, girls and gender-diverse people with disabilities were and continue to be disproportionally affected by COVID-19.[11] Of all cases recorded by the federal government as of July 7, 2024, 54.8 per cent were women.[12] Across all age groups over 12 years, women were more likely than men to have reported contracting the virus. Black Canadians reported having more frequent infections than other racialized groups.[13] Among those who experienced long-term COVID-19, women (33 per cent) were less likely than men (53 per cent) to have resolved symptoms, with recovery taking much longer. Research from the United States on COVID-19 also confirms that those with pre-existing and chronic conditions like lung disease, diabetes and cardiovascular disease are six times more likely to require hospitalization and twelve times more likely to die from COVID-19.[14] We note this as rates of chronic and episodic disabilities are higher among women than men.

Sheltering in place was a key strategy for reducing the risk of contracting or spreading virus during the first waves of the pandemic. Given the volatile situation, women were particularly worried about the impact of these policies on their safety. This was especially true among younger women (between the ages of 15 and 24), 12 per cent of whom reported being very or extremely concerned about the possibility of violence in the home as compared to men in the same age group (eight per cent). [15]

Women were right to be concerned. There was a steep and predictable rise in gender-based violence in 2020. Public health orders to shelter in place fuelled greater tension and strain in many families. At the same time, they increased the isolation of women with violent partners, separating them from the people who could best help them. The situation was especially tense for women with disabilities already at heightened risk of violence and facing even larger barriers than normal to accessing needed health and community services.

Half of women with disabilities (50 per cent) reported an overall decline in their health during the pandemic in 2020. And an even larger share (59 per cent) reported that their mental health was "much worse" or "somewhat worse" as a result of living under the constraints of the pandemic, including reduced access to health care and home care supports.[16] Many services and supports for people with disabilities were not deemed essentials. There were barriers as well to securing food and other essentials such as medication and related supplies. Lack of service led to poorer physical and mental health, which in turn created greater stress and isolation.[17] For people with disabilities, the breakdown of care services has yet to fully recover as service providers now struggle to recruit and retain staff.

4. Medical Assistance in Dying (MAiD)

Facing systemic oppression that is often exacerbated by intersecting identities, women, girls and gender-diverse people with disabilities struggle daily with high levels of unmet needs for disability supports. In acute situations, they are highly vulnerable to opting for Medical Assistance in Dying. Not only do women, girls and gender-diverse people with disabilities face high rates of poverty, housing insecurity, victimization and intimate partner violence, research shows that women and girls attempt suicide 1.5 to two times more often than men and boys.[18]

Documented stories of women and gender-diverse people with disabilities show that they can qualify for MAiD while being denied necessary resources and health care supports.[19] There is a growing number of narrative accounts describing people applying for, and receiving, MAiD because of suffering associated with a lack of access to medical, disability, and social support.[20] This suggests that by providing full support to people with disabilities, many more applications for MAID can be prevented. Women, girls and gender-diverse people with disabilities deserve to have dignity in life before there is consideration of dignity in death.

Recommendations on women and girls with disabilities

- Protect and uphold the rights of women, girls and gender-diverse people with disabilities for programs, services, funding and research in line with the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities along with its optional protocols. This includes acknowledging the intersectional nature of discrimination as recognized in the new *Accessible Canada Act* and using the tools available under gender-based analysis plus in all policy and program development.
- Protect and uphold the rights of women, girls and gender-diverse people with disabilities by halting the expansion of Medical Assistance in Dying until risks and unmet needs are adequately assessed and addressed. This includes an in-depth ethical review process with input from group members and civil society organizations to ensure adherence to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities along with its optional protocols.
- Establish an intersectional human rights monitoring system to remove the siloes inadvertently created by Canada being a signatory to multiple human rights treaties to help dismantle systemic legacies of exclusion and the structural barriers facing women, girls and gender-diverse people with disabilities. Harmonizing existing institutions and processes would be an important next step in creating a stronger and more responsive system for evaluating human rights complaints, most of which are related to disability. Canada needs a co-ordinated approach that connects all human rights actors, including the Canadian Human Rights Commission, provincial and territorial tribunals, organizations representing Indigenous people, civil society organizations, and broader Canadian society.

Notes

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3. Black women and girls

People of African descent have lived in Canada for centuries. According to historical records, Mathieu da Costa was the first to arrive in the early 1600s to serve as a translator between the Mi'kmaq people and French colonizers. Thousands more Black people would arrive in the following centuries, to labour alongside of Indigenous slaves, first in New France and then in the British colonies of Upper and Lower Canada. Others fled north, escaping slavery and repression in the United States.[1] Today, 1.5 million people in Canada self-report as Black, including 794,000 women and girls.[2]

Though slavery was abolished in 1834, Black people in Canada continue to face segregation in employment as well as all other areas of life. The United Nations Working Group of Experts on People of African Descent, in its 2017 country report on Canada, recognized the roots of anti-Black racism in the history of slavery, racial segregation and marginalization. These realities persist today and impact the experiences and life opportunities of Black people born in Canada as well as those who have arrived seeking asylum or through immigration. Black women and girls, in particular, continue to live in poverty and poor health, experience significant levels of violence, and struggle to access decent employment, housing and public services.[3]

1. Black girls: experiences in education

The Black Lives Matter movement of 2020 exposed the harmful, historic and systemic "race neutrality or colour blindness prevalent in Canada's education system [that] renders the experiences of Black students invisible, while the research on Black children…typically overlooks the perspective of Black girls."[4] On the one hand, Black girls are hypervisible when it "pertains to sexuality, dominance, and aggression; at the same time, [they] are rendered invisible when it comes to educational achievement and positions of power."[5]

Gendered anti-Blackness routinely means that the discussion of Black youth is primarily focused on Black boys. In systems such as education, the barriers that Black girls encounter are overlooked. Black girls face "racism from their peers and teachers, sexism from their male counterparts, and poverty-related challenges that impact their academic success."[6] A 2022 study by Rashelle Litchmore found that "Black girls in Toronto experience racial slurs, microaggressions and discriminatory treatment from teachers such as failing to pronounce their names correctly, making assumptions about their abilities, or dismissing their experiences of racism, which negatively impact their academic performance and mental health."[7] This invisibility is a form of marginalization where Black girls are denied the resources and support they need to "thrive academically and socially."[8]

The consequences are significant. Recent research highlights the sizeable gap between different population groups that continues to exist in high school graduation rates and enrolment in post-secondary education, including both boys and girls. Enrolment rates in post-secondary programs, for instance, were lowest among Latin American, Black and white youth and highest among Asian groups.[9]

Research also suggests that the invisibility that Black girls experience "manifests in various ways, including the underrepresentation of Black girls in leadership positions, limited access to academic and extracurricular opportunities, and the marginalization of Black voices and perspectives in classroom discussions."[10] Black girls are often confronted with having to "choose between developing a positive racial identity and academic achievement."[11] Some researchers claim that Black girls survive their educational experiences by essentially becoming "raceless," or through "denying their racial identities to fit into the dominant culture."[12] Others argue that successful Black girls carve out spaces for themselves and define their "Blackness."[13] Many Black girls successfully complete

high school, but all agree that "the inequalities they experience in K–12 spaces…take an emotional, psychological, and academic toll."[14]

The ongoing COVID-19 pandemic placed an unprecedented burden on parents and caretakers as they had to build classrooms in their homes, resulting in a critical break in children's education. Only now are we starting to understand the scale of learning loss, especially along racialized and economic lines. Working from home was a luxury that not all parents had access to, particularly low-income Black families where most parents and caretakers worked essential jobs. The burden of educational support "among low-income families who cannot afford a tutor [fell] on the parents or older siblings." Further, "some Black parents reported they received little to no information about remote learning resources during the pandemic and could not supervise their children academically."[14] Large-scale studies have confirmed early concerns about potential learning losses from distance learning introduced during the pandemic when access to support was even more limited.[16] The invisibility of Black girls meant that teachers often forgot about them in the online realm.

Research from the United States shows that young Black girls felt the impacts of the pandemic acutely. It "created a new set of ills that exacerbated their responsibilities in their homes, families, and schools, ultimately manifesting in a range of anxiety and undue burden."[17] They became caretakers and educators, and some had to get employment to financially support their families while family members were dying of the virus. Azariah Baker, founder and executive director of the Chicago-based organization A Long Walk Home, noted that "Black girls were on the front of racial justice movements, they were essential workers, and they were primary caregivers; there's no other group that was all three of those things at once."[18] They experienced a "pandemic within a pandemic, where they have disproportionately been subjected to witnessing their loved ones and members of their communities dying."[19] This, in addition to continuously and routinely seeing their communities be "brutalized and brandished across every media platform," had tremendous impacts on their well-being, mental health and learning, contributing to racial trauma and vicarious post-trauma stress disorder.[20]

The federal government offered several rounds of funding to combat learning loss from COVID-19.[21] In April 2020, a one-year $15 million was given as part of the COVID-19 Emergency Response Plan to address the disproportionate impacts of the pandemic on youth and at-risk learners.[22] This funding aimed to "enable youth-serving organizations to transition their supports online, address the digital divide and expand

critical resources for learners in need."[23] The 2021 budget extended the program for another two years and allocated an additional $118.4 million to support after-school programming.[24] These short-term programs were welcome but represented a significant challenge for the organizations in receipt of funding given the very short time frames and administrative delays.[25] Eight Black organizations participated, including le *Sommet socioéconomique pour le développement des jeunes des commauntés noires' "Ensemble pour nos jeunes,"* which focused on reintegrating Black youth into the school system.

Other progress has been made in de-streaming public education which has proven so harmful to children and youth from marginalized communities.[26] As of 2021, all provinces have formally ended the practice. Education advocates celebrated this as a win but point out that Ontario, for example, has failed to provide educators and school boards with an effective plan and the resources needed to integrate all classrooms. This includes "increased learning supports for students, along with dedicated educational assistants, lunch-hour or after-school tutoring, and supplementary learning resources to ensure students are supported during the implementation of de-streaming."[27] It remains the case that schools in wealthier neighbourhoods have greater access to supports compared schools in poorer neighbourhoods. School principals from "higher-income neighbourhoods were more likely to report that their schools had supports such as teacher training, reduced class size, and resources for parent/guardians."[28]

Saidiya Hartman argues that research has profoundly failed to uphold Black girls "as thinkers, planners or producers…[,] sociologists, historians, and other scholars."[29] All "fail to discern the beauty and they see only the disorder, missing all the ways Black girls create life and make bare need into an arena of elaboration."[30] Education reform must start with fostering affirmative spaces for Black girls founded on "an ethic of care, compassion, and non-judgement outside of the white gaze. For Black girls navigating educational structures, these types of spaces are critical to their mental health and well-being."[31]

2. Black women and health

Black women living in Canada continue to face significant health disparities and unnecessary poor health outcomes. The intersectional interplay of anti-Black racism, discrimination, poverty and other structural

and systemic inequalities—including limited access to health care service and incomplete race-based data—profoundly impact the physical, emotional and mental health of all Black women in Canada.[32]

Poor outcomes across many determinants of health, such as early childhood development, education, employment and housing undermine the health and well-being of Black girls and women throughout their lives.[33] For example, Black women face higher unemployment rates than white women and are overrepresented in precarious and part-time employment, which typically pays less and provides fewer hours of work overall.[34] In general, Black women face greater barriers to getting well-paid jobs and are more likely to be overqualified for their employment.[35] These barriers predictably impact their earnings (Black women earn 62 cents on average for every dollar that non-racialized men earn[36]) and access to essential goods and services like housing. Less than half of Black people own their own homes (48 per cent) compared to the national average (73 per cent).[37]

The impacts of the intersections of race, gender and socio-structural barriers on health outcomes are particularly of concern for Black women as they age. Socio-economic disparities increase the susceptibility of Black women to chronic conditions, including diabetes, cancer, cardiovascular and cerebrovascular disease, HIV/AIDS, lupus and hypertension.[38] For example, while HIV diagnoses among white people have been decreasing in Ontario, cases are rising among Black people. And Black women account for the largest proportion of new cases among women.[39] Indeed, recent studies have shown that the long-term exposure to racism and gender bias increase the risk of developing chronic illnesses such as hypertension and cancer,[40] emphasizing the need for more integrated approaches to understanding Black health outcomes across the life span.

Maternal health is another key area of concern. There is growing recognition that Black women experience disproportionately high rates of maternal mortality and morbidity compared to other racial groups in Canada. Recent studies investigating maternal health care experiences among Black women found that evidence of racism manifested as dismissal, dehumanization and paternalism.[41] Anti-Black racism negatively affected care quality and fostered mistrust on the part of patients in the health care system. Studies also highlighted that Black woman often experienced trauma and fear during childbirth due to mistreatment and lack of support from health care professionals.[42]

The COVID-19 pandemic graphically illustrated the heightened risk of illness and death that Black women face in Canada. Black communities

were more likely than any other racialized group to be infected, hospitalized and experience death due to the virus.[43] The pandemic also highlighted the critical but undervalued labour of Black women who not only faced severe personal and economic challenges during this time but also experienced more significant job loss, increased caregiving responsibilities and heightened health risks.[44] Health disparities faced by Black women were not solely due to precarious work and poor living conditions but also included their struggle with anti-Black racism. Yet Black women were invisible in the dominant COVID-19 narrative, which did not acknowledge the chronic effects of systemic racism on their health.

Despite these realities, a complete comprehensive picture of the health of Black women does not exist due to substantial gaps in health data. Race-based health outcome data are not routinely collected.[45] Moreover, there is an even greater paucity of national research and data on strategies to improve health outcomes for Black women. The limited number of supported Black researchers with research agendas focused on Black women and health cannot be ignored. There is also the need to acknowledge that how health outcomes are measured and analyzed nationally does not adequately capture the racial, gender and cultural nuances of Black women's experiences within the Canadian health system. These gaps in our knowledge must be addressed to better inform broad action and monitor progress toward health equity.

3. Erasure of Black women and girls in public policy

Historically, one of the federal government's main tools for responding to inequality and underrepresentation in the labour market has been the federal *Employment Equity Act.* Introduced in 1986, this act requires federally regulated employers[46] to take proactive steps to increase the representation of "women, Aboriginal peoples, persons with disabilities and visible minorities"[47] in the workplace to a level that reflects their presence in the labour market, and to identify and eliminate barriers in the workplace that prevent designated group members from accessing job opportunities or benefits.[48]

Canada's employment equity legislation, however, has never lived up to its goals. In conformity with the *Employment Equity Act*, organizations, including universities, have started to institutionalize employment equity statements. But intersectional feminist researchers have found these

statements are not designed to create change, as they do not mandate action in principle or in practice. Indeed, many are written without any actual policies, procedures or resources to implement, nor the means to evaluate their effectiveness.[49]

As a result of these flaws, equity policies do not effectively increase representation at all. Instead of serving as a blueprint for change, equity statements are often presented as the change itself, making true action towards equity seem redundant or unnecessary, ultimately, supporting the maintenance of the status quo and reproducing the systemic barriers equity statements claim to dismantle.[50] In some cases, these statements have served to selectively increase representation. For example, the representation of white women in the academy has increased significantly since 1986, while the representation of "visible minorities" of all genders has only marginally increased.[51] The conceptual separation of "women" from "visible minorities" and presenting "women" as a homogenous group has facilitated the growth in representation of white women in academic spaces. In turn, the boost in white women's representation is presented as an improvement for women in general, effectively invisibilizing Black women at the intersection of race and gender (among others), and marginalizing "the colonial and cultural relativity and subjectivity of womanhood amongst various groups."[52]

Further, the continued use of the term "visible minority" in the census and other Statistics Canada surveys, as well as in legislation such as the *Employment Equity Act*, works to erase Black women through the homogenization of all racialized groups that are not indigenous to Canada, obscuring "the degrees of disparity in treatment and specific human rights concerns of African Canadians"[53] and masking the specific historical and social differences and the barriers that different groups of racialized Canadians face.

Black women are twice made invisible by the term "visible minority": They are systematically subsumed in the identity of racialized women, and then again in the broader category of women, despite experiencing specific and significantly disproportionate barriers. Consequently, the data necessary to better understand the labour market and related experiences of Black women—in health or education, as discussed above—are either not collected appropriately or are not collected at all. A further consequence is that Black women are not intentionally included in policy remedies that are developed to address gender disparities or race disparities.

The process of invisibilization is at work in the gender-based violence sector as well. As we have seen how good data leads to good policies

and effective prevention and intervention programs, we also know that no data means that the issue is either deemed not a priority, or not an issue at all. Good research, especially research conducted *by and for* the impacted community, is therefore necessary to track and document the experiences of that community. The lack of research and data on the life-and-death realities for Black women, girls and gender-diverse communities in Canada continues to be a key reason why violence against these communities continues unabated.

From individual aggressors who act with impunity, to a lack of systemic accountability, Black women, girls and gender-diverse people bear the triple burden of:

1. Not being able to report the violence they experience, due to systemic anti-Black racism.

2. Not having access to the proper culturally relevant interventions, resources and supports, also due to systemic racism and explicit and implicit biases.

3. Not being protected, especially if the person who caused them harm is a Black man.

Black femicide,[54] the killing of Black women and gender-diverse people *because* they are at that intersection of being Black and women, or Black and identifying as gender non-conforming, is a particularly egregious example of anti-Black racism. Not only are the victims and their family members left without justice, but society is oblivious to its occurrence. In Canada, as in the United States, the media consistently fails to report on missing and murdered Black women and gender-diverse people. In Canada the police do not track such killings by race and gender. So even if researchers do pay attention to it, there are no disaggregated data to pull from. It once again falls on the shoulders of Black women activists, such as the Black Femicide Canada Council,[55] to raise awareness.

Immediate action is needed to collect and report on disaggregated data in all areas of public policy in a way that reveals how different social and cultural identifiers (and oppression based on these identifiers) interlock[56] and interact, jointly impacting the way one exists in the world—especially those who experience multiple forms of oppression.[57]

In addition, the government should move quickly to implement the recommendations of the Employment Equity Act Review Task Force (Blackett Report):[58] Introduce Black workers as a separate employment equity group for the purposes of the act's framework (recommendation

3.17) and replace the term "visible minority" in the framework and related data-collection tools and surveys with the term "racialized workers" (recommendation 3.22). These actions will allow policy-makers, community groups and all other stakeholders to better understand the lived experience of Black women and help to properly inform prevention and intervention strategies to support Black women, gender-diverse people and their communities, and effectively dismantle the systemic barriers they face.

Recommendations on Black women and girls

- Develop a comprehensive national gender equality policy to address structural factors, such as anti-Black racism, that lead to gendered Black inequality.
- Engage with Black community organizations and Black community experts across the country to consider mechanisms and measures needed to address the entrenched anti-Black racism that causes and perpetuates Black women's inequality.
- Develop an annual reporting mechanism that co-ordinates the collection of race-based statistics with the goal of monitoring and improving the status of the Black community in Canada, with particular attention to Black women and children.
- These activities should be co-ordinated with the development of the new Employment Equity regime, including the introduction of Black people as a designated group under the legislation.
- Create a specific funding pillar for research on issues impacting Black girls in the education system under the Social Sciences and Humanities Research Council (SSHRC) Action Plan for Black Researchers (2024–2029).[59]
- Establish a *Closing the Gap* community-based fund modelled on the COVID-19 learning loss fund. This fund's application and allocation process must be transparent, with Black organizations serving Black youth being prioritized. Fostering spaces for Black girls to gather is a proven strategy: "For Black girls navigating educational structures, these types of spaces are critical to their mental health and well-being."[60]

- Renew the Mental Health of Black Canadian Fund (introduced in 2018), designating funds for Black youth.[61] While the 2024 federal budget announced a new $500 million Youth Mental Health Fund, no specific funding was allocated to support Black youth.
- Pursue a multifaceted approach in response to the health inequities faced by Black women and girls that addresses systemic anti-Black racism, improves access to health care, promotes cultural competence in health care delivery, and tackles socio-economic disparities.
- Commission and fund more research to understand Black women's specific health needs and challenges in Canada, including disaggregated data collection to inform targeted interventions.
- Prioritize engaging communities in policy development and implementation. Equitable collaboration between government agencies, health care providers, Black community organizations and advocacy groups is essential for implementing effective health policies and programs that promote health equity for Black women.
- Ensure that dedicated, adequate, sustained funding is provided to those working to end gender-based violence, especially relating to B-WGGDT people.
- Design and implement a lasting and meaningful national plan to combat poverty that uses a human rights framework and takes the particular and diverse realities of Black women's lives into account.
- Review the development of strategies to increase affordable housing and end homelessness. Ensure that those strategies are gendered and include an intersectional analysis that addresses anti-Black racism.
- Reform the Employment Insurance program to ensure equitable access to benefits and training for precariously employed workers and temporary help agency workers.
- Provide start-up funds, capital, mentorship and other needed supports to help boost entrepreneurship, another key strategy for improving the economic security of Black women.

Notes

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4. Immigrant and refugee women

Canada's immigration and refugee programs are feminized and racialized. The structural inequalities of the programs, rooted in settler-colonialism and the trans-Atlantic slave trade, continue to create systemic disadvantages at the intersections of race and class, particularly for Black and racialized women, gender-diverse and trans people, and women with disabilities. These intersections can exacerbate vulnerabilities and challenges, leading to compounded forms of discrimination and exploitation.

1. Racist underpinnings of immigration policies and programs

Immigration, Refugees and Citizenship Canada (IRCC) has admitted that colonialism and historic racist policies impact the immigration system—particularly for Indigenous, Black and other racialized peoples. The immigration and refugee system is a product of structural racism, expressed in laws, regulations, policies and practices.

For instance, the Safe Third Country Agreement (STCA) between Canada and the United States has a disproportionate impact on

Black and racialized asylum seekers, many of them women. The STCA was recently expanded to the entire Canada–U.S. border and visa requirements were reinstated for Mexican nationals, further limiting access to asylum in Canada. IRCC has worked towards identifying bias in both policy development and decision-making, focusing primarily on anti-racism education for employees. But these actions have limited impact. An independent third-party review is necessary to identify deep and embedded structural racism across the system and to develop steps for its elimination.

2. Workplace exploitation

Racialized women immigrants often work in undervalued, low-wage and precarious jobs where they are at risk of double discrimination based on both gender and race. Sectors such as caregiving (i.e., elderly care, child care and caring for people with high needs), cleaning, and some forms of agricultural and temporary seasonal work are highly gendered and racialized and they primarily employ migrant women. Despite the attention drawn to the "essential" nature of many of these occupations during the COVID-19 pandemic, migrant workers have little or no access to labour market mobility or permanent immigration status. Women migrant workers are particularly vulnerable to sexual harassment and assault, unwanted pregnancies, intense surveillance and barriers to accessing sexual and reproductive health services.[1]

3. Health care access

Racialized women immigrants may face barriers in accessing health care services due to language barriers, cultural insensitivity, systemic biases and limitations to access based on immigration status. People with precarious immigration status have only limited access or no access to publicly funded health care.[2] At least three provinces (the ones with the largest numbers of migrant residents) impose residency requirements to qualify for health care. In the interim, those needing even emergency health care are required to pay for it, often upfront. People who don't meet eligibility requirements (referred to as "uninsured") are presented with a bill for services, which they often cannot afford to pay. A significant

number of uninsured do not seek out the health care they need because they can't afford it. This has a profound impact on women and girls, including on their agency and choices in reproductive health.

The Interim Federal Health Program (IFHP) administered by the federal government provides limited health care for those with precarious immigration status, specifically refugee claimants, survivors of human trafficking and domestic violence, and immigration detainees.[3] Due to longstanding administrative burdens and reimbursement delays, many health providers either ask for upfront payment from patients or refuse service under the program. A disproportionately negative impact is felt by women seeking reproductive health care services such as abortions, emergency caesarean sections or other urgent needs.

4. Gender-based violence

While family violence, intimate partner violence and gender-based violence are pervasive across society, women with precarious immigration status are particularly vulnerable to heightened levels of abuse and exploitation.[4] Their immigration status leaves them with little or no recourse as they may fear immigration-related sanctions like deportation, or they may be ineligible for many support services.[5] Family and intimate partner violence are largely underreported despite efforts to destigmatize it and assist victims in accessing proper support and services.[6] Migrant and refugee women may face additional challenges such as lack of legal knowledge, lack of financial independence and familial supports, the effects of pre-arrival experiences and traumatic backgrounds, precarious immigration status and fear of deportation.[7]

5. Immigration status regularization

The intersection of family violence and the challenges of pilot immigration programs underscores the urgent need for permanent pathways to regularization for migrant, non-status and refugee women.[8] Pilot programs, though innovative, often leave these vulnerable women in precarious situations, exacerbating their susceptibility to abuse due to the temporary and uncertain nature of their legal status.[9] The limited scope and administrative burdens of these programs restrict access to essential

support services, further isolating women and impeding their ability to seek help and integrate into society.

To address these issues, Canada must expand successful pilot programs for vulnerable populations into permanent programs, streamline application processes, and implement legal reforms to provide stability and security for migrant women.[10] Canada can better protect these women by creating inclusive and consistent immigration pathways and a comprehensive regularization program, ensuring they have the necessary resources to escape abuse, contribute to the economy, and build secure futures.[11] Regularization schemes are crucial for addressing the vulnerabilities of migrant, non-status and refugee women, enhancing economic contributions, and promoting social integration. Rather than occupation-based or piecemeal regularization programs, we call for an inclusive and ongoing immigration status regularization scheme that will allow for those living precariously in Canada to become permanent residents.

