

Canadian Women's Rights Groups Welcome the Report made by Ms. Dubravka Šimonovic, the United Nations Special Rapporteur on Violence Against Women, to the Human Rights Council

June 27, 2019, Ottawa

Where

Press Conference, Thursday June 27, 2019 11:30 a.m.

135-B Press Conference Room

The 135-B Press Conference Room is located in West Block on Parliament Hill.

Who

The Feminist Alliance for International Action (FAFIA) is joined by the Barbra Schlifer Commemorative Clinic (BSCC), the Ontario Native Women's Association (ONWA), Women's Shelters Canada (WSC), Women's Sexual Assault Centre Renfrew County, the National Association of Women and the Law (NAWL), Dr. Pam Palmater, Chair in Indigenous Governance at Ryerson University, Myrna Dawson, Director of the Canadian Femicide Observatory for Justice and Accountability in welcoming the **Report of the United Nations Special Rapporteur (SR)** on violence against women, its causes and consequences on her visit to Canada.

Why

As national women's rights experts, we were consulted during the April 2018 visit by the Special Rapporteur, during which she gathered evidence for her report.

We welcome the SR's Recommendations to Canada for improving its record on violence against women prevention and response. And echo the urgent tone struck by her finding that "Indigenous women from First Nations, Metis and Inuit communities face violence, marginalization, exclusion and poverty because of institutional, systemic, multiple intersecting forms of discrimination not addressed adequately by the State."

What

Canada has a long and well-regarded role in international legal circles for its stated commitments to gender equality and its history of commitment to international human rights standards. As the SR notes in her report,

"Canada has a long-standing record of support at the United Nations to issues related to violence against women, including the establishment of the mandate of the Special Rapporteur on violence against women, its causes and consequences as the main sponsor of the mandates founding resolution of 1994. The first mandate's official visit to Canada to gather first-hand information on the situation of violence against women coincides with the commendable decision by the Government to proclaim itself as a feminist government and to adopt feminist foreign and international assistance policies.

Despite such commitments the mandate holder notes that women lives' in the country are still marked by systemic gender-based violence, especially concerning Indigenous and other women who encounter multiple forms of discrimination" [emphasis added].

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Amanda Dale, Director, FAFIA, 416-453-1916 director@fafia-afai.org

Please see backgrounders that follow.

Responses and excerpts of the Report from Canadian women's rights experts available to the media

"Canada has taken some crucial and important steps to address violence against women and gender-based violence", stated **Dr. Amanda Dale, Director of FAFIA**. "But the SRs report reminds us that State responses must acknowledge the depth, extent and gravity of the crisis", she continued. "We are in what the UN has classified a Global Pandemic of violence against women, and the aftermath of the classification of a national genocide against Indigenous women. It will take bold and robust responses with investment commensurate with the State's capacity, not piecemeal actions fueled by bake-sales to turn the corner on this." she stated.

The SR's report unflinchingly notes the statistical reality of violence against women in Canada: Intimate partner violence is the most common form of violence against women in Canada with 8 in 10 victims who are women and girls.¹ Rates of female victims of violent crime were 8 times higher in the territories and nearly 3 times higher in the Provincial North than in the South.² Indigenous women are 3 times more likely to be victims of violence than non-Indigenous women. Approximately every 2.5 days, a woman in Canada is killed by her intimate partner.³ In 2017, 84% of police-reported homicide victims killed by an intimate partner were women.⁴

Canadian advocates welcome this acknowledgement of the seriousness of the issues Canada takes leadership on globally, right here at home. "We have had some commitments to shelters and to federal plans on investments in the VAW service sector", offered **Lise Martin, Executive Director of Women's Shelters Canada**. "But the SR makes clear that federal does not equal national, and that if Canada wants to make substantive progress on the prevention and remedy for violence against women and gender-based violence, it needs to enact a national action plan with real goals targets and accountability. Ms. Šimonovic explicitly states that 'federalism should not constitute a barrier to human rights implementation,' and that 'there is a need for a

¹ In Canada, crime is measured using a combination of both police (police-reported data) and victim-reported information (self-reported data). Statistics Canada 2018. Family violence in Canada: A statistical profile, 2017.

