



# FEMINIST SCORECARD 2023

FEMINIST ACTION IN A WORLD OF CRISES



**OXFAM**  
Canada

# Feminist Scorecard 2023

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Oxfam is a global movement of people working to end injustice and poverty. Our mission is to build lasting solutions to poverty and injustice while improving the lives and promoting the rights of women and girls.

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### **Land acknowledgement**

Oxfam Canada acknowledges the historical and ongoing oppression and colonization of all Indigenous Peoples, cultures and lands in what we now know as Canada. We commit to acting in solidarity with First Nations, Inuit and Métis peoples in their struggles for self-determination and decolonization and in support of the Calls to Action of the Truth and Reconciliation Commission (2015) and the Calls for Justice of the National Inquiry on Missing and Murdered Indigenous Women and Girls (2019). Oxfam Canada's offices are located on the unceded, unsurrendered traditional territories of the Anishinabe Algonquin peoples. We recognize the privilege of operating on lands that these peoples have nurtured since time immemorial. As settlers on these lands, we commit to walking in solidarity with our host nation and according to Oxfam's values of equality, empowerment, solidarity, inclusiveness, accountability and courage.

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# INTRODUCTION

Three years into the COVID-19 pandemic, the world is now dealing with multiple, intersecting crises of unprecedented proportion. The combined impacts of COVID-19, climate change, spiking food and energy price inflation and ongoing and worsening conflict are wreaking havoc on the world's most vulnerable people. The cracks in our society and economy that were exposed by COVID-19 have now widened into fault lines, and the goal of eliminating inequality seems further out of reach. Women and gender-diverse people living in poverty, who have contributed least to these crises, are among the worst impacted. The deteriorating global situation has set progress towards achieving gender parity back by a whole generation.

Now more than ever, we need the Canadian government to be ambitious and feminist – and we need a strong women's rights movement to hold it accountable. The government should continue to invest in the commitments it has made, such as ending gender-based violence, promoting sexual and reproductive health and rights, tackling climate change, respecting Indigenous self-determination and taking global leadership on women's rights and gender equality.

Inequality is also exploding in Canada. As low-income Canadians in particular struggle with a cost-of-living crisis, a housing crisis and a looming recession, Canada's biggest corporations are reaping record-level profits and not paying their fair share of taxes. In 2021, corporations enjoyed their lowest ever recorded income tax rate, despite having their third highest recorded profit rate, thanks in part to over \$100b in federal pandemic support.<sup>1</sup> Meanwhile, public services that benefit all Canadians – such as health care, disability care, long-term care, education and public transit – remain dramatically underfunded. Marginalized groups with less access to resources will be hit hardest during this period of global economic uncertainty. This includes women, Black, Indigenous and racialized communities, (im)migrants and refugees, people living with disabilities and members of the 2SLGBTQ community.

At the same time, levels of division, anger and hatred are growing globally. We are witnessing the rise of interconnected anti-rights movements – anti-women, anti-trans, anti-abortion, anti-feminist, anti-democratic, etc. – and attacks on women's rights, 2SLGBTQ rights and gender equality. The growth in far-right misogynistic attitudes and movements is provoking growing levels of sexual and gender-based violence. Anti-trans violence is on the rise globally, with Black and migrant trans women, trans women of colour and trans sex workers most at risk.<sup>2</sup> Reports of in-person and online attacks, intimidation, threats and harassment against woman politicians are also growing.<sup>3</sup> Such acts are a form of backlash against women's rights and feminist movements and are intended to keep women and gender-diverse people out of positions of power. They pose a serious threat to our democracy and gender equality.

The world needs Canada's feminist leadership in this time of global crises, and the government put forward several laudable initiatives this past year, which show it is up to the task. The 2022 federal budget delivered some notable investments to advance gender equality and continue building a coordinated feminist movement. For example, the government continued to push forward its ambitious child care agenda, with its historic public investment and bilateral agreements signed with all provinces and territories to provide affordable, inclusive and high-quality child care across Canada. The government also moved forward key initiatives that will benefit low-income women, racialized women, women with disabilities and 2SLGBTQ people.

But gaps remain, particularly for the most marginalized women and gender-diverse people who have been sliding deeper into poverty as a result of the pandemic. As the government started to phase out emergency pandemic support, major problems surfaced for some of the poorest who saw other critical income supports clawed back. These clawbacks disproportionately affect vulnerable women, like single mothers. Additionally, the government's housing strategy, which was backed by significant investments, lacks an intersectional gender analysis and a clear understanding of women's unique housing needs and circumstances.

As Canada's Feminist International Assistance Policy celebrates its fifth anniversary, now is the time for bold feminist action in the face of global crises.

## METHODOLOGY

No single change could transform the lives of women and gender-diverse people living in poverty and struggling to realize their rights. The barriers women and gender-diverse people face and the opportunities they are denied stem from complex and long-entrenched systems of oppression and discrimination. A holistic approach that addresses a myriad of interconnected factors is therefore required to make real progress towards gender equality.

Oxfam Canada's Feminist Scorecard 2023 presents a feminist assessment of the Canadian government's action in a world of crises from March 2022 to February 2023.

Twelve policy areas are assessed:

- 1 Care economy: investing in the care sector
- 2 Sexual and reproductive health and rights: upholding sexual and reproductive rights for women and 2SLGBTQ people
- 3 Global development: taking global leadership on women's rights and gender equality
- 4 Conflict and crisis: responding to humanitarian crises and building lasting peace
- 5 Migrant and refugee rights: protecting migrant and refugee rights
- 6 Climate justice: tackling the climate change crisis
- 7 Ending poverty: reducing poverty for the most marginalized women
- 8 Representation and leadership: investing in women's leadership and gender-based analysis
- 9 Gender-based violence: ending gender-based violence
- 10 Tax: building a progressive tax system
- 11 Women's work and labour rights: promoting labour rights and equal work for women
- 12 Rights of Indigenous women: upholding the rights of Indigenous women

Each of the policy areas includes an analysis of where the government got it right and where it missed the mark and provides recommendations for the way forward.

The Feminist Scorecard 2023 focuses on policy initiatives made by the Canadian government between March 2022 and February 2023 only. The scorecard does not offer a comprehensive analysis of every government policy decision that impacts women and gender equality, nor does it reflect the state of women's rights in Canada or globally. Rather, it presents a feminist assessment of the government's action or inaction in these 12 policy areas. It is, in the simplest of terms, a snapshot of the volume and quality of federal government action during this specific time period.

Policy areas are rated using a traffic light system — red, yellow, green — indicating very little, some or significant progress.

A more in-depth analysis of the policy areas covered by the Feminist Scorecard, in addition to an articulation of the feminist principles that guide Oxfam Canada's work, can be found in a number of recent publications, including:

- [Survival of the Richest: How we must tax the super-rich now to fight inequality](#) (2023).
- [The Assault of Austerity: How prevailing economic policy choices are a form of gender-based violence](#) (2022).
- [Inequality Kills: Action needed to combat inequality in the wake of COVID-19](#) (2022)
- [The Ignored Pandemic: The Dual Crises of Gender-Based Violence and COVID-19](#) (2021)
- [Advancing Canadian Global Leadership on Sexual and Reproductive Health and Rights](#) (2021)
- [The Impact of COVID-19 on Women's Rights Organizations](#) (2021)
- [Feminist Approaches to Climate Justice: A toolkit for building inclusive climate advocacy](#) (2021)
- [Oxfam's Recommendations for Canada's 2021 Climate Finance Renewal](#) (2021)
- [The Inequality Virus: Bringing together a world torn apart by coronavirus](#) (2021)
- [Oxfam's Recommendations for Canada's Feminist Foreign Policy](#) (2020)

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- [Investing in a Feminist Green COVID-19 Recovery: Oxfam Canada's recommendations for Budget 2021 \(2020\)](#)
- [Time to Care: Unpaid and underpaid care work and the global inequality crisis \(2020\)](#)
- [Who Cares? Why Canada needs a public child care system \(2019\)](#)
- [Feminist Aid: A call for G7 leaders to beat inequality \(2019\)](#)
- [A Feminist Approach to Women's Economic Empowerment: How Canada can lead on addressing the neglected areas of WEE \(2019\)](#)
- [A Feminist Approach to Localization: How Canada can support the leadership of women's rights actors in humanitarian action \(2018\)](#)
- [Oxfam Canada's Feminist Principles: What they are and how they serve as a guidepost for our work \(2018\)](#)



GREEN = SIGNIFICANT PROGRESS



YELLOW = SOME PROGRESS



RED = LITTLE PROGRESS

# FEMINIST SCORECARD

2023



During a time of multiple unprecedented crises, what action has the government taken to advance women's rights and gender equality?



## CARE WORK

The government continued to advance its ambitious child care agenda, with its historic public investment and bilateral agreements signed with all provinces and territories. Now we need a comprehensive system to address the full spectrum of care needs, including child care, disability and long-term care, and elder care.



## SEXUAL & REPRODUCTIVE HEALTH & RIGHTS

Major federal commitments and investments promoting sexual and reproductive health and rights and the rights of 2SLGBTQ people were welcome, including the launch of Canada's first-ever Federal 2SLGBTQI+ Action Plan. The government must now take action to guarantee abortion access, counter abortion misinformation and ensure comprehensive sex education is available across Canada, as well as to increase its global support and funding for LGBTQ rights.



## GLOBAL DEVELOPMENT

Canada continued to show global leadership on paid and unpaid care work and made new investments focused on COVID-19 and global health. In order to tackle the combined crises of COVID-19, climate change and conflict – all of which exacerbate gender inequality – Canada must continue increasing foreign aid and take action to end vaccine inequality.



## CONFLICT & CRISIS

Canada made significant investments to fight the global hunger crisis and the wars fueling it, but funding levels must increase drastically to meet the rising needs and reach the most vulnerable women and girls. The convergence of multiple global crises and conflicts also underscores the need for a coherent feminist foreign policy for Canada.



## MIGRANT & REFUGEE RIGHTS

The government created several programs to enable people seeking safety abroad to come to Canada and announced plans for a "regularization" program, which would provide a pathway to permanent residency for anyone in Canada with precarious immigration status. Yet, for too many migrants and refugees, accessing protection in Canada remains crushingly difficult.



## CLIMATE CHANGE

Canada's ambitious climate action agenda includes investments in climate adaptation, mitigation and the energy transition. To achieve its climate goals, the government should listen to and support women and marginalized groups disproportionately affected by climate change and prioritize people and the planet above the interests of the fossil fuel industry.



## ENDING POVERTY

As the government continues to phase out emergency pandemic support, those at the margins will be hit hardest by rising inflation, the housing crisis and a looming recession. To help prevent marginalized and low-income women from falling deeper into poverty, the government must sharpen its intersectional gender analysis and implement targeted strategies to tackle homelessness, racism and ableism.



## REPRESENTATION & LEADERSHIP

The Prime Minister's cabinet goes beyond gender parity and gives women powerful roles to shape the government's actions at home and abroad. Still, more could be done to improve women's intersectional representation in cabinet and to combat rising levels of violence and harassment against woman politicians. Going forward, the government must also continue to support and meaningfully engage the feminist movement.



## GENDER-BASED VIOLENCE

The government has made unprecedented commitments to address gender-based violence through federal funding, proposed legislative and judicial reforms, and the launch of the National Action Plan to End Gender-Based Violence. This support must continue and include targeted actions to address shortcomings in the National Action Plan, and tackle systemic issues, service and program gaps, and intersectional vulnerabilities.



## TAX

Rising inflation and the cost-of-living crisis hits marginalized women and groups with less access to resources the hardest. Despite promises, the government took little action to tackle extreme wealth inequality, like introducing a wealth tax, taxing excess corporate profits beyond the financial sector, closing tax loopholes and cracking down on tax avoidance.



## WOMEN'S WORK & LABOUR RIGHTS

Women in Canada continue to be paid lower wages than men, are overrepresented in the most precarious jobs and are more likely to experience violence and harassment in the workplace. This year, the government took important steps to improve employment wages and benefits, but more federal action is needed to address gender inequality in the labour market and to hold Canadian companies accountable for their operations abroad.