6. The Canada Child Benefit

The Canada Child Benefit is a monthly federal government payment to help with the costs of raising a child under 18 years of age. The government introduced the benefit in 2016 with the goal of reducing child poverty. Eligibility is tied to the parents' immigration status. This means Canadian-born children of people with precarious immigration status, including children of people claiming refugee status in Canada, are denied the benefit.[12] Racialized women and low-income women are overrepresented among those who are negatively affected by eligibility exclusions and denied the much-needed financial support.

7. Migrant students

Migrant students face a higher degree of vulnerability to gendered violence due to their precarious immigration status. Migrant women students at intersections such as race and ethnicity, faith, cultural differences and language barriers face unique challenges in accessing assistance and support services.[13] Fear of repercussions, stigma and unfamiliarity with local laws and resources may prevent migrant students

from seeking help or reporting incidents of violence. These factors also contribute to a culture of silence and invisibility around gendered violence within international student communities. There is a need for culturally sensitive support services, awareness campaigns and training programs to empower migrant students to seek assistance and ensure their safety and well-being.[14]

Migrant students also face significant barriers to social and economic safety and security in Canada. They face unsafe housing, exorbitant student fees, lack of access to income supports, high levels of food insecurity and significant mental health impacts, including the risk of suicide. They are unfairly blamed for the housing crisis and lack of employment for "Canadians." As different orders of government in Canada have reduced education spending, post-secondary institutions have come to rely on migrant students as their primary funding source, contributing $31 billion to the Canadian economy in 2022.[15] From September 2024, migrant students will again face restrictions on their off-campus work hours (these restrictions had been removed during the pandemic). Prior to that, they struggled to find viable options to meet the massively increased cost of living and unfettered tuition fee increases. While the resulting pressures are felt by all migrant students regardless of gender, women face specific social and economic barriers as well as higher vulnerability to exploitation and abuse.

Further, pathways to permanent immigration status are severely limited for migrant students, with access being provided only to students in advanced degree programs and only in a limited number of sectors.

8. Immigrant and refugee settlement services

Federally funded immigrant and refugee settlement services are provided only for those with permanent resident status or who are recognized as "Convention refugees." Refugee claimants, migrants and those without immigration status are not eligible for services. This exclusion has a disproportionately negative impact on ineligible refugee and migrant women by limiting their options for support or assistance in matters related to immigration, refugee and settlement. It also limits their options for support or assistance in situations of intimate partner abuse or gender-based violence.

Community organizations receiving government funding are threatened with sanctions if their paid staff provide immigration and

refugee assistance as part of their free services. Federal immigration department funding officers inappropriately cite Section 91 of the *Immigration and Refugee Protection Act* (IRPA),[16] which is intended to prevent fraud by unregistered, paid immigration consultants. The threats create a climate of fear among community organizations, leading to refusal of urgently and critically needed supports for their clients. It has a particularly negative impact on Black and racialized women, and refugee and migrant women in general, because they are less likely to have the financial resources to pay an immigration lawyer or consultant. The lack of support leaves refugee and migrant women even more vulnerable to slipping through the cracks of the immigration system[17] and it increases the strain on community-based legal services. In an expression of supreme irony, the IRCC call centre routinely refers callers to community organizations for assistance for immigration and refugee matters.

9. Access to justice

Migrant and refugee women face unique barriers to receiving justice in a multiplicity of areas.[18] They include systemic barriers and legal issues in immigration and refugee matters, housing, family issues and relationship breakdown, employment, income support, and access to publicly funded services.[19] These challenges are compounded for Black and racialized women and for women perceived as Muslim. Unfamiliarity with Canadian law, customs, rights and entitlements; language barriers; lack of financial resources; and scarcity of publicly funded legal services: all of these can combine to limit access to justice.[20] These barriers can have the effect of increased discrimination, higher exposure to abuse and exploitation, loss of child custody, loss of immigration status, and increased criminalization.[21]

Migrant women who engage in sex work are at heightened levels of discrimination, exploitation and abuse due to their precarious immigration status.[22] Immigration laws and regulations bars all non-citizens or permanent residency holders from engaging in any occupation related to sex work.[23] Other legal provisions such as The *Protection of Communities and Exploited Persons Act* (PCEPA) restrict sex work by criminalizing clients and third parties in the industry, but not the actions of the sex workers.[24] However migrant sex workers face disproportionate consequences, including criminalization and revocation of their status in Canada and eventual deportation.[25]

Migrant women are more likely to remain in violent or unstable relationships due to fear of jeopardizing their immigration status or their new life in Canada.[26] Language barriers and communication barriers as a whole can make the justice system inaccessible to migrant and refugee women. Research demonstrates that there are profound issues with accessing an appropriate interpreter with the proper skills and ethical conduct required for tough situations.[27]

Gender-nonconforming and trans migrant women continue to face challenges in the recognition of their gender identity on official documents in provinces such as Quebec. The increase of transphobic policies and attitudes across the country impacts the experiences of gender-nonconforming and trans immigrant women by complicating their ability to access education, gender-affirming health care, and other types of health and social services.

Recommendations on immigrant and refugee women

- Rescind the Canada–U.S. Safe Third Country Agreement.
- Establish an independent, third-party racial equity review of the immigration and refugee program.
- Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and their Families.
- Require provinces and territories to remove immigration status and residency period barriers to health care services as part of the Canada Health Transfer and improve administration of the Interim Federal Health Program to strengthen coverage and access to health services.
- Eliminate immigration laws and regulations prohibiting non-permanent residents from sex work and repeal the *Protection of Communities and Exploited Persons Act (PCEPA)*.
- Create a broad and inclusive immigration status regularization program for all.
- Remove immigration status barriers for the Canada Child Benefit.
- Eliminate off-campus work hours restrictions for migrant students.

- Allow all migrant students access to permanent residence pathways regardless of education program type, field or length of study.
- Expand settlement services eligibility criteria for all temporary residents, including refugee claimants, international students, migrant workers and people without immigration status.
- End IRPA Section 91–related threats and sanctions to community organizations that provide free immigration and refugee services to clients.
- Implement broad public legal education on rights, entitlements and services for refugee and migrant women and girls.
- Provide access to adequate legal services combined with language interpretation, where necessary, in all areas of law.
- Engage with gender non-conforming and trans migrant women to develop appropriate supports to access federal, provincial and territorial identity documents, supports and services.

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5. The girl-child

The last five years have been a challenging time for the five million girls and young women[1] under age 25 who live in Canada.[2] Gender equality issues are often seen as women's issues. But gender-based discrimination and inequities start early for girls and vary across communities. Growing up in Canada, girls and young women from Indigenous, racialized and newcomer communities, those living with disabilities, and people who identify as 2SLGBTQI+ continue to face significant barriers due to systemic discrimination and pandemic-related disruptions. For Indigenous girls this includes the continuing and compounding impacts of settler-colonialism and the heightened risk of involvement/apprehension from child welfare authorities and human trafficking.

Experiences of inequality do not go unnoticed by girls. Research with teens aged 12 to 17 found that girls are much more likely than boys to feel the impact of gender inequality. They are twice as likely as boys (43 per cent versus 21 per cent) to report experiencing sexism, and more than one-third more likely to say that gender inequality has impacted their lives (35 per cent versus 20 per cent). Thirty-five per cent of girls report having been treated unequally or unfairly due to their gender.[3] Many girls in Canada notice inequality in their lives before their teen years, with more than half of girls (54 per cent) saying they first noticed it between the ages of 10 and 13.[4]

1. Young women's mental health

The COVID-19 pandemic was a traumatic event for many young people. We see that today in the huge rise in reported mental health challenges and increased demand for services reported by service providers.[5] Since 2015, the proportion of young women (aged 12 to 17 years) reporting fair or poor mental health has increased by 15.5 percentage points, with large jumps in 2020, 2021 and 2022. In 2022, 21 per cent of young women fell into this category: almost four times 2015 levels and 2.4 times higher than the proportion of boys reporting fair or poor mental health. The same pattern is evident among women young aged 18 to 34 years.[6]

The increase in mental health challenges is likewise reflected in the hospitalization data among children and youth aged five to 24 years. The proportion of hospitalizations due to mental health disorders increased in 2020, notably among girls, even as the overall number of hospitalizations fell because of service disruptions. In 2020, for instance, girls aged 15 to 17 were twice as likely to be hospitalized for mental health concerns as boys.[7] Girls and young women are also three times more likely to be hospitalized for self-harm than boys and young men the same age.[8]

Increased engagement in online spaces has been a significant contributing factor undermining young women's mental health, particularly since the onset of the COVID-19 pandemic. Increased digital engagement has increased their exposure to online hate and technology-facilitated violence. A 2020 study revealed a worrying 70 per cent rise in online toxicity, cyberbullying and hate speech among children during online chats.[9] Across Canada, more than one in four girls and young women have been personally targeted by online hate, and one in every two girls have witnessed it.[10]

The most common forms of online hate experienced by girls, young women and gender-diverse youth in Canada are sexist and misogynist in nature or based on body type or physical characteristics.[11] Indigenous, Black and racialized girls, as well as girls with disabilities and 2SLGBTQI+ youth, are more likely to experience online hate.[12] Online hate and technology-facilitated violence is in many ways experienced by girls as an inevitable reality of engaging in digital spaces. As shared by one youth survivor of online hate: "Simply existing online as a woman, trans or gender-diverse person is seen as an invitation to hate."[13]

Over the past five years, global warming, natural disasters and climate-driven armed conflict have also weighed heavily on young people across Canada. Young women are experiencing shared anxiety, grief and frustration in response to the climate crisis.[14] At the same time, there is a

lack of gender-specific data on the impacts of the climate crisis on young women's mental health and their unique needs. This information is vital to ensuring that climate change mitigation and responses centre their needs and perspectives.

2. Gender-based violence

Online hate and technology-facilitated violence are only part of the violence that girls in Canada confront daily—directly and in their homes. Across all genders and age demographics, rates of family violence and intimate partner violence increased in Canada during the COVID-19 pandemic. Within this, girls are more likely to experience violence than boys. The rate of police-reported family violence is nearly twice as high for girls as for boys. Intimate partner violence is nearly seven times higher among girls and young women aged 12 to 24 years than boys and young men of the same age demographic.[15]

Indigenous girls and young women face very high levels of violence. One in four (26 per cent) Indigenous girls experience sexual assault before the age of 15.[16] Historical and ongoing colonial violence, systemic racism and discrimination contribute to the ongoing marginalization of Indigenous girls and young women. One of its most grievous expressions is the targeting of Indigenous girls by human traffickers.[17] There is also the disproportionately high numbers of Indigenous children in state care: 53.8 per cent of children in foster care are Indigenous although they account for only 7.7 per cent of the child population.[18] In 2019, the National Inquiry into Missing and Murdered Indigenous Women and Girls delivered 231 calls for justice to address the heightened levels of violence and femicide experienced by Indigenous women and girls.[19] Despite these recommendations, little action has been taken to meaningfully move these calls forward, with only two of the calls being fully completed as of June 2023.[20]

Girls with disabilities also face a heightened risk of violence yet experience significant marginalization as the result of norms and biases around both gender and disability,[21] with their needs unidentified and unsupported.[22] This is another situation that has worsened since the pandemic. One in four women with disabilities aged 25 to 34 years (26 per cent) report having been bullied at school because of their disability, and over one-third (36 per cent) also shared that they were avoided or excluded in educational settings because of their disability.[23]

More recently, there has been an alarming rise of regressive provincial policies introduced to undermine the rights of trans, non-binary and gender-diverse youth. Alberta, Saskatchewan and New Brunswick have introduced measures to ban gender-affirming care and require parental consent to recognize the gender identity and proper pronouns of trans, non-binary, and gender-diverse students.[24] These policies infringe the rights of trans, non-binary and gender-diverse youth to self-determination, bodily autonomy and medical care, and they represent a profound threat to their health and well-being.

3. Youth homelessness and housing precarity

Access to safe, secure and affordable housing is key determinant of health and well-being for girls. In Canada, between 35,000 and 40,000 youth experience homelessness annually. Youth experiences of homelessness and violence are deeply interconnected, with girls experiencing homelessness being exposed to exploitation and violence.[25] Over one-third (37 per cent) of young women experiencing homelessness have also experienced sexual assault. Among youth experiencing homelessness, girls are 20 per cent more likely than boys to have experienced abuse in childhood. Trans, non-binary and gender-diverse youth are over 25 per cent more likely to experience abuse in childhood.[26] Indigenous girls are overrepresented among girls experiencing homelessness, with the rates of shelter use among Indigenous children 9.2 times higher than among non-Indigenous children.[27]

There is also a stark absence of dedicated prevention and intervention efforts to address youth homelessness. In many jurisdictions in Canada there are no services available for young people experiencing homelessness until they reach age 16 or 18.[28] Research suggests that the majority of young women experiencing homelessness were involved in the child welfare system before the age of 16.[29]

4. Young women's employment and leadership

Young women experienced significant economic losses during the pandemic and have yet to fully recover. In particular, the drop in employment in food and accommodation services and in retail hit young

women especially hard. Women aged 15–24 experienced the greatest initial COVID-related employment losses in March and April 2020, dropping by almost 40 per cent. They have been on an economic roller coaster ever since.[30] At the height of the pandemic, many young women returned to school to help weather the economic storm.[31] When the recovery took hold in 2021, some women were able to pivot and secure good jobs in sectors like professional services and public administration. Others continued to struggle in low-wage service jobs—buffeted by the steep rise in the cost of living.[32] For the past year, with the surge in immigration, employment levels among young women have slipped again and unemployment is rising.[33]

In the workforce, young women continue to face unique barriers to financial stability and leadership. McKinsey's 2023 Women in the Workplace report found young women in Canada's private sector hired in entry-level positions struggle to graduate to managerial positions, held back through institutionalized misogyny in the form of non-promotional tasks and gendered promotion bias. There is a broken rung between entry-level and managerial positions.[34] Poor performance on women in corporate leadership is one of the factors accounting for Canada's falling rank on the World Economic Forum's Gender Gap Index.[35]

Young women in Canada are not entering into the workforce on equal footing with their male counterparts. Concerningly, with the rapid development and evolution of artificial intelligence integrated into the workforce, entry-level jobs largely occupied by young women are at high risk of being lost in the new era of automation.[36] If this industry evolution outpaces interventions to safeguard young women, the expected financial impact will significantly erode women's progress toward pay equity and gender parity nationwide.

Recommendations on the girl-child

- Create resources to prevent gender-based violence, promote healthy relationships and overall well-being in consultation and collaboration with girls and young women.
- Take steps to affirm and defend the rights of trans, non-binary and gender-diverse youth. Dedicate resources to safeguarding their rights to self-determination, bodily autonomy and medical care.

- Continue to invest in Indigenous-led research, programming and infrastructure dedicated to supporting the safeguarding and mental well-being of Indigenous girls and young women.
- Commit to the development of an Indigenous-specific anti-human trafficking strategy, with appropriate funding allocated to Indigenous women's organizations to inform this work and provide culturally grounded safe spaces and services for Indigenous survivors.
- Take steps to close critical gaps and supports that are essential to the healthy development and well-being of all girls and young women. This includes providing core funding to women's organizations and youth-serving organizations that provide dedicated programming to meet the needs of young women and girls in all their diversity.
- Invest in responsive and supportive girls programming, leadership programming and spaces, with dedicated mental health and well-being programming and related employment programs.[37]
- Create a dedicated strategy to ending youth homelessness, with an intersectional feminist approach that specifically address the causes of youth homelessness and the needs of girls and young women experiencing homelessness.

Notes

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6. Early childhood education and care

Our 2019 Parallel Report on Canada's implementation of the Beijing Declaration and Platform for Action highlighted the failure of all levels of government to make regulated early childhood education and care available to all children. We noted that Canada's reliance on market-based approaches to creating child care programs resulted in scarcity of supply, high and ever-rising parent fees, unchecked growth of for-profit child care, and inequitable access. The latter particularly applied to Indigenous communities, children with disabilities, infants, rural communities, and parents employed in non-standard work arrangements.[1]

The COVID-19 pandemic exposed the weaknesses in the existing patchwork of programs, including the financial and operational fragility of the child care sector and the uneven distribution of child care programs. In 2021, partly in response to the dramatic drop in women's labour force participation during the pandemic, the federal government took decisive action to enhance and expand Canada's child care system.

1. Federal policies and programs: 2019 to 2024

The federal government made an investment of more than $27 billion over five years as part of its 2021 federal budget, committing to transform early learning and child care in Canada.[2] It pledged to negotiate funding agreements[3] with the provinces and territories to support the

construction of a primarily not-for-profit Canada-wide early learning and child care system. These funding agreements would build on previous federal/provincial/territorial (FPT) agreements: the Multilateral Early Learning and Child Care Framework agreement and the three-year bilateral funding agreements that came into force in 2017.

The federal child care promise was subsequently enshrined in federal law with the adoption in February 2024 of an *Act respecting early learning and child care in Canada*. The new act sets out the federal government's commitment to long-term funding for the provinces and Indigenous Peoples for the establishment and maintenance of an early learning and child care system that is community-based and primarily not-for-profit. The legislation also requires that a National Advisory Council on Early Learning and Child Care be established to provide the federal government advice on all matters related to early learning and child care.[4]

The delivery of early childhood education and care rests primarily with provinces and territories. However, the FPT five-year funding agreements set out specific goals for making licensed child care programs more affordable, more accessible, more inclusive and of higher quality.

Advocates for high-quality, affordable child care see the Canada-wide early learning and child care system as a historic step forward, praising the federal government for:

- The commitment to build a primarily public and not-for-profit child care system.
- Ensuring big reductions in parent fees for families, making access to licensed child care much more affordable.[5] As of August 2024, five provinces and territories had achieved the federal government's objective of reducing parent fees to an average of $10 a day or less, and fees in the five other provinces had been cut by at least 50 per cent.
- An investment in Indigenous early childhood education and care, which has allowed for more child care operated by and for Indigenous children, families and communities.
- Encouraging and financing some improvements in the compensation and working conditions of child care workers in some provinces and territories.

However, new child care spaces are not being created quickly enough to meet demand. Of particular concern is the slow expansion of public and not-for-profit spaces that were prioritized in the agreements. This

is a consequence of all levels of government doing far too little to plan, fund and actively support the growth of the sector.[6] Governments have failed to properly fund the capital costs of building and starting up new programs,[7] and they are still relying on the sector itself to find ways and places to expand. In other words, the market-based approach to supply remains unchanged. This favours for-profit providers who can more easily access private capital to build, especially in communities where they are more likely to generate profit and where their acquired real estate assets will increase in value more rapidly—namely urban centres and higher socioeconomic neighbourhoods.[8] In nine of thirteen jurisdictions there was an increase in the proportion of for-profit spaces between 2008 and 2021.[9]

The 2022 federal budget established an Early Learning and Child Care Infrastructure fund of $625 million over four years that is now being distributed to the provinces and territories to help offset the costs of building more not-for-profit and public child care spaces. More recently in 2024, the federal government announced it will provide up to $1 billion in low-cost loans (plus a limited amount of grant and capability building funding) starting in 2025–26 to encourage the building of public and not-for-profit spaces.[10] However, together these initiatives fall far short of the call in 2022 by child care advocates for $10 billion dollars over three years in federal child care grants to facilitate the building of 200,000 more child care spaces in the not-for-profit and public sectors.[11]

Another big barrier to successful expansion of child care in Canada is the severe shortage of qualified early childhood educators and other staff. The wages and working conditions of those who work in child care remain abysmally low and greatly inferior to the wages and working conditions of other workers with similar qualifications and responsibilities. While some provinces and territories have introduced measures to increase compensation, and the federal government has promised to do more, the child care workforce is in crisis because of poor levels of retention and difficulties in recruitment.

Also, and relatedly, provincial and territorial governments have been slow to adapt and introduce adequate operational funding formulas designed to cover the real costs of operating high-quality programs. This is creating financial sustainability challenges for operators and putting downward pressure on compensation.[12]

While the federal government's child care program represents a significant victory for the child care and women's movement, further action is necessary at the federal and provincial/territorial levels to

achieve the goals and principles set out in the new federal legislation and in the FPT bilateral funding agreements.

The federal government must use its spending power and the negotiation of the next set of bilateral agreements to ensure that a properly funded and publicly managed system is established. The 2025 federal budget should include new funding that is sufficient to ensure the delivery of high-quality programs and that is conditional on the provinces and territories developing their own publicly owned child care expansion models.

Recommendations on early learning and child care

- Increase federal investment in capital expansion significantly and require that provinces and territories develop strategies and infrastructure programs to expand child care in publicly owned facilities alongside ongoing efforts to increase spaces in not-for-profit and Indigenous-owned facilities.
- Introduce new funding mechanisms to incentivize provinces and territories to fairly compensate the child care workforce through, for example, the introduction of wage grids,[13] pension plans and benefits, and high-quality programs to recruit and train educators.
- Compel provinces and territories to provide evidence that their child care operating funding model is sufficient to sustain affordable, high-quality programs. For example, implement formulas that cap fees at no more than $10 a day (as opposed to settling for an average of $10 a day, which is an inequitable approach whereby many families still pay too much). Funding formulas should also recognize and seek to address geographic and socioeconomic inequities in access to early learning and child care services. Increase federal investment in capital expansion significantly and require that provinces and territories develop strategies and infrastructure programs to expand child care in publicly owned facilities alongside ongoing efforts to increase spaces in not-for-profit and Indigenous-owned facilities.
- Introduce new funding mechanisms to incentivize provinces and territories to fairly compensate the child care workforce through, for example, the introduction of wage grids,[13] pension plans and benefits, and high-quality programs to recruit and train educators.

- Compel provinces and territories to provide evidence that their child care operating funding model is sufficient to sustain affordable, high-quality programs. For example, implement formulas that cap fees at no more than $10 a day (as opposed to settling for an average of $10 a day, which is an inequitable approach whereby many families still pay too much). Funding formulas should also recognize and seek to address geographic and socioeconomic inequities in access to early learning and child care services.

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7. Education and training of women

Women in Canada have made tremendous gains in education, outpacing their male counterparts in both high school and post-secondary education completion. As has been the case since the early 1990s, women comprise most of the students enrolled in Canada's public colleges and universities—and the majority of graduates.[1] Indeed, their representation in post-secondary institutions has continued to grow in recent years: "When faced with unprecedented youth unemployment and post-secondary education moving online, young women aged 17 to 24 responded by enrolling in post-secondary institutions at a higher rate than a year earlier."[2]

1. Enrolment in post-education at historic highs as students struggle with sky-high fees and living costs

This has largely been a story about the growth in enrolment in universities. In 2022, 39.6 per cent of working-age women (i.e., women aged 25 to 64) were university graduates, an increase of 3.5 percentage points (or 457,000 women) since 2019 alone. The changes in college enrolment were much smaller. In 2022, more than one-third of working-age women and men (36.1 per cent and 36.2 per cent, respectively) were college graduates, including trade certificate holders. The number of

women college graduates increased by a modest 1.1 per cent over this period while men posted a slight decline.

The rising share of working-age people who have completed post-secondary degrees and diplomas is being driven both by rising educational attainment among young adults and by the welcoming of highly educated new immigrants. According to the 2021 census, nearly six in 10 immigrants who came to Canada between 2016 and 2021 were university graduates; this group was responsible for nearly half of the rise in the share of the university-educated population over this period.[3]

This is not a surprise, given the emphasis placed on education in the immigration system and the very large increase in international students in recent years. The result is that immigrants, as a group, have higher rates of post-secondary education compared to non-immigrants. Among working age women, 71.9 per cent possessed a post-secondary credential in 2021 compared to 68.6 per cent of non-immigrant women.[4,5]

The educational gap, however, persists among Indigenous people. Just over half of working-age Indigenous women (53.8 per cent) held a post-secondary credential in 2021 compared to 70.8 per cent of non-Indigenous women. The gap was particularly large among Inuit women (at 35.8 per cent)—a reflection of the profound barriers that continue to thwart educational pursuits and achievement. Indigenous people did make important gains between 2016 and 2021, narrowing the high school completion gap and boosting the number of post-secondary grads—almost three-quarters of whom were women—but the increases among non-Indigenous groups were higher.[6]

The high cost of post-secondary education is one of the critical factors thwarting the pursuit of education among marginalized groups and amplifying the struggles of existing students. The average undergraduate tuition for Canadian students at universities (the only post-secondary institutions where tuition data is available nationally) reached an all-time high in 2023.[7] Quebec grabbed headlines by raising out-of-province fees for students attending English universities by a stunning 212 per cent.[8] While this hike is being challenged in the courts as unconstitutional, higher out-of-province student fees are becoming increasingly common at institutions across the country as another revenue source. International undergraduate students paid on average $38,081 in 2023, an increase of 38 per cent in the last five years, compared to the nine per cent increase for domestic students.[9]

Stories abound of crowded housing, high demand at food banks and students exhausted from working many hours while studying full time.[10] The federal government has taken some steps to address the rising costs

of education by removing interest on student and apprenticeship loans and making improvements to the Canada Student Loans Program. For example, the 2024 budget cancelled debt for some graduates working in rural and remote communities, increased the shelter allowance and extended the Canada Student Grant maximum amount for full-time students to $4,200. The latter represents an increase from the amount on offer before the pandemic ($3,000) but a decline from the $6,000 available to students during the early days of the pandemic.