² Statistics Canada 2015. Police-reported crime in Canada's Provincial North and Territories, 2013. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2015001/article/14165-eng.htm>.

³ <https://femicideincanada.ca/callitfemicide.pdf>.

⁴ Statistics Canada 2018. Homicide in Canada 2017 Family violence in Canada: A statistical profile, 2016.

more comprehensive and holistic National Action Plan on violence against women.” she concluded.

The SR reserves her strongest criticism for the situation of Indigenous women in Canada: “According to 2016 data, Indigenous peoples represent 5% of Canadian population, with Indigenous women 2.5 per cent of the total population.⁵ Yet, Indigenous women and girls are nearly 3 times more likely to be victimized by violent crime⁶ and 6 times more likely to be the victim of homicide than non-Indigenous women.⁷ Indigenous women and girls encounter multiple forms of discrimination, including inadequate social assistance and housing and lack of affordable public childcare. Indigenous women continue to experience high rates of children being removed from their care, a practice which began in the era of residential schools.”⁸

Sadly, this comes as no surprise to Canada’s Indigenous women’s rights activists. “The violence against Indigenous women and girls by state actors has deep roots in colonial laws, many of which have never changed”, stated **Dr. Pam Palmater, Chair in Indigenous Governance, Ryerson University**. “The first records of missing and murdered Indigenous girls go back to the bounty-hunting and scalping laws of the 1700s. It has become something we don’t even see,” she continued. “Following on the heels of the crucial findings of the Final Report on the Inquiry on Missing and Murdered Indigenous Women, we see the recommendations of the Special Rapporteur as a critical support to the justice we have been demanding since contact”, she concluded. “We also note that the violation of Indigenous women’s rights to autonomy needs to be redressed when the SR says that ‘the Rapporteur believes that the practices of forced sterilization should be investigated and addressed in the context of systemic discrimination against Indigenous peoples, particularly Indigenous women, as well as comprehensive information on consent instituted while victims of such violence should receive full remedy including compensation.’”⁹

Says ONWA Executive Director, Cora McGuire-Cyrette, “Canada has great examples of promising practices that would be upscaled to protect and support Indigenous women who are taking leadership in their communities”. She continues, “in the area of human trafficking, which ONWA has done extensive work in for decades, the SR has stated that ‘even though human trafficking constitutes a criminal offense in Canada, the Rapporteur highlights that there is a lack of comprehensive and systemic data collection on trafficking and trafficking victims, including on trafficked indigenous women, and exploitation of prostitution and other related purposes’”, she concludes.

⁵ Statistics Canada 2016. Aboriginal Population Profile, 2016 Census.

⁶ Statistics Canada 2017. Women and the Criminal Justice System.

⁷ Source: Statistics Canada 2018. Homicide in Canada, 2017.

⁸ <http://www.standcanada.org/truth-reconciliation-commission-report-summary/>.

⁹ See also Bartlett, Boyer, External Review - Tubal Ligation in the Saskatoon Health Region: The Lived Experience of Aboriginal Women 2017.

Deepa Mattoo, Executive Director of the Barbra Schlifer Commemorative Clinic in Toronto, says "we see how women who identify the violence in their lives are failed and further victimized by the laws that are supposed to protect them. We echo the SR's finding that:

'Although criminalization of violence against women in family, sexual assault and immigration law is an important legal action towards tackling this epidemic, reports by service providers for women victims of violence highlight a certain victimization of women requesting state protection against violence, which is reflected in an increase in the laying of charges against themselves when denouncing alleged perpetrators whom they know. Service providers have also observed in cases where the requirements of child custody arrangements based on the so-called best interests of the child test, force women to have continued contact with abusers, ignoring violence committed by the former spouses.'