## RIGHTS OF INDIGENOUS WOMEN

The federal government has been too slow in addressing the inequalities and discrimination faced by Indigenous women, and progress in implementing the Calls to Action in the Truth and Reconciliation Commission and the Calls for Justice from the National Inquiry on Missing and Murdered Indigenous Women and Girls continues to move at a glacial pace.

# 1 INVESTING IN THE CARE SECTOR

SCORE: GREEN

## The Issue

The act of giving care is necessary and often driven by love, but it is exhausting. Across Canada and around the world, daily tasks, like cooking, cleaning, laundry, family planning, child rearing, eldercare and caring for people with disabilities, keep our society running – and are disproportionately done by women. Canada’s care economy (including sectors like health care, child care, disability and long-term care, elder care and domestic work) has been pushed to its limit after decades of neglect and underfunding, which was only exacerbated by COVID-19. Yet the demand for affordable, accessible and high-quality care will only continue to grow as Canada’s population ages.<sup>4</sup> Despite its essential nature, care work remains highly gendered, overlooked and undervalued. Statistics Canada estimates the economic value of unpaid household care work in Canada is between \$516.9b and \$860.2b or between 25.2% and 37.2% of Canada’s GDP, which is more than the contribution of the manufacturing, wholesale and retail industries combined.<sup>5</sup>



## CARE ECONOMY

Canada’s care economy has been pushed to its limit during the pandemic, after decades of neglect and underfunding. The government continued to push forward its ambitious child care agenda, with its historic public investment and bilateral agreements signed with all provinces and territories to provide affordable, inclusive, and high-quality child care across Canada. Now we need a comprehensive system to address the full spectrum of care needs, including child care, disability and long-term care, and elder care. This will require further investment and targeted actions to address critical labour shortages, and improve wages and working conditions in the care sector.

“Our vision and objectives for early learning and child care are quite simple: reduce child care fees, create more spaces, ensure equitable access for all children, and grow a strong and skilled early childhood educator workforce. This agreement is an important step in ensuring that all families have access to high-quality, affordable, flexible, and inclusive child care.”

– The Hon. Karina Gould, minister of families, children and social development (2022)<sup>8</sup>

“A year ago, our government made a commitment to Canadians: to deliver affordable high-quality early learning and child care for young families across the country. Now that agreements have been reached with all provinces and territories, a cause championed by generations of forward-thinking Canadians is about to become reality.”

– The Hon. Chrystia Freeland, deputy prime minister and minister of finance (2022)<sup>9</sup>



While the move towards affordable parent fees is headed in the right direction in most jurisdictions, the problem of too little licensed child care will get bigger. Meeting the increased demand will require concrete expansion strategies featuring public capital funding and—most importantly—concrete support for under-appreciated early childhood educators, including sufficient pay to retain them, improved working conditions and educational opportunities.”

– Martha Friendly, executive director, Childcare Resource and Research Unit (2022)<sup>10</sup>

The paid care sector is the fastest-growing sector of work in the world – projected to add 150 million jobs by 2030.<sup>6</sup> In Canada, care workers make up nearly one-fifth of the total employed labour force.<sup>7</sup> Yet, the paid care sector is characterized by low wages, low status and poor working conditions. Women who migrate to Canada as domestic workers face particularly harsh and exploitative working conditions, with limited opportunities to improve their situation through permanent residency.

In 2022, the federal government continued to push forward its ambitious child care agenda, with its historic public investment and bilateral agreements signed with all provinces and territories to provide affordable, inclusive and high-quality child care (that inseparably provides both “care” and “early childhood education”) across Canada. Now we need a comprehensive system to address the full spectrum of care needs, including child care, disability and long-term care and elder care. This will require further investment and targeted actions to address systemic issues in the paid care sector, including labour shortages, problems with recruitment and retention, low wages and poor working conditions and burnout among staff.

## Where the government got it right

This year the federal government continued to roll out its ambitious child care agenda, which is the product of decades of tireless campaigning by child care advocates. Budget 2021 included an historic investment of \$30b over five years to build a Canada-wide early learning and child care (ELCC) system. In less than a year, bilateral agreements were signed with all 13 provinces and territories, and clear plans

have been laid out to deliver affordable, inclusive and high-quality child care within the next five years.<sup>11</sup> These agreements set targets for increases in child care spaces and lower fees, while also promising better wages and training opportunities for the child care workforce. Families across Canada have already begun to see significantly reduced child care fees, and the government is closer to achieving its goal of \$10-a-day child care by 2026. In December 2022, Nunavut became the first jurisdiction to achieve \$10-a-day child care under the Canada-wide system.<sup>12</sup>

In response to requests for capital funding from provinces and territories and child care advocates, Budget 2022 committed \$625m over four years, starting in 2023-24, for an ELCC Infrastructure Fund.<sup>13</sup> This funding, while inadequate relative to the costs involved in building and renovating child care facilities, will subsidize the investments of provinces and territories in physical infrastructure. However, since the details of how the money will be distributed have not been announced, the fund may not be directed to growing not-for-profit and public child care spaces across the country.

On February 1, 2023, Bill C-35 passed a second reading in Parliament with unanimous support, bringing Canada one step closer to enshrining the principles of a Canada-wide ELCC system into federal law.<sup>14</sup> This would include a legislated commitment to federal funding for provinces, territories and Indigenous partners to support the provision of licensed child care. Bill C-35 would also enshrine in law the National Advisory Council on ELCC. The role of this recently announced council – which includes academics, advocates, practitioners and caregivers – is to provide third-party expert advice and consultation to the government on issues and challenges facing the child care sector.

The government prioritized national data collection on the care economy with several new initiatives. Through the “care economy project”, Statistics Canada is developing a new data strategy to define and measure the care economy and guide future data collection efforts involving government departments, national and international experts and civil society organizations.<sup>15</sup> For example, this year the Canadian Social Survey included questions on paid and unpaid care work and the impacts of caregiving on Canadians. The results showcased the extent of gender inequalities in caregiving, with women significantly more likely than men to provide paid or unpaid care for children and adults and more likely to report negative impacts from caregiving, such as feeling tired, worried or anxious.<sup>16</sup> However, there is still an absence of good child care data and relevant research, which are more important than ever for effective monitoring and policy making. There is also no Canada-wide data strategy to provide indicators for accountability or information to guide implementation.

The first ever study providing a detailed portrait of paid care workers in Canada was funded by the Department of Women and Gender Equality in 2022.<sup>17</sup> It found that care workers make up nearly one-fifth (19%) of the total employed population in Canada, and that women, especially racialized and immigrant women, are overrepresented in the care workforce, accounting for 75% of all care workers across child care, health care, education, disability and long-term care, elder care and social and domestic services. The study also confirmed that women who are care workers earn 11% less income on average than their male counterparts. This new evidence highlights important inequalities in Canada’s care economy and is a step forward for national data collection.

## Where the government missed the mark

Further investment and targeted actions are needed to address systemic issues in the child care sector, including labour shortages, problems with retention, low wages and poor working conditions, and burnout among staff.<sup>18</sup> The child care workforce has been undervalued for decades. Without a significant commitment and investment to improve wages and working conditions, it will not be possible to recruit

and retain sufficient qualified educators to staff the federal government’s promised 200,000 new child care spaces in the next five years. Setting provincial wage grids and providing workers with training and development opportunities as set out in some of the bilateral agreements is a good first step, but few provinces and territories have put in place proper compensation systems. Further, little has been done to ensure that a much larger proportion of those working in licensed child care have two or more years of post-secondary study in early learning and childhood education. Proper compensation systems and educational requirements of staff are key to ensuring that licensed early learning and child care programs are of high quality.

Whether the federal funding allocated will be sufficient to bring parent fees down to \$10 a day, especially in high-cost jurisdictions such as B.C., Alberta and Ontario, or to fund the increased accessibility and availability of programs remains unclear.<sup>19</sup> There is growing concern that the federally funded expansion of licensed child care could result in a growth in for-profit child care which would then be sustained by public funds. For example, the federal government recently approved the Alberta government’s plan to use federal funds to support 22,500 new for-profit spaces in the province even though the Alberta government has made little or no progress towards meeting its commitment to creating 42,500 non-profit spaces. Decades of research shows that for-profit service delivery is associated with substandard care and higher user fees, with negative consequences for the people receiving care and the workers providing it.<sup>20</sup> As part of their next ELCC action plans, provinces and territories should each develop a concrete publicly-led strategy for expanding public and not-for-profit child care programs.

Support for long-term care was not mentioned in Budget 2022, despite the attention it gained during the worst moments of the pandemic and despite the \$9b commitment the federal government made to long-term care during the 2021 election.<sup>21</sup> The goal of providing access to safe and high-quality long-term care for vulnerable seniors and people with disabilities has not been prioritized or advanced with the urgency necessary. In January 2023, the federal government finally unveiled new national standards for long-term care, after a three-year consultation process. Many advocates were disappointed to learn the standards

would not be mandatory and raised concerns about the absence of sustainable funding, enforcement and accountability mechanisms.<sup>22</sup> There was also no information in the standards on the role of ownership or the need to end for-profit long-term care, which has been shown to deliver inferior outcomes across a variety of measures including staffing, resident experience, injuries and quality of care.<sup>23</sup>

Ensuring decent work and a pathway to permanent residency for migrant workers is critical for building Canada's care economy and addressing critical labour shortages. There are approximately 25,000 migrant care workers in Canada today, the overwhelming majority of whom are racialized women.<sup>24</sup> Many of these workers are paid low wages, work long hours and live in difficult conditions for years before they have the chance to apply for permanent residency. Almost all migrant care workers live in employers' homes, where they are more vulnerable to isolation, labour exploitation and other human rights abuses. This situation was made worse during the pandemic, when migrant care workers were further cut off from their social and personal support networks, with some unable even to send remittances home to their families in the early months. Considering domestic workers are at a higher risk of exploitation, the government should work with the provinces and territories to ratify the International Labour Organization Convention 189 on the protection of domestic workers. The Convention protects the rights of domestic workers by ensuring decent working conditions, such as rest time, minimum wage, choice of housing and leave time, and protective measures against violence.

## What's needed now:

- Develop a broad and inclusive labour market strategy to achieve high-quality care jobs and address recruitment and retention needs. This strategy should include wage floors, meeting living wages and providing benefits, as well as education and licensing requirements for workers, but also address care worker supply through progressive immigration measures such as pathways to permanent residency for migrant workers.
- Sustain and increase funding for universal child care as needed, including capital funding. Funding should achieve the key elements of a high-quality universal child care system – a decently paid, qualified and respected child care workforce, robust plans for sufficient public and not-for-profit expansion and operational funding to services rather than continuing the long-standing system of treating care recipients as free-market consumers.
- All federal funding for expansion of ELCC should be used to increase the supply of not-for-profit and public child care programs. This should be reflected in the next round of provincial and territorial ELCC action plans.
- Establish a national care economy commission to study, design and implement a cross-ministry holistic care strategy in Canada that recognizes care as a human right and addresses gender inequalities in unpaid care work. Build a comprehensive system to address the full spectrum of care needs, including child care, disability and long-term care and elder care.
- Work with the provinces and territories to uphold the labour rights of caregivers and domestic workers, including living wages, and ratify the International Labour Organization Convention 189 on the protection of domestic workers.

## 2 UPHOLDING SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS FOR WOMEN AND 2SLGBTQ PEOPLE

SCORE: GREEN

### The Issue

In recent years, Canada has stepped up in the fight for sexual and reproductive health and rights (SRHR) and the rights of 2SLGBTQ people. This leadership is more important than ever in the context of growing and interconnected anti-rights movements (anti-women, anti-trans, anti-abortion, anti-feminist, anti-democratic, etc.) and attacks on women's rights, 2SLGBTQ rights and gender equality. The decision by the Supreme Court of the United States to repeal Roe v. Wade, which had federally protected the right to abortion in the country for over 50 years, has energized anti-rights actors and underscored the importance of maintaining bold support for SRHR.