More must be done to make education affordable, through a permanent increase to grant amounts, cancelling debt for more students, and addressing the systemic issues driving tuition increases for local, out-of-province and international students. As well, the federal government must significantly step up its support for Indigenous learners and honour an inherent and treaty right to education that is in accordance with First Nations, Inuit and Métis cultures and traditions to support holistic lifelong learning.

2. Gender segregation in fields of study persists

Women commit to higher education in large numbers, but gender disparities persist. Only modest headway has been made to break down gender segregation in fields of study and the labour market. Women are still largely concentrated in occupations involving the "5 Cs": caring, clerical, catering, cashiering and cleaning—roughly 54.1 per cent according to the latest census figures. This is little changed from 1987, when 59.2 per cent of women aged 25 to 54 years were employed in these same occupations. By contrast, just 18.7 per cent of men were employed in traditionally "feminine" occupations in 2021 compared to a similarly low 15.7 per cent in 1987—an increase of just three percentage points over 34 years.[11]

We see the same pattern in fields of academic study. In 2021, women (aged 25 to 64 years) accounted for only 11.8 per cent of post-secondary degree holders in science, technology, engineering and mathematics (STEM) compared to one in four men (29.8 per cent). This represents an increase of 1.2 percentage points over 2016 (at 10.6 per cent), slightly narrowing the gender gap between men and women. Young immigrant women now make up a sizeable share of those with STEM degrees, quite a bit larger than their overall share of women university degree holders.[12]

These gains have coincided with a rise in the share of STEM-sector jobs, notably since a good portion of the world of education and work moved online at the start of the pandemic. Indeed, a growing number of all jobs now demand higher levels of digital and technical literacy. Women's growing presence in STEM fields is important, but it's just a drop in the bucket given the size of the size of the gender gap. Only 12 per cent of Canada's professional engineers are women. Likewise, only 12 per cent of full professors in STEM fields are women.[13]

Women's lack of progress is particularly troubling given the attention the issue has received in recent years. Young women face gender stereotypes that negatively impact their interest in these subjects. Even when young women choose to enrol in STEM programs, their rates of retention are lower than those of their male peers.[14]

The federal government has been actively working to promote and support women in STEM fields since 2015, launching several programs aimed at increasing the participation of women and girls in STEM studies and careers via support for scholarships and mentorship programs, public awareness and community outreach,[15] research collaborations with universities and colleges, and support for external organizations working to promote women in STEM. In different ways, these programs are aimed at creating safe and supportive environments for women to thrive in STEM fields.[16]

These include initiatives such as the Tri-Agency EDI Action Plan[17] and the Dimensions Pilot Program[18] to improve equity, diversity and inclusion in STEM research at post-secondary institutions,[19,20] the CanCode, program that works with nonprofit partners to equip Canadian youth with digital skills,[21] and the Union Training and Innovation Program which helps underrepresented apprentices, including women, begin and succeed in skilled trade careers.[22] The federal government also supports community organizations working to dismantle barriers for women in male-dominated fields through its Women's Program at Women and Gender Equality Canada.[23]

The government has introduced policies and guidelines to promote gender equity in STEM education, research and employment within its own workforce, promoting inclusive hiring practices, supporting work–life balance initiatives and fostering supportive work environments. For example, the Canadian Nuclear Safety Commission (CNSC) launched a Women in STEM initiative in 2019, collaborating with government, industry and academia partners.[24] Women's achievements in STEM are regularly highlighted in external communications to the broader public, showcasing role models to inspire the next generation.

While progress has been made, there is still work to be done to achieve gender parity in STEM fields in Canada. Addressing persistent barriers requires collaborative efforts from government, academia, industry and civil society to promote cultural and structural changes that will enable women to thrive and contribute fully to STEM fields. Intersectionality is also crucial in addressing the diverse challenges faced by women in STEM who belong to multiple marginalized groups that face intersecting forms of discrimination based on race, ethnicity, disability, socioeconomic status and 2SLGBTQI+ identity.

Recommendations on education and training

- Expand access to high-quality, publicly funded education and training by restoring federal transfers to the provinces and territories for post-secondary education to 1996 levels (accounting for enrolment growth and inflation) and establishing national standards for post-secondary education, upholding the principles of universality, accessibility, comprehensiveness, public administration and freedom of expression.
- Expand the Canada Student Grant Program and remove all interest on federal student loans, greatly reducing the debt owed by students to the federal government.
- Complete the transfer of control for education—and the necessary resources—to Indigenous communities to close the education gap once and for all.
- Enhance the quality of, and access to, STEM education at all levels for young women and other equality-seeking groups by developing curricula targeting the needs and interests of these groups, providing supports for mentoring and networking, fostering the development of inclusive learning and working environments, and tackling stereotypes and norms that define traditionally "feminine" or "masculine" professions.
- Invest in the retention and advancement of women in STEM fields to fix the leaky pipeline, including the persistent and sizeable gender pay gap in STEM fields. Many women leave their STEM professions due to issues such as workplace culture, bias, harassment, bullying and barriers to career progression.

- Invest in programs that address the mental health impacts of gender-based discrimination and bias in STEM environments, essential to fostering a more supportive and inclusive workplace culture.
- Support women-led startups, create innovation hubs and incubators, provide access to funding and mentorship, and foster a supportive ecosystem for innovation to enhance women's contributions and leadership in STEM-driven industries.
- Integrate entrepreneurship into STEM curricula to encourage women to explore business opportunities and innovative solutions.
- Expand training, education and mentorship opportunities in data science, artificial intelligence and cybersecurity to help close the gender gap. Sustained investment is needed to help women and other marginalized groups participate in the evolution of new technologies.
- Promote women's leadership in renewable energy, sustainable technologies and environmental sciences, which is vital for advancing gender equality and achieving Canada's sustainable development goals.

Notes

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8. Women and the economy

The Beijing Declaration and Platform for Action recognizes that high levels of employment and earnings are essential to women's economic well-being and security—and the well-being and security of their families. Women's economic participation is also critical to the health of the economy and Canada's collective prosperity.[1]

Since 2015, the federal government has taken action to facilitate women's equal and full participation in the economy. It has established gender equality goals,[2] passed proactive pay equity legislation,[3] expanded maternity and parental leave options,[4] and increased resources for skills training, employment supports and entrepreneurship.[5] In the aftermath of the COVID-19 pandemic, the government pledged to develop a Canada-wide early learning and child care system,[6] boosted pay for low-income care workers,[7] and supported community organizations working to remove systemic barriers faced by marginalized or underrepresented women in the labour market.[8] Yet much more remains to be done to deliver on the promise of these initiatives and achieve meaningful change in the lives of women and girls.

1. Labour market trends

Prior to the pandemic, the employment rate among working-age Canadians had been edging up after years of stagnation. The quality of

the jobs on offer were improving as well—with higher levels of full-time employment and an uptick in unionization among public-sector workers, contributing to positive wage growth.[9] Then the pandemic hit.

In previous recessions, women's work in the service sector offered some measure of protection against job loss in male-dominated goods industries. This was not so during the COVID-19 pandemic. In the spring of 2020, millions of women lost their jobs or faced reduced hours as preventive public health measures were introduced to contain the circulation of the coronavirus. Women's rate of employment dropped by more than 10 percentage points in two short months, wiping out 35 years of progress.

Low-wage workers accounted for the largest share of these losses. A little more than half (52 per cent) of all low-wage workers (earning $14 an hour or less) were laid off or lost the majority of their working hours between February and April 2020. This included 58 per cent of low-wage women and 45 per cent of low-wage men.[10]

Women's employment rebounded in a halting fashion between April 2020 and December 2021, dropping then rising with each successive wave of COVID-19. The gyrations of the labour market were particularly challenging for young women, who experienced the largest employment losses, and for older women, many of whom left the labour market altogether.

Then in 2022, employment recovery firmly took off. Strong year-end job growth boosted women's rate of employment to 58.3 per cent, just shy of 2019's rate of 58.5 per cent (and the record high of 58.9 per cent in 2008)—led by strong gains among core-aged workers (aged 25 to 54 years).[11]

Job growth, however, started to soften in 2023 in the face an aggressive campaign of interest rate hikes designed to contain rising inflation. Population aging has also been exerting downward pressure on employment rates even as Canada experiences historically high levels of immigration.[12] In the face of these pressures, women's employment rate was effectively unchanged in 2023 (at 58.4 per cent), as their rate of unemployment edged higher, reaching 5.3 per cent.

Once again, young women are absorbing significant losses. Their rate of employment has fallen steadily since January 2023, wiping out the gains recorded in 2021 and 2022. In July 2024, it was almost five percentage points below their pre-pandemic benchmark (55.7 per cent).

Overall, between 2019 and 2023, the employment gap between working men and women aged 15 and older narrowed slightly from 7.7

to 7.4 percentage points. The question is whether employment gains will withstand the greater economic uncertainty forecast ahead.

2. Unequal recession, unequal recovery

Women with disabilities, racialized workers, Indigenous people and other marginalized workers experienced the onslaught of the pandemic head on. They were overrepresented among the low-wage, precarious workers in public-facing industries most impacted by health restrictions, and their economic recovery unfolded at a much slower pace than more privileged workers. As the labour market rallied in 2021, several groups made important employment gains.

As levels of immigration increased in recent years, the employment gap between all immigrant and Canadian-born women (aged 15 to 54 years) narrowed—from 9.1 percentage points in 2008 to 6.7 percentage points in 2019 and to 5.1 percentage points in 2023.[13] In 2023, 73.4 per cent of immigrant women in this age group were engaged in the paid labour market compared to 78.5 per cent of Canadian-born women. That said, there remains a sizeable employment gap between immigrant women and Canadian-born women, especially among core-aged women (aged 25 to 54 years), that speaks to the scale of the barriers that immigrant women continue to face in the post-pandemic economy.[14]

Racialized women have shared in post-pandemic employment gains too but again a significant employment gap remains.[15] In 2023, 70.2 per cent of racialized women aged 15 to 54 years were engaged in paid employment versus 79.5 per cent of non-racialized women.[16] With the notable exception of Filipino women, whose rate of employment exceeds that of non-racialized women, the employment gap was greater than four percentage points for most other groups and considerably larger for Arab, West Asian, Korean and Chinese women.

Like immigrant women, Indigenous women aged 15 to 64 years experienced a steep drop in their employment rate between 2019 and 2020, re-bounding in 2021, and then jumping to 67.5 per cent in 2022. In 2023, their rate of employment fell back to 63.8 per cent, higher than in 2019 but still much lower than the employment rate among non-Indigenous women (73.4 per cent) in this age group. First Nations and Inuit women face the largest employment barriers.[17]

There is a longstanding and very large employment gap between people with disabilities and those without. New data from the Labour

Force Survey suggests that strong employment growth and a tight labour market helped narrow the gap in 2022, but there is still a great distance to travel to guarantee equitable access to employment.[18] In 2022, the rate of employment among women with disabilities aged 15 to 64 years was 64.9 per cent—slightly lower than among men with disabilities (65.5 per cent), and much lower than women without disabilities (76.2 per cent) and men without disabilities (83.9 per cent).

3. Earnings rebound in the aftermath of the pandemic—but not for all

An unprecedented confluence of forces came together in 2021 to expand opportunities for workers—including for women who face sizeable barriers to decent employment. Vacancies rose sharply in many women-majority sectors and occupations hit hard by the pandemic, reaching historic peaks in the spring of 2022. There was also strong employment growth in several high-paying sectors of the economy, such as professional, scientific and technical services, public administration, and educational services. Faced with repeated lockdowns and lay-offs in many "high-touch" industries, workers in these sectors had the choice of pivoting to something different, something better.[19]

Conditions appeared ripe for boosting women's wages and closing the gender pay gap.

Employment income did bounce back in 2021. Strong wage growth in Quebec and British Columbia, followed by Ontario, helped claw back pandemic-related income losses and narrow the income gap that had opened up between men and women in 2020. In 2021, women aged 15 years and older reported $32,600 in market income[20] (constant 2022 dollars). Market incomes rose again in 2022, reaching $33,300, surpassing the 2019 benchmark and narrowing the gender gap to a still sizeable 69.8 per cent.[21] This represents a difference of $14,400.

In 2022, it was already apparent that the post-pandemic labour market boom was winding down; there was no change in women's employment income between 2021 and 2022. Indeed, women's after-tax incomes declined by $1,000 (or 2.8 per cent) to $34,700 over this period as pandemic-related income security programs expired. The strong labour market performance in 2021 was not enough to offset the losses of these critical income supports.

Table 8.1 / Median market income by population group and gender

2022 constant dollars, 15+ years of age

	Male workers		Female workers	
	2019	2022	2019	2022
Indigenous status				
Indigenous population	$43,900	$39,800	$28,000	$27,900
Non-Indigenous population	$47,000	$47,900	$32,700	$33,400
Racialized status				
Racialized population		$43,400		$31,800
Non-racialized population		$49,400		$33,800
Immigration status				
Landed immigrants	$44,800	$48,200	$30,100	$32,900
Recent immigrants (10 years or less)	$43,400	$46,200	$28,300	$30,200
Very recent immigrants (5 years or less)	$38,100	$44,800	$29,000	$29,400
Born in Canada	$48,700	$48,400	$33,800	$33,900
Disability status				
Persons with disabilities	$33,500	$37,100	$24,800	$26,500
Persons without disabilities	$52,500	$51,400	$36,700	$35,800
Total	**$46,900**	**$47,700**	**$32,500**	**$33,300**

Note The figures presented refer to market income (including employment income, investment and retirement income, and other income).
Source Statistics Canada. Canadian Income Survey, Table 11-10-0088-01; Table 11-10-0091-01.

For some groups of working women, the picture was worse. According to the 2022 Canadian Income Survey, the median market income of racialized women aged 15 years and older was 94.1 per cent of the income reported by non-racialized women and less than two-thirds (64.4 per cent) of that of non-racialized men. The income gaps were biggest for women who identify as Arab, South Asian and Latin American.[22]

Wage gaps were also significant for Indigenous women and for women with disabilities. In 2022, Indigenous women brought home $20,000 less than non-Indigenous men, and $5,500 less than non-Indigenous women.[23] In 2022, women with disabilities reported $26,500 in market income, which amounts to only 74 per cent of the income of women without disabilities and just 51.2 per cent of the income of men without disabilities.[24]

Market incomes have recovered from the precipitous drop in 2020. Very low earnings, however, continue to place marginalized women at great risk of poverty and deprivation.

One of the major forces contributing to the gap in men's and women's wages is the unequal distribution of unpaid work. Women in Canada continue to spend much more time on unpaid care work than men do.[25] The difference is even greater when we take into account that women often perform unpaid work alongside other activities.

There was some conjecture that the pandemic might prompt a more equitable division of caring labour. However, recent data suggests that there's been little change. Mothers with children under age 12 are still more likely than fathers to turn down job offers, shift into less demanding jobs or positions, and reduce their regular work hours to accommodate childcare demands.[26]

The gendered distribution of unpaid work limits the kind of paid work women can do. Thus, we see a concentration of women in occupations with hours that accommodate their unpaid work, such as nursing, teaching and retail. We also see an overrepresentation of women in part-time work, with 23.8 per cent of working women holding part-time jobs (compared to 12.8 per cent of working men).[27]

Occupational segregation is another major factor behind the pay gap. Men and women tend to work different jobs in Canada. In 2021, the majority of women (54 per cent) were employed in just 20 occupations, all involving the "5 Cs": caring, clerical, catering, cashiering and cleaning. This is a slightly smaller share than in 1987, when 59 per cent of women were employed in these same occupations, but not by much. By contrast, just 19 per cent of men were employed in "feminine" occupations in 2021 compared to a similarly low 16 per cent in 1987—a three percentage point increase over 34 years.[28]

This would not necessarily lead to a pay gap if we valued the work of women and men equally. But we do not. In Canada, for example, motor vehicle and transit drivers (94 per cent of whom are men) made a median annual full-time, full-year wage of $59,200 according to the 2021 census. Home care providers (91 per cent of whom are women) made a median annual wage of $31,600. And that is 70.5 per cent of what men in the home care field earn.[29]

Overall, women are more likely to work in minimum-wage jobs and low-wage sectors of the economy, characterized by higher rates of precarity, few employment benefits and low rates of union representation.[30] Underemploying and underpaying women is costing women and the Canadian economy billions of dollars annually.

4. Policies and programs, 2019–24

The pandemic triggered a shake-up of the labour market. It collided with and exacerbated the inequities built into Canada's market economy that are designed to exploit the labour of women who are working-class, racialized, immigrant and/or disabled—at tremendous personal cost to workers and collective cost to all. While the pandemic opened the door to change for some women workers, it did not disrupt nor dislodge the deeply gendered division of labour between men and women.

Women's post-pandemic labour market experiences confirm the importance of labour market reforms that level the playing field and remove institutional barriers to decent jobs and a living wage. To this end, the federal government has introduced several important reforms to labour standards in the last five years related to hours of work and predictive scheduling, flexible work arrangements and leaves of absence (including up to 10 days of family violence leave). Legislation has passed guaranteeing 10 paid sick days and protections for health care workers to ensure that they can work without fear or intimidation.

The new, proactive pay equity regime and pay transparency regulations are finally in force. And the Report of the Employment Equity Act Review Task Force is being circulated for comment,[31] a key step in reforming employment equity provisions in Canada. It recommends a new framework to make "equitable workforce participation a reality for all" through the proactive removal of barriers to employment, meaningful engagement with impacted communities and strong regulatory oversight to uphold employment rights.

As the pandemic experience has shown, improving the quality of essential frontline work is paramount for addressing gendered disparities in the labour market. Provincial and federal levels of government should be working to modernize and strengthen existing social protections for workers, such as Employment Insurance, to reflect current and future labour realities, building in the right to recall provisions, for example, and adopting a more expansive approach to providing income support to parents and caregivers. During the pandemic, providing ready access to income replacement in the face of recurrent shutdowns of child care and public education via the Canadian Emergency Response Benefit (CERB) and its successor programs made a huge difference, boosting women's economic security and assisting with the gendered increase in unpaid care work.[32] Now is the time to take stock and consider systemic reform of the benefits on offer and related employment standards to better support caregiving across the life course.

Provincial and territorial governments must continue to annually improve minimum wages, bringing wage rates into alignment with the actual cost of living and expanding access to labour protections for non-standard, precarious and temporary workers (including part-time, part-year, contract and temporary agency workers, or those who are employed through third-party intermediaries or digital platform companies). More generally, all governments should be working to facilitate and uphold the rights of all workers to safe workplaces, to unionize and to seek redress where their rights are not upheld. They should be working to level up labour standards and legislation like employment equity across jurisdictional boundaries. For the federal government, this means abandoning temporary foreign worker schemes outside of the regular immigration system, which have created the conditions for servitude and exploitation.

The COVID-19 crisis illustrated both the shortcomings of existing policies and institutions and what's possible with strong public leadership. The imperative now is to apply the lessons of the pandemic in service of a more resilient and inclusive labour market and gender-just future.

Recommendations on women and the economy

- Invest in the sectors where women work today, ensuring that job stimulus and infrastructure spending is directed at Canada's entire labour force.
- Task the new Sectoral Table on the Care Economy with developing federal strategies to expand the provision of high-quality, public and not-for-profit care services. This includes strategies to improve the compensation and working conditions of those who work in the care economy and strategies to curb the growth of for-profit expansion and limit the role of private-equity firms in the sector.
- Provide the resources necessary for policy and program research, education and full community engagement in the Sectoral Table's activities.
- Increase resources to ensure the effective implementation of the 2018 *Pay Equity Act*, upholding existing human rights protections and

including support for effective training and education, compliance and enforcement, and provisions for pay transparency.

- Update the federal *Employment Equity Act* based on the vision set out in the Blackett Report, improve mechanisms to hold employers accountable for their obligations (e.g., including regular independent public reviews) and create resources to assist in examining workplace practices for unconscious bias.
- Strengthen labour standards to ensure all workers—regardless of whether they are full-time or part-time, temporary or casual—have equal terms, conditions and opportunities at work, and access to equitable wages and benefits.
- Ensure that temporary foreign workers have access to the same labour and health protections as Canadian workers plus established pathways to permanent residency. Additional resourcing is required to strengthen public education programs, expand supports for workers, and actively enforce existing standards and agreements. End the use of closed work permits in favour of open work permits to reduce the power imbalance between employers and women and gender-diverse individuals with precarious status.
- Develop a more inclusive system of parental benefits available to all parents or primary caregivers to meet the needs of diverse families with different care arrangements. A "mixed model" that blends existing employment-based entitlements (currently available through EI) with an income-tested benefit such as the Canada Child Benefit could provide guaranteed income support for all parents regardless of employment status.
- Increase flexibility in leaves so that parental leaves can be taken either in one or several blocks of time, on a full-time or part-time basis, and across several years and remove the 50-week cap on combined EI regular and special benefits, which disproportionately penalizes women.
- Make the Parental Sharing Benefit into a non-transferable individual entitlement disconnected from a co-parent's eligibility, with a longer leave option for single parents, working towards a system where parental leave entitlements are equal for both parents.[33]
- Tackle the gender bias in income security programs such as employment insurance and seniors' benefits, which undercut women's

economic security and reproduce disadvantage, by ensuring equitable access and enhancing the support on offer (e.g., instituting a lower uniform entry requirement for EI benefits, bringing back the "drop out" provisions that allowed caregivers to exclude months of zero- or low-income in the calculation of their CPP benefits).

- Focus on revenue generation and stability in federal revenues through progressive tax reforms, including the elimination of wasteful and regressive tax loopholes and expenditures as well as those that overwhelmingly benefit wealthy Canadians and corporations, exacerbating gender inequality.
- Commission an independent review of the tax system to identify and propose alternatives to regressive measures that undermine women's economic security and exploit the gendered division of labour.

Notes

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23 *Ibid*.

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32 In another example, the Canada Workers Benefit was expanded in 2021, making it available to more low-wage workers. At the same time, the government introduced a "secondary earner exemption" that allows a spouse or common-law partner with a lower working income to exclude up to $14,000 of their working income in the calculation of their adjusted net income for the purposes of the benefit phase-out. This provision is designed to encourage employment among secondary earners, the majority of whom are women.

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9. Women and housing

Women and gender-diverse people, and particularly Indigenous women, girls, Two-Spirit, and gender-diverse people, are experiencing some of the most egregious right-to-housing violations in Canada. While recognizing the gendered violence and exploitation created by housing policy failures is critical, it is also important to acknowledge that the current housing landscape does not exist in a vacuum. As recognized in *Homeless on Homelands*, a human rights claim submitted by the National Indigenous Housing Network:

> At the core of the matter is dispossession from lands Indigenous women, girls, and gender-diverse people have called home since time immemorial. Colonial conceptualizations of land, ownership and housing as commodities that are bought, sold and are subject to financial speculation disrupt the relationship of mutuality and reciprocity that is inherent to Indigenous relationship with land. It commodifies land and positions housing development as a tool of extracting wealth and profits. Current [housing crises and ongoing financialization of housing] in Canada deeply relies on disruption and elimination of Indigenous ways of knowing and living.[1]

1. Overview of the issues

Research suggests there is a profound lack of safe, affordable, adequate and appropriate housing for women, girls and gender-diverse people in communities across Canada. There are very few women-only, trauma-informed housing services in Canada,[2] particularly for Indigenous women.[3] The most cited barrier to housing security identified by service providers and women experiencing homelessness across the country is the acute lack of housing options for women in their respective communities, which is particularly concerning for women-led families fleeing violence.[4]

The most recent data shows that 18.3 per cent of women-led renter households are in core housing need.[5] Most of the housing challenges faced by women intersect with other issues that they face, such as experiences of poverty, domestic violence, discrimination, intersectional forms of marginalization and, in recent years, increased housing precarity due to the COVID-19 pandemic.

Women's housing needs were exacerbated by the COVID-19 pandemic, starting in 2020. Women accounted for 63 per cent of all job losses,[6] highlighting the precarity of their labour market position: overrepresented in precarious and minimum-wage employment sectors that experienced the brunt of pandemic-related layoffs.[7] Women also earn less, are more likely to work part time and are less likely to have savings. The loss of jobs and incomes contributed to an arrears and evictions crisis. Incidents of domestic violence increased[8] but many shelters were operating at reduced capacity due to COVID-19 social distancing guidelines.[9]

2. New accountability mechanisms

The adoption of the *National Housing Strategy Act* in 2019 (which includes the access to justice mechanisms of the Federal Housing Advocate, National Housing Council, and Review Panels) was groundbreaking. The act recognizes housing as a fundamental human right and is grounded in international human rights norms and standards as articulated in the International Covenant on Economic, Social, and Cultural Rights, which guarantee equal right of women and gender-diverse people to "the enjoyment of all economic, social and cultural rights."[10]

Through the first Review Panel, which was on financialization of purpose-built rentals, and the Federal Housing Advocate's first review, which was on homeless encampments in 2023, rights holders participated in unprecedented accountability mechanisms committed to identifying and remedying systemic violations of the right to housing.

While civil society engagement was one of the strongest components of the Review Panel on financialization, the noticeable absence of key government departments and elected officials from all levels of government was a critical weak link in the review panel process. Presence from Canadian Housing and Mortgage Corporation, Economic and Social Development Canada, Women and Gender Equality, and Infrastructure Canada could assist future Review Panels in creating more informed recommendations that focus on remedying structural gaps, barriers and challenges to eliminate violations to the right to housing of women and gender-diverse people in greatest need.