"The SR's observation that the criminalization and marginalization of migrant women exposes them to 'trafficking and sex work, with related risks of detention and deportation', and that 'this has the perverse impact of disincentivizing female migrants from reporting rapes, assaults, or other violations', is certainly evident at the Clinic."

Mattoo adds, "the recent cuts to funding that directly impact social justice exemplify the Federal Government's inaction in the area of access to justice. The SR stated that 'in 2008 and 2016, the CEDAW Committee recommended that there be standardized minimum criteria for eligibility for legal aid. Notwithstanding, there continues to be unequal access to legal aid services across provinces and territories and narrow eligibility requirements, which severely curtail women's access to justice.'"

Suki Beavers, Director at the National Association of Women and the Law, comments that "NAWL/ANFD is pleased to see that our calls for legal reform are echoed in the SR's recommendations to Canada, including in the areas of: criminal law, family law, and labour and employment laws, and 'the harmonization of the legislation on violence against women and domestic violence across all federal/provincial/territorial jurisdictions'. We continue to call on lawmakers to ensure that they 'commit to ensuring that feminist and equality-seeking groups are systematically involved in the framing and monitoring of all the law reform initiatives on violence against women.' NAWL/ANFD looks forward to the opportunity to play a convening role in the way forward in ensuring full implementation of this recommendation."

Kim Charlebois of Women's Sexual Assault Centre Renfrew County, applauds the SR's grasp of rural realities in Canada. "The Rapporteur clearly stated," that 'certain types of crimes are overrepresented and victimization rates are highest for women in rural areas, including concerning violent crimes. For 2017, police-reported rates of violent crime were higher for women of all age groups in rural than in urban areas. Crimes committed by intimate partners are disproportionately high also in rural areas.; [and that] among the issues exacerbating violence against women in rural context there is social isolation, access to weapons and unregulated fire arms, the lack of legal representation and ICT access, limited public transportation and day care services, and economic crisis and poverty. The lack of access to

services for women and confidentiality when reporting abuses, social, cultural psychological isolation also exacerbate violence against women and girls in rural areas, including in terms of underreporting of violence.”

Professor Myrna Dawson, Director of the [Canadian Femicide Observatory for Justice and Accountability](#) underscores the findings of the SR with respect to inadequate data collection: “without proper gender-specific data, Canada cannot hope to track, monitor and improve its record on violence against women. Our work at the Femicide Observatory could assist this advancing in Canada, but it receives little government attention or support.” The Special Rapporteur’s report states:

‘While the killing of all women and girls is included as a core focus of data collection for Statistic Canada’s Homicide Survey, data are limited (e.g. minimal information on context of crime, history of relationship, prior history of violence, etc.), with little focus on justice and accountability following the femicide beyond initial charge laid by police.’”

As the SR report underscores, Canada has a strong record of accepting international obligations, including human rights treaties, the record is less exemplary in complying with findings and recommendations for Canada. We want to work with law and policy makers to ensure better compliance and follow-through on the part of Canada in the case of the SR’s Final report.

Please see backgrounders that follow

Backgrounders

Available in person at the press conference are:

Suki Beavers is NAWL's Director. Suki has worked with the United Nations, NGOs, in a community legal clinic, and she practiced union-side labour, employment and human rights law in Ottawa. Suki has engaged extensively with parliamentarians, governments and other stakeholders in Canada, and in all regions of the world, and has partnered with civil society, particularly women's rights and equality seeking movements, to advance gender equality, human rights, social justice and sustainable development. She has written, edited and/or contributed to 30+ publications including on; CEDAW, VAW/GBV, women's participation and decision-making, sexual rights, LGBTI rights and inclusion, inclusive political processes, HIV and the law, access to justice, and good governance, and she has been a member of the Editorial Board of the Canadian Journal of Women and the Law. Suki is an alumni of the University of Ottawa (LL.M., LL.B., graduating Magna Cum Laude, and the recipient of the Bassel, Sullivan and Leak and County Carleton Law Association awards, B.A., Hons), and McGill University (B.A.). The National Association of Women and the Law (NAWL) is an incorporated not-for-profit feminist organization that promotes the equality rights of women in Canada through legal education, research, and law reform advocacy.