Around the world, people of diverse sexual orientation, gender identity and expression and sex characteristics face discrimination and violence, as well as higher rates of unintended pregnancies, HIV, other sexually transmitted and blood-borne infections and mental health conditions.<sup>25</sup> Trans and gender-diverse people also face great challenges in access to health care and barriers to employment based on their gender identity and status.<sup>26</sup> Anti-trans violence is on the rise globally, with Black trans, migrant trans women of colour and trans sex workers most at risk.<sup>27</sup>

“Canada’s 2SLGBTQI+ Action Plan is an historic collaborative effort that will help build a more inclusive country. Founded on the hard work of community members, organizations and allies, this Action Plan will set an example for generations to follow. I can assure you that the work does not end here – we will continue to partner with 2SLGBTQI+ communities and leaders to make sure we’re building a Canada that serves everyone.”

– The Hon. Marci Ien, minister for women and gender equality and youth (2022)<sup>32</sup>



### SEXUAL & REPRODUCTIVE HEALTH & RIGHTS

The government has stepped up in the fight for sexual and reproductive health and rights and the rights of 2SLGBTQ people. This includes significant domestic and international funding for SRHR organizations and issues and, this year, the launch of Canada’s first-ever Federal 2SLGBTQI+ Action Plan and an historic investment of \$100m over five years. The government must now take action to guarantee abortion access, counter abortion misinformation and ensure comprehensive sexual education is available across the country. Canada must also increase its global funding and support for LGBTQ rights and appoint an ambassador or special envoy on LGBTQ Rights.

“Together, with organizations across the country, we are committed to defend the right to safe and consistent access to sexual and reproductive health services for everyone, including LGBTQ2 communities in Canada.”

– The Hon. Jean-Yves Duclos, minister of health (2022)<sup>33</sup>

“There is much to be proud of when it comes to Canada’s advancements in the area of human rights and inclusion for 2SLGBTQ people at home and LGBTQ people abroad. There is also a lot more that Canada can do. Dignity Network Canada has been calling on the Canadian government to appoint a Special Envoy for global LGBTQ human rights and to set a target of at least \$20M a year in international assistance for LGBTQ human rights and development abroad. These actions would give Canada an A+ in our view.”

– Doug Kerr, executive director, Dignity Network Canada (2023)

In Canada, access to sexual and reproductive health care and services has been underfunded for decades, and the pandemic only exacerbated this situation. While we must celebrate the rapid uptake of medical abortion by primary care providers, which has had a demonstrably positive impact on abortion access, access to abortion in remote and rural areas continues to be challenging, as does abortion care for undocumented migrants and those who face precarious housing or intimate partner violence.<sup>28</sup>

The state of sexual education across the country is sub-par, not comprehensive and widely inconsistent. The recent rise in abortion misinformation makes the urgency to deliver evidence-based sexual health information even greater – and in-school sexual health education is key. In Canada, there are more anti-abortion organizations or “crisis pregnancy centres” that provide misinformation and disinformation<sup>29</sup> about abortion and pregnancy options than there are publicly listed abortion service providers.<sup>30</sup> Urgent government action is needed to curb disinformation and guarantee access to life-saving sexual and reproductive health education, services and contraception. Studies have shown that the annual cost of delivering universal contraception across Canada would be \$157m, but the savings for direct medical costs of unintended pregnancy alone would be \$320m.<sup>31</sup>

## Where the government got it right

In August 2022, the federal government launched Canada’s first-ever Federal 2SLGBTQI+ Action Plan, which aims to advance human rights and improve social, economic and health outcomes for all 2SLGBTQ people in Canada.<sup>34</sup> The 2022 federal budget pledged an historic \$100m over five years to develop and implement the Action Plan. This funding is additional to the \$7.5m announced in February 2022 for the LGBTQ2 Community Capacity Fund and the \$15m over three years announced in Budget 2021 for the LGBTQ2 Projects Fund.

Advocates welcomed the release of the 2SLGBTQI+ Action Plan, however many believed that it fell short of its transformative potential, including funding levels that will not achieve its stated ambition. While the Action Plan explores the needs of 2SLGBTQ people in key policy areas – like housing, health and education – it lacks specific and clear commitments, including resources, accountability mechanisms and a whole-of-government implementation plan.<sup>35</sup> Initiatives serving Two-Spirit Canadians have been hailed as a step towards reconciliation and intersectionality, however there are no commitments to address the unique challenges faced by transgender, non-binary, intersex and gender non-conforming people, particularly youth.<sup>36</sup> For example, Canada’s Criminal Code still allows for non-consensual non-reversible surgeries on

intersex infants, children and youth whereby other jurisdictions are making amendments and reforms.<sup>37</sup> Furthermore, the Action Plan lacks an international policy component and commitments to Canada advancing LGBTQ rights around the world, including support for LGBTQ refugees.<sup>38</sup>

Access to menstrual products is a basic necessity, but barriers related to affordability and stigma continue to prevent some women, girls, trans and non-binary Canadians from fully participating in school, work and society. Budget 2022 pledged \$25m over two years to establish a Menstrual Equity Fund to ensure all Canadians in need can access menstrual products. This funding should go towards meaningful consultation and target those facing the greatest barriers to accessing menstrual products, such as refugees, homeless individuals, people with disabilities, trans and non-binary people, Indigenous communities and people living in rural and remote areas. In October 2022, the government proposed an amendment to the *Canada Labour Code* requiring federally regulated employers to provide menstrual products in all workplace washrooms regardless of their marked gender.<sup>39</sup> It is encouraging to see the government take seriously the issue of menstrual health and strive for an inclusive approach.

The federal government continued to roll out its Budget 2021 funding commitments for SRHR, starting with the \$45m over three years for the Sexual and Reproductive Health Fund. The funding was for community-based organizations to improve access to sexual and reproductive health care support, information and services. Of this commitment, \$24.9m has been allocated to date, including for projects focused on abortion access, 2SLGBTQ communities, youth and Indigenous peoples.<sup>40</sup>

Budget 2021 also included \$7.6m over five years for a National Sexual Health Survey, which is currently being developed. While positive, this commitment is long overdue with many countries far ahead of Canada in their ability to base policy decisions on meaningful evidence. The survey should be designed through meaningful consultation with SRHR experts and organizations and collect fully disaggregated data on a comprehensive list of indicators to enable intersectional analysis. Funding for the survey should be made permanent to ensure sexual health policies in Canada remain rooted in the realities of Canadians experiences.

Canada made history in 2022 as the first country to publish census data on transgender and non-binary people.<sup>41</sup> The data came from Canada's 2021 census, which differentiated between "gender" and "sex at birth" for the first time. It shows that 0.33% of Canadians aged 15 or older – or about 100,815 people – identify as transgender or non-binary. While Statistics Canada and advocates agree that the new numbers likely underestimate the true size of the population, the data will offer crucial insights into this previously "uncounted" community. It is also encouraging to see that intersectional analysis of the data is underway by Statistics Canada, incorporating characteristics such as age, geography, income, education and more.<sup>42</sup> Race and Indigeneity must be included to reveal disparities and ensure intersectional data.

The introduction of several legislative and policy changes helped to create a more inclusive and supportive environment for women and 2SLGBTQ people in Canada. For example, Canada's Labour Code was amended to provide extended bereavement leave to federally regulated employees who experience a pregnancy loss from miscarriage or stillbirth.<sup>43</sup> This is a compassionate step forward for Canadian labour policy. Advocates would like to see the definition of pregnancy loss expanded further to include termination of pregnancies. The government should also work with provinces to provide similarly inclusive support and bereavement leave to provincially regulated employees. After decades of the discriminatory practice, Health Canada authorized Canadian Blood Services to lift the blood donation ban for men who have sex with men.<sup>44</sup> Instead, the agency will screen all donors for high-risk sexual behaviours, regardless of gender or sexuality. It was also heartening to see parliamentarians come together in 2022 to form a cross-party Canadian Pride Caucus of 2SLGBTQ senators and members of parliament.<sup>45</sup>

## Where the government missed the mark

The \$45m for SRHR organizations in Budget 2021 was historic in nature in that it was the first federal budget to mention abortion access. It was an important acknowledgement that many continue to face significant barriers in accessing needed care. However, more action is needed to guarantee abortion

access across Canada. Right now, Canada should take concrete action to ensure that provinces and territories are meeting their obligations to make abortion accessible to all who need it, invest to counter abortion misinformation and disinformation and address systemic barriers to health care access, for example, regularizing undocumented people in Canada. The federal government should reinvest in and make permanent the Sexual and Reproductive Health Fund, which is currently set to expire in 2024. The government must also deliver the promised \$10m to establish a centralized sexual and reproductive health information portal for Canadians to address rising levels of misinformation and disinformation about abortion and other SRHR issues (such as, gender-affirming care). Further, the government should follow through on their platform commitment to no longer provide charity status to anti-abortion organizations and deliver on the 2021 \$10m commitment for youth-focused SRHR organizations. The government should act quickly to introduce and pass the *Canada Pharmacare Act* and include universal free access to contraception and the full range of medicine, commodities and devices necessary for sexual and reproductive health in the national list of prescription drugs.

Finally, the Canadian Criminal Code currently allows for the parents and medical practitioners of intersex infants, children and young adults to undertake non-consensual interventions such as surgeries that have proven to result in lifelong physical and psychological pain and have been called out as human rights violations by groups such as the UN and Egale Canada and international law.<sup>46</sup> This must be amended.

The poor state of sex education in Canada is a violation of various treaties (including the urgent 2018 communication from the UNHCR and the 2022 Committee on the Rights of the Child) to which Canada is State party. Despite these recommendations, Canada has not taken any meaningful steps to address concerns about equal access to high quality comprehensive sex education across the country.<sup>47</sup> Evidence has demonstrated that sex education plays a significant role in preventing intimate partner violence and child sexual abuse, facilitating appreciation of sexual diversity, improving social and emotional learning, increasing media literacy and promoting consent and healthy relationships.<sup>48</sup> Right now in Canada, provinces have vastly different sex education curricula, no system exists to monitor

delivery or results, and sex educators receive little to no formal training.<sup>49</sup> There needs to be a federal strategy in place to ensure that all young people in Canada have access to standardized and comprehensive sex education based on established evidence-based guidelines from the Sex Information and Education Council of Canada and UNESCO. This strategy should be well-resourced with funding to support the development of a template curriculum that would set the bar for all provinces, support provinces in the delivery of comprehensive sex education and include mechanisms to support its monitoring and evaluation across the country.

The government has been dragging its feet when it comes to updating Canada's public workplace equity laws, leaving 2SLGBTQ people without recognized status as a group that faces systemic barriers in the workplace. In 2021, the government announced funding and a new task force to review the *Employment Equity Act* and make recommendations to modernize the legislation.<sup>50</sup> The final report from the taskforce was originally expected in early 2022, but advocates are still waiting. Any changes to the *Employment Equity Act* must include 2SLGBTQ people as a recognized equity group. Action to strengthen 2SLGBTQ inclusion in the federal public service is necessary and long overdue.

Canada has made significant contributions to support SRHR internationally and must continue to grow our role as a diplomatic leader and a donor countries. The government must remain dedicated to ensuring that it meets its \$700m commitment for sexual and reproductive health with a focus on the neglected areas of SRHR (access to safe abortion services, and adolescent SRHR, including comprehensive sex education, advocacy for SRHR, and accessible contraception) and to tracking its investments. In 2021, Canada developed an accountability framework to help ensure funding to address transparency in its rollout. In the 2020-21 period, Canada had only invested \$104m of the promised \$700m in SRHR funding into the neglected areas.<sup>51</sup> As it stands, the government will need to aggressively scale-up funding in these areas to meet the target by their 2024 deadline.

The welcome 2019 announcement of a first-time LGBTQ envelope of \$30m over 5 years<sup>52</sup> was groundbreaking, as was the subsequent establishment of the Act Together for Inclusion

Fund,<sup>53</sup> both outcomes of significant advocacy efforts by Canadian civil society, coordinated by Dignity Network Canada, to increase Canadian support for advancing LGBTQ rights globally. However, these funds are relatively negligible when looking at total spending for human rights and development globally. Canada's current funding to advance the human rights and socio-economic inclusion of LGBTQ people is only around 0.1% of total international aid, and advocates are calling for an increase to 0.3% or \$20m annually.<sup>54</sup> The announcement in July 2022 of \$9m in funding for three new projects addressing issues facing LGBTQ people in developing countries is a step in the right direction,<sup>55</sup> but long-term sustained investment is also needed. Beyond funding, Canada can enhance its global leadership by appointing an ambassador or special envoy on LGBTQ Rights, who can champion this cause internationally.