Ultimately, the strength of the recommendations generated from these processes is the biggest test of the processes' ability to drive progressive realization of housing as a human right. With reports from the first Review Panel released, rights holders are voicing concerns that the recommendations fall short of presenting housing solutions that would address the urgency and devastating impact of the crisis.[11]

3. Federal policies and programs

In 2017, the federal government launched Canada's first National Housing Strategy, which was followed by the 2019 *National Housing Strategy Act* discussed above, recognizing the progressive realization of the human right to adequate housing. The 2017 National Housing Strategy committed 25 per cent of investments to women and girls, but since then governments have made few efforts to monitor or measure progress on meeting this target. In addition, homelessness programs under the strategy do not reflect gendered experiences of homelessness, such as hidden homelessness.[12]

The 2024 budget did include some welcome new measures to address Canada's mounting housing crisis. (The expanded suite of programs is called Canada's Housing Plan, replacing the National Housing Strategy). New programs include a Tenant Protection Fund to empower tenants' rights organizations, a Renters' Bill of Rights, funding for non-market housing (i.e., $1.5 million for a Rental Protection Fund), and increased

investment in Canada's homelessness strategy (including human rights–informed and housing-first responses to encampments). More recently, the federal government launched the Co-operative Housing Development Program, and anticipated soon is the Urban, Rural and Northern Indigenous Housing Strategy. Funding announcements were not released with gender or human rights–based targets, goals or data-collection requirements, despite the National Housing Strategy's commitment to ensure that 25 per cent of investments reach women and girls.

While there is reason to celebrate these federal investments, they pale in comparison to investments in the private housing sector, such as the additional $15 billion allocated to the Apartment Construction Loan Program in the 2024 budget. Additionally, while the Renters' Bill of Rights could potentially provide a template for long-term regulations, Canada's rent control measures remain inconsistent and fragmented. Housing advocates across Canada have noted that without sharp gender-based and human rights–focused implementation, monitoring and tracking mechanisms, budget measures will fall short of addressing the housing needs of women and gender-diverse people who are in greatest need.[13]

Recommendations on women and housing

- Ensure gender-based equity in funding under Canada's Housing Plan and prioritize investments in affordable housing that addresses the deep poverty experienced by women and gender-diverse people. This includes greater investment in the Affordable Housing Fund and Co-operative Housing Program and increasing access to these programs by women-led and women-focused organizations, non-profits and housing providers.[14]
- Develop a robust monitoring system to ensure that funding under Canada's Housing Plan goes towards the women, girls and gender-diverse people who are in greatest need, and that funding programs are accessible.
- Strengthen income supports to address the depth of poverty experienced by women and gender-diverse people and their families.[15]
- Provide adequate and consistent funding to an Urban, Rural and Northern Indigenous housing strategy that is co-developed with Indigenous communities and applies an intersectional gendered lens.

- Invest in more social housing for low-income households, which are disproportionately women-led, and in more transitional and supportive housing options for women and gender-diverse people experiencing homelessness and fleeing gender-based violence.
- Revise the definition of chronic homelessness in the National Housing Strategy/Canada's Housing Plan to better reflect gendered experiences of housing needs and homelessness, including hidden homelessness and homelessness among Indigenous women, girls, Two-Spirit and gender-diverse people.[16]
- With a second review panel on Government's Failure to Eliminate Homelessness for Women and Gender-Diverse People fast approaching, it is critical that shortcomings of the review panel process are recognized and corrected, including the need for government to appear in front of panel members. Identifying systemic violations to the right to housing for women and gender-diverse people would require the review panel to focus on structural challenges like feminization of poverty, multiple forms of gender-based violence, marginalization rooted in racial and ableist discrimination, and harms created through state and colonial institutions.
- Ensure that the development of recently announced new protections for tenants, such as the Tenant Protection Fund and the Renters' Bill of Rights, is informed by structural barriers faced by women and gender-diverse people, leading to national standards on rent and vacancy control.

Notes

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16 Women's National Housing and Homelessness Network, *2022,* The Crisis Ends with Us: Request for a Review into the Systemic Denial of the Equal Right to Housing of Women and Gender-Diverse People in Canada.

10. Women and poverty

Canada stands squarely in the middle of OECD standings on women's poverty (19th out of 37 countries). Its relative rate of women's poverty was 11.4 per cent in 2021, just below the OECD average (12.1 per cent), but roughly five percentage points shy of top-ranked Iceland, Finland and Denmark.[1]

In the leadup to the COVID-19 pandemic in 2020, the proportion of women living in low-income households had been on a downward track, falling from 14.8 per cent to 12.9 per cent between 2015 and 2019 (as measured by Statistics Canada's low-income measure after tax),[2] reflecting a stronger labour market and rising median incomes. New investments in programs such as the Canada Child Benefit and Old Age Security/Guaranteed Income Supplement played an important role in reducing poverty rates as well.

In 2020, the COVID-19 pandemic threatened a calamitous rise in poverty as much of the economy shut down and millions were sent home. The federal government rose to the occasion, introducing emergency pandemic measures that shielded workers and their families from economic loss. As it was, Canada experienced a 23.1 per cent drop in poverty between 2019 and 2020: a 24.1 per cent reduction among men and 22.5 per cent reduction among women. Canada's decline in poverty rates in 2020 was the largest recorded in the OECD.

1. Poverty rates trending up

In 2021, with these pandemic supports winding down, poverty rates predictably rebounded—and again in 2022. Nationally, poverty rates rose from 8.5 per cent to 11.1 per cent for men and from 10.0 per cent to 12.6 per cent for women between 2020 and 2022, just short of the 2019 benchmarks. The employment recovery was not enough to compensate for the sizeable cut in income support to low- and modest-income households.

This rise in poverty has been particularly devastating in the marginalized communities that bore the brunt of the pandemic and cost-of-living crisis that followed in its wake. Indigenous people and people with disabilities experienced the same reduction in poverty between 2019 and 2020 and the same cruel rebound between 2020 and 2022.

Among all Indigenous people aged 15 years and older, the rate of poverty fell sharply from 21 per cent in 2019 to 15.3 per cent in 2020, bouncing back to 20.4 per cent in 2022.[3] There was little change in the sizeable Indigenous poverty gap over this period; in 2019, Indigenous people were almost twice as likely to be poor as non-Indigenous people. And the same was true in 2022: 20.4 versus 11.5 per cent. Poverty rates were especially high among Indigenous women, placing them at high risk of homelessness (Indigenous women are roughly five times more likely than non-Indigenous women to have experienced homelessness) and violent victimization.[4]

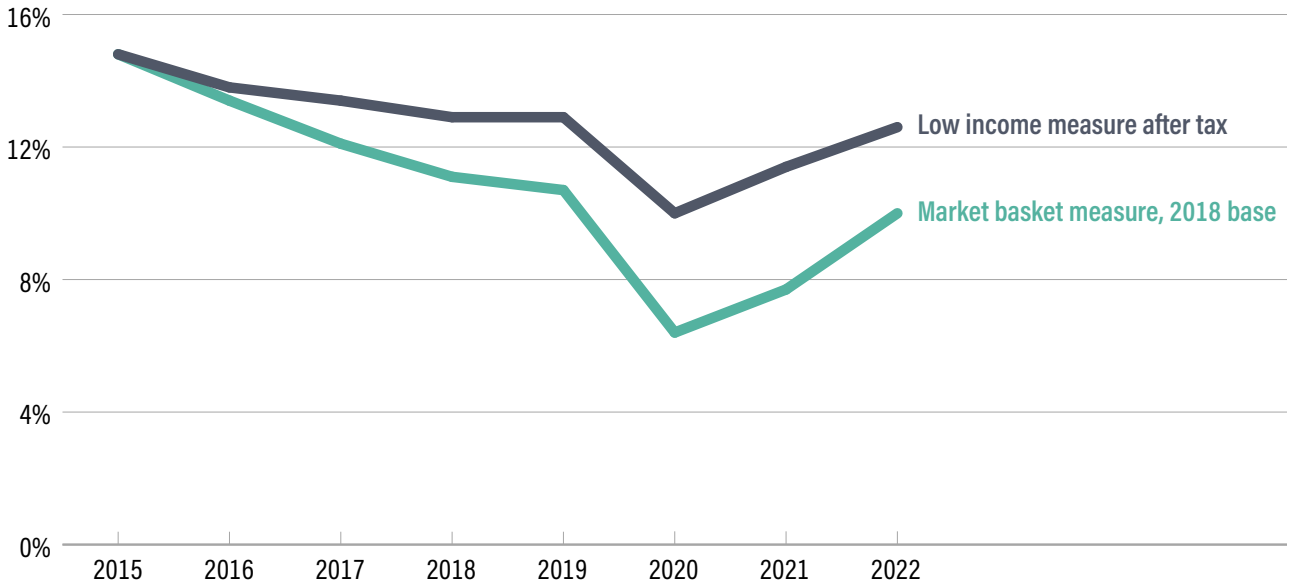
Among people with disabilities in the same age group, the rate of poverty fell from 18.1 per cent to 14.7 per cent and then back to 16.8 per cent over the same period.[5] The disability poverty gap among people narrowed slightly between 2019 and 2022 as larger numbers accessed income supports, but the gap remains large. In 2022, people with disabilities were 1.8 times more likely to be poor than people without disabilities (16.8 per cent vs. 9.3 per cent).[6]

Among those with disabilities aged 15 years and over in 2022 who were living below the poverty line, women outnumbered men (894,000 versus 627,030). The underlying conditions that exacerbate inequality for women are deeply rooted in the failure of governments in Canada to implement women's economic and social rights.[7]

Poverty is also more prevalent for most racialized groups. Of the 11 racialized groups identified in the 2021 census, eight had higher poverty rates than the non-racialized group.[8] Differences in poverty were especially large among first-generation residents, persisting for some groups across generations. For example, in 2020, the poverty rates

Figure 10.1 / Rate of poverty among women aged 15 years and older by two poverty measures

2015-22



Source Statistics Canada. Table 11-10-0135-01 Low income statistics by age, sex and economic family type

among Black and Latin American people in the third generation or more were more than double the rate of white people.[9]

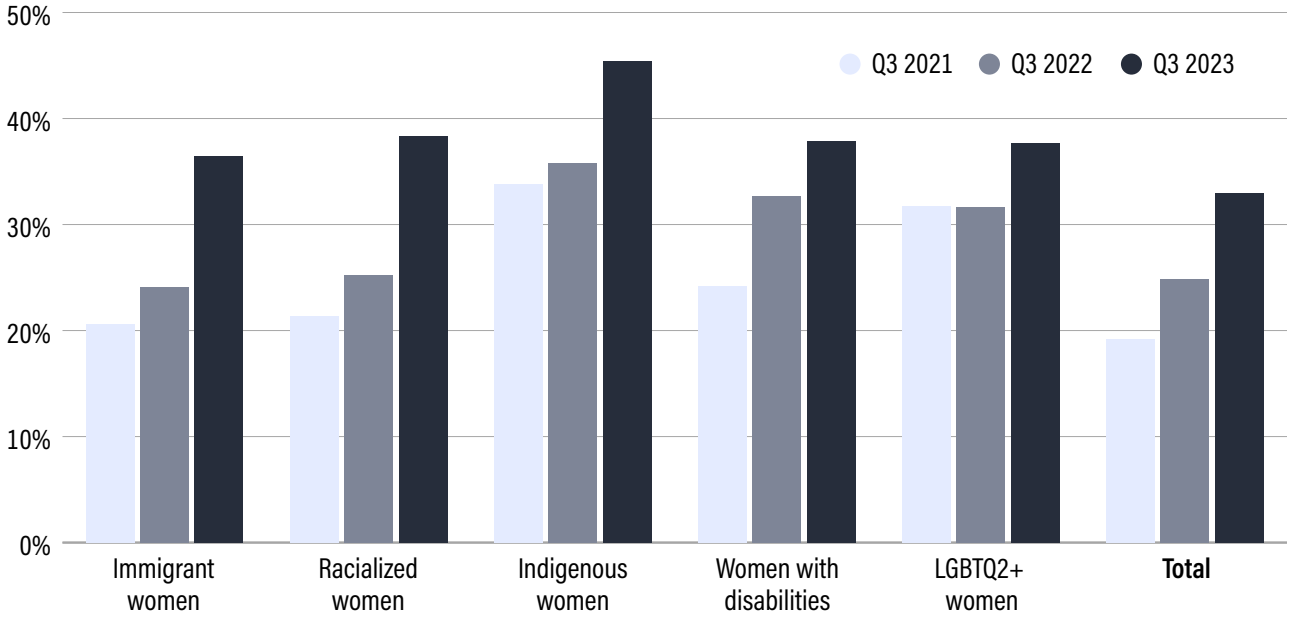
2. Cost of living crisis hitting women and marginalized communities hard

These same groups are now struggling with the skyrocketing cost of living, notably for shelter, food and transportation. In 2022, as the cost of basics surged, close to half (44 per cent) of Canadians reported being "very concerned" about their ability to meet day-to-day expenses—and more than six in ten (63 per cent) of the lowest income households said the same.[10]

Food and shelter inflation were key drivers of the surge in food bank visits in 2022 onward. In 2023, there were an unprecedented 1.9 million visits to food banks in March alone—an increase of 32 per cent compared to March 2022, and over 78 per cent compared to March 2019.[11] In 2022,

Figure 10.2 / Proportion of women (aged 15+ years) reporting that it is difficult or very difficult to meet financial needs

2021-23



Source Statistics Canada. Table 45-10-0087-01 Difficulty meeting financial needs, by gender and other selected sociodemographic characteristics

approximately 8.7 million people, or 22.9 per cent of the population, reported some form of food insecurity. Rates were particularly high among woman-led one-parent families (46 per cent), Indigenous people (36.8 per cent) and Black people (40.4 per cent).[12]

What is particularly troubling is the growing divide between income-based poverty measures and labour market indicators like the unemployment rate and food bank demand. In March 2023, despite an unemployment rate

that was holding at a steady five per cent, food bank usage surged to record highs. With housing costs well over the affordability threshold of 30 per cent of income, many more households cannot manage food inflation—including those who rely on employment as their main source of income. In British Columbia, for instance, one-third of workers don't earn enough to meet a family of four's basic needs like food, clothing, housing and transport. The risk is especially high among women and racialized workers.[13]

Those living on social assistance are in even more desperate straits. Across the country, the benefit rates of general welfare and disability programs provided by provincial and territorial governments fall far below any measure of poverty. For example, in 2022, a single mother with one child living in Toronto received $12,024 in basic social assistance and an additional $11,078 from provincial and federal benefits,[14] for a total income of $23,102.[15] This sum is roughly 59 per cent of Canada's official poverty line. In some cases—particularly for Indigenous women, racialized women and women with disabilities—the gap between social assistance rates and the cost of living is so significant that women are forced into situations where children may be apprehended by child welfare authorities.[16]

As a result of the cost-of-living crisis, the proportion of women reporting great difficulty in meeting their financial needs has increased by more than 30 per cent between 2021 and 2023—and by almost 80 per cent among racialized women. In 2023, more than half of all Indigenous women reported that it was difficult or very difficult to make ends meet.

3. Canada's Poverty Reduction Strategy

After many years of advocacy from civil society, the federal government released its first Poverty Reduction Strategy, *Opportunity for All*, in 2018.[17] The strategy established an official measure of poverty—subsequently enshrined in legislation—and created a National Advisory Council on Poverty to provide advice and report publicly on progress made on reducing poverty each year.[18] Two targets were established: to reduce poverty by 20 per cent by 2020 and 50 per cent by 2030, relative to 2015 levels (14.5 per cent as measured by the Market Basket Measure).

Since the strategy's release, the government has made important investments targeting those in low income in addition to the programs introduced during the acute phase of the pandemic. These include improvements to established programs such the Guaranteed Income Supplement, Old Age Security, Canada Child Benefit and Canada Workers Benefit as well as funding for social housing and homelessness under the National Housing Strategy. A new dental care program for low-income Canadians was introduced and, more recently, the first phase of a universal pharmacare program that promises free access to contraception and diabetes medications and devices. A very modest Canada Disability

Benefit is being created and will be available to a limited number of households starting in July 2025. The Canada Revenue Agency is piloting new automatic tax filing services to assist vulnerable communities in accessing critical income supports.

These investments have strengthened the social safety net and assisted hundreds of thousands of women trapped in poverty. Despite these efforts, however, the latest data presented here show troubling signs that progress towards ending poverty is rapidly reversing. Accelerated efforts and enhanced accountability mechanisms are urgently required for Canada to meet its human rights obligations to end poverty, including more ambitious targets for poverty reduction—explicitly targeting historically and systemically marginalized communities who experience disproportionately higher rates of poverty and its damaging lifelong consequences.[19]

Much more remains to be done to address the structures that undermine women's economic security and to strengthen public programs to lift people up and out of poverty. Structural change is needed in the gendered and racialized division of care work, women's segregation in lower-paid sectors of the economy, and barriers to employment that confront women who are Indigenous, racialized, newcomers or disabled.

Recommendations on women and poverty

- Ensure the Canadian Poverty Reduction Strategy and related subnational strategies are: 1) based in human rights; 2) adequately resourced; 3) designed to tackle the unique barriers that confront women facing intersecting sources of discrimination; and 4) embed accountability mechanisms for realizing social and economic rights within legislation.
- Take the following immediate steps to address economic and social disparities among low-income women and marginalized groups:
  - Implement the recommendations of the UN Special Rapporteur on the right to food, with special attention to the severe rates of food insecurity in northern Canada for women and girls.
  - Expand access to the Canada Child Benefit by repealing legislation which arbitrarily ties eligibility to immigration status, reduce red

tape to increase access for kinship, customary and informal care arrangements, and implement a targeted low-income supplement.

  - Invest significantly more into the Canada Social Transfer, a block transfer from the federal government to provinces and territories, and require sub-jurisdictions to develop minimum standards for social and income programs funded through this transfer.

  - Create a parallel community-based benefit eligibility and delivery system for low-income, marginalized non-taxfilers. The federal government must look to international jurisdictions for best practices on financial inclusion, while building on informal practices developed by community organizations locally.

- Enhance the proposed Canada Disability Benefit by increasing the benefit level and expanding the eligibility criteria beyond its current focus on Disability Tax Credit certificate holders to ensure that the benefit effectively reaches those in need.[20]

- Ensure through legislation that provincial and territorial governments do not claw the benefit back from those on social assistance programs.

- Mandate a data-collection strategy that collects data disaggregated by First Nation, Inuit and Métis identity, ability, race, gender, migrant status and 2SLGBTQI+ identity, among other socio-demographic identities.

- Develop enhanced rights-based engagement processes to learn from diverse women and communities directly affected by poverty about what is working and what needs to change.

- Ensure both qualitative and quantitative data are used to inform decision-making. Detailed information and analysis are critical for poverty reduction planning, monitoring, evaluation and budgeting.

- Invest in gender-based, community-led responses to poverty that reflect the diverse reality of women's lives and prioritize core funding to women's organizations to design, implement and analyze community-led, culturally grounded responses to poverty.

- Address growing income inequality and generate revenue for poverty reduction programming by eliminating or reducing highly regressive and expensive tax loopholes, closing tax havens, taxing extreme

wealth, and implementing an excess profit tax focused on corporate windfalls.

Notes

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5 Statistics Canada, Table 11-10-0090-01: Poverty and low-income statistics by disability status.

6 In 2022, 17.7 per cent of women with disabilities aged 15+ years lived in poor households compared to 10.0 per cent of women who did not have a disability.

7 Canada's lack of implementation of economic and social rights of women has been a central pillar of recent UN reviews of Canada. This includes reviews under the Universal Periodic Review; the Convention of the Elimination of Discrimination against Women (CEDAW); the Convention on the Rights of Persons with Disabilities (CRPD); the Convention on the Elimination of Racial Discrimination (CERD); as well as the Convention on Economic, Social, and Cultural Rights (CESCR).

8 Detailed population estimates by ethno-racial group are available on the 2021 census as well. See: Statistics Canada, Table 98-10-0332-01: Visible minority by individual low-income status and generation status. Information on racialized communities is now available on the Canadian Income Survey.

9 Christoph Schimmele, Feng Hou and Max Stick, 2023, Poverty among racialized groups across generations, Statistics Canada, Economic and Social Reports.

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11 Food Banks Canada, 2023, Hunger Count 2023.

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15 Jennefer Laidley and Mohy Tabbara, 2023, Welfare in Canada, 2022, Maytree Foundation.

16 In these cases, symptoms of poverty are regarded as neglect while the state's negligence in addressing systemic poverty remains unaddressed.

17 Employment and Skills Development Canada, 2018, Opportunity for All—Canada's First Poverty Reduction Strategy.

18 See: National Advisory Council on Poverty, 2023, Blueprint for Transformation: the 2023 Report of the National Advisory Council on Poverty.

19 The legislated poverty-reduction targets align with the minimum commitments to the United Nations Sustainable Development Goals, but they remain unambitious for a nation as wealthy as Canada. The first target was met in 2018 and the second target was met in 2020, a full decade ahead of schedule, although the poverty rate has risen once again.

20 See Canadian Centre for Policy Alternatives, 2024, Income security and poverty, A*lternative Federal Budget 2025.*

11. Gender-based violence

The Beijing Declaration and Platform for Action recognizes that violence against women violates and impairs women's human rights and fundamental freedoms all across the globe, calling for government action to ensure violence-free lives for everyone.[1] In 2022, the Canadian federal government committed to a 10-year National Action Plan to End Gender-Based Violence, working alongside provinces and territories through bilateral agreements to address gender-based violence (GBV).[2] Despite it being a commendable step, and fulfilling United Nations and Convention on the Elimination of all Forms of Discrimination Against Women recommendations, there are lingering concerns across the GBV sector regarding transparency and accountability in the implementation of the national action plan.

1. Current trends

The COVID-19 pandemic and its effects were deeply felt in the gender-based violence sector, as lockdowns and restrictions forced women into unprecedented levels of isolation and financial distress.[3] This period gave rise to heightened rates and severity of violence, sometimes labelled the "shadow pandemic."[4] Among GBV workers surveyed, 82 per cent noted an increase in the prevalence and severity of GBV, while 34 per cent noted a decrease in the mental health and well-being of survivors.[5] As

just one example, from 2019 to 2022 the murder of women and girls involving an accused man increased by 27 per cent.[6] Indeed, shelters and crisis lines saw a significant increase in calls for help over the period of lockdowns.[7]

Despite these increases, the GBV sector has been chronically underfunded. For years, shelters have struggled with staff retention because they are unable to offer competitive salaries and working conditions.[8] Shelters often operate at capacity, which means that they are unable to house more women: in a single day in 2021, 487 women and children were turned away from shelters,[9] a number which will continue to grow with the effects of the housing crisis.[10]

In 2022, there were 117,347 victims of police-reported intimate partner violence (IPV),[11] an increase of 22 per cent compared to the 2017 figures reported in Canada's Beijing +25 report. Women represented 78 per cent of victims of police-reported IPV in 2022, numbering 91,812 women. Intimate partner violence affects all demographics with young women (12 to 24 years old) reporting the highest rate of IPV (776 victims per 100,000 population), followed closely by women aged 25 to 64 years (661 victims per 100,000 population). There has also been a significant rise in rates of family violence against seniors between 2014 and 2022.[12]

Moreover, sexual assault continues to be one of the most underreported crimes in Canada, with only six per cent of cases reported in 2019.[13] In the years after #MeToo, the demand for sexual violence (SV) services has continued to increase: there was a 47 per cent increase in police-reported sexual assault between 2017 and 2022.[14] Yet, chronic underfunding has led to long waitlists for sexual assault centres.[15] The first national survey of SV organizations found that 80 per cent of SV organizations had waitlists, and of those 27 per cent had waitlists of over six months for counselling.[16]

The prevalence of sexual violence within institutional settings came to light through multiple scandals involving high-ranking officials in the Canadian Armed Forces.[17] Sexual abuse within national sports teams also made headlines, leading to new standards and a commission to investigate abuse in sports[18].

An intersectional analysis of violence rates reveals that groups such as Indigenous women, women with disabilities, racialized women, immigrant women, and members of the 2SLGBTQI+ community are at higher risk of experiencing violence.[19] Indigenous women are killed at 6.5 times the rate of non-Indigenous women,[20] and women with disabilities are three times more likely to experience violent victimization than women without disabilities.[21] Immigrant women may be particularly vulnerable due to

possible economic dependence on a partner, language barriers or fears of deportation.[22] Among women belonging to a sexual minority, 49 per cent have reported being assaulted by an intimate partner, almost double what was reported by heterosexual women, and three in five transgender women have reported experiencing IPV.[23]

The heightened risk of violence among marginalized women and girls is compounded by the additional barriers they face when reporting violence and attempting to navigate the justice system and access needed supports.

Given the evident gravity of the issue and the alarming increase in violence rates, the federal government has officially declared GBV as an epidemic, but many provincial governments have yet to follow.[24] Multiple municipalities have joined forces in calling GBV an epidemic to put pressure on their provincial governments, namely in Ontario, where 95 municipalities made this declaration.[25]

2. Key milestones since 2019

National Action Plan to End Gender-Based Violence

In 2022, the Federal government released the National Action Plan to End Gender-Based Violence. So far, the implementation has consisted of bilateral funding agreements with all the provinces/territories. However, there has been a lack of meaningful engagement with advocates regarding the plan's implementation on the ground and a lack of mechanisms to keep participating governments accountable. Notably, the action plan is being implemented in a way that is replicating jurisdictional gaps and, in some cases, funding is not reaching core survivor-serving organizations like sexual assault centres.