Kim Charlebois Women's Sexual Assault Centre Renfrew County

Kim Charlebois is a former Executive Director of the Sexual Assault Centre for Quinte & District where she worked for 22 years, and she is a founder of the Paths of Courage Healing Program, a one of a kind residential treatment program for survivors of sexual violence. She has worked on numerous committees both at the Community & Provincial level. She currently works as the Status Project Coordinator, advocating for rape culture change for women in rural communities, with the focus on Renfrew County.

Amanda Dale, Director The Feminist Alliance for International Action (FAFIA)

Dr. Amanda Dale is an international human rights scholar, with a specialization in women's human rights. She is a recognized spokesperson and expert in women's rights and violence against women. Amanda has over 30 years' experience working in international, multicultural, urban, and remote contexts. Founded in the follow-up to the United Nations Beijing Declaration and Platform, FAFIA is a Canadian alliance of women's organizations at the national, provincial, territorial, and local levels. Our mandate is to advance women's equality in Canada by working for the full implementation of the international human rights treaties and agreements that Canada has ratified. FAFIA had Standing at the MMIW Inquiry.

Lise Martin is the founding Executive Director of Women's Shelters Canada, an organization that provides a unified voice for systemic change to end violence against women while providing leadership for collaboration and knowledge exchange among shelters and transition houses across the country. Lise is a member of the Advisory Council for the federal government's Gender-Based Strategy. Prior to joining WSC, she was the Executive Director of Women's World 2011, an international feminist conference that hosted more than 2,000

participants from 92 countries in Ottawa in July 2011. For many years Lise was with the Canadian Research Institute for the Advancement of Women (CRIAOW), first as a Research Officer and then as Executive Director. Lise is also one of the founding members of FAFIA, the Canadian Feminist Alliance for International Action.

[disponible pour des interviews en français]

Deepa Mattoo, Executive Director, Barbra Schlifer Commemorative Clinic

Deepa Mattoo has more than 20 years of experience providing direct human rights related services as well as public education, social justice and advocacy. Deepa is an Adjunct Professor at Osgoode Hall Law School for her role as Co-Director of the Feminist Advocacy Program and managed the Clinic's Independent Legal Advice program. The Barbra Schlifer Commemorative Clinic was founded in 1985 and offers free legal services in family, immigration and criminal law, individual and group counselling programs, and multilingual interpretation to women who have experienced violence.

Dr. Pam Palmater, Chair in Indigenous Governance, Ryerson University

Dr. Pamela Palmater holds the Chair in Indigenous Governance at Ryerson University and is one of Canada's leading authors and commentators on current laws and policies that impact First Nations. As well as teaching and writing, Dr. Palmater provides advice directly to First Nations and serves as an expert, appearing before various domestic and international investigatory bodies on government laws, policies, and practices that affect Indigenous peoples.

Available by arrangement

Myrna Dawson, Director, Canadian Femicide Observatory for Justice and Accountability

Myrna Dawson is Professor and Canada Research Chair in Public Policy in Criminal Justice, University of Guelph, Director of the Centre for the Study of Social and Legal Responses to Violence (CSSLRV), and Co-Director of the Canadian Domestic Homicide Prevention Initiative. The CSSLRV works to create and mobilize knowledge about effective violence prevention through rigorous research, exchange of knowledge to inform policy, and to train future researchers.