### What's needed now:

- Address gaps in the new 2SLGBTQI+ Action Plan including clear commitments, accountability mechanisms and a whole-of-government implementation plan. Develop commitments to address the unique challenges faced by transgender, non-binary, intersex and gender non-conforming people, including youth, and the rising anti-2SLGBTQ hate. Create a national 2SLGBTQ-led Endowment Fund, as called for by the Enchanté Network.<sup>56</sup>
- Take action to guarantee abortion access across Canada. Implement and resource solutions to remove barriers to abortion, including by holding provinces and territories to account for their obligations under the *Canada Health Act*. Reinvest in and extend the Canada Sexual Health Fund which provides support for people facing barriers to accessing abortion across Canada.
- Act quickly to pass the *Canada Pharmacare Act* and include all forms of contraception and the full range of medicine, commodities and devices necessary for sexual and reproductive health in the national list of prescription drugs.
- Fund a permanent National Sexual Health Survey to ensure ongoing monitoring and reporting of sexual and reproductive health indicators
- Develop a federal strategy to ensure that all young people in Canada have access to standardized and comprehensive sexual education, in collaboration with experts and stakeholders from relevant sectors and youth. Allocate funds to support the development of a template curriculum that would set the bar for provinces and territories..
- Any changes made to the *Employment Equity Act* must include the 2SLGBTQ community as a recognized equity group.
- Amend Canada's Criminal Code [section 268(3)] to meet domestic and international human rights obligations and requirements and work to prevent human rights violations faced by intersex people in Canada.
- Expand the definition of pregnancy loss in Canada's Labour Code provisions around bereavement leave to include termination for medical reasons. Work with provincial governments to provide similarly inclusive bereavement support and leave.
- Increase global funding to advance the human rights and socio-economic inclusion of LGBTQ people to \$20m a year and appoint an ambassador or special envoy on LGBTQ Rights.

## 3 TAKING GLOBAL LEADERSHIP ON WOMEN'S RIGHTS AND GENDER EQUALITY

SCORE: GREEN

### The Issue

The combined crises of extreme inequality, COVID-19 and unprecedented food and energy price inflation – all accelerated by Russia's invasion of Ukraine – are wreaking havoc on the world's most vulnerable people. Oxfam estimates that 263 million more people were pushed into extreme poverty in 2022.<sup>57</sup> That number is equivalent to the populations of the UK, France, Germany and Spain combined.<sup>58</sup>

All these crises have profound gender implications – restricting access to sexual and reproductive health services, exacerbating gender-based violence and increasing unpaid care work. The impacts on vulnerable women and girls in developing countries have been staggering, setting the progress towards gender parity back by a whole generation. The estimated time needed to close the global gender gap, previously 99 years, is now 132 years.<sup>59</sup> LGBTQ people have also experienced heightened levels of social exclusion, discrimination and violence throughout the pandemic and in the context of the war in Ukraine.<sup>60</sup>

“Together, we can build a world where women and girls, in all their diversity, can control their own lives, bodies and futures without fear.”

– The Hon. Harjit Sajjan, minister of international development (2022)<sup>61</sup>

“As the world faces multiple crises, we are encouraged by both the increase in Canadian aid and a willingness to make long-awaited reforms to outdated charity legislation that will enable Canadian international development and humanitarian organizations to advance equitable, feminist partnerships around the world.”

– Kate Higgins, chief executive officer, Cooperation Canada (2022)<sup>62</sup>



## GLOBAL DEVELOPMENT

As Canada's Feminist International Assistance Policy celebrates its fifth anniversary, a feminist approach to international assistance is needed now, more than ever. Canada increased its international assistance budget in 2022 and eliminated barriers for charitable organizations to carry out their work with partners. However, this increase in foreign aid still fell short of the amount needed to adequately tackle global challenges such as COVID-19, climate change and conflict – all of which exacerbate gender inequality. Global vaccine inequality is prolonging the pandemic and its disproportionate impact on women and girls in all their diversity. Canada must act now to end vaccine inequality.

It is promising that Canada has increased its international assistance budget and eliminated barriers for charitable organizations to carry out their work with partners. As Canada's Feminist International Assistance Policy (FIAP) celebrates its fifth anniversary, a feminist approach to international assistance is needed now, more than ever.

## Where the government got it right

The increase in Canada's international assistance budget, from \$7.6b in 2020-21 to more than \$8b in 2022-23, will save lives worldwide and help advance gender equality. Canada boosted its international assistance funding significantly in 2020 in response to the COVID-19 crisis. That this increase has become the new baseline to build upon is encouraging. However, the increase in foreign aid still fell short of the amount needed to adequately tackle global challenges such as COVID-19, climate change and conflict – all of which exacerbate gender inequality.

Canada made new investments this year focused on COVID-19 and global health. At the second virtual Global Covid Summit, Prime Minister Trudeau announced \$732m for the Access to COVID-19 Tools Accelerator, a global partnership to give people in low- and middle-income countries affordable access to COVID-19 health products.<sup>63</sup> This investment brings Canada's total contribution to more than \$2b since the start of the pandemic, making Canada one of only three countries to fulfill its "fair share" in 2021 and 2022.<sup>64</sup> However, stalled talks on a patent waiver for COVID-19 vaccines, tests and treatments led to an unsatisfactory compromise at the World Trade Organization (WTO). A much-limited version of the TRIPS waiver covering just vaccines, and for only five years, was ultimately agreed upon. Canada often claimed it did not oppose the waiver, but it did not support it either, which contributed to deadlock on the proposal in the WTO.<sup>65</sup>

The 2022 federal budget included an amendment to the Income Tax Act to allow international development organizations to work in more feminist ways. Despite the FIAP's commitment to support and empower local women's rights groups, Canadian law currently forces organizations like Oxfam to micromanage their local civil society partners in developing countries. Now that the bill has passed, these changes will make it easier for international charities to provide their partners with core funding and greater autonomy, while reducing bureaucratic and reporting burdens.

Canada continued to show global leadership on paid and unpaid care work, following up on its \$100m commitment announced at the United Nations' Generation Equality Forum in 2021 with new funding opportunities for standalone care projects in low- and middle-income countries. Projects funded under the new Action for Paid Care Workers Initiative will address issues facing paid care workers and prioritize partnerships with or support for local women's rights, feminist and Indigenous organizations.<sup>66</sup> The decision to focus on paid care work and to work with local organizations is positive and demonstrates that the government has been listening to the advice of care advocates. Canada participated in the Global Alliance for Care and championed the importance of a feminist economic recovery centering the care economy in multilateral forums, including the G7. The government also committed \$10m to the World Bank's new Childcare Incentive Fund, which aims to scale up quality and affordable child care in developing countries.<sup>67</sup>

Global Affairs Canada has been working to better understand and integrate a feminist approach within its evaluation practices.<sup>68</sup> In 2020, Global Affairs Canada designed and implemented its first fully feminist evaluation process with the formative evaluation of its Women's Voice and Leadership Program.<sup>69</sup> This year, it launched a new Gender Equality and Empowerment Measurement tool, which uses a feminist, participatory approach to capture qualitative data on gender equality and empowerment project outcomes.<sup>70</sup> It is encouraging to see Canada adopt more feminist ways of working when it comes to its evaluation practices.

## Where the government missed the mark

Canada's reporting to the Organisation for Economic Co-operation and Development's Development Assistance Committee shows improvement in the percentage of investments supporting programming specifically designed to advance gender equality and the empowerment of women and girls.<sup>71</sup> The FIAP set a target of 15% by 2021-22 for these investments and that goal appears to have been met. However, the latest figures show a significant drop in 2020 from the previous year (from 25.4% to 15%). Some of that money was probably for vaccines, which is difficult to apply a gender lens to.

Some feminist advocates are concerned that global crises like the pandemic and the war in Ukraine have decreased the importance of the FIAP in guiding Canada's international development assistance. For example, this year's Report to Parliament on the Government of Canada's International Assistance downplays the FIAP, treating it as a programming sector rather than the framework for all development assistance.<sup>72</sup> The section on COVID-19 also does not include much on the gender dimensions of the pandemic or how feminist principles shaped the government's approach to fighting the pandemic abroad. Budget 2022 contains only two mentions of a feminist approach in the entire document, while Canada's "lethal aid" to Ukraine is mentioned four times.<sup>73</sup>

The government has been slow to deliver on some of its high-level funding commitments for issues facing vulnerable women and girls around the world. In 2021, the government promised new funding for its Women's

Voice and Leadership program, which provides much-needed flexible support to women's rights organizations and movements internationally, but has yet to deliver on it.<sup>74</sup> Critical areas like gender-based violence and LGBTQ rights also remain drastically underfunded, due in part to insufficient focus in the FIAP. Canada's announcement of \$4.3m in new support for projects to end gender-based violence around the world is a positive step,<sup>75</sup> but we know that much more is needed to address the rising tide of violence against women, girls and gender-diverse people.

## What's needed now:

- Continue increasing the international assistance envelope. Civil society is advocating for \$1.8b in new and additional funding above 2021-22 levels by 2025, starting with a \$600m increase in the upcoming budget.
- Ensure that COVID-19 and global health aid continues to be additional to other development assistance spending, given how the pandemic has exacerbated other problems and reversed hard-won gains on gender equality.
- Work collaboratively at the WTO to urgently remedy the limitations in the TRIPS waiver. Advocate for the waiver to be expanded to cover COVID-19 tests and treatments, in accordance with international human rights obligations to life, health and equality and to benefit from scientific progress.
- Launch a new phase of the Women's Voice and Leadership program, and continue providing much-needed flexible support to women's rights organizations and movements internationally.

## 4 RESPONDING TO HUMANITARIAN CRISES AND BUILDING LASTING PEACE

SCORE: YELLOW

### The Issue

Extreme inequality, climate change and unprecedented food and energy price inflation – all accelerated by the war in Ukraine and the COVID-19 pandemic – are creating the perfect storm for the world’s most vulnerable people. The UN reports that 339 million people are in urgent need of humanitarian aid – the highest number in history – and acute food insecurity is escalating with 45 million people in 37 countries at a real risk of starvation.<sup>76</sup> Women and girls are most vulnerable to hunger since they often eat last and least and experience greater economic insecurity.<sup>77</sup>

There is a strong connection between rising hunger and accelerating climate change. Recent research by Oxfam showed that extreme hunger has more than doubled in the world’s worst climate hotspots over the past six years.<sup>78</sup> With the climate crisis set to deepen, the current humanitarian aid system must adapt quickly to meet the challenges anticipated in the years ahead.

“Russia’s invasion of Ukraine has only further jeopardized global food supply chains, with many already under threat of famine due to drought and other shocks to the food system. Canada is unwavering in our commitment to make sure nutritious food continues to be available and accessible to the most vulnerable at all times.”

– The Rt. Hon. Justin Trudeau, prime minister of Canada (2022)<sup>79</sup>

“The food crisis affects us all but is hardest felt by the most marginalized around the world, especially women and girls, and households that spend most of their income on food [...] Local food systems, already stretched by climate change, COVID-19 recovery, and conflicts have now reached a tipping point. We cannot stand by as people starve.”

– The Hon. Harjit Sajjan, minister of international development (2022)<sup>80</sup>



### CONFLICT & CRISIS

Extreme inequality, climate change and unprecedented food and energy price inflation – all accelerated by the war in Ukraine and the COVID-19 pandemic – are creating the perfect storm for the world’s most vulnerable people. Canada made significant investments to fight the global hunger crisis and the wars fueling it, but funding levels must increase drastically to meet the rising needs and reach the most vulnerable women and girls. The convergence of multiple global crises and conflicts also underscores the need for a coherent feminist foreign policy for Canada.

Women's rights and the progress towards gender equity are threatened with every humanitarian crisis and disaster. In addition to the onslaught of extreme weather and climate change events, like the deadly floods in Pakistan, the year 2022 saw the start of Russia's illegal invasion of Ukraine and the escalation of other urgent conflicts in countries including Afghanistan, Yemen, Sudan, Ethiopia and Myanmar.