Inquiry into Missing and Murdered Indigenous Women and Girls

The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls was released in 2019. It sets out 231 calls for justice directed at governments, institutions, social service providers, industries and all Canadians. The Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People National Action Plan was released in 2021 as a response to the inquiry, with the goal of achieving transformative changes and supporting survivors.[26] The federal government and Indigenous organizations do not agree on the

progress that has been made so far on the calls for justice. At the five-year anniversary of the release of the final report, the Assembly of First Nations said only two calls had been completely implemented, while the federal government said it had advanced 160 of them.[27]

For Indigenous women's organizations, Canada's inaction in response to the ongoing MMIWG crisis is a form of systemic and structural violence against Indigenous women. "Family members who have lost loved ones and Indigenous advocates expressed very clearly… that they believe there has been little action compounded by a lack of accountability. They have shared that striking committees does not constitute action. Continuous consultation does not constitute action. Words filled with good intentions do not constitute action." [28]

Mass Casualty Commission

The Mass Casualty Commission (MCC) was created to examine Nova Scotia's mass casualty event in April 2020 where 22 people were murdered, which started with an act of intimate partner violence.[29] In its final report, the MCC provided recommendations to help keep communities safer, including de-centring carceral responses to GBV and funding the GBV sector to respond to epidemic levels of violence.[30] In its analysis, the Commission established the link between the perpetration of gender-based violence, intimate partner violence, sexual violence and mass violence.[31]

Canadian Femicide Observatory for Justice and Accountability

The Canadian Femicide Observatory for Justice and Accountability (CFOJA) released its fourth report, gathering data from 2018 to 2022 to better understand GBV homicides in Canada.[32] The report found that:

- One woman or girl was killed every 48 hours over the five-year period from 2018 to 2022.
- There were 786 cases that resulted in the murder of 850 women and girls between 2018 and 2022, with the highest number (184) in 2022.
- Among the identified accused, 83 per cent were men; 57 per cent of them were current/former intimate partners of the victims, while 22 per cent were family members.
- Indigenous women and girls represented at least 20 per cent of all victims, despite representing only five per cent of the Canadian population.[33]

3. Legislation targeting gender-based violence since 2019

In 2021, the *Divorce Act* was amended to include a definition of family violence as well as containing clear criteria for the "best interests of the child" test, which is used to determine parenting arrangements post-separation. Family violence is now one of the criteria in assessing the best interests of the child.[34] Additionally, Bill C-3, requiring continuing education on sexual assault for judges, received royal assent in 2021.[35]

In 2023, Bill S-12 received royal assent after tireless advocacy from sexual assault survivors.[36] This bill amends multiple codes and acts to allow survivors of sexual assault to have a say on publication bans on their identity. Publication bans allow survivors to protect their identity and privacy in a way that increases safety, minimizes victim-blaming, and encourages others to come forward.[37] Although this can be positive, many survivors do not want their identities to be hidden. This bill gives those survivors agency over bans on their identities.[38]

Two other bills received royal assent in 2023: Bill C-233 (Keira's Law)[39] and Bill C-21 on gun control.[40] Bill C-233 includes training for judges on IPV and coercive control, giving them the ability to issue electronic monitoring as a release condition for perpetrators.[41] Bill C-21 includes multiple legislative measures to combat gun violence, including the obligation to revoke the licence of gun owners that are suspected of engaging in domestic violence or stalking, an expanded definition of "domestic violence" and "protection order," and an automatic prohibition to own guns for those subject to a protection or restraining order.[42]

In February 2024, Bill C-63 was introduced to create a new *Online Harms Act*.[43] If passed, it aims to better protect Canadians from seven types of harmful behaviour by holding social media companies accountable for addressing harmful content and creating safe online spaces.[44] Other ongoing bills include Bill C-332 on coercive control, and S-249 on the development of a national IPV strategy.

The International Labour Organization's Violence and Harassment Convention (C-190) was ratified in January 2023 thanks to the efforts of the labour movement.[45] It has now come into force and the federal government is taking steps to implement its workplace violence and harassment framework under the *Canada Labour Code* and *Work Place Harassment and Violence Prevention Regulations*. The 2024 federal budget renewed funding for legal advisory and education services for victims of workplace sexual harassment.

Recommendations on gender-based violence

- Appoint a gender-based violence commissioner to oversee and bring accountability and transparency to the National Action Plan to End Gender-Based Violence.
- Fulfil the Mass Casualty Commission's recommendation V.17 for a National Accountability Framework, that the federal government establish by statute an independent and impartial gender-based violence commissioner with adequate, stable funding, and effective powers, including the responsibility to make an annual report to Parliament.
    - The Commissioner should have the powers typical of an ombuds institution, like the Office of the Federal Ombudsman for Victims of Crime.
- Stabilize the gender-based violence sector and address fundamental funding gaps in the National Action Plan to End Gender-Based Violence and the Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People National Action Plan by adequately funding core community-based, feminist, survivor-serving organizations such as sexual assault centres and shelters. The following are needed to stabilize the GBV sector:
    - Flexible, operational funding, with a commitment to maintain funding on an ongoing basis
    - A funding model that extends beyond project-based funding and covers operational costs while allowing for flexibility
    - Funding that reflects cost-of-living increases/inflation
    - Addressing significant service gaps in rural, remote, Indigenous and northern communities, including the territories
    - Recognition of the expertise of longstanding community-based, feminist, survivor-serving, culturally grounded, grassroots organizations
- Develop a national strategy for the GBV workforce that addresses the following:
    - Precarious working conditions and job security that result from short-term, project-based funding

- The lack of access to pensions, benefits and supports for workers
- Inconsistencies in salaries and compensation, ensuring that all GBV workers have a living wage and access to decent work
- The ongoing sectoral challenges with staff recruitment and retention
- The devaluing of care work, its highly gendered nature and the overrepresentation of Black, Indigenous, and racialized women in precarious working conditions
- Occupational health and safety concerns in GBV work, in particular psychological health and safety impacts that result from ongoing trauma exposure, such as compassion fatigue and vicarious trauma

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12. Gender equality, health and reproductive rights

Women's health was significantly impacted during the COVID-19 pandemic. This was reflected in their heightened risk of community and workplace exposure and infection, the disproportionate burden of care that women shouldered, as well as reduced, less timely access to critical health and social services. These challenges were most acute for Indigenous and racialized women, those with disabilities, and women subsisting on poverty-level incomes—groups who tend to already be burdened by poorer health.

In Canada, women were more likely to contract COVID-19, but men had higher age-adjusted rates of severe illness and death. That said, as of July 2021, women accounted for 46 per cent of hospitalizations and 50 per cent of deaths due to COVID-19, which was directly related to the devastating spread of COVID-19 among largely women residents in long-term care facilities through the first waves of the pandemic.[1] Within the broader population, COVID-19 related mortality rates were especially high in low-income communities and in neighbourhoods with large concentrations of racialized residents and new immigrants.[2]

The long-term damage of the pandemic on women's health and well-being is not yet clear. Average life expectancies have still not fully recovered and there remain significant concerns about the rise in

chronic illness (including long COVID-19[3]) and mental health challenges, especially among young women.[4]

Several surveys captured the decline in women's mental health, starting in 2020—notably the increase in symptoms that are consistent with general anxiety disorder. Women were more likely than men to express "extreme" concern about pandemic impacts on health, financial security and community solidarity. And gender-diverse respondents have been more likely than both women and men to report poorer mental health outcomes during the pandemic.[5]

Overall, women accounted for almost two-thirds (62.5 per cent) of the increase in those reporting poorer mental health between 2019 and 2021, notably among teens and young adults. The proportion of girls aged 12 to 17 years reporting good mental health fell by 14.5 percentage points, more than twice the rate of teenaged boys, while good mental health among women aged 18 to 29 years fell by 10.4 percentage points.[6]

The combination of worsening mental health issues and documented stresses on the health care system contributed to a predictable rise in the incidence of unmet heath care needs. During the pandemic, almost half (49 per cent) reported some difficulty accessing needed care—52 per cent of women and 46 per cent of men. People with disabilities and those with chronic health conditions were particularly vulnerable. Roughly three in 10 people with disabilities (28 per cent) reported that they were not able to access all the services that they needed between 2020 and 2021.[7]

Women and gender-diverse people faced unique challenges accessing sexual and reproductive care, including long wait times, lack of lab facilities available for testing, issues related to quarantine rules or office closures, restrictions on support persons presence during labour and delivery,[8] difficulties getting referrals, travel-related barriers, and out-of-pocket costs.[9] The shift to virtual care and expanded access to medical abortion were two notable positive highlights. The hope moving forward is to create a sustainable hybrid model that blends telemedicine and in-person options.[10]

In total, the proportion of the population over age 16 reporting unmet health care needs rose by 1.8 percentage points between 2019 and 2021, reaching 7.9 per cent—over 2.2 million people. Of this group, 62.5 per cent were women. Even before the pandemic, women had higher rates of unmet needs compared to men, especially in Atlantic Canada.

1. Access to care

These indicators provide only a partial snapshot of the impact of the pandemic on women's health. We know that profound health disparities persist. From research and treatment options to health policies and programs, gender differences have not been adequately considered and they continually produce and reproduce real harm.[11]

These gaps are especially important for women and gender-diverse people from marginalized communities who experience overlapping sources of discrimination. Systemic racism, ableism and sexism keep marginalized people from receiving equitable and safe care, as the experience of the pandemic has illustrated once again.[12] Disparities in health care access are likewise very large between those living in rural, remote and northern communities and those living in large urban centres.[13] Action Canada's Access Line phone and text service, for example, supported over 4,000 callers from 2022 to 2023, the majority of whom faced major barriers to accessing abortion services, including many from smaller areas.[14] Callers were disproportionately people of low socio-economic status, youth, racialized, facing intimate partner violence, coping with substance use disorders, homeless, or with precarious immigration status.[15]

With regard to sexually transmitted and blood borne infections (STBBI), of particular concern is the sharp rise in infectious syphilis and congenital syphilis rates, which increased between 2018 and 2022—by 109 per cent and 599 per cent, respectively. These increased rates are attributable to higher rates of infection among women and girls. Research reveals that social and structural determinants of health and health inequities including housing instability, experiences of violence, lack of access to culturally appropriate care, and experiences of stigma, discrimination and racism play a crucial role in the inequitable occurrence of syphilis across different populations.[16]

Accessing health care is particularly difficult for women and girls with disabilities. A lack of disability-specific knowledge and educational resources, accessible equipment in health care settings, practitioners' unwillingness to provide care, and systemic barriers within the health system like time limits for appointments all work to fundamentally undermine women's health and well-being.[17] Barriers confront those seeking gender-affirming care as well. Trans and erse people often must self-manage their own care and educate their providers in health care situations. In many instances there are no supports in the public system forcing people to pay for services and medications out of pocket. The

participants of one recent study described their interactions with the health care system as a "fight for validation of their very existence."[18]

Sex workers face multiple and intersecting forms of discrimination, leading to disproportionately high rates of violence, intimidation, harassment and abuse, and reduced access to prevention, care and support.[19] The stigma associated with sex work and the discrimination that different sex workers experience in the health, criminal and social service systems, as well as in the wider society, undermine their fundamental rights to health and personal safety.

In practical terms, the criminalization of the purchase of sexual services increases sex workers' isolation and marginalization while concurrently limiting access to police protection and support services.[20] As importantly, the lack of knowledge about the ways in which racialized status, socio-economic class, immigration status, presence of disability, and sex and gender identity interact turns sex workers away from needed support, compounding their disadvantage and the likelihood of negative outcomes and harm. [21]

2. Policies and programs

Arguably, the biggest gender equality achievement in the past five years was the introduction of legislation in February 2024 setting out the framework for a national pharmacare plan and a commitment to provide free coverage of diabetes medication and contraception through a single-payer system in its first phase of development.[22]

Canada is the only country in the world with universal health care and no national pharmacare strategy. Instead, it relies on a patchwork of more than 100 government-run drug insurance programs and more than 100,000 private drug insurance plans, a system that is "fragmented, uneven, unequal and unfair."[23] Many people fall through the cracks, resulting in profound and discriminatory impacts on health outcomes. Women are frequent users of health care services, experience higher rates of chronic disease and—like people belonging to the 2SLGBTQI+ community and other marginalized groups—are more likely to be employed in the kinds of part-time and precarious work that do not provide health or drug benefits. This makes universal, comprehensive pharmacare a matter of fundamental equity.[24]

Access to contraception is also essential to upholding people's right to health, achieving gender equality and women's empowerment, realizing

public health goals and reducing health care costs.[25] When women and adolescents are empowered to choose if, when and how many children to have, they are better positioned to continue their education and access employment opportunities, which has positive impacts on income, mental and physical health, family relationships and children's well-being.[26] With this announcement, the federal government has moved to fill a critical gap in our public health care system. The goal now is to quickly pass Bill C-64 and implement a truly universal and inclusive system.

Another positive step has been the establishment of the federal Sexual and Reproductive Health Fund, which aims to strengthen the health care system and related supports for underserved communities across Canada. It was established in 2021 with an initial investment of $45 million over three years, and subsequently renewed until 2026–27 with another investment of $36 million in the 2023 budget. Additionally, Statistics Canada is in the final phase of rolling out Canada's first national sexual and reproductive health survey, which will fill a huge gap in our knowledge of sexual and reproductive health, notably on access to resources, services, supports and challenges faced. These are very welcome developments. There is an urgent need to make this funding permanent to safeguard the essential programs sustained through these investments.

Key gaps remain, however, in access to needed health care and support services. Considering the surge in numbers of women reporting high levels of anxiety, stress and depression, significant and co-ordinated investments in mental health services must be a top priority. The existing patchwork of services is not a system at all. Massive gaps in the public system result in lengthy wait lists, heightened distress and deterioration among those seeking help. Often the only places to turn are private clinics, where cost is prohibitive, ensuring access to only the privileged few.

Long-term federal leadership and funding are urgently needed to expand integrated community-based and acute care services that are tailored to diverse community needs across the country. In 2023, the federal government announced a package of increased and new federal transfers to the provinces and territories for health care, totalling $46.2 billion in new funding over ten years. This included $26.7 billion to support improved access to primary care, support for health care workers and clearing up surgical and diagnostic backlogs, substance use and mental health care, and better data and health care systems. Provinces and territories are to submit action plans for their share of the funding and have agreed to report on common progress indicators.

Additional funding for Canada's public health care system is crucial, but it has been difficult to ascertain in analyzing past health care agreements whether improvements are actually being made. Funds transferred via the Canada Health Transfer (CHT) are conditional upon the criteria and conditions set out in the *Canada Health Act,* but the act falls short in describing where the money should be spent. Indeed, there is nothing prohibiting the provinces and territories from spending CHT funds outside of health care. Given the scale of the crisis, the time has come for a dedicated Canada Mental Health Transfer to ensure expansion of community mental health and substance use health care services.[27]

Canada also needs a robust *Safe Long-Term Care Act* that sets out enforceable standards of care and conditions for ongoing federal funding. The passionate pledges by federal and provincial governments to turn the tragic lessons of the COVID-19 pandemic into fuel for better systems of care have thus far failed to deliver anything resembling systemic change.

Likewise, the federal government must work to protect the rights of trans and gender-diverse people and to improve access to appropriate, non-stigmatizing, high-quality, gender-affirming health care.[28] Access to this care is under attack in Canada as several provinces consider banning gender-affirming care for youth.[29] Existing restrictions to essential medications and procedures, overt discrimination in the health care system, and a general lack of knowledge about the care needs of trans and gender-diverse people are undermining people's health and well-being. A comprehensive approach is needed to combat the attacks on the 2LGBTQI+ community and to protect sexual and reproductive rights in Canada.

Recommendations on women and health

- Increase access to primary care, particularly for women and gender-diverse people facing the largest health disparities (i.e., Indigenous and racialized women, women with disabilities, and those living in rural, remote and northern communities).
- Introduce and pass the *Safe Long-Term Care Act* by 2025, establishing national standards of care (e.g., that patients receive at least four hours of direct care daily).

- Improve mental health services and access to comprehensive, gender-responsive substance use supports in all areas of Canada, targeting resources for those in greatest need.
- Implement a national pharmacare strategy that is universal, single-payer, portable, accessible and comprehensive.
- Ensure that health care dollars are not spent on private, for-profit clinics, which put Canadians at risk of user fees and extra billing and waste public dollars on excessive profit-taking.
- Withhold funding transfers from provinces and territories failing to ensure the availability and accessibility of abortion services.
- Establish benchmarks for the equitable provision of comprehensive sexual and reproductive health care across the country and invest in robust and long-term sexual and reproductive health data collection.
- Publish accurate health information on the Health Canada website about reproductive health; actively dispel false health information proliferated by anti-choice organizations; and disclose where information is provided by for-profit, industry organizations.
- Implement a universal, gender-affirming care strategy that is supportive of trans, Two-Spirit, non-binary and gender-diverse communities across Canada and ensure this strategy is supportive of gender-affirming medical care across the country.

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13. Gender equality and 2SLGBTQI+ rights

Since 2019, the federal government has taken many positive steps to lessen discrimination and violence experienced by the 2SLGBTQI+ community.

On December 8, 2021, the government passed Bill C-4, *An Act to amend the Criminal Code (conversion therapy)*. The bill proclaims that "it is important to discourage and denounce the provision of conversion therapy in order to protect the human dignity and equality of all Canadians."[1] Bill C-4 criminalizes the acts of providing, advertising, and profiting from conversion therapy practices.

While the objective of Bill C-4 is laudable, some scholars have argued that criminalizing conversion therapy has merely pushed providers underground, with practitioners using intentionally vague language to describe their services in order to avoid prosecution.[2] No charges have been laid yet under these amendments to the *Criminal Code* (R.S.C., 1985, c. C-46).[3] More time is needed to assess the true efficacy of Bill C-4.

On August 28, 2022, the federal government launched the first *Federal 2SLGBTQI+ Action Plan*, which identified the following six priority areas for action:[4]

1. Prioritizing and sustaining 2SLGBTQI+ community action

2. Continuing to advance and strengthen 2SLGBTQI+ rights at home and abroad

3. Supporting Indigenous 2SLGBTQI+ resilience and resurgence

4. Engaging everyone in Canada in fostering a 2SLGBTQI+-inclusive future

5. Strengthening 2SLGBTQI+ data and evidence-based policy making

6. Embedding 2SLGBTQI+ issues into the work of the Government of Canada

With the announcement of the action plan, the government also committed $100 million over five years in the 2022 budget.[5] But implementation has been slow to get off the ground. For example, the action plan committed the government to host public consultations on the "criminalization of purely cosmetic surgeries on intersex children's genitalia [...]."[6] None of these sessions have taken place so far.

In December 2023, the Report of the Employment Equity Act Review Task Force was published, providing guidance on "how to modernize and strengthen the federal *Employment Equity Act* framework."[7] Having found that the 2SLGBTQI+ community experiences heightened employment discrimination, the report recommended "2SLGBTQI+ workers should comprise a new employment equity group under the *Employment Equity Act* framework."[8] The government has accepted this recommendation but has not yet introduced the necessary amendments to the legislation.[9]

The Supreme Court of Canada [SCC] took judicial notice of the discrimination experienced by gender-diverse people in *Hansman v. Neufeld*, 2023 SCC 14. Writing for the majority, Justice Karakatsanis noted: "The transgender community is undeniably a marginalized group in Canadian society. The history of transgender individuals in our country has been marked by discrimination and disadvantage."[10] In taking judicial notice of transphobia in Canadian society, the Supreme Court acknowledged that the trans community is entitled to the full protection of the law as a marginalized group.

The landscape for 2SLGBTQI+ rights is not consistent across Canada. There remain stark differences in rhetoric and policy between the federal and provincial governments. On July 1 and August 23, 2023, the government of New Brunswick revised Policy 713, which outlined the minimum requirements needed for schools to create a safe environment for 2SLGBTQI+ youth. The revised policy states that "Formal use of

preferred first name for transgender or non-binary students under the age of 16 will require parental consent."[11]

The Government of Saskatchewan followed suit, announcing the *Use of Preferred First Name and Pronouns by Students* policy on August 22, 2023. This policy was successfully challenged before the Court of King's Bench for Saskatchewan, with Justice Megaw granting an interlocutory injunction on September 28, 2023, that blocked the implementation and enforcement of the policy.[12]

The Government of Saskatchewan responded by enacting the policy through legislation, passing Bill No. 137, *An Act to amend The Education Act, 1995 respecting parental rights*. S. 197.4(1), which mandates, "If a pupil who is under 16 years of age requests that the pupil's new gender-related preferred name or gender identity be used at school, the pupil's teachers and other employees of the school shall not use the new gender-related preferred name or gender identity unless consent is first obtained from the pupil's parent or guardian."[13] Bill No. 137 also allows parents to withdraw their child from the presentation of sexual education. Significantly, this bill was passed using s. 33 of the *Constitution Act, 1982*, which allows a government to declare that legislation will operate outside of explicitly stated sections of the *Canadian Charter of Rights and Freedoms*. The section on "Consent for change to gender identity" was "declared to operate notwithstanding sections 2, 7 and 15 of the *Canadian Charter of Rights and Freedoms*."[14] As such, the "Consent for change to gender identity" provisions cannot be struck down by a court on the basis of having violated fundamental freedoms (s. 2); life, liberty and security of the person (s. 7); or equality rights (s. 15).

On January 31, 2024, Premier of Alberta Danielle Smith announced a broad package of proposed policies governing trans youth in the province in a video posted to X.[15] The proposed policy is far-reaching, including limitations on access to gender-affirming health care for youth, the ability for trans people to participate in gendered sports, curriculum, and the usage of names and pronouns in school. It is anticipated that this policy will be formally introduced when the Legislative Assembly of Alberta reconvenes in fall 2024.

The most distressing trend in Canada is the increasing politicization of gender diversity alongside the use of the notwithstanding clause to pass controversial legislation that aims to restrict the rights and freedoms of the 2SLGBTQI+ community. The invocation of this clause limits the types of remedies available to those whose rights and freedoms have been violated, as it restrains courts from providing judicial relief and defers consequences to the election cycle. Though the notwithstanding clause

is a part of Canada's constitutional fabric, it is currently being wielded in a way that threatens the rights of marginalized communities and undermines the checks and balances that maintain a healthy democracy. As such, advocates should call upon the federal and provincial governments to pledge their commitment to refrain from using the notwithstanding clause to pass legislation that targets equity-deserving populations.

Ultimately, much has changed in Canada regarding the rights of the 2SLGBTQI+ community since 2019, with both positive advancements and worrying regressions. Concerted and sustained action is needed to realize the promise of the *Federal 2SLGBTQI+ Action Plan* and to protect and advance the rights to the 2SLGBTQI+ community.

Recommendations on gender equality and 2SLGBTQI+ rights

- Launch the promised public law consultations on the criminalization of purely cosmetic surgery on intersex children as well as limit prosecutions related to HIV disclosure and indecency offences.
- Implement the recommendations outlined in the *Report of the Employment Equity Act Review Task Force* to make federal workspaces safer for all employees. These recommendations should be implemented concurrently with those identified in the *Emerging from the Purge* report published in 2021.[16]
- Monitor and report on cases of conversion therapy prosecuted under Bill C-4 to identify the gaps in protection.
- Allocate specific national funding resources to address the disproportionate experiences of both gender-based violence and intimate partner violence across the 2SLGBTQI+ community, understanding the unique contexts of 2SLGBTQI+ peoples' experiences of violence as they are shaped in relation to heteronormativity, cisnormativity and sexism.
- Work with Canadian civil society organizations, including equality-seeking women's groups, to thoroughly review the strategic plans and new funding commitments in support of global 2SLGBTQI+ rights to ensure that proposed projects align with the government's stated values, national legislation and priorities.

- Prioritize funding engagements that support community-based organizations, understanding the value of the knowledge and contexts that local actors bring to 2SLGBTQI+ advocacy. Emphasize providing evaluation, research and monitoring support to ensure that indicators are relevant and meaningful to impacted communities.

Notes

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14. Criminalized and imprisoned women

Nearly thirty years have passed since the Beijing Declaration and Platform for Action called for the elimination of discrimination against women. Yet, the Canadian justice system continues to criminalize the circumstances faced by its most vulnerable and marginalized populations. Women, especially Indigenous and Black women, and gender-diverse people are systematically trapped by pervasive social inequities like poverty, homelessness and mental illness, which are not just ignored but often actively criminalized. Canada is using criminalization and incarceration as a catch-all, band-aid response to social problems. This response only worsens these problems.