Cora-Lee McGuire-Cyrette, Executive Director, ONWA

Cora-Lee McGuire-Cyrette, a member of the Bear Clan, is an Anishnawbe kwe from Bingwi Neyaashi Anishnaabek, located in the Robinson Superior Treaty Area, Canada. Cora is the Executive Director of Ontario Native Women's Association (ONWA), a province-wide, non-profit organization dedicated to supporting and empowering Indigenous women in Canada. In her role as Executive Director, Cora is guided by the cultural teachings of her Anishnawbe ancestry and is dedicated to creating safe space for Indigenous women and children. A significant part of her work is committed to ending violence against Indigenous women and girls and eradicating human trafficking from our communities.

Cora studied at Lakehead University, located in Thunder Bay, Ontario, Canada, and received her *Bachelor of the Arts* degree with a double major concentration in *Indigenous Learning* and *Sociology*.

The Ontario Native Women's Association's (ONWA) was established in 1971 and supports women to take up their leadership roles in the family and in the community.

See the SR's Report to the Human Rights Council here:

A/HRC/41/42/Add.1 Visit to Canada - Report of the Special Rapporteur on violence against women, its causes and consequences **EAdvance
Unedited
Version**

The United Nations Special Rapporteur

Ms. Dubravka Šimonovic (Croatia) was appointed as United Nations Special Rapporteur on violence against women, its causes and consequences, in June 2015 by the UN Human Rights Council for an initial three years' tenure. She took up office on 1 August 2015.

The United Nations Commission on Human Rights in resolution [1994/45](#), adopted on 4 March 1994, decided to appoint a Special Rapporteur on violence against women, including its causes and consequences. The mandate was extended by the Commission on Human Rights in 2003, at its 59th session in resolution [2003/45](#).

According to his/her mandate the Special Rapporteur is requested to:

(a) Seek and receive information on violence against women, its causes and consequences from Governments, treaty bodies, specialized agencies, other special rapporteurs responsible for various human rights questions and intergovernmental and non-governmental organizations, including women's organizations, and to respond effectively to such information;

(b) Recommend measures, ways and means at the local, national, regional and international levels to eliminate all forms of violence against women and its causes, and to remedy its consequences;

(c) Work closely with all special procedures and other human rights mechanisms of the Human Rights Council and with the treaty bodies, taking into account the request of the Council that they regularly and systematically integrate the human rights of women and a gender perspective into their work, and cooperate closely with the Commission on the Status of Women in the discharge of its functions;

(d) Continue to adopt a comprehensive and universal approach to the elimination of violence against women, its causes and consequences, including causes of violence against women relating to the civil, cultural, economic, political and social spheres.

In the discharge of the mandate the Special Rapporteur:

Transmits urgent appeals and communications to States regarding alleged cases of violence against women. See [Individual Complaints](#)
Undertakes country visits. See [Country Visits](#)
Submits annual thematic reports. See [Annual Reports](#)

(<https://www.ohchr.org/en/issues/women/srwomen/pages/srwomenindex.aspx>)

The Role of Special Rapporteurs

Special rapporteurs are appointed by the Council to assist it in achieving the objectives set out in the General Assembly resolution of 2006 that created the council to replace the former Commission on Human Rights.

It has been acknowledged that the institution of UN special rapporteurs for human rights known as the special procedures have played an important role over a long period of time in promoting and protecting human rights in some of the most difficult circumstances and on some of the most challenging issues. They have done so through not only monitoring and fact finding but also standard-setting over the past three or so decades. They have been credited for influencing significantly the elaboration, interpretation and implementation of international human law and brought the human rights work of the UN to the ordinary men and women around the globe.¹⁰

¹⁰ Surya P. Subedi, Steven Wheatley, Amrita Mukherjee & Sylvia Ngane (2011) The role of the special rapporteurs of the United Nations Human Rights Council in the development and promotion of international human rights norms, *The International Journal of Human Rights*, 15:2, 155-161, DOI: [10.1080/13642987.2011.537463](https://doi.org/10.1080/13642987.2011.537463)