## Where the government got it right

While participating in the Commonwealth Heads of Government Meeting in June, Prime Minister Trudeau announced \$250m in new funding to help address the global food security crisis.<sup>81</sup> This announcement built on the government's previous allocation of \$514.5m in 2022 for urgent humanitarian food and nutrition assistance and committed to a role for both Canadian and international partners. To help mobilize additional resources to fight global hunger, the government also announced a \$5m matching fund for individual donations made to the Humanitarian Coalition,<sup>82</sup> a coalition of aid agencies raising funds for emergencies of which Oxfam is a founding member. Unfortunately, a \$13b funding gap remains for food security and nutrition responses globally.<sup>83</sup> Donor governments like Canada must help avert catastrophe in the hardest hit countries by urgently increasing humanitarian assistance and supporting the development of sustainable, resilient and local food systems.

Canada committed \$320m in humanitarian assistance to respond to the impacts of Russia's invasion of Ukraine in 2022 and an additional \$96m in development assistance funding to Ukraine to address emerging priorities.<sup>84</sup> This includes \$35m to help the government and local organizations meet the needs of women and vulnerable groups and \$7m to the United Nations Population Fund to support victims of sexual and gender-based violence. It is unclear from the government's own reporting the extent to which a GBA+ lens is being applied to Canada's support for Ukraine.

Canada co-sponsored (as a UN member state) the landmark UN Security Council Resolution 2664, which establishes a global humanitarian exception from all UN sanction regimes.<sup>85</sup> This is a major policy win at the global level – 86 million people requiring protection and humanitarian assistance live in countries impacted by UN Security Council sanctions. The government must now give effect to this resolution in domestic law and practice and amend Canada's Criminal Code to allow for humanitarian assistance exemptions to sanctions.

The government is on track to publish Canada's third National Action Plan on Women, Peace and Security, and there has been strong dialogue with civil society organizations. This year, the 2020-21 progress report was released, summarizing Canada's progress towards meeting the objectives and targets outlined in the current national action plan, as well as the achievements and the challenges faced.<sup>86</sup> Canada's ambassador for women, peace and security, Jacqueline O'Neill, also delivered on her pledge to translate UN Security Council Resolution 1325 into several Indigenous languages. However, to the disappointment of feminist advocates and civil society groups, there has been no movement on Canada's long-promised policy document outlining its feminist foreign policy.

Global Affairs Canada made progress towards adopting an integrated approach to the humanitarian-development-peace nexus. This is essential to bridge humanitarian responses (which are usually focused on meeting immediate, life-saving needs, but not long term enough to address fully women's rights and gender equality), with long-term development and peace-building efforts. This is the only way to ensure that humanitarian efforts lay the ground for broader gender transformations. Global Affairs Canada has shown willingness to innovate more on this in recent years by funding long-term, comprehensive humanitarian responses. It also approved "crisis modifiers" in some long-term development projects to allow partners to pivot their work when conflict or natural disaster struck.

## Where the government missed the mark

Canada's 2022 federal budget committed \$500m in lethal and non-lethal military aid to Ukraine within the year. Over five years, it will invest \$8b in Canada's armed forces and the North Atlantic Treaty Organization (NATO) alliance. Despite Canada's talk of feminism being a core principle in its international affairs, there appears to be no attempt to align its investments with this priority. Instead of exclusively focusing on militarization, Canada could have invested more in conflict prevention, women's participation in peace talks, support for women's and LGBTQ rights defenders or addressing conflict-related sexual violence.

Canada's actions in Yemen further underscore the need for a coherent feminist foreign policy. Last year, Canada was criticized by the Group of Eminent Experts on Yemen for helping fuel the war and humanitarian crisis in Yemen through its arms sales.<sup>87</sup> Canada continues to sell weapons to countries involved in the conflict, including Saudi Arabia, despite the risk that they will be used for military repression or to perpetrate sexual and gender-based violence against Yemeni women and activists. Disappointingly, since its announcement in 2020, Canada has not released any more information about the advisory panel of experts tasked with reviewing best practices regarding arms exports.<sup>88</sup> Canada has delivered over \$357m in humanitarian assistance to Yemen since the start of the conflict in 2015,<sup>89</sup> but women and girls continue to experience adverse impacts of the crisis, including increased gender-based violence and a lack of access to sexual and reproductive health and protection services.<sup>90</sup> Ending the sale of arms to the region is crucial to de-escalate the conflict and promote the rights and wellbeing of women and girls.

There is some concern that the war in Ukraine is overshadowing human rights abuses and urgent humanitarian needs in other parts of the world. Canada's recent support for the humanitarian crisis in Afghanistan, for example, has been comparably inadequate. This past year, the Taliban escalated its brutal crackdown on the freedoms of Afghan women and girls by restricting their mobility and bodily autonomy and prohibiting them from working or attending secondary school and university.

In December 2022, Canada's minister of foreign affairs, Mélanie Joly, issued a statement alongside other foreign ministers condemning the Taliban's restrictions as a violation of women's rights, but concrete action is needed to address the increasingly dire situation facing Afghan women and girls.<sup>91</sup>

As a result of the government's sanctions and restrictive interpretation of the Criminal Code's anti-terrorism provisions, Canadian aid agencies currently risk criminal prosecution if they send humanitarian assistance to Afghanistan. The United Nations has called upon the international community to make a domestic exception to sanctions against the Taliban to make way for vital aid and humanitarian assistance. While Canadian allies – including the United States, the United Kingdom, the European Union and Australia – have already carved out humanitarian exceptions to their sanction regimes and other barriers, Canada has not yet taken steps to enable humanitarian agencies to continue their operations in Afghanistan without the risk of criminal prosecution.

## What's needed now:

- Announce new, anticipatory, long-term and flexible funding to help turn the tide on the hunger crisis.
- Support the development of sustainable, resilient and local food systems by boosting the aid budget for local small-scale family farming in low-income countries. This funding should focus on increasing farmers' access to land, infrastructure and markets and on promoting climate resilience.
- Publish the long-awaited policy document outlining Canada's feminist foreign policy, ensuring a coherent feminist approach across all areas of Canada's international relations and activities.
- Significantly increase financial and diplomatic commitments to women-led and LGBTQ peacebuilding organizations and strengthen the focus on intersectionality in Canada's next National Action Plan on Women, Peace and Security.
- Immediately cancel all active and pending arms exports to countries involved in the war in Yemen, including Saudi Arabia, given the humanitarian impact on women and girls. Put in place the promised advisory panel of experts tasked with reviewing best practices regarding arms exports.

- Take immediate steps to enable aid agencies to continue their humanitarian operations in Afghanistan without the risk of criminal prosecution. In the longer term, implement UN Security Council Resolution 2664 domestically and amend the Criminal Code to allow for an express carve-out for all humanitarian assistance to ensure a sustainable solution applicable beyond the context in Afghanistan.

## 5 PROTECTING MIGRANT AND REFUGEE RIGHTS

SCORE: YELLOW

### The Issue

The number of refugees, asylum seekers and displaced persons throughout the world reached record levels in 2022, as people fled to escape ongoing and worsening poverty, conflict, climate change and humanitarian crises. For the first time ever, the number of people forced to flee their homes surpassed 100 million this year.<sup>92</sup> Half of all migrants and refugees are women, who face specific challenges and protection risks in transit, including family separation, sexual and reproductive health complications (particularly for pregnant women) and risks of exploitation and gender-based violence.<sup>93</sup> Women also often serve as the primary caregivers for children and elderly family members, further deepening their need for support.

For too many migrants and refugees, accessing protection in Canada is crushingly difficult due to delays, backlogs and barriers in immigration policies and programs. This is despite the commitments that the federal government has made to help people that have been displaced and those fleeing danger and persecution in their home countries, including women, human rights defenders, religious and ethnic minorities, LGBTQ individuals and journalists. The design of some of Canada's immigration policies and programs has the unintended impact of putting many people in precarious situations once they arrive, making it difficult to obtain work and gain economic security, as well as making them vulnerable to potential labour exploitation and other human rights violations.

“Undocumented people like me are underpaid and unfairly treated by our employers and we can't be bold enough to report them to appropriate authorities for fear of being picked up by the police. All of us migrants should be given the right to live a human-like life and shouldn't be treated like animals, that means permanent resident status for all, no one left out, no exemptions, no conditions.”

– Caroline Michael, undocumented health care worker, Nigerian refugee in Toronto, member of Migrant Workers Alliance for Change (2022)<sup>94</sup>



### MIGRANT & REFUGEE RIGHTS

The number of refugees, asylum seekers and displaced persons throughout the world reached record levels in 2022. Half of all migrants and refugees are women, who face specific challenges and protection risks in transit. The government created several programs to enable people seeking safety abroad to come to Canada and announced plans for a “regularization” program, which could provide a pathway to permanent residency for the 1.7 million people in Canada with precarious immigration status. Yet, for too many migrants and refugees, accessing protection in Canada remains crushingly difficult.

## Where the government got it right

In 2022, the federal government created several programs enabling people seeking safety abroad to come to Canada. The Canada-Ukraine Authorization for Emergency Travel program allowed for an unlimited number of Ukrainian nationals and their family members to come to Canada and obtain work and study permits. This program was responsive and efficient and demonstrated that Canada can receive large numbers of migrants and refugees within a short period of time. As of December 25, 2022, over 474,000 temporary resident applications were approved and nearly 138,000 Ukrainians had arrived in Canada.<sup>95</sup>

In October 2022, Immigration, Refugees and Citizenship Canada introduced a temporary program that enabled private sponsorship of up to 3,000 Afghan refugees who were outside of the country but did not have official refugee status. Within weeks, this widely celebrated program had reached its cap and was no longer accepting applications.<sup>96</sup> In order to meet the tremendous level of need, the government should expand this program and stand by its commitment to help Afghan people, and Afghan women especially, who have already lost so much. This past year, the Taliban escalated its brutal crackdown on the freedoms of Afghan women and girls by restricting their mobility and bodily autonomy and prohibiting them from working and attending school.

The federal government is working on a “regularization” program, which could provide a pathway to permanent residency for the 1.7 million people in Canada with precarious immigration status, including up to 500,000 migrants who are undocumented.<sup>97</sup> This is an historic opportunity to deliver equal access and life-changing policies and programs for so many. The program should be as comprehensive, inclusive and accessible as possible and prioritize groups that are most vulnerable including survivors of abuse and exploitation.<sup>98</sup> Most individuals in Canada with precarious or no status are racialized, and many are women,<sup>99</sup> who live under constant threat of exploitation, exclusion and abuse.

Canada continued to show leadership on the Venezuela crisis, committing to co-host an international donors’ conference in March 2023.<sup>100</sup> The conference will keep the plight of Venezuelan migrants and refugees on the global agenda and mobilize funds for this under-reported displacement crisis, in which many women face protection risks such as labour and sexual exploitation, trafficking and violence.

## Where the government missed the mark

Canada’s rapid response to the Russian invasion in Ukraine has highlighted significant inequities in the treatment of refugees from different countries. Of Canada’s promised resettlement of 40,000 Afghan refugees (including individuals who assisted the government and their family members, women leaders, human rights defenders, persecuted religious or ethnic minorities, LGBTQ individuals and journalists), only 27,215 have arrived since August 2021.<sup>101</sup> Many have expressed frustration at the procedural barriers, wait times and backlog of applications preventing vulnerable Afghans from accessing protection. Meanwhile, Canada welcomed nearly 138,000 Ukrainians in under a year and the minister of immigration, refugees and citizenship, Sean Fraser, has said the government is prepared to accept an “unlimited number” more for the foreseeable future.<sup>102</sup>

While the extraordinary measures put in place to ensure Ukrainians can quickly access safety in Canada are commendable, they should be extended equally to refugees (many of whom are non-white and non-English speaking) fleeing other, less-reported crises. The racial and religious inequalities are clear: the investment in the resettlement and settlement architecture for Ukrainians was unprecedented compared to the help extended to anyone else. Refugees from Afghanistan, Yemen, Syria and Ethiopia have never been offered such speedy or secure pathways without caps.

Canada’s refugee stream for human rights defenders is not proving fit for purpose. The program, which was introduced in 2021, pledged to resettle up to 250 human rights defenders and their family members each year. However, advocates and civil society groups state the program is not suitable for emergency evacuation, due to the lengthy application

process and the requirement that applicants be outside of their home country and have a UNHCR referral, which is not always feasible.<sup>103</sup> Additionally, some groups feel the criteria defining human rights defenders is too narrow, excluding refugees facing different types of persecution.<sup>104</sup> The government must act now to remove these barriers and establish an emergency evacuation program and accelerated visa process for human rights defenders. It should take an inclusive approach and prioritize those facing heightened risks, including journalists, activists and women's, LGBTQ, Indigenous, environmental and land rights defenders.