Women and gender-diverse people are subjected to intersectional social inequities that make them vulnerable to both victimization and criminalization. Most incarcerated women and gender-diverse people in Canada are convicted of crimes driven by economic survival. Leading convictions for individuals in federal prisons designated for women include theft over $5,000 (23.9 per cent), theft under $5,000 (37.2 per cent), fraud (32.7 per cent) and trafficking stolen goods (21.1 per cent).[1]

The gender pay gap in Canada, with women earning on average less per hour than men, and gendered poverty reduce women's economic independence and increase their chances of victimization and

criminalization.[2] Women are also more likely to have to reduce their paid work hours to fulfil unpaid caregiving responsibilities.[3]

Indigenous, Black, racialized, trans, non-binary and Two-Spirit people face additional systemic barriers to economic stability, such as racist, transphobic and homophobic attitudes that hinder their inclusion in the workforce and their access to necessary social or health services. The 2021 census revealed the persistent poverty gap that marginalized women faced even in 2020, a year when pandemic benefits cut pre-pandemic poverty rates in half. In 2020, Indigenous women were almost twice as likely to be poor as non-Indigenous women (19.5 percent versus 11.2 per cent).[4] Rates of poverty were also very high among Arab women (22 per cent), Chinese women (17.6 per cent) and Black women (15.6 per cent).[5] More than a quarter of all women-led lone-parent families were living in poverty.[6]

Women and gender-diverse individuals convicted of violent crimes are often survivors of gender-based oppression and violence themselves. While it is true that gender-based violence spans all racial, religious, cultural and socioeconomic backgrounds, it is also clear that certain groups are particularly vulnerable. In Canada, Indigenous women and girls, 2SLGBTQI+ individuals, women with disabilities, and women in rural and remote regions are at greater risk of experiencing gender-based violence.[7] First Nations, Métis and Inuit women are nearly seven times more likely to be homicide victims than non-Indigenous women,[8] and 60 per cent of women with intellectual and/or physical disabilities have experienced violence.[9] This dual victimization and criminalization demonstrates a state tendency to both overpolice and underprotect marginalized groups.

This pattern of being overpoliced and underprotected is especially pronounced for Indigenous people in Canada. Historical Canadian government legislation and policies like the *Indian Act*, residential schools and the Sixties Scoop have directly led to the disenfranchisement of Indigenous peoples and their overincarceration. Compared to non-Indigenous populations, Indigenous people are more likely to experience poverty, homelessness, abuse, and incarceration. Once incarcerated, they face systemic discrimination, including higher classifications, disproportionate solitary confinement and longer sentences before parole eligibility.[10] This is especially true for Indigenous women, who often serve longer sentences than their non-Indigenous counterparts at longer distances from their families and communities.[11] While Indigenous women make up only 4.5 per cent of women aged 15 years and older, they are

now incarcerated at such high rates that they make up over 50 per cent of incarcerated people in prisons designated for women.[12]

Women and gender-diverse people have lower recidivism rates and pose less of a risk to community safety. Incarcerating them, particularly mothers who are sole supporters of their children, carries high financial and social costs.[13] Incarceration fractures family and community and prevents individuals from meaningful economic productivity and participation.

Once incarcerated, federally sentenced women, especially racialized and Indigenous women, face discriminatory treatment and more restrictive conditions of confinement. Instances of sexual violence and coercion towards Indigenous women, 2SLGBTQI+ individuals and gender-diverse people remain high in prisons designated for women.[14] Women and gender-diverse individuals disproportionately account for self-harm incidents in prisons, with a history of self-harm being prevalent among them.

The carceral system's response to the mental health and self-harm issues of women and gender-diverse individuals is often security-driven and punitive, lacking a nuanced analysis of gender, race, disability and class needs. The system frequently applies the same practices along a binary of "men and women," further ignoring these nuances and causing harm.

Prison environments prioritize security over the self-development and improvement of incarcerated people. For this reason, Canadian prisons have long been recognized by ombuds offices and through the findings of research as harmful environments that exacerbate the social conditions that lead to incarceration in the first place. Adverse impacts compound as people are kept in conditions that produce elevated instances of chronic physical health conditions, to such an extent that long-term incarceration in Canada reduces individual life expectancies by 20 years compared to the general population.[15]

The enactment of Bill C-5 in Canada in 2022 made some strides in addressing criminal justice inequities. The government aimed to ensure a "more effective justice system for all" by eliminating *some* mandatory minimum penalties, among other changes to the *Criminal Code* and the *Controlled Drugs and Substances Act*.[16] However, the failure to eliminate *all* mandatory minimum sentences creates challenges for achieving equitable outcomes for marginalized populations. Despite some progress, there is still a pressing need for further reform to ensure fair treatment for all individuals, taking into account their unique circumstances.

In addition, despite the legislative reforms of Bill C-83 (*An Act to amend the Corrections and Conditional Release Act and another Act*)[17] in 2019 and its implementation over the past five years, the promised end to abusive solitary confinement practices has not been achieved. Solitary confinement in Canadian prisons continues to be used under the new regime without independent external review. Indigenous people, Black people, and people with mental health issues are still disproportionately subjected to solitary confinement and uses of force in Canadian federal prisons.[18] Although provisions in Bill C-83 aimed at improving health care, patient advocacy, and alternative methods to strip searches were put in place, they have not yielded the intended outcomes or have not been fully implemented at this time.[19]

In November 2023, an Implementation Plan for the Federal Framework to Reduce Recidivism was released, which promised to advance the objectives of the 2021 Federal Framework to Reduce Recidivism.[20] However, to date there has been no investment in implementation in any federal budget.

Conversely, since the release of the Federal Framework, government priorities and legislative direction have only *expanded* Canada's reliance on incarceration through tightened bail measures and stricter responses to those with multiple convictions. The 2024 budget increased the use of incarceration in response to auto theft and hate crimes, and expanded the justice system by hiring more judges and making significant investments to incarcerate people on immigration holds in federal penitentiaries.[21]

Nearly three decades after the Beijing Declaration, Canada's justice system continues to fall short in addressing the needs of criminalized women and gender-diverse people. As a result, the Canadian public is increasingly advocating for alternatives to incarceration for women and gender-diverse people. The ongoing criminalization of survival behaviours driven by intersecting social inequities highlights Canada's failure to realize the transformative changes envisioned by the Beijing Declaration. Canada must critically reassess and transform its justice system, focusing on dismantling deeply entrenched structural barriers. A true commitment to the Beijing Declaration necessitates ensuring the protection, dignity and empowerment of criminalized women and gender-diverse people, shifting from a system of punishment to one of support and justice for all.

Recommendations on criminalized and imprisoned women

- Develop, in consultation with community-based organizations, a national strategy for the decarceration of people in prisons designated for women, particularly parents, young women and gender-diverse people, Indigenous women and gender-diverse people, and women and gender-diverse people with mental health issues. This strategy should include the reallocation of funds from Correctional Service of Canada to community-based alternatives using sections 29, 81 and 84 of the *Corrections and Conditional Release Act* as well as to Indigenous Nations and communities. These in-community alternatives must move away from community *supervision* models, which are paternalistic in nature, toward community *support* models with wraparound services.
- Strengthen the social safety net and community-based services to stem the flow of Canada's most marginalized and victimized women and gender-diverse people into prison. Targeted services should include affordable and safe housing, universal and free child care, free or affordable schooling, and universal and free access to health care, including mental health care, among other investments.

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15. Women and Canada's foreign policy

In 2019, as noted in our previous report,[1] there was significant optimism among civil society regarding a renewed and positive role for Canada on the world stage. The federal government had committed to a feminist foreign policy, and the Feminist International Assistance Policy[2] (approved in 2017) paved the way for new and significant investments in feminist movements in the Global South and sexual and reproductive health and rights. There were new initiatives on global 2SLGBTQI+ rights[3] and gender equality issues were highlighted when Canada chaired the G7 in 2018. The government launched a new and improved national action plan on women, peace and security in 2017 and appointed the first Ambassador for Women Peace and Security in mid-2019.

In recent years, however, this momentum has stalled. Despite a commitment in early 2020 to release a paper outlining Canada's vision and commitments under its feminist foreign policy, no document has been tabled. Many analysts have questioned the government's commitment to a feminist foreign policy given contradictions between proposed new defence spending increases while international assistance investments stagnate, general inaction in the face of human rights abuses and the unfolding genocide in Gaza, and longstanding challenges in regulating the harmful conduct of Canadian companies operating globally. Considerable efforts are still required to align the

federal government's political support for gender equality and feminist approaches to its actions. Achieving policy coherence across all aspects of Canada's foreign policy, including development assistance, is essential for effectively and meaningfully safeguarding gains made and contributing to global efforts to fulfil the commitments made in the Beijing Platform for Action.

1. Some initiatives continue

The Feminist International Assistance Policy continues as the guiding document for Canada's international development investments. Several positive initiatives over the last few years are worth highlighting.

The Women's Voice and Leadership initiative, which provides support to feminist movements, was renewed in April 2023 for $195 million over five years and $43.3 million annually thereafter.[4] Canada continues to lead in several global policy forums, including the Alliance for Feminist Movements[5] and the OECD's GenderNet.[6] Canada remains a steadfast champion of sexual and reproductive health and rights and often speaks out on the importance of supporting feminist movements.

Following the federal government's initial $650 million investment for sexual and reproductive health and rights in 2017, Canada announced a 10-year commitment to global health and rights (2020–2030) at the 2019 Women Deliver conference. This plan aims to scale up investments towards global health and rights to $1.4 billion annually by 2023, with $700 million specifically dedicated to sexual and reproductive health and rights and a focus on key neglected areas of abortion; contraception; and advocacy around sexual and reproductive health and rights, sexual and gender-based violence, and adolescent sexual health rights, including comprehensive sexuality education.

At the Generation Equality Forum in 2021, Canada announced $100 million for standalone care programming over three years.[7] This was a landmark investment with Canada being the first donor to invest in this long-neglected area of work. However, funding has not been renewed since then and leadership in this area has waned.

The federal government continues to speak out on the rights of women and 2SLGBTQI+ people in multilateral discussions, and it champions these rights in several spaces, including G7/G20, the UN Human Rights Council and the UN Commission on the Status of Women.

The importance of these efforts cannot be underestimated given the ongoing efforts of many states to roll back rights and close civil spaces.

In March 2024, the federal government launched Canada's third national action plan on women, peace and security, Foundations for Peace.[8] The updated plan includes many advances, including attention to emerging issues (such as the gender/climate/security nexus, cybersecurity, and tech-facilitated gender-based violence), an expanded approach to intersectionality (including the youth, peace and security agenda), and a revised monitoring and evaluation plan. However, activists and analysts question whether it is a robust feminist response to current global peace and security challenges, noting the lack of financial commitments, among other challenges.[9] The Women, Peace and Security Ambassador position has also been renewed until the end of 2025.

The federal government continues to act as an international leader in promoting gender-sensitive provisions in trade agreements and trade policy more broadly. As part of its "inclusive trade agenda," it has attempted to include gender chapters and other gender provisions into new and updated trade agreements, such as the 2017 renovation of the Canada–Chile agreement and the 2023 modernized Canada–Ukraine Free Trade Agreement.[10] This approach relies on trade partners who are willing to include such a chapter and/or Canada showing the political will to insist on its inclusion. These conditions did not exist with the negotiation of Canada's most significant free trade agreement, the Canada–US–Mexico agreement. It entered into force in 2020 with no gender chapter. There were, however, strong gender provisions in the agreement's new labour chapter, which included theoretically enforceable obligations related to discrimination, including discrimination based on sex, sexual orientation and gender identity. Canada also continues to promote women's economic empowerment in other trade bodies like the World Trade Organization and the Global Trade and Gender Arrangement.[11]

2. Declining momentum

Despite continuing references by the federal government to both the Feminist International Assistance Policy and Canada's feminist foreign policy, these mentions are supported by fewer and fewer investments, leadership statements and priority initiatives. The government has issued major policy statements, such as the 2023 Indo-Pacific Strategy,[12] that

fail to reference Canada's feminist foreign policy and do not include an explicit gender analysis or focus.

While the Feminist International Assistance Policy produced early funding announcements, recent years have produced few new significant feminist initiatives. In fact, a 2023 report by the Auditor General noted that Global Affairs Canada failed to meet two of the policy's three spending targets, including allocating 15 per cent of bilateral development spending on projects that target gender equality and the empowerment of women and girls.[13] Canada lost its position as the global leader in disbursements of funds to women's rights organizations, as this funding declined in 2021[14] (although it was still significantly above pre-Feminist International Assistance Policy levels). Meanwhile, Canada ranks second globally for channelling development assistance through international financial institutions and multilateral organizations.

This is particularly disturbing given the overall stagnation in official development assistance investments. Canada remains far from the agreed official development assistance target of 0.7 per cent of gross national income.[15] Further, the 2022–2023 Statistical Report on International Assistance[16] reveals a decline in financial investments in sexual and reproductive health and rights, with expenditures decreasing by approximately five per cent compared to the previous year. There is real concern that the promised scale up to $700 million per year is out of reach. There are concerns that the feminist energy that flowed from the first few years of the Feminist International Assistance Policy has evaporated. Oxfam Canada's 2024 Scorecard assigns the grade "little progress" to the government's global development programs and policies.[17]

There have also been concerns expressed about the failure to bring a feminist lens to major foreign policy discussions and decisions. The 2024 Defence Policy Update includes massive increases in defence spending without corresponding investments in development assistance.[18] Despite obligations under the Arms Trade Treaty and calls from civil society, arms exports to states involved in human rights abuses continue.[19] As was noted in 2019, Canada still refuses to sign the Treaty on the Prohibition of Nuclear Weapons.[20] In addition to being a major step forward in disarmament, this agreement stands out as a major treaty informed by gender considerations in its negotiation, adoption and implementation.[21]

Canada's approach to gender and trade focuses primarily on providing more opportunities for women-owned businesses to participate in global trade, which has little impact on a large majority of Canadian women and gender-diverse individuals. The federal government's approach to trade

policy fails to consider the impact of free trade agreements on women in the countries with which it trades, for example in global and regional value chains. Canada failed to endorse the TRIPS waiver, which would have reduced the impact of the COVID-19 pandemic.[22] Canada also continues to push for the inclusion of investor–state dispute settlement chapters[23] in new and renegotiated trade and investment agreements, empowering corporations and restricting the capacity of states to legislate in the public interest, especially on environmental legislation and regulation of extractive industries. Activists have criticized[24] the Canadian Ombudsperson for Responsible Enterprise,[25]who was supposed to address human rights abuses by Canadian companies operating abroad in the mining, oil and gas, and the garment sector. The ombudsperson has failed in this mandate, largely because their office lacks the capacity to require documents or to compel witness testimony under oath.[26]

While several governments (Sweden, Argentina, and the Netherlands) have pulled back on their commitments to feminist foreign policy, the world faces multiple and multiplying crises: climate catastrophe; armed conflicts; growing displacement; closing civic spaces and attacks on rights; an increasingly fractured multilateral system; escalating military expenditures; and more. Activists are calling for a coherent and consistent feminist Canadian foreign policy that addresses these challenges.[27]

Recommendations on women and Canada's foreign policy

- Consistently defend and promote human rights principles, international humanitarian law and human rights law across all issues and geographies.
- Strengthen the mechanisms of accountability for respecting, protecting and fulfilling the full range of human rights of women, youth and gender-diverse people at national, regional and international levels.
- Hold Canadian companies operating abroad accountable for human rights violations.
- Promote the meaningful participation of women in all their diversity across foreign policy discussions, including disarmament negotiations, trade discussions, diplomatic initiatives and peace talks.

- Reduce the gap between military spending and official development assistance investments.
- Emphasize "peace" in Canada's actions to implement a women, peace and security agenda, including global leadership on humanitarian disarmament.
- Back statements of support for the global rights of women and gender-diverse people with new and significant investments (including meeting earlier targets and gradually increasing these targets), with a focus on funding for feminist movements, the care economy, and sexual and reproductive health and rights.
- Recognize the inherent links between the climate emergency and gender equality through meaningful action on climate change that supports women's leadership in climate adaptation and mitigation strategies and integrates a feminist approach to climate finance.
- Champion the development of trade policies that advance gender equality and work with like-minded governments to advance a global gender and trade agenda.
- Constructively engage with decolonizing agendas in multilateral for a, including on the Right to Development, the global tax treaty, and economic justice.

Notes

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16. Women and the media

The 1995 Beijing Platform for Action flagged 12 critical action areas to advance and protect greater gender equality and opportunities for women and men, including the role of the media. The report noted the "lack of gender sensitivity in the media is evidenced by the failure to eliminate the gender-based stereotyping that can be found in public and private local, national and international media organizations."[1] It raised concerns about the "continued projection of negative and degrading images of women in media communication"—electronic, print, visual and audio—and demanded that changed. The report concluded that "women should be empowered by enhancing their skills, knowledge and access to information technology. This will strengthen their ability to combat negative portrayals of women internationally and to challenge instances of abuse of the power of an increasingly important industry."[2]

Since 1995, many things have changed. In 2023, women made up just over 51 per cent of newsroom staff compared to 48.3 per cent of men and 0.3 per cent of people identifying as non-binary. Women journalists were also a racially diverse group (much more so than men): 22.3 per cent identified as racialized and another 6.1 per cent reported Indigenous ancestry.[3] This increase in representation can be attributed in part to dedicated recruitment strategies and the expansion of online platforms and independent and non-traditional media and reporting outlets.

At the same time, "men's voices in Canadian media still outnumber women's by a ratio of more than [two to one]."[4] While there has been improvement in the representation of women contributors to

opinion sections and increased commentary by women in many major newspapers, as Informed Opinions notes, "Women are half the population, so when they are quoted less than a third of the time, it has consequences—for public conversations, public policies and public spending."[5]

The challenge is arguably much greater today than in the past. Women and gender-diverse journalists are under siege, battling online hate and misogyny at an alarming and relentless rate. In the aftermath of the pandemic, fuelled by political polarization and far-right agitation, organized hate campaigns have been systematically targeting women and racialized people. In 2022, Global News journalist Rachel Gilmore revealed the torrent of misogynistic and violent abuse she receives daily via email and social media. Journalists Erica Ifill (*The Hill Times*) and Saba Eitizaz (*Toronto Star*) shared screenshots of messages in their inboxes: deeply racist comments along with threats of sexual assault, violence against family members and ongoing surveillance.[6]

Their experiences are not isolated. Harassment is widespread. A 2022 study found that 92 per cent of women or non-binary journalists surveyed reported that they experienced harassment connected to their jobs.[7] In the same study, nearly 53 per cent described the harassment as "threatening," and 23 per cent described it as "violent."[8] Women journalists noted an escalation of harassment compared to years prior, "while many veteran journalists found online abuse has been escalating for at least the last five years."[9]

Technology-facilitated gender-based violence has implications for democracy-building in Canada, as similar narratives dominate our storytelling. An ever-shrinking media ecosystem created by mass layoffs and the monopolization of the news industry has resulted in women journalists, especially those who are racialized, facing the constant threat of being pushed out of the industry. The threat of this violence is deeply concerning for our feminist futures. Many journalists are considering leaving the industry due to harassment; indeed, many have already done so.[10] We are seeing a sharp rise in the exodus of women politicians at all levels of government too.[11]

Fewer voices mean fewer stories. Moreover, the women who are most impacted by online hate are those who are reporting on critical issues in the Canadian political landscape, such as white nationalism, climate change and labour struggles—critical issues often prey to rampant dis/misinformation.

While facing repression online, some journalists, especially racialized, Black and Indigenous women, also experience state repression when

reporting from the frontlines. In its April 2024 report, the Coalition for Women in Journalism documented close to 70 violations worldwide including the arrests of five Canadian journalists.[12] On January 10, 2024, for example, Brandi Morin was arrested by the Edmonton police while covering the clearing of an encampment for underhoused people. She was subsequently charged and later had the charges against her dropped.[13] These harrowing experiences encourage journalists to self-censor when reporting as a means of protection, especially those who work independently.

In December 2022, the Coalition for Women in Journalism released an open letter calling on "Canadian authorities, law enforcement agencies, and policymakers to work together and take immediate steps to fight back the increasing number of online hate attacks" on racialized and women journalists.[14] To date, little has been done. Many journalists report minimal institutional and managerial support from their employers, often having to navigate this abuse alone and in silence.

There have also been calls to combat the growing issue of technology-facilitated gender-based violence.[15] In 2024, the government introduced Bill C-63, the *Online Harms Act*, its second attempt to address these issues. The new bill targets harmful content like deep fakes and introduces requirements for internet service providers to mitigate harmful content on their sites. The proposed bill would allow individuals to file human rights complaints with the Canadian Human Rights Commission. It also increases the maximum sentence for four hate crime offences in the *Criminal Code*.[16] However, questions and concerns remain over whether such an individual approach to a systemic problem can be an effective solution.[17]

Recommendations on women and the media

- Create an advisory committee composed of women journalists, communication technology leaders and government officials to provide direction on the creation of a national action plan for better supporting and protecting journalists, especially those from marginalized communities. This advisory committee could offer guidance on implementing the *Online Harms Act*.[18]
- Strengthen Bill C-63 (*Online Harms Act*) to address issues such as gendered racism, white nationalism and xenophobia. The bill

should provide "a more specific legal obligation on platforms to deprioritize content that is clearly false... [Such a move would help] to stop increasing online polarization and promoting anti-democratic populism."[19] Without specific legal obligations that fundamentally change platform algorithms, misinformation will still be rampant on platforms. Fines may simply be looked at as the price to continue operating as is within Canada.

- Provide support for the development of curriculums in journalism schools (and others) to teach students how to navigate online hate. "[A] more trauma-informed approach to education in journalism [is needed], in recognition of the mental health impacts of reporting on challenging subjects and the often-toxic and harassment-filled work environment journalists and media workers face."[20]
- Support organizations working to support women and technology by creating more inclusive workplaces and policies to combat online harm and abuse.

Notes

1 United Nations, Fourth World Conference on Women, Beijing 1995.

2 *Ibid.*

3 Canadian Association of Journalists, 2023, Canadian Newsroom Diversity Survey, 2023.

4 InformedOpinions, 2023, Research.

5 Informed Opinions, Gender Gap Tracker.

6 Peter Smith, 2022, Longtime serial harasser and troll adds to pile-on of women journalists, Canadian anti-hate network.

7 Megan Shaw, 2022, *Harassment on Assignment: Gendered emotional labour in Canadian newsrooms* (thesis), Carleton University, Ottawa.

8 *Ibid.*

9 *Ibid.*

10 In Megan Shaw's study, 41 per cent of the respondents "said they had considered leaving the industry due to harassment—and a few indicated they had already left."

11 Natasha Tusikov , 2022, Worried Internet Rules Will Curb Expression? Online Hate Is Doing That Now. Centre for International Governance Innovation.

12 The Coalition for Women in Journalism, 2024, Press Freedom Status for Women Journalists: April 2024.

13 *Ibid.*

14 Coalition For Women in Journalism, 2022, Canada: Open letter calls for end to online harassment of women journalists.

15 Cynthia Khoo, 2021, Deplatforming Misogyny: Report on Platform Liability for Technology-Facilitated Gender-Based Violence. Women's Legal Education and Action Fund.

16 Government of Canada, Proposed Bill to address Online Harms.

17 Emily Laidlaw, 2024, "The Online Harms Bill—Part 1—Why We Need Legislation," *ABlawg*: University of Calgary Faculty of Law Blog.

18 For example, in the U.K., a National Committee for the Safety of Journalists was formed in 2020. Its purpose is to "bring together representatives from government, journalism, policing, prosecution services and civil society to work in collaboration to make sure journalists in the U.K. can operate free from threats and violence." Its goal is to develop a national action plan that will set out how the safety of U.K. journalists can be protected. Unifor, 2021, Breaking the News: Media Workers Under Attack.

19 Derek Hrynyshyn, March 20, 2024, "The online harms act doesn't go far enough to protect democracy in Canada," *The Conversation.*

20 Unifor, 2021.

17. Women and the environment

Canada continues to build climate action guided by the 2015 Paris Agreement and associated Gender Action Plan, and, increasingly, yet still insufficiently, by the government's commitment to gender-based analysis plus (GBA+). Climate change is accelerating at an unprecedented pace, disproportionately amplifying systemic inequalities experienced by women, gender-diverse people and Two-Spirit people, particularly those from First Nation, Métis and Inuit communities; those from Black, racialized and migrant communities; and those living with disabilities.

1. GBA+ and federal government climate policies, initiatives and programs

Since 2020, climate initiatives (legislation and national plans[1]) have introduced net-zero mitigation targets and a national adaptation strategy, increased environmental health protections, invested in clean infrastructure, and established a right to a healthy environment. Opposition-led legislation now requires development of a national strategy "to advance environmental justice and to assess, prevent and address environmental racism."[2] At the same time, Canada hasn't reached targeted emission reductions and is not on track to meet net-zero commitments.