Budget 2022 laid out an ambitious immigration plan to protect those most at risk, reunite families and help deal with the country's aging population and labour shortages. As a result, Canada welcomed an historic number of new permanent residents in 2022.<sup>105</sup> Additionally, the number of government-assisted refugees resettled in 2022 was higher than expected at 23,550, compared to the projected target of 19,790 for this category.<sup>106</sup> However, the federal government's immigration plan does not do enough for protected persons in Canada and their dependants abroad. The target for this category was set too low at 24,500, when there were already nearly 70,000 applications pending.<sup>107</sup> Tens of thousands of people who have been accepted as refugees will be forced to wait years to become permanent residents and reunite with their family members. Long family separations have a particularly harsh impact on women, who generally keep the children and have difficulty building their lives without child care or emotional support.

Canada should also withdraw from the Safe Third Country Agreement. Under the Agreement, refugees who arrive at official land ports of entry in Canada to seek protection are sent back to the United States. Many migrants who have suffered serious rights violations in detention are forced to cross into small rural border communities in Canada – often in the dead of winter – risking death to have their claims for refugee protection heard.<sup>108</sup> No human being is illegal, and the right to seek safety from persecution even via an irregular border crossing is recognized under the

Refugee Convention. Organizations including Amnesty International argue that the practice of barring refugee claimants from seeking protection violates Canada's human rights obligations under both international law and the *Charter of Rights and Freedoms*.

## What's needed now:

- Move forward with Canada's planned regularization program providing a pathway to permanent residency for all people with precarious immigration status, including undocumented migrant workers. Ensure this program is as comprehensive, inclusive and accessible as possible.
- Implement a refugee protection and resettlement system that responds to crises efficiently and is based on equity and fair access for all. Dispense with unnecessary procedural requirements wherever possible to enable a larger number of people to seek safety in Canada more quickly, no matter where they are coming from.
- Dedicate more financial and human resources to processing asylum claims of Afghan refugees and expand the temporary private sponsorship program. Establish safe evacuation routes for the many women leaders, human rights defenders, persecuted religious or ethnic minorities, LGBTQ individuals and journalists that wish to leave Afghanistan.
- Establish an emergency evacuation program and accelerated visa process for human rights defenders. Take an inclusive approach and prioritize those facing heightened risk, including journalists and activists and women's, LGBTQ and land rights defenders.
- Increase immigration targets for Protected Persons in Canada and Dependents Abroad to match the number of applications and speed up family reunification.
- Eliminate the Safe Third Country Agreement and actively counter the growing anti-refugee rhetoric that invokes tropes of illegality.

## 6 TACKLING THE CLIMATE CHANGE CRISIS

SCORE: YELLOW

### The Issue

For millions of people in low-income countries already affected by ongoing conflict, widening inequalities and economic crises, repeated climate shocks are making it impossible to cope. An estimated 48 million people are facing acute hunger in the world's top ten climate hotspots, more than double the number of six years ago.<sup>109</sup> The World Health Organization predicts that climate change will cause 250,000 deaths per year between 2030 and 2050, comparable in magnitude to all cancers or all infectious diseases.<sup>110</sup> Meanwhile, fossil fuel companies have amassed \$2.8b per day in profits, on average, over the last 50 years.<sup>111</sup> It would take less than 18 days of those profits to cover the entire 2022 UN humanitarian appeal of \$48.82b. Climate change can compound and extend conflicts, increase humanitarian needs and fuel future conflict and insecurity.<sup>112</sup> Of the 25 countries most vulnerable to climate impacts, 14 are experiencing conflict.<sup>113</sup>

Over the past year, Canadians felt the devastating personal and economic toll of extreme weather events caused by climate change – from floods and hurricanes, to heat waves and wildfires. These events have



### CLIMATE JUSTICE

Over the past year, Canadians felt the devastating personal and economic toll of extreme weather events caused by climate change – from floods and hurricanes, to heat waves and wildfires. The situation is even more dire globally, where women and girls living in low-income countries, who have contributed least to climate change, are among the worst impacted. Canada has set an ambitious agenda for climate action that includes investments in climate adaptation, mitigation and the energy transition. To achieve its climate goals, the government should listen to and support women and marginalized groups disproportionately affected by climate change and prioritize people and the planet above the interests of the fossil fuel industry.

“Developing a National Adaptation Strategy for a country as big and complex as Canada is a huge accomplishment. But on top of this, having one that places equity, inclusion and environmental justice at its heart positions Canada as a leader in addressing the urgent needs of vulnerable people and communities.”

– Anne Hammill, associate vice-president for resilience, International Institute for Sustainable Development (2022)<sup>114</sup>

“Canada is a strong advocate for gender equality and a leading partner in climate action. We’re proud to support international efforts that empower women and girls and address climate change.”

– The Hon. Marci Ien, minister of women and gender equality (2022)<sup>115</sup>

disproportionately impacted and will continue to disproportionately impact women, 2SLGBTQ people, seniors, Indigenous peoples and other marginalized groups with access to fewer resources. The situation is even more dire internationally, where women and girls living in low-income countries, who have contributed least to climate change, are among the worst impacted.

Canada has set an ambitious agenda for climate action with the potential to advance a just and feminist green transition. To achieve its climate goals, the government should listen to and support women, 2SLGBTQ people, Indigenous peoples and other marginalized groups disproportionately affected by climate change and provide sustainable funding to low and middle-income countries to support adaptation, mitigation and resilience in the face of the climate crisis. Now is the time for Canada to live up to its domestic and international commitments and accelerate feminist climate action.

## Where the government got it right

Canada released its first ever National Adaptation Strategy in 2022,<sup>116</sup> representing a major step towards a more coordinated and effective nationwide response to the devastating effects of climate change. The strategy reflects two years of engagement with provincial, territorial and municipal governments; Indigenous representatives; and key experts and stakeholders, including women's rights and anti-poverty groups. It is underpinned by a set of guiding principles to ensure that investments and solutions are fair, inclusive and equitable, including respect for the jurisdiction and rights of Indigenous peoples and a commitment to addressing systemic inequities that make some groups more vulnerable to the impacts of climate change.

The National Adaptation Strategy comes with the announcement of \$1.6b in new federal funding commitments to help protect communities against the growing impacts of climate change. Even taking into account the \$8b in pre-existing federal climate adaptation commitments, this amount is nowhere near what will be required as different regions of the country face a growing number of devastating climate change impacts. The average annual loss from

disasters in Canada is forecast to reach \$15.4b by 2030, according to the government's own estimates.<sup>117</sup>

The federal government delivered on another climate promise in 2022, releasing a policy to end new public financing for fossil fuels abroad and instead prioritize clean energy projects.<sup>118</sup> The policy, which came into effect on January 1, 2023, marks a critical first step towards eliminating Canada's massive public funding for the oil and gas industry. However, the policy leaves the door open for fossil fuel projects for national security grounds, and further detail is needed on how this will be interpreted.<sup>119</sup> The next step is ending all domestic public financing for fossil fuels by the end of 2023, which the government has also committed to.

The government started to roll out the allocation of its five-year, \$5.3b international climate finance commitment made in 2021, starting with \$315m in funding for a new "Partnering for Climate" initiative.<sup>120</sup> The initiative will fund projects from civil society, Indigenous peoples and other organizations in Canada that support climate change adaptation and biodiversity in sub-Saharan Africa and other parts of the world. This includes at least \$20m for advancing women's rights in the context of climate change adaptation. However, the government's own review of concept notes received to date indicates a gap in proposals focused on women's rights and climate adaptation targeting GE3 outcomes (i.e. specifically designed to advance gender equality).<sup>121</sup> A dedicated push to solicit proposals targeting GE3 outcomes is part of Canada's commitment to ensure that at least 80% of climate projects advance gender equality.<sup>122</sup> A target of 15% GE3 outcomes in environmental and climate change investments would align with the FIAP commitment to 15% of dedicated bilateral international development assistance across all action areas.

At the COP27 global climate change summit in November 2022, Canada supported a breakthrough agreement to establish a new fund called for by countries of the global South to compensate for loss and damage.<sup>123</sup> This is a monumental win and a turning point in acknowledging the vast inequities of the climate crisis. Now it is up to Canada and other rich countries, whose emissions are driving climate change, to ensure the fund is fully resourced and responds to the needs of lower-income countries who have contributed least to the climate crisis but are suffering the worst impacts. Research has estimated

the costs of loss and damage due to climate change in developing countries will rise exponentially in the coming years, from between \$290b and \$580b USD by 2030 to over \$1 trillion USD by 2040.<sup>124</sup>

Also at COP27, Canada signed on as a supporter of the Climate and Environment Charter for Humanitarian Organizations.<sup>125</sup> With this move, Canada commits to working with its partners to implement the Charter commitments, including responding to the humanitarian impacts of climate and environmental crises, reducing the environmental impact of humanitarian action and addressing the nexus of climate, conflict and gender inequality.

## Where the government missed the mark

Canada was unwilling to support language calling for the complete phaseout of fossil fuels, including oil and gas, in the final agreement at COP27. The minister of environment and climate change, Steven Guilbeault, argued that this move would have prompted legal pushback from the provinces and territories, but climate advocates saw this as a disappointing excuse. Canada is the world's fourth-largest oil producer and the second-highest carbon emitter in the G20 on a per capita basis.<sup>126</sup> The government should stop putting the interests of the fossil fuel sector and profits ahead of public interest.

The 2022 federal budget framed climate action as one of its main priorities, however most federal support for climate action comes as subsidies to male-dominated, carbon intensive industries like construction and even the fossil fuel industry. The government's new 2030 Emissions Reduction Plan includes \$9.1b in federal spending to lower greenhouse gas emissions over the next eight years. The budget also creates a \$15b Canada Growth Fund to leverage private sector investment for decarbonization and clean technology projects. The carbon capture, utilization and storage tax credit for oil and gas companies, expected to cost \$2.6b over the next five years, was criticized by several environmental groups who say this support would have been better directed towards renewable energy investments rather than expanding fossil fuel infrastructure.

The federal government's approval and financing for new or expanded fossil fuel infrastructure, like the Trans Mountain and Coastal GasLink pipelines, Liquefied Natural Gas project in British Columbia or the Bay du Nord project in Atlantic Canada, directly contradict commitments to a just transition. Moreover, there have been disturbing reports of the intimidation, surveillance, harassment and criminalization of and attacks on people who oppose these projects, including land defenders and peaceful protestors, including by the federal government, provincial governments and the RCMP.<sup>127</sup>

While the billions in climate action funding in Budget 2022 was welcome support, there was no clear plan for how women, racialized people, migrants and other marginalized groups would benefit. A mere \$29.6m was earmarked for Indigenous climate leadership initiatives over the next three years. Furthermore, the government's own gender analysis accompanying the budget acknowledges that "men are overrepresented in certain sectors benefiting from many of the climate and infrastructure related measures in this budget."<sup>128</sup>

While the release of Canada's National Adaptation Strategy is a significant milestone, further work will be needed to put in place the robust structures required to enable its implementation. It does not explicitly mention women, and the two references to gender are vague and lumped together with reference to vulnerable groups, equity and Indigenous peoples' rights. Specific adaptation actions and initiatives under the strategy should include robust intersectional gender-based analysis (GBA+) to ensure that actions and interventions are proportionate, inclusive and targeted. Women's rights organizations in all their diversity should play a key, well-resourced role in implementing the strategy and delivering locally relevant and sustainable solutions.

After committing in 2019 to enact legislation to support a just transition for fossil-fuel dependent communities and regions of the country, the government has made little discernible progress to date. This commitment was reiterated in the 2021 mandate letters for the minister of natural resources and the minister of labour. In February 2023, the government punted the tabling of legislation down the road and instead released an interim Sustainable Jobs Plan. While gender equality is listed among the core outcomes of the plan, there is limited information on how gender equality will be centred in the development of the legislation or the action plan.

## What's needed now:

- Support feminist climate action by bringing a much stronger gender equity lens to the implementation of Canada's climate funding. Integrate a robust GBA+ to systematically monitor, evaluate and publish how Canada's climate change adaptation and mitigation initiatives are supporting the poorest and most vulnerable and promoting gender equality.
- Support women's rights organizations and organizations working for climate solutions nationally and globally, including as part of the implementation of the National Adaptation Strategy.
- Pledge money to the new loss and damage fund established at COP27 and encourage other donors to do likewise. This must be additional to existing international climate finance and other foreign aid commitments.
- Enact just transition legislation that provides a framework for communities and regions dominated by fossil fuel extraction to pursue alternative economic development strategies and that centres the voices of and responds to the self-identified needs of women, 2SLGBTQ people, seniors, Indigenous peoples and other community members who have been historically disadvantaged by the fossil fuel economy.
- End all public financing to the fossil fuel sector and redirect investment to expand economic opportunities for women, Indigenous peoples and other historically marginalized groups disproportionately impacted by climate change. Cancel the federally owned Trans Mountain Expansion project and end all fossil fuel-related transactions by Export Development Canada by the end of 2023.

## 7 REDUCING POVERTY FOR THE MOST MARGINALIZED WOMEN

SCORE: YELLOW

### The Issue

The causes and conditions of poverty are unique for women, girls and gender-diverse people and are further shaped by racism, colonialism, ableism and other forms of discrimination. Fifteen percent of women in Canada have experienced hidden homelessness at some point in their lives, and that rate rises to nearly 30% for Indigenous women.<sup>129</sup> One in three single mothers in Canada is forced to raise their children in poverty.<sup>130</sup> Lack of affordable housing, child care and decent work opportunities make it difficult for women to break out of poverty, even more so if they are living with a disability or experiencing violence in their household. One in five women with a disability has experienced intimate partner violence in their lifetime.<sup>131</sup> Approximately 699 women and 236 accompanying children are turned away from domestic violence shelters across Canada each day.<sup>132</sup> Despite their economic vulnerability, housing policy rarely focuses on women's realities, resulting in an acute lack of gender-responsive housing programs and services.

Gendered poverty is driven in part by systemic inequalities in employment compensation, opportunities and advancement, time spent on unpaid care work and the systemic racism experienced by racialized women.

“Everyone has a right to participate fully in their society. The Disability Inclusion Action Plan is a roadmap for our country to remove barriers that persons with disabilities face, and to build a more inclusive Canada.”

– The Hon. Carla Qualtrough, minister of employment, workforce development and disability inclusion (2022)<sup>134</sup>

“The government refunded clawbacks to seniors, gave the self-employed repayment amnesty, and provided partial relief for students. Now is the time for a CERB Amnesty for mothers, children, and anyone living with low or moderate incomes.”

– Jasmine Ramze Rezaee, director of advocacy and communications, YWCA Toronto (2022)<sup>135</sup>



### ENDING POVERTY

As the government continues to phase out emergency pandemic support, marginalized women will be hit hardest by rising inflation, the housing crisis, and a looming recession. At the same time, hundreds of thousands of Canadians who received emergency pandemic support are now being asked to repay them and face clawbacks for other supports, including social and disability assistance, rent supplements, worker benefits, and child benefits. To help prevent marginalized and low-income women from falling deeper into poverty, the government must sharpen its intersectional gender analysis and implement targeted strategies to tackle homelessness, racism, and ableism.

The pandemic exacerbated these inequalities as women were more likely to have been employed in the precarious jobs or sectors impacted by lockdowns and to take on the untenable increase in unpaid household care work. Racialized women, recently arrived refugees, immigrants and women with precarious immigration status were over-represented in these situations. During the peak of the pandemic, 800,000 women in Canada were removed from the workforce, and 12 times as many mothers than fathers left their jobs to care for toddlers or school-aged children.<sup>133</sup> This economic insecurity left many women trapped in abusive situations and more vulnerable to gender-based violence.

As the government continues to phase out emergency pandemic support, marginalized women will be hit hardest by rising inflation, the housing crisis and a looming recession. At the same time, hundreds of thousands of Canadians who received emergency pandemic support are now being asked to repay it and face clawbacks from other supports. The Canada child benefit continues to be clawed back for mothers of multiple children with moderate income who received pandemic emergency benefits. Other essential benefits are also clawed back, including social and disability assistance, rent supplements and worker benefits. Women with precarious immigration status are completely excluded from many benefits specifically intended to reduce poverty such as the Canada child benefit, even for their children born in Canada. Such clawbacks and exclusions disproportionately affect vulnerable women, like single mothers, and directly contradict feminist economic and social policy.

## Where the government got it right

Housing was a key priority of Budget 2022, allocating over \$14b in new and advanced housing spending. This included a \$1.5b expansion of the Rapid Housing Initiative, \$562m for Reaching Home, the federal government's flagship homelessness program, and \$4b for a Housing Accelerator Fund. The size of these commitments demonstrates an understanding of the severity of the housing crisis in Canada. However, it falls short of understanding and addressing the gendered and intersectional nature of this crisis. Low-income women-led households experience the

most significant housing need in Canada, especially Indigenous, Black and racialized women, and women living with disabilities who may require specialized support services and facilities to live independently.<sup>136</sup> Affordable housing remains a crucial challenge for them. Moreover, social supports often fail to equip survivors fleeing intimate partner violence with access to safe and affordable housing for themselves and their children.<sup>137</sup> The budget does not reflect these gendered realities. Only one housing program, the Rapid Housing Initiative, announced a gender-specific commitment – at least 25% of funding was allocated for women-focused housing projects. The new \$4b Housing Accelerator Fund (almost half the additional spending on housing) has no equity targets or gender-specific commitments. It is unclear how the commitments in the National Housing Strategy to allocate 33% of all expenditures to women and gender-diverse housing will be applied to this or other housing programs.

Canada's National Housing Strategy also lacks a clear understanding of the unique housing needs and circumstances of women and gender-diverse people and the ways that intersectional inequalities impact individual circumstances. For example, it focuses on chronic homelessness, whereas "hidden homelessness" (i.e. staying with friends and family, couch surfing, trading sex for access to housing and living in crowded and unsafe accommodations) is more prevalent among women, girls, gender-diverse people, Indigenous people and (im)migrants and refugees.<sup>138</sup> This lack of understanding results in severe gaps in gender-responsive supports, services and emergency housing. Overall, the strategy needs to conform better with the *National Housing Strategy Act's* human rights-based approach and include stronger intersectional gender analysis and robust accountability targets.<sup>139</sup>

A quarter of women in Canada live with a disability,<sup>140</sup> and experience higher rates of unemployment, poverty, social exclusion, intimate partner and gender-based violence and incarceration, as well as barriers to accessing education and health care, including sexual and reproductive services.<sup>141</sup> Most of these women are also part of other equity-seeking groups; First Nations, Metis and Inuit women are more likely to be living with disabilities compared to non-Indigenous women in Canada.<sup>142</sup> Disability advocates were encouraged to see that Budget 2022

included \$272.6m over five years to implement an employment strategy for persons with disabilities through the Opportunities Fund. Canada's first-ever Disability Inclusion Action Plan was also launched in 2022, after significant consultation with the disability community.<sup>143</sup> It includes critical programs, policies and investments to improve the lives of persons with disabilities in areas such as financial security, employment and social inclusion.

As a result of pressure from disability advocates, the government followed through quickly on its promised *Canada Disability Benefit Act*, which passed a third reading in the House of Commons with unanimous consent in February 2023 and is now with the Senate. Once passed into law, the Canada Disability Benefit will become an important part of Canada's social safety net, alongside Old Age Security, the Guaranteed Income Supplement and the Canada child benefit. As poverty deepens for women and gender-diverse people living with disabilities, fast-tracking this legislation must be a top priority. However, there are important limitations and critiques that need to be addressed, like the lack of clarity on eligibility, the minimum amounts allocated, the requirements for payments and the way this benefit will interact with provincial disability support programs.<sup>144</sup> As well, there are gaps in coverage arising from systemic barriers tied to residency requirements, which disproportionately affect refugees and immigrants from certain countries in the Global South. With the current level of disability benefits unable to cover basic costs like food and pain medication, it is important that the Canada Disability Benefit not result in the clawback of other benefits that disabled people receive.<sup>145</sup> All of these concerns must be addressed in consultation with disability rights advocates and organizations.

## Where the government missed the mark

Throughout 2020 and 2021, the federal government spent billions of dollars on new and existing programs to provide urgent financial relief for vulnerable Canadians affected by the pandemic.<sup>146</sup> Recipients were often low-income, young, racialized and Indigenous women employed in businesses hit

hardest by the lockdowns such as food services, arts and entertainment.<sup>147</sup> However, for thousands of low-income Canadians who received this emergency pandemic support, it has meant that other essential benefits have been clawed back. Programs like the Canada Emergency Response Benefit (CERB) count as earned income, which can affect whether a person is eligible for other benefits, including social and disability assistance, rent supplements, worker benefits and child benefits. The Parliamentary Budget Office reports that child benefit payments were reduced on average by \$606 in 2021-22 because of pandemic benefits being counted into income calculations.<sup>148</sup> To prevent this from continuing, the government should immediately implement a CERB Repayment Amnesty for anyone living in or near poverty, refund all clawed back CCB amounts and ensure payments of other benefits are not clawed back.

Systemic racism and colonialism interact with sexism, ableism and other types of inequality to shape the lived reality of Black, Indigenous and racialized women in Canada and determine their access to opportunities, jobs and benefits. Budget 2022 provided \$85m over four years to support the launch of a renewed Anti-Racism Strategy and National Action Plan on Combatting Hate, originally promised by the end of 2022. The budget also included \$50m over two years for the Supporting Black Canadian Communities Initiative, which aims to empower Black-led and Black-serving community organizations. Advocates welcomed these investments but demand bolder action to address structural and systemic racism, which is deeply rooted in Canada's ongoing settler-colonialism and the legacy of the trans-Atlantic slave trade, and to ensure deep-seated transformation in institutions, laws and policies affecting racialized women. They have also been calling for the creation of a federal anti-racism act to build a legislative framework and foundation for the federal Anti-Racism Secretariat to ensure it has adequate resources, scope, power and longevity. The anti-racism act must name and address all relevant racism and faithism, including anti-Indigenous racism, anti-Black racism, anti-Asian racism and Islamophobia. In January 2023, advocates celebrated the Prime Minister's appointment of journalist and human rights advocate, Amira Elghawaby, as Canada's first Special Representative on Combatting Islamophobia.<sup>149</sup>

## What's needed now:

- Immediately implement a CERB Repayment Amnesty for Canadians living in or near poverty and cease treating CERB and other recovery benefits as earned income. Ensure payments of other benefits are not clawed back.
- Launch the promised National Action Plan on Combatting Hate. Create a federal anti-racism act to build a legislative framework and foundation for the federal Anti-Racism Secretariat to ensure it has adequate resources, scope, power and longevity.
- Update the National Housing Strategy and federal housing initiatives to adopt a human rights-based approach and include more intersectional gender analysis, with targeted actions and objectives to address the disproportionate levels of poverty among racialized women; gender-diverse people; Indigenous women, girls and Two-Spirit people; (im)migrant and refugee women and women living with disabilities.
- Fast-track the implementation of the *Canada Disability Benefit Act* and Canada Disability Benefit, while including people with disabilities in meaningful ways through every step of the process. The benefit should raise the income of Canadians with disabilities above the poverty line, provide automatic eligibility for anyone currently receiving disability benefits, expand the range of eligible disabilities and not result in the clawback of other benefits.
- Eliminate residency and immigration status restrictions to qualify for Old Age Security and eliminate the effect of all other benefits, such as the Guaranteed Income Supplement and Canada Disability Benefit, on Old Age Security and the Canada child benefit.

## 8 INVESTING IN WOMEN'S LEADERSHIP AND GENDER-BASED ANALYSIS

SCORE: YELLOW

### The Issue

Women's representation and leadership in politics is a key determinant of gender equality in any country, including Canada. Prime Minister Trudeau's current cabinet goes beyond gender parity: women continue to lead important and visible portfolios including the ministries of finance, trade, foreign affairs and defence. Still, more could be done to improve women's intersectional representation in cabinet and help ensure that government policies and decision making responds to the needs of Canadians in all their diversity.