Gendered climate impacts and risks have been incrementally addressed and are only recently evident in policy development. Deeper policy analysis appears to be occurring through greater activity on the part of the GBA+ Centre of Responsibility at Environment and Climate Change Canada. According to the centre's analysis, the National Adaptation Strategy places "a priority on advancing equity through adaptation action" with particular focus on groups "disproportionately affected by climate change—including women, Indigenous peoples, seniors, youth, persons with disabilities and those from low-income households."[3]

Prioritizing equity is welcome, as is a commitment to "advance Indigenous climate leadership," particularly that of Indigenous women, Two-Spirit people and gender-diverse people.[4] However, subsuming gender under equity potentially undermines the development of viable, measurable actions to address specific intersectional gendered impacts of the climate crisis and the triple inequalities borne by those most affected by them, the disparity in producing the problem, in experiencing the impacts, and in accessing resources for mitigation and adaptation.[5]

2. The gender gap in disaster management

Emergency preparedness and disaster management are key responses to climate crisis events—unprecedented wildfires, floods and heat waves—Canada is experiencing. Substantial evidence, globally and nationally, confirms that those already experiencing systemic inequality are most adversely affected during and after disasters and emergencies.[6] Despite a longtime federal government focus on gender in international disaster policies and practices, little to no attention has been given to gender in emergency management in Canada.[7]

The absence of GBA+ in Canada's disaster and emergency management and response plans creates a gender gap impacting lives and livelihoods across the country. Government hazard, risk and vulnerability assessments along with the resulting disaster and emergency plans fail to take gendered and intersectional realities of crisis impacts and their aftermath into account. Despite GBA+ processes underway, the federal government has not provided provincial, territorial and municipal emergency planners with specific or sufficient guidance on the use of GBA+. At all levels of government, most emergency plans fail to even mention women.[8,9]

Community organizations—under-resourced gender-based violence and multi-service agencies lacking robust emergency plans—that struggle to fill the gaps, support access to safety, receive evacuees and address food insecurity, need to be consulted at the risk-assessment phase and debriefed after recovery.

3. Environment, climate and Indigenous women

Indigenous women have shared responsibility to protect, support and care for Mother Earth and all their relations. Their voices must be centered in all actions related to Mother Earth, climate change and environmental justice. This is foundational to the futures of Indigenous Peoples, and central to healing from the impacts of colonization and intergenerational trauma.

Despite being recognized as important participants at the forefront of conservation and stewardship work for their lands and waterways throughout the 2023 Emissions Reduction Plan, Indigenous women are still underrepresented in environmental policy-making at multiple levels.[10]

The climate crisis impacts the health, safety, security and ways of life of Indigenous communities, deepening existing conditions of inequality for Indigenous women, their families and their communities. Disproportionate impacts of climate change and environmental racism include:

- Heightened vulnerability of Indigenous women and girls to human trafficking and other forms of violence, including intimate partner violence, due to resource extraction activities.[11]
- Heightened risks to safety and sustainability of Indigenous lands and water systems.[12]
- Continued harassment, intimidation and criminalization of Indigenous women land defenders.
- Reduced safety resulting from displacement and relocation of Indigenous women and their families due to climate disasters and resource extraction activities.

While Canada continues to make progress on recognizing equity, policy advances need more focus on gender–environment intersections,

reducing impacts on Indigenous women and other populations already experiencing systemic inequality, and closing intersectional gender gaps in disaster management.

Recommendations on women and the environment

- Centre intersectional, gendered climate impacts and risks in adaptation responses and programs. Mainstream gender and Indigenous perspectives into climate action plans through transparent targeted actions and responses.
- Prioritize responses to intersectional gendered impacts and risks in domestic, national climate policy, and mitigation and adaptation plans so they receive the same attention as international climate policies focused on addressing gendered climate impacts in the Global South.
- Ensure disaster and emergency management professionals, governments, social institutions and response organizations incorporate gender and intersectional considerations as fundamental assumptions throughout the disaster planning and response cycle.
- Fund research to expand knowledge about the ways gender, intersectionality and disaster are experienced in Canada to protect the safety and well-being of high-risk populations and reduce the gendered impacts of climate disasters.
- Protect—not criminalize—Indigenous women's voices, perspectives and leadership as defenders of Mother Earth, with the United Nations Declaration on the Rights of Indigenous People (UNDRIP) as a framework in which to entrench the rights of Indigenous women and girls.
- Uphold Indigenous women's leadership rights by implementing a nation-to-nation/distinctions-based PLUS policy to engagement, policy and program development, and funding models to ensure Indigenous women and their organizations are informed, involved, consulted and benefit from resources allocated to address their key issues of concern:
    - Provide core funding to Indigenous women and their organizations leading work to restore their relationship Mother Earth.

- Fund Indigenous women's organizations to undertake research to understand the impact of resource extraction projects on Indigenous women's safety and to develop strategies to ensure safety and well-being.
- Appropriately fund Indigenous women's organizations to support Indigenous women to take up leadership and develop tools to support capacity-building to restore Indigenous women's inherent relationships to Mother Earth as a critical component of their empowerment.

Notes

1 A Healthy Environment and a Healthy Economy 2020 (HEHE); *Canadian Net-Zero Emissions Accountability Act* 2021; 2030 Emissions Reduction Plan 2022; Bill S-5, *Strengthening Environmental Protection for a Healthier Canada Act* 2023; National Adaptation Strategy 2023 (NAS); Government of Canada Adaptation Action Plan 2023 (GOCAAP).

2 Bill C-226, National Strategy Respecting Environmental Racism and Environmental Justice Act, 2023.

3 Environment and Climate Change Canada, 2022–2023 Departmental Results Report, Supplementary Table.

4 *Ibid.*

5 Adam Tooze, November 23, 2023., "The climate emergency really is a new type of crisis—consider the 'triple inequality' at the heart of it," *The Guardian*.

6 Jean Slick and Gloria Hertz, 2024, "Gender and gender-based violence in disaster contexts in Canada: A systematic review of the literature," *International Journal of Disaster Risk Reduction*, 108(15).

7 *Ibid.*

8 Of 24 municipal emergency planning documents reviewed, none referred to women or gender; of 28 regional plans two referred to "gender", five mentioned "women" and two mentioned "domestic violence"; of six federal-level plans, two mentioned "women" and three mentioned "gender."

9 Canadian Women's Foundation, 2023, Closing the Gender Gap in Disaster & Emergency Preparedness.

10 Government of Canada, 2022, 2023 Emissions Reduction Plan.

11 Ontario Native Women's Association, 2019, Journey to Safe Spaces.

12 Centre for Research on Epidemiology of Disasters, 2015, The Human Costs of Natural Disasters 1995–2015.

18. Women in power and decision-making

1. Slow progress

Progress for women's representation in Canadian politics has remained slow. In 2019, women made up 27 per cent of Members of Parliament; in 2024, they make up 30 per cent. While the situation has improved slightly over the last five years, Canada has fallen in the international rankings. In 2019, Canada ranked sixty-first on the Inter-Parliamentary Union's ranking on the percentage of women in national parliaments. In 2024, it has fallen to sixty-fifth place.[1]

Among provincial and territorial governments, three out of the 13 have surpassed 40 per cent—the level seen as having achieved parity. Quebec (46 per cent), Yukon (42 per cent) and Northwest Territories (42 per cent) are well-represented by legislative representatives that identify as women. Much more progress needs to be achieved at this level of government.

At the municipal level, women represented 31 per cent of all municipally elected officials in 2023.[2] Progress also remains slow within band councils and Indigenous levels of government.[3]

Why has progress been so slow? What is holding back women and gender-diverse people seeking office? Why has Canada seen a decline in its global ranking? While many other nations have taken more proactive approaches to pursuing greater diversity and gender representation,

Table 18.1 / Women's representation in provincial and territorial legislatures, most recent elections

Province	Representation as a precentage
British Columbia	43%
Alberta	38%
Saskatchewan	28%
Manitoba	33%
Ontario	36%
Quebec	46%
Nova Scotia	35%
New Brunswick	27%
Newfoundland and Labrador	20%
Prince Edward Island	26%
Yukon	42%
Northwest Territories	42%
Nunavut	27%

Source Equal Voice, Gender parity in Canada: A parliamentary tracker.

governments in Canada have introduced only modest reforms to their existing political systems. By contrast, the federal government has been much more successful in achieving gender parity through appointments in the Senate, the upper chamber in Canada's national parliament, and the Supreme Court of Canada; both have reached the 50 per cent gender parity mark.

In 2019, the federal Standing Committee on the Status of Women released *Elect Her: A Roadmap for Improving the Representation of Women in Canadian Politics*. This report identified seven factors that can deter women from participating in electoral politics:

1. Gender stereotypes and discrimination
2. Lack of confidence in abilities
3. Gender-biased media treatment
4. Gender-based violence and harassment
5. Absence of family-friendly and gender-sensitive workplaces
6. Difficulties in financing campaigns
7. Insufficient efforts to recruit women candidates

In 2023, 19 per cent of Canadians said they would consider a career in politics: 25 per cent among men and 14 per cent among women. For young women, interest was low and on the decline. Over half (56 per cent) of women aged 18 to 30 years said they would never run for public office, up six percentage points since 2022.[4] The top barriers identified by women in these surveys were lack of interest, insufficient knowledge, perceived lack of qualifications, and fear of discrimination and harassment.[5] Almost three-quarters of women (73 per cent) expressed concern about the online harassment they'd face if they ran for public office while two-thirds (66 per cent) were concerned about potential physical violence.

While women have serious reservations about running for office, the larger Canadian public is in support of electing more women. In 2023, 91 per cent indicated the importance of having women as elected representatives; 85 per cent agreed that more women in politics would have a positive impact on government policy, actions and decisions.[6]

2. How are these challenges being addressed?

Civil society organizations have been working to encourage, support and equip women and gender-diverse people to take up careers in politics for several decades. Various levels of government have similarly launched sponsored programs to encourage women to seek and attain office. For example, Elections Canada, the independent agency that administers national elections, introduced measures allowing child care as an expense eligible for reimbursement. Others have introduced financial supports to assist candidates living with disabilities to seek office. Major political parties have adopted their own strategies to diversify their candidate slates such as prioritizing equity-seeking candidates, reducing registration fees, or setting targets for candidate slates. No party has adopted a formal gender quota as exists in other countries.[7]

Within legislative houses themselves, some efforts have taken place to improve working conditions and work/life balance. Some recent examples have included changing the sitting hours so that elected officials with young families can better balance their workloads; addressing sexual harassment and ensuring strong codes of conduct;[8] examining the workplace culture of Parliament;[9] and putting in place formal parental leave policies. Another significant change emerged during the COVID-19 pandemic: hybrid-working arrangements.[10]

At the same time, over the past five years, there has been an increase in the level of harassment and threats of violence targeting elected officials, both in-person and online. Research clearly shows that women and racialized people experience much higher rates of negative, toxic harassment.[11] As a result of the deterioration of working conditions, there have been a significant number of resignations and political exits across all levels of government. Astonishingly, in the province of Quebec, there were more than 700 resignations among the 8,000 locally elected officials between 2021 and 2023; many cited harassment as a significant reason for leaving.[12]

3. Creating new pathways into politics

Despite these challenges, there continue to be new innovations and efforts to encourage women, girls and gender-diverse people to consider the opportunities to serve and to make a difference through politics. Civil society organizations such as Equal Voice, the YWCA, Fora, Apathy is Boring, Native Women's Association of Canada, Egale, Proud Politics, Operation Black Vote, Future Majority, Canadian Muslim Vote, and the Samara Centre for Democracy encourage active involvement and engagement in the political system and provide candidate support and training on leadership and capacity building. Programs such as Equal Voice's Daughters of the Vote and Fora's RISE on Boards provide important first entry points into decision-making and political systems. Other offerings include local and national campaign schools. Political parties have also created dedicated communities for women candidates.

Alongside advocacy and systemic change work, these programs help to address the longer-term conditions that make it more challenging for women to get elected and to lead. These collective efforts are crucial to ensuring that Canada continues to make the progress needed to achieve better gender representation across the political systems.

Recommendations on women in power and decision-making

- Continue to implement comprehensive, gender-responsive policies in public legislatures to eliminate all forms of harassment and enhance

personal security and legislative decorum. Establish independent bodies to oversee harassment policies, conduct investigations, solicit third-party expertise, report on results and update policies as required.

- Continue to address sexual harassment through periodic training on harassment for all legislative members and political staff.
- Evaluate and review how trauma-informed and survivor-centric support services to assist victims of violence are working and update program offerings as needed.
- Ensure that all political workplaces adopt family-friendly policies, such as the introduction of parental and pregnancy leave, child care arrangements and related infrastructure, family travel accommodations, and predictable parliamentary calendars and sitting hours.
- Update current practices for sitting legislatures by implementing proxy voting and remote participation policies, establishing fixed election dates, and making provisions for adequate staff support and compensation.
- Ensure that regulations are put in place as well as education to deter the promotion of hate speech and harassment online.
- Work with social media platforms to ensure that safety measures are readily available.
- Explore measures to address financing challenges for candidates, such as protected job leaves for campaigns.
- Continue to invest in a talent pipeline that trains, mentors and prepares women and gender-diverse people to step into board roles and other decision-making spaces.
- Institute policies that effectively incentivize decision-making bodies to be inclusive of diverse women. Hold senior managers accountable for improving gender metrics and ensuring safe and inclusive environments.
- Expand the criteria for selection and cultivate broader networks to identify diverse candidates for leadership roles, proactively addressing barriers that have thwarted the participation of marginalized groups.

Notes

1 IPU Parline, 2024, Monthly ranking of women in national parliaments.

2 Federal Confederation of Municipalities, 2023, Women's representation in municipal elected positions.

3 Statistics Canada, Table 41-10-0048-01—Representation of men and women in First Nation band councils and Chiefs in First Nation communities by sex.

4 Abacus Data, 2023, Systemic Change Research: Survey. Survey conducted for Equal Voice.

5 Abacus Data, 2022, Women in Politics Study. Survey conducted for Equal Voice.

6 Abacus Data, 2023.

7 The political recruitment process and structure of political parties remains a significant barrier to women's participation in politics. See: Semra Sevi, March 10, 2023, "Women in politics: To run or not to run?" *Winnipeg Free Press*.

8 Government of Newfoundland and Labrador, 2020, Harassment-Free Workplace Policy Applicable to Complaints Against MHAs.

9 Legislative Assembly of British Columbia, 2024, Working Together to Build a Better Parliamentary Culture at the Legislative Assembly of British Columbia. Report of Working Group on Parliamentary Culture.

10 "Hybrid" here refers to a tool to facilitate the virtual participation of elected officials in parliamentary proceedings when in-person participation is not possible. This could be for circumstances such as illness, pregnancy, caregiving responsibilities or other extraordinary situations.

11 Samara Centre for Democracy, 2022, SAMbot 2021 Federal Election Report.

12 Patrice Bergeron, February 28, 2024, "Quebec launches new helpline for politicians after hundreds quit office since 2021," *City News.*

19. Institutional mechanisms for the advancement of women

In 2014, the Canada's shadow report on the implementation of the Beijing Platform for Action painted a discouraging picture of the institutional mechanisms in place for advancing gender equality. In previous years, the words "equality" and "advocacy" had been removed from the mandate of Status of Women Canada (the federal mechanism for promoting gender equality), while three-quarters of its regional offices were closed and support for women's rights and gender equality organizations significantly scaled back.

The picture has improved since then. Canada's federal government elected in 2015 highlighted gender equality as core to it mandate and vision for the country. Within days, the government announced Canada's first-ever gender-equal cabinet and took steps to boost the representation of women and other marginalized groups in senior management. One of the top priorities of the new Minister of Status of Women included expanding the use of gender-based analysis plus (GBA+) across the whole of government. In the years to follow, the government would pass gender budgeting legislation and increase investment in the production of disaggregated data and development of more representative data-

collection methods to better inform decision making and tackle systemic bias.[1] When the pandemic struck, the federal government was able to tap existing feminist policy capacity to help inform its response.[2]

At the same time, actions have fallen short of the recommendations noted in the 2016 concluding observations on Canada's report to the Committee on the Elimination of Discrimination Against Women.[3] Canada has not developed a comprehensive national gender equality action plan across all levels of government or developed a co-ordinated accountability mechanism for monitoring outcomes.[4] Existing federal-provincial-territorial (FPT) tables—including the FPT Forum of Ministers Responsible for the Status of Women and the new Forum of Ministers on Human Rights—do not serve this purpose.[5] Absent an independent and transparent mechanism to implement the Convention on the Elimination of Discrimination against Women or the Beijing Platform for Action, the reporting process is effectively a limited exercise.

The following discussion highlights developments with respect to the institutional mechanisms for advancing women's equality since 2015, organized under the three strategic objectives set out in the Beijing Platform for Action.

1. National machineries and other governmental bodies

Canada's federal cabinet has included a minister responsible for the status of women since 1971, and an accompanying federal agency known as Status of Women (or Status of Women Canada) since 1976. In December 2018, Status of Women Canada was transformed from an agency operating under the portfolio of the Department of Canadian Heritage into a free-standing Department for Women and Gender Equality (WAGE) with its own minister. The new department's statutory mandate includes "the advancement of equality" and the promotion of "a greater understanding of the intersection of sex and gender with other identify factors that include race, national and ethnic origin, Indigenous origin or identity, age, sexual orientation, socio-economic condition, place of residence and disability."[6]

WAGE is mandated to advance gender equality through "developing and implementing policies, providing grants and contributions, delivering programs, investing in research, and providing advice to achieve equality for people of all genders, including women."[7] To that

end, the department operates two separate general programs: expertise and outreach; and community action and innovation. Under the first program the department plays an advisory and promotional role within government and with external partners on gender equality issues and the implementation of GBA+. Under the second it acts as a funding agency for projects and organizations across the country working to advance gender equality and spur systemic change to the underlying factors that perpetuate inequality at a local and regional level.

Since taking office in 2015, the government has taken a number of steps to revitalize the department, including lifting the previous government's ban on funding for advocacy and related activities.[8] In 2017, the government committed $100 million over five years—supplemented with another $86 million in 2018—to launch its Strategy to Prevent and Address Gender-based Violence.[9] A total of $300 million over three years was directed to organizations supporting women, girls and gender-diverse people experiencing gender-based violence during the pandemic[10] and additional funding attached to the National Action Plan to End Gender-Based Violence and the federal government's response to the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Significant new funding was also injected into WAGE's funding stream for disbursement to organizations promoting women's equality. That included $100 million (over five years) in 2018,[11] and additional funds in 2019 to increase the Women's Program budget from roughly $22 million per year to $100 million annually by 2023–24.[12] In fact, the Women's Program surpassed the $100-million mark in 2021–22 as WAGE ramped up support for gender equality organizations struggling with the fallout of the pandemic. In 2021, WAGE launched the $100 million Feminist Response and Recovery Fund to help gender equality organizations respond to, and recover from, the pandemic.[13] An additional $160 million was made available in 2023 to help support women's organizations until 2027.[14]

Likewise, the government has provided targeted funding for 2SLGBTQI+ communities since 2019. The 2022 budget allocated $100 million over five years to support the new Federal 2SLGBTQI+ Action Plan. At the same time, WAGE has restricted all new funding opportunities for all its programs (i.e., Women's Program; Gender-based Violence Program; Sex, Sexual Orientation, Gender Identity and Expression Program) to project and capacity funding. It has not restored the core operating funding for gender equality organizations that was available in earlier decades.

With the winding down of pandemic-era programs and Canada's Strategy to Prevent and Address Gender-Based Violence, grants and contributions from WAGE Canada are set to decline sharply starting in 2024–25. Organizations supported through the Women's Program will experience the steepest declines. Project funding is forecast to fall by a factor of 10, from a high of $210.7 million in 2022–23 to $18.9 million in 2026–27, back to the level recorded during the previous Conservative government. Planned funding under the Federal 2SLGBTQI+ Action Plan partially offsets massive cuts to the Women's Program. Nonetheless, WAGE's total budget is expected to fall by more than 25 per cent, from $323.2 million in 2023–24 to $240 million by 2026–27.[15]

While WAGE Canada provides leadership on the government's agenda on gender equality, Employment and Social Development Canada (ESDC) is tasked with tracking Canada's efforts in pursuit of its 2030 Agenda for Sustainable Development goals and targets. The Sustainable Development Goals Unit at ESDC facilitates co-ordination across federal departments and agencies and with Canadian stakeholders in the development and implementation of goal-specific strategies.[16] Canada has identified Goal #5—Achieve gender equality and empower all women and girls—as one of five national priorities, as highlighted in Canada's 2023 National Voluntary Review.[17] It reports annually on progress toward its 2030 domestic ambitions and targets.[18]

It should be noted that the federal government has not developed a national action plan to address "the structural factors that cause persistent inequalities with respect to women and girls," as recommended repeatedly by the UN Committee on the Elimination of Discrimination against Women over the past twenty-five years. Gender equality is a key priority for the federal government, and the provinces and territories have a range of plans, strategies, legislation and programming to advance women's empowerment of varying quality and efficacy. Federal, provincial and territorial ministers meet annually to share information and exchange best practices, but these activities do not constitute a meaningful or valid national strategy or plan for tackling the profound challenges diverse women and girls face, as we are seeing with the rollout of the National Action Plan to End Gender-Based Violence. There are no effective mechanisms, as required, for "the transparent, coherent and consistent implementation of the Convention [on the Elimination of All Forms of Discrimination against Women]" throughout Canada. Indeed, there are no effective and transparent mechanisms for monitoring implementation of *any* of the conventions that Canada is party to or responding to recommendations from treaty bodies. Canada lacks co-ordination among

human rights actors, including the Canadian Human Rights Commission, provincial and territorial tribunals, organizations representing Indigenous people, civil society organizations and the broader Canadian society. The effect of this is to make Canada's adherence to the UN human rights treaties it has ratified shallow and rhetorical.

This is particularly troubling in the context of Canada's legal obligations under the 2021 *United Nations Declaration on the Rights of Indigenous Peoples Act* to take all measures to make its own laws consistent with UNDRIP, and to implement an action plan that includes measures "to address injustices, combat prejudice and eliminate all forms of violence, racism and discrimination against Indigenous peoples, including [...] women."[19] On the face, the law is a game-changer, requiring drastic amendments to laws that have historically denied or ignored Indigenous and treaty rights. But the act gives no timeline, no parameters or principles to guide implementation. Nor does it deal with the thorny problem of federal–provincial jurisdiction. Governments in Canada continue to use federalism and jurisdictional divides as an excuse for inaction. We see the development of "national" action plans, but no action. This piecemeal and litigation-driven approach to legislative changes has resulted in residual inequities that continue to negatively impact Indigenous women and their families.

The government has signalled, in response to recommendations from the Third Universal Periodic Review,[20] that it will develop a protocol for "follow-up to recommendations from international human rights bodies and a strategy for engagement with civil society and Indigenous representatives."[21] At the 2017 Federal–Provincial–Territorial (FPT) Meeting of Ministers Responsible for Human Rights, ministers created a new FPT Senior Officials Committee Responsible for Human Rights and renewed the mandate of the Continuing Committee of Officials responsible for Human Rights. At the 2020 meeting, FPT Ministers adopted a Protocol for Follow-up to Recommendations from International Human Rights Bodies[22] and an Engagement Strategy on Canada's International Human Rights Reporting Process. They also created the Forum of Ministers on Human Rights.[23] While formalization of a protocol and engagement strategy, of the mandates of these Committees, and of the Forum of Ministers is welcome, these steps do not reflect, in substance, the many recommendations made by UN bodies and by civil society organizations.

The Forum of Ministers held its inaugural meeting in June 2023 in Halifax, but the it made no new decisions.[24] The protocol and engagement strategy were developed without any input from or consultation with civil society organizations, and they lack detail. They promise

exchange of information, but no concrete procedures for oversight and implementation. Follow-up consultation in April 2024 with civil society organizations regarding recent recommendations from the 4th Universal Periodic Review process has been unfocused, disorganized and unfruitful. In 2024, this is a profound failure on Canada's part to make rights real in the lives of women.

2. Gender perspectives in legislation, public policies, programs and projects

In 1995, Canada introduced gender-based analysis (GBA) as a tool to evaluate the differential impacts of public policy on women. In 2011, GBA morphed into GBA+ to highlight the idea that an individual's experiences are influenced by multiple identity factors such as ethnicity or age.[25] GBA+ is understood and promoted as "an analytical process used to assess how diverse groups of women, men and non-binary people may experience policies, programs and initiatives." It is currently required in all memoranda to cabinet and all Treasury Board submissions. Federal organizations are also expected to include a gender and diversity lens in their evaluations, public engagements and consultations, as well as departmental plans and departmental results reports.

Canada has struggled to implement GBA+ across levels of government. A 2015 report from Canada's auditor general[26] mirrored the findings of an earlier 2009 audit[27] that found GBA/GBA+ has been applied incompletely and inconsistently across government departments and agencies. A 2016 study from the Parliamentary Committee on the Status of Women corroborated these findings.[28] In response, the government released an action plan in 2016 to tackle the barriers to GBA+ implementation, including the development of interactive tools and training targeting different audiences, improved information sharing and support for individuals tasked with conducting GBA+ analysis.[29]

Since 2017, federal budgets have emerged as central to Canada's conversation on GBA+. The 2017 budget included a Gender Statement that reiterated the government's pledge to advance gender equality and committed to incorporate GBA+ into public policy, including all budget proposals.[30] *The Canadian Gender Budgeting Act*, passed in 2018, bound the government to thoroughly vet its future taxation and resource allocation decisions through a GBA+ lens.[31]

The same year, the government introduced a Gender Results Framework to guide policy and track federal progress on gender equality across government. The framework identifies six gender equality goals and a set of objectives and indicators for measuring progress under each. An online portal, launched in 2019, presents disaggregated information—where available—on each of the indicators[32] (see the discussion below). Trend analysis and related policy initiatives are presented each year with the federal budget's impact report on gender, diversity and inclusion as well as a GBA+ assessment of each new initiative.[33]

The Gender, Diversity, and Quality of Life Statements and Impacts Reports attached to each budget have evolved since 2019, examining not only gender impacts but socio-demographic characteristics such as age and income as well. In the 2024 budget, for instance, 10 per cent of proposed expenditures are described as directly or indirectly benefiting women (compared to six per cent for men)—and another 59 per cent are deemed gender-balanced. The analysis also identifies the point at which the GBA+ analysis was conducted—in the early phases of development, as the proposals are being finalized, or at the end of the process prior to submission—and whether any response was taken to mitigate potentially negative outcomes and/or proactively reduce barriers to participation. On this last point, it is interesting to note over 70 per cent of measures included in the 2024 budget applied a GBA+ lens at the early or mid-stage of development, while 12 per cent relied on an existing GBA+ analysis. Sixteen per cent of measures identified a potential barrier to access for a specific demographic group. There was an effort to address barriers in almost all instances (96 per cent). This was less likely in cases where negative impacts were identified; in only one-quarter of cases were mitigation strategies sought.[34]

The evolution of GBA+ analysis and reporting is bringing Canada into line with international best practices, helping to create an accountability mechanism for tracking improvements in the lives of women, girls and gender-diverse people. Internal reports and external evaluations, however, continue to find capacity gaps and inconsistent performance; surveys reveal that public servants are familiar with the concept of GBA+, but they struggle with implementation. The most recent evaluation from Canada's auditor general, released in May 2022, found that while the Privy Council Office, the Treasury Board Secretariat and WAGE "have taken some action to identify and address the barriers to implementing GBA plus, they need to do more to help departments and agencies fully integrate GBA plus into the design of government policies, programs

and initiatives, and to improve monitoring and reporting on outcomes for diverse groups of women, men and gender-diverse people."[35]

Guidance given to departments and agencies allows them to "self-select which information they wanted to include," resulting in "a lack of consistency across the departments and agencies."[36] The guidance specifically aimed at institutional capacity "did not include suggested measures or indicators, nor did it require results to be reported in a manner that demonstrated progress or lack thereof from one year to the next."[37] In examining departmental submissions, the auditor general noted the "most provided minimal to no analysis of the outcomes related to GBA Plus or its impacts on programs or initiatives for diverse groups of women, men, and gender-diverse people."[38]

The auditor general also examined the Gender Results Framework and found it performed poorly in tracking Canada's progress in achieving gender equality because its targets and related indicators were not "specific or measurable."[39] Lack of disaggregated data further undermined its usefulness. The auditor concluded that "monitoring and reporting on the implementation and impacts of GBA Plus was weak" and that the Privy Council Office, Treasury Board Secretariat and WAGE "need to collaborate on a comprehensive and consistent approach to public reporting."[40] A good deal more clearly needs to be done to entrench GBA+ and its related processes into the machinery of government.

One of the key issues in this regard is the lack of vehicles for meaningful consultation and engagement with women's and feminist organizations from the beginning of a policy process throughout its development and implementation (i.e., a co-operative relationship, as stated in the Beijing Platform, paragraph 205 [b]). Engagement generally has been time-limited and sporadic. For instance, civil society groups and Indigenous women's organizations were initially involved in the policy development around gender-based violence via the Minister's Advisory Council on Gender-based Violence, but the mandate of this committee ended in 2021 following a cabinet shuffle, and there has been no formal civil society engagement in the development or oversight of the National Action Plan to End Gender-Based Violence since then. Another example: the Task Force on Women and the Economy established in late 2020 met for a few times and then was quickly disbanded with no formal report or outcome. There has been no consultation with civil society groups in preparation of the government's National Report to mark the 30th anniversary of the Beijing Platform—as required by UN Women.

Much more work needs to be done to support and facilitate relationships with civil society and institutionalize ongoing and meaningful community engagement.

3. Gender-disaggregated data and information for planning and evaluation

Canada has made important strides in expanding the sources of gender-disaggregated information to illuminate the scope of gender inequality after a damaging decade (2006–2015) of largescale funding cuts and the erosion of information systems across the country.[41] In 2015, a newly elected federal government moved quickly to reinstate the long-form census, announcing its commitment to "good evidence and quality data." And in 2018, the federal government launched the Centre for Gender, Diversity, and Inclusion Statistics with the objective of "address[ing] gaps in the availability of disaggregated data on gender and other intersecting identities."[42] To that end, the centre is mandated to disseminate gender-disaggregated data, monitor and respond to data needs, and contribute to GBA+.[43]

The Centre for Gender, Diversity, and Inclusion Statistics hosts a website[44] presenting a range of existing Statistics Canada data products, linking to subject-specific pages including sex, gender and sexual orientation statistics, and the Gender Results Framework.[45] The Global Indicator Framework for the Sustainable Development Goals data hub tracks Canada's progress in meeting its sustainable development targets, including all those that advance gender equality.[46]

For the most part, the Gender Results Framework reports on national-level information. Some information is available for the provinces and territories, and some by age, household income and level of education. Comparatively little information is provided for key groups such as racialized women, Indigenous women, 2SLGBTQI+ people or women with disabilities—groups that have been marginalized in Canada and that continue to face significant barriers to their well-being. And there remain significant data gaps with respect to the topics that the framework covers (e.g., intimate partner violence, business ownership among women, reproductive health) as well those outside of its scope (e.g., infrastructure development, climate change impacts, transit patterns).

But these things are starting to change. Statistics Canada, with new funding for a Disaggregated Data Action Plan, has been expanding

the information available on diverse populations and improving data-collection methodologies.[47] In the last five years, Statistics Canada has made the following improvements: added questions about gender, Indigenous identity, ethnicity and geographic location to existing and new surveys; enhanced the sample sizes of key surveys such as the Labour Force Survey and the Canadian Community Health Survey; and linked the census with selected administrative data sets. For a summary of data products, publications and initiatives, please see: Disaggregated Data Action Plan Accomplishments Report 2022–2023: Building on a solid foundation.[48]

To provide one notable example, the 2021 census included a new set of questions on gender that capture sex assigned at birth and gender identity.[49] In public consultations, information about the 2SLGBTQI+ community was the most commonly reported data gap in the demography and household composition sections of the census questionnaire. These new variables allow Canada's statistical agencies to report on men, women and non-binary/gender-diverse people for the first time. They are being used as well in other annual surveys, such as the Canadian Community Health Survey.

It is important to acknowledge that national-level surveys and similar initiatives have limitations. They are key tools for assessing progress on gender equality but they are not designed to capture the full diversity of experience of marginalized groups—in different geographic or social locations. That is why it is so important to acknowledge and support forms of research and data collection that are explicitly created around the needs and experiences of different women and gender-diverse people—and rely on intersectional methodologies and diverse cultural ways of knowing for telling peoples' stories.

Indigenous peoples have been in the forefront of efforts to assert "data sovereignty" through the work of organizations such as the First Nations Information Governance Centre,[50] as well as actively engaging marginalized communities in the production and use of information. The National Inquiry into Missing and Murdered Indigenous Women and Girls gathered the stories of thousands of women and their families, providing the foundation of their calls for justice and a vital record for generations to come.[51]

In practice, intersectional methodologies support democratic structures because they strive for substantive accountabilities. They do not privilege one identity category or social location over others in evaluating experiences for the purpose of designing policies and practices. Rather, they permit research respondents to outline their own

ways of understanding their identities and social locations, encouraging them to explain the roles that particular factors play in shaping their experiences.[52] Intersectional methodologies recognize that, in different contexts, identity categories are lived differently. They are explicitly designed to benefit research participants. In a world that too often facilitates aggression toward marginalized groups, intersectional data gathering and analyses provide a powerful set of tools for correcting the distorted social structures and disparities that result when policy-makers depend upon reductive abstractions rather than demanding the robust evidence that is necessary for building better societies.

Canada has a long way to go in creating the evidence base needed—from the national level down to communities and neighbourhoods—to drive the ambitious policy, law and program decisions needed to achieve gender equality across all issues and portfolios.

Recommendations on institutional mechanisms for the advancement of women

- Design a national action plan—in collaboration with provincial/territorial ministers and representatives of Indigenous organizations and women's rights and gender equality groups—for implementing, in a co-ordinated manner, the objectives of the Beijing Platform for Action.
- Review all recommendations of the Committee on the Elimination of Discrimination against Women and other treaty bodies regarding women's human rights to identify outstanding and priority recommendations.
- Create an independent and transparent monitoring mechanism for ensuring the domestic compliance with, and implementation of, the Convention on the Elimination of All Forms of Discrimination against Women across all levels of government, working in harmony with other human rights bodies and processes.
- Create a co-ordinated and transparent accountability mechanism—across all levels of government and with Indigenous women—with the mandate and resources for implementing and monitoring outcomes and recommendations that uphold Indigenous women's rights and safety—and immediately implement Call for Justice 1.7 of The Final

Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, which calls for the creation of an Ombudsperson for Indigenous and Human Rights.

- Invite and support leadership from marginalized women and gender-diverse people (e.g., racialized, low-income, rural, 2SLGBTQI+ and immigrants) in all stages of policy-making, particularly agenda setting.
- Support Indigenous women's active participation in policy development and decision-making that affects them, including dialogue between government leaders and national Indigenous organizations.
- Establish a regular process for engaging gender equality groups, other civil society organizations, and feminist academic and research communities to consider mechanisms and measures needed to address entrenched and interconnected factors that cause and perpetuate gender inequality.
- Move forward on funding reform and create mechanisms to provide ongoing support for the core operations of independent women's rights and gender equality organizations working at local, provincial/territorial, national and international levels.
- Invest stable and permanent core funding in autonomous Indigenous women's organizations to ensure they can provide core services and that Indigenous women can participate fully and equally in policy development and decision-making that affects them.

Recommendations on data and statistics on gender equality

- Bring a feminist intersectional lens to all national research to support substantive gender equality. This means that national datasets must include the broadest possible accounting of situated social categories and locations.
- Demand that feminist intersectionality be the gold standard for gathering gender-sensitive data for the formulation of law and policy and the implementation of programs and projects.

- Systematically collect distinctions-based data on: 1) all forms of gender-based violence against Indigenous women, disaggregated by sex, age, ethnic group, and the relationship between the victim and the perpetrator(s); 2) protection orders, prosecutions and sentences imposed on perpetrators; 3) the number of Indigenous women and girls who are trafficked; 4) cases of missing and murdered Indigenous women, including cold cases and suspicious deaths; and 5) all forms of violence against Indigenous women and girls that are committed by police officers.
- Ensure inter-agency co-ordination of training for, and processes of, data gathering and analysis, while promoting compatible use of data categories between federal and provincial research initiatives.
- Continue to invest in the production of disaggregated data and new data sources to address gender data gaps, taking the necessary steps to enhance quality and ensure broad accessibility, e.g., sexual health indicators.
- Provide training in intersectional gender-based analysis at all levels of public and advanced education systems, building the capacity of students, researchers and analysts to use available resources and apply them across disciplines.
- Support the production of knowledge products and interactive data tools that meet the needs of different stakeholders including the public, civil society organizations, and women's rights and gender equality groups.

Notes

1 In 2021, the government allocated $172 million over five years to support the production of disaggregated data. For an overview, see Statistics Canada, Disaggregated Data Action Plan. The most recent Accomplishments Report for 2022–23 is available here.

2 See: UNDP-UN Women, 2022, Government responses to COVID-19: Lessons on gender equality for a world in turmoil. A UNDP–UN Women study of the pandemic responses across the world concluded that "[w]hether and how gender-specific risks and vulnerabilities [were] addressed [depended] to a large degree on how well [spaces for gender mainstreaming] were integrated into pre-existing policies and institutions" (p. 124). Countries with poorly developed feminist policy capacity—or where it was absent altogether—had the weakest gender responses, even after taking into account national income and the severity of the pandemic. Similarly, countries that had invested in universal social protection systems and labour market institutions—including care infrastructure—were better able to respond to the shock.

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5 The relevant FPT tables are described in Canada's tenth periodic report on the Convention on the Elimination of Discrimination against Women, 2022.

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7 Status of Women Canada, 2019, Who we are.

8 Government of Canada, 2018, Government of Canada restores advocacy to scope of Status of Women Canada projects.

9 Finance Canada, 2017, Budget 2017: Building a Strong Middle Class, p., 188; Finance Canada, 2018, Budget 2018: Equality and Growth for a Strong Middle Class, p. 199.

10 An initial $100 million in emergency funding was provided in 2020–21 to over 1,200 organizations. A further $200 million over two years was committed in in the 2021 federal budget to enhance the capacity and responsiveness of organizations providing gender-based violence supports.

11 These funds, designed "to support a viable and sustainable women's movement across Canada," prioritize projects that focus on ensuring women's financial security, freedom from violence and participation in society (Finance Canada, 2018, p. 53.)

12 Finance Canada, 2019, Budget 2019: Investing in the Middle Class, p. 170.

13 Government of Canada, 2021, Government of Canada to Invest $100 Million to Support Women Impacted by the Pandemic.

14 Finance Canada, 2023, Budget 2023: A Made in Canada Plan, p. 156.

15 Canadian Centre for Policy Alternatives, 2024, Gender Equality Chapter. Alternative Federal Budget 2025.

16 Government of Canada, 2021, Canada's Federal Implementation Plan for the 2030 Agenda.

17 Government of Canada, 2023, Canada's 2023 Voluntary National Review—A Continued Journey for Implementing the 2030 Agenda and the Sustainable Development Goals

18 See: Government of Canada, 2024, Canada's 2024 Annual Report on the 2030 Agenda and the Sustainable Development Goals.

19 United Nations Declaration on the Rights of Indigenous Peoples Act, *Statutes of Canada* 2021, c. 14

20 UN Human Rights Council, 2018, Report of the Working Group on the Universal Periodic Review—Canada, A/HRC/39/11, at Rec 142.35. 142.36, and 142.37; Government of Canada, 2019, Canada's Response to Recommendations: Third Universal Periodic Review 2018, para 7.

21 *Ibid*., Canada's reply, para 7.

22 Government of Canada, Protocol for Follow-up to Recommendations from International Human Rights Bodies.

23 Government of Canada, Engagement Strategy on Canada's International Human Rights Reporting Process.

24 Canada Newswire, June 20, 2023, Federal, provincial and territorial ministers responsible for human rights meet to discuss key priorities in relation to Canada's human rights obligations.

25 Status of Women Canada, 2018, Introduction to GBA.

26 Office of the Auditor General of Canada, 2015, 2015 Fall Reports of the Auditor General of Canada Report 1—Implementing Gender-Based Analysis.

27 Office of the Auditor General of Canada, 2009, 2009 Spring Report of the Auditor General of Canada Spring 2009 Report, Chapter 1—Gender-Based Analysis.

28 Standing Committee on the Status of Women, 2016, Implementing Gender-Based Analysis Plus in the Government of Canada. Parliament of Canada.

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30 Finance Canada 2017, pp. 217-242.

31 Canadian Gender Budgeting Act, *Statutes of Canada* 2018 c. 27, s. 314.

32 Government of Canada, 2019, The Government of Canada's Gender Results Framework.

33 See: Finance Canada, 2024, Budget 2024: Statement and Impacts Report on Gender, Diversity and Inclusion.

34 *Ibid.* Oddly, the budget statement does not identify the percentage of measures with potentially negative impacts for target groups.

35 Office of the Auditor General, 2022, Reports of the Auditor General of Canada to the Parliament of Canada, Report 3: Follow-up on Gender-Based Analysis Plus, pp. 6-7. For a description of the findings, see Standing Senate Committee on Social Affairs, Science and Technology, 2023, All Together. The Role of Gender-based Analysis Plus in the Policy Process: Reducing barriers to an inclusive intersectional policy analysis.

36 *Ibid.*, p. 20.

37 *Ibid.*, p. 20.

38 *Ibid.*, p. 21.

39 *Ibid.*, p. 24.

40 *Ibid.*, p. 25.

41 The high-profile cancellation of the long-form census in 2010 was a profoundly damaging step, because it replaced Canada's largest source of community-level and sex-disaggregated data on a wide variety of issues with a voluntary survey of inferior quality. See: Tavia Grant, October 4, 2013, "Canadian income data 'is garbage' without census, experts say," *The Globe and Mail*.

42 Pamela Best, 2018, GBA+ and the New Centre for Gender, Diversity and Inclusion Statistics, Statistics Canada, Social and Aboriginal Statistics Division, PowerPoint Presentation, p. 4.

43 *Ibid.*, p. 3.

44 Statistics Canada, Gender, diversity and inclusion statistics.

45 Government of Canada, Gender Results Framework Portal.

46 Statistics Canada, Sustainable development goals data hub.

47 The Disaggregated Data Action Plan was announced in the 2021 federal budget with an initial investment of $172 million over five years.

48 Statistics Canada, 2024, Disaggregated Data Action Plan Accomplishments Report 2022-2023: Building on a solid foundation.

49 Statistics Canada, 2022, Gender and sex at birth variables.

50 See: First Nations Information Governance Centre.

51 National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

52 Heather Hillsberg, 2013, "Towards a Methodology of Intersectionality: An Axiom-Based Approach." *Atlantis*, 36(1).

Conclusion

Opportunities and challenges

Women's rights and gender equality are on the public agenda in Canada after years of neglect and backsliding. Yet there can be no complacency. Compared to some countries, Canada is closer to achieving gender equality in some areas, but we are still a great distance from our goal.

Canada has currently achieved, or is on track to achieve, 47.3 per cent of its 2030 Sustainable Development Goal (SDG) targets, as measured by 123 indicators grouped under the 17 SDGs. Yet Canada has yet to achieve a single SDG goal. Major or significant challenges remain in ten of the 17 domains. Canada's poor performance in protecting the environment, in particular, continues to drag down its overall score (78.83/100).[1,2]

On achieving gender equality and empowerment of all women and girls (Goal 5), Canada has largely met the global targets such as access to education and family planning, with the notable exception of the wage gap. At the same time, there has been limited progress in meeting its Canadian Ambitions and Targets with respect to gender-based violence, the gendered division of labour and leadership. Indeed, Canada has yet to even set specific targets in these areas.[3] Findings from the 2024 SDG Gender Index reveal that Canada is not on track to achieve gender equality by 2030. It has effectively made no progress in improving its SDG Index score since 2015. Canada currently ranks 15th out of 45 countries in Europe and North America and 18th among the 139 countries studied.[4]

As this report has shown, significant gaps remain across a range of areas—from the studied neglect of women with disabilities and

challenges facing migrant workers, to food insecurity in households headed by women and the prevalence of online hatred and technology-facilitated violence directed toward women, girls and gender-diverse people.

The UN Committee on the Elimination of Discrimination against Women noted some of these concerns and others in its concluding observations on Canada's 2016 Periodic Report, including:

- Women's inadequate access to legal aid and housing
- The poor record of existing pay equity legislation in tackling Canada's sizeable gender pay gap
- Canada's fragmented system of child care and reproductive health services
- The treatment of women in detention

The committee also observed, more generally, the lack of co-ordination and resourcing of gender equality plans, policies and programs, "in all areas and at all levels of government," that systematically undercuts any and all efforts to address persistent inequalities and intersecting forms of discrimination.[5]

As noted in Canada's April 2019 and June 2022 responses to the committee's observations,[6] and its own 2019 National Report on the Implementation of the Beijing Declaration and Platform for Action,[7] the federal government has enhanced its capacity to advance gender equality by creating permanent corporate structures and processes to co-ordinate activities across government, and by investing in the expansion of gender-based analysis plus (GBA+) in policy and programming.

These steps have helped create the foundation for progress. New gender budgeting legislation and a Gender Results Framework to track government progress in meeting its gender equality goals are two key examples of this work. Developing and funding the Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People National Action Plan in response to the calls for justice from the 2019 Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls was another critical milestone. The promise of free birth control and universal pharmacare will change people's lives.

What is needed now is the investment and political will to take the action necessary to tackle entrenched barriers to gender equality and "ensure the full implementation of the human rights of women and of the

girl child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms."[8]

Our call to action comes against a backdrop of rising populism and attacks on women's rights in Canada and around the world. In Canada, the provincial government of Quebec has passed legislation restricting the right of public sector workers to wear religious symbols and requiring all those seeking public service to reveal their faces.[9] This legislation directly undermines women's freedom of expression and their personal autonomy, by limiting their choices regarding what they can do with their own bodies. In particular, the new law targets niqab-wearing Muslim women, limiting their access to education and employment and community services.

Likewise, trans and gender-diverse people are experiencing ongoing and increasing levels of violence and discrimination. This has increasingly taken the form of legislated transphobic violence, namely, the rise of so-called "parental rights" policies and legislation in Saskatchewan and New Brunswick,[10] which undermines the safety of trans and gender-diverse children. Governments in Ontario and Alberta have expressed interest in similar legislation.[11]

The federal government has been a vocal proponent of women's rights and gender equality, notably on the global stage. But in recent years, its feminist agenda appears to have stalled.[12] "Words alone mean little, but silence coupled with uneven or unfinished action speaks volumes."[13]

Moving forward

To make further progress, governments must commit to new policies and programs that can tackle persistent and profound barriers to change, and that can challenge entrenched norms and stereotypes. Success will only be achieved if women's rights and gender equality organizations are equal partners and leaders in this work.

We urge the government to support civil society groups whose work is grounded in lived experience, and whose members are most impacted by gendered oppression. Real change can only be achieved by promoting the work and leadership of these groups of women and their communities, and building out their capacity to engage, at all levels, through flexible and sustained support and funding.

This will demand a laser focus on feminist intersectionality. Where programs, services, funding and research are concerned, there needs to

be an intersectional lens to capture the diversity of women's experience and to break down the program silos that reinforce discrimination and injustice. The fight for racial equality, for example, is deeply connected to many issues—from reproductive rights to justice for migrant workers to reform of the justice system. Embedding an intersectional focus is necessary to affecting lasting and meaningful change.

It will also take considerable resolve and effort to create infrastructure that can sustain change. This includes new policies, laws and regulations, such as effective and well-resourced pay equity and employment equity regimes across the country, as well as efforts to change social and cultural values and beliefs that constrain and undermine women's rights and those of other marginalized communities.

Notes

1 See: OECD, 2024, Sustainable Development Goal Report, Canada: Country Profile. Canada is a member of the OECD regional group.

2 Canada tracks 119 indicators, covering 93 of the 169 targets associated with the Sustainable Development Goals as well as 76 indicators associated with an additional 31 Canadian Ambitions. For more information on Canada's progress, see the Canadian Indicator Framework Data Hub.

3 See: Canadian Indicator Framework: Goal 5.

4 Equal Measures 2023 (2024), A gender equal future in crisis? Findings from the 2024 SDG Gender Index.

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Beijing +30 network

Accessibility for All
Action Canada for Sexual Health and Rights (Action Canada SHR)
Amnesty International
Association québécoise des organismes de coopération internationale (AQOCI)
Barbra Schlifer Commemorative Clinic
Battered Women's Support Services
Campaign 2000
Canada Without Poverty (CWP)
Canadian Association of Elizabeth Fry Societies (CAEFS)
Canadian Centre for Policy Alternatives (CCPA)
Canadian Council of Muslim Women (CCMW)
Canadian Federation of Nurses Unions (CFNU)
Canadian Federation of University Women (CFUW)
Canadian Labour Congress (CLC)
Canadian Partnership for Women and Children's Health (CanWaCH)
Canadian Research Institute for the Advancement of Women (CRIAW)
Canadian Teachers Federation (CTF)
Canadian Union of Public Employees (CUPE)
Canadian Voice of Women for Peace (VOW)
Canadian Women's Foundation
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Centre for Equality Rights in Accommodation
Centre for Social Intelligence
Child Care Now
Childcare Resource and Research Unit
Chinese and Southeast Asian Legal Clinic (CSALC)
Chinese Canadian National Council for Social Justice (CCNC-SJ)
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Council of Canadians with Disabilities (CCD)
DisAbled Women's Network (DAWN)
Egale Canada
Ending Violence Association of Canada
Equal Pay Coalition
Equal Voice
Equality Fund
Family Service Toronto
Fédération des femmes du Québec (FFQ)
Fédération des travailleurs et travailleuses du Québec (FTQ)
Fédération interprofessionnelle de la santé du Québec (FIQ)
Feminist Alliance for International Action (FAFIA)
Fora (formerly known as G(irls)20)
Girl Guides of Canada
Global Women in STEM
Hear My Voice Women's Network
Informed Opinions
Institute for International Women's Rights (IIWR-MB)
Inter Pares
International Women's Right Project (IWRP)
Justice for Girls
Les Femmes Michif Otipemisiwak / Women of the Métis Nation
National Association of Friendship Centres (NAFC)
National Association of Women and the Law (NAWL)
National Council of Women of Canada (NCWC)
Native Women's Association of Canada (NWAC)

New Brunswick Coalition for Pay Equity (aka Pay Equity Coalition—New Brunswick)
Nobel Women's Initiative
Ontario Council of Agencies Serving Immigrants (OCASI)
Ontario Native Women's Association (ONWA)
Ontario Nurses' Association (ONA)
Oxfam Canada
Pauktuutit Inuit Women of Canada
Plan International Canada
Public Service Alliance of Canada (PSAC)
Queen's University
Réseau des tables régionales de groupes de femmes du Québec
Society for Canadian Women in Science and Technology (SCWIST)
South Asian Legal Clinic of Ontario (SALCO)
Status of Women Council of the NWT
Unifor
United Steelworkers (USW)
United Way Centraide Canada
Women, Peace and Security Network—Canada (WPSN-C)
Women's Legal Education and Action Fund (LEAF)
Women Cybersecurity Society
Women's Shelters Canada
Working for Change
World Federalist Movement—Canada (WFM-Canada)
YWCA Banff
YWCA Canada