One of the key barriers preventing the equal participation of women in Canadian politics is gender-based violence and harassment.<sup>150</sup> In Canada and around the world, reports of in-person and online attacks, intimidation, threats and harassment against woman politicians have grown with their increased political participation.<sup>151</sup> Such acts are a form of backlash against women's rights and feminist movements and are intended to keep women out of politics. They pose a serious threat to our democracy and gender equality.

Simply put, advancing gender equality benefits everyone... We all have a part to play when it comes to making sure everyone has an equal and fair opportunity to participate in political, economic, and social life in Canada."

– The Hon. Marci Ien, minister of women and gender equality and youth (2022)<sup>153</sup>

Too often, it is women and racialized politicians who face heightened vitriol. I don't want women, I don't want racialized Canadians, members of the LGBTQ+ community, Indigenous Canadians, to think they can't go into politics because they're going to have to stand against this."

– Former Liberal cabinet minister, the Hon. Catherine McKenna (2022)<sup>154</sup>



## REPRESENTATION & LEADERSHIP

Women continue to hold many of the most important portfolios in Prime Minister Trudeau's cabinet, giving women real power to shape the government's actions at home and abroad. Still, more could be done to improve women's intersectional representation in cabinet. This includes taking action to combat rising levels of violence and harassment against woman politicians, particularly Black, Indigenous and racialized women. Going forward, the government must continue to support and meaningfully engage women's rights and gender equality organizations in order to maintain their vital work and continue building a coordinated feminist movement in Canada.

Clear evidence demonstrates that direct funding to women's organizations and feminist movements is one of the most effective means of securing deep and lasting social change to advance gender equality.<sup>152</sup> For years, women's rights movements have advocated for sustainable, long-term and flexible funding from the government. While the government has provided significant funding to support gender equality and women's rights in Canada, over-reliance on project-based funding mechanisms inhibits the non-profit sector's ability to provide decent work to its employees and meet the demand for services in the communities they serve. Now is the time to meaningfully engage and invest in women's organizations and feminist movements and secure the fragile gender equality gains made in the past decade.

## Where the government got it right

Since entering office, Prime Minister Justin Trudeau has made it a priority to have a gender-balanced cabinet. This holds true in the current 38-person cabinet, where 19 ministers are women. However, intersectional representation is still lacking. While four women ministers are women of colour, only two are immigrants, just one identifies as having a disability and none are Indigenous. The inclusion of more women with diverse lived experiences in cabinet would help raise the government's intersectional approach and perspective to the next level. Women continue to hold many of the most important cabinet portfolios – including the ministries of finance, trade, foreign affairs and defense – giving women real power to shape the government's actions at home and abroad. While the Senate of Canada has achieved some level of gender parity with 49% female senators, the House of Commons trails behind with only 30.5%, leaving much work to be done.<sup>155</sup> Canada currently ranks 62<sup>nd</sup> worldwide in terms of women's representation in parliament, down three spots since last year.<sup>156</sup>

It was promising to see that Budget 2022 allocated \$172m over five years to enhancing the government's ability to collect disaggregated data – crucial to understanding how intersecting factors shape women's lived experiences and

designing policies and programs to address inequality. Importantly, this funding included expanded support for the Centre for Gender, Diversity and Inclusion Statistics within Statistics Canada, to ensure new data and analyses will be easily accessible to the public, policymakers and data users. The Centre's online portal includes a wide range of indicators, research and analytical reports on diverse population groups to promote intersectional analyses. In April 2022, Canada was the first country to publish gender diversity data from a national census, providing crucial demographic information about transgender and non-binary populations for the first time ever.<sup>157</sup>

The government has made strides in its gender-based analysis and disaggregated data plan. However, the main shortcoming remains that the gender budgeting framework is not applied to its full potential in identifying the specific needs of women and gender-diverse people and building initiatives around them. The government's most recent Action Plan on Gender-based Analysis expired in 2020. A new one should be developed swiftly and include concrete activities, resources and targets to improve the quality and consistency of intersectional analysis and disaggregated data collection across federal departments and agencies.

The Trudeau government has invested significantly in women's rights organizations and the feminist movement in Canada, including \$100m for the Feminist Response and Recovery Fund,<sup>158</sup> \$300m for frontline organizations supporting those experiencing gender-based violence,<sup>159</sup> and \$100m for time-limited projects that address systemic barriers to gender equality under the Women's Program.<sup>160</sup> This includes funding for capacity-building grants for women's rights and gender equality organizations, which are set to end in March 2023. Hundreds of non-profit organizations have benefitted from this financial support, rebuilding their capacity after years of underfunding by previous governments and the devastating effects of the pandemic.<sup>161</sup> Long-term, core and flexible funding is needed to help these organizations maintain their vital work and continue building a coordinated feminist movement in Canada. Otherwise, with all funding attached to specific projects, organizations are limited to providing short-term, part-time contracts to workers, often without competitive pay or benefits.<sup>162</sup> This contributes to higher staff turnover, burnout and labour shortages in the sector.<sup>163</sup> More than 75%

of workers in the non-profit sector are women, 47% are immigrants, and 35% are Indigenous and racialized people.<sup>164</sup> As a pay equity champion, the government should recognize how its funding mechanisms are contributing to lower salaries and difficult employment conditions among the non-profit sector's diverse workforce.

In a positive move, Budget 2022 included \$50m over two years for the Supporting Black Canadian Communities Initiative, which aims to empower Black-led and Black-serving community organizations. It is hoped that 50% of that funding will be made available to Black women-led and women-serving organizations.

## Where the government missed the mark

Budget 2022 only mentioned gender 18 times, compared to over 750 times in 2021. This is stunning considering the disproportionate impact that COVID-19 has had on women, especially Black, Indigenous and racialized women, women living with disabilities and gender-diverse people. The budget once again contained a Statement on Gender Equality and Diversity in Canada. However, a lot of the data was either old or not broken down by gender. Also, details provided on the initiatives highlighted were vague.

Advocates had hoped to see a continuation of the Task Force on Women in the Economy as a permanent body that would provide the government with expertise and insights to live up to its promise of an intersectional feminist recovery. Budget 2022 contemplates the creation of a new and permanent Council of Economic Advisors, which, if inclusive and diverse in its makeup, could have the potential to strengthen the government's gender-based analysis and advise on the most critical policies to address women's economic inequality. This commitment is reiterated in the 2021 mandate letter for the minister of finance. The need to establish this council is even more urgent today than it was in 2021, as Canadians struggle to grapple with a cost of living crisis, a housing crisis and a looming recession.

Violence and harassment against politicians are a serious problem in Canada that disproportionately impacts women, particularly Black, Indigenous and racialized women.<sup>165</sup> A 2019 report by the Standing Committee on the Status of Women identified gender-based violence and harassment as a key barrier to women's political participation in Canada.<sup>166</sup> Reports of in-person and online attacks, intimidation, threats and harassment against woman politicians have grown with their increased political participation,<sup>167</sup> and as a form of backlash against women's rights and feminist movements. In August 2022, a video was shared online of deputy prime minister, Chrystia Freeland, and several female staffers being harassed and followed as they boarded the elevator of a city hall building in Alberta.<sup>168</sup> Such acts are perpetrated to drive women out of politics, and they pose a serious threat to democracy. The political climate in Canada has become so dangerous that in June 2022, the minister of public safety announced that all members of Parliament would receive mobile duress devices, or "panic buttons," in response to rising threats and safety concerns.<sup>169</sup> This is clearly not a comprehensive or sustainable solution. Concrete action is needed to combat violence and harassment against women politicians in Canada. Unlike other countries, there is no federal legislation in Canada specifically designed to protect politicians against violence and harassment,<sup>170</sup> or to hold social media and other online service providers accountable for the harms occurring on their platforms.<sup>171</sup> There is also no national data available on this issue to support the development of evidence-based policies and solutions. Most publicly available data comes from academic and not-for-profit research.

## What's needed now:

- Commit \$25m per year for the next five years for renewed capacity-building funding for women's and gender equality organizations. This should be long-term, core and flexible funding that is not tied to specific projects.
- Ensure that at least 50% of funding for the Supporting Black Canadian Communities Initiative is directed towards Black women-led and women-serving organizations.

- Establish the promised permanent Council of Economic Advisors and ensure that it is inclusive and diverse in its makeup. Allocate adequate resources for this council to engage with the feminist movement, to strengthen the government's gender-based analysis and to advise on the most critical policies to address women's economic inequality.
- Take concrete action to combat gender-based violence against woman politicians in Canada. Introduce legislation to protect politicians against violence and harassment, including online. Invest in national data collection and intersectional analysis to measure the prevalence and impacts of this violence and develop evidence-based policies and solutions.
- Publish the Action Plan on Gender-based Analysis for 2021–2026 and include concrete activities, resources and targets to improve the quality and consistency of intersectional analysis and disaggregated data collection across federal departments and agencies.

## 9 ENDING GENDER-BASED VIOLENCE

SCORE: YELLOW

### The Issue

The National Inquiry into Missing and Murdered Indigenous Women and Girls highlighted the underlying systemic causes of ongoing violence against Indigenous women, girls and 2SLGBTQ people. Further, the COVID-19 pandemic created unprecedented challenges for survivors of gender-based violence seeking help and the frontline organizations that support them. Across Canada, those with the least access to services – including Indigenous women and girls, Black and racialized women, immigrant and refugee women, women with disabilities, 2SLGBTQ people and women living in Northern, rural and remote communities – are experiencing the highest rates of violence.

Violent misogyny and anti-feminist ideology are on the rise. One in five men in Canada believe feminism does more harm than good and more than one-third believe that traditional masculinity is under threat.<sup>172</sup> The growth in far-right misogynistic attitudes and movements is provoking growing levels of gender-based violence, including femicide, the killing of women because they are women.<sup>173</sup> 173 women and girls were killed in Canada in



### GENDER-BASED VIOLENCE

Government commitments and funding to address gender-based violence have been unprecedented, including in response to the COVID-19 pandemic. This has included critical supports for women's shelters, crisis hotlines, and front-line organizations helping survivors fleeing gender-based violence, and this year, the launch of Canada's 10-year National Action Plan to End Gender-Based Violence. This support for addressing gender-based violence must continue in the form of sustained and increasing investments, and coordinated action across all levels of government to address shortcomings in the National Action Plan, and tackle systemic issues, service and program gaps, and intersectional vulnerabilities.

“We know that gender-based violence is unacceptable and has no place in Canada. We also know that it's a significant barrier to achieving gender equality and our government is doing everything we can to prevent it and address its root causes. The National Action Plan to End Gender-Based Violence gives us the roadmap to address the persistent gaps in care, support and front-line services – bringing us closer to building a safer and more equitable Canada for everyone.”

– The Hon. Marci Ien, minister for women and gender equality and youth (2022)<sup>176</sup>

“Femicide is about underscoring that when women and girls are killed, it is in ways that are very distinct from the ways in which men and boys are killed and, therefore, prevention requires an approach that recognizes those differences.”

– Myrna Dawson, Canadian Femicide Observatory for Justice and Accountability (2020)<sup>177</sup>

2022, at a rate of one every other day.<sup>174</sup> Sex workers in particular are facing some of the highest rates of gender-based violence and femicide, as Canada's sex work laws remain punitive, perpetuating stigma and violating sex workers' rights to safe working conditions.<sup>175</sup>

Over the past several years, the federal government has shown an unprecedented commitment to addressing the rising tide of violence against women and girls and gender-based violence, including in response to the COVID-19 pandemic. This has included critical supports for women's shelters, crisis hotlines and frontline organizations helping survivors fleeing gender-based violence and, this year, the launch of Canada's 10-year National Action Plan to End Gender-Based Violence. This support must continue in the form of concrete implementation and monitoring plans, sustained and increasing investments and coordinated action across all levels of government to address systemic issues, service and program gaps and intersectional vulnerabilities.

## Where the government got it right

In November 2022, the federal government released its long-awaited National Action Plan to End Gender-Based Violence (NAP), which sets a framework to provide anyone in Canada facing gender-based violence with reliable and timely access to protection and services, no matter where they live.<sup>178</sup> It is informed by two years of engagement with victims, survivors, frontline service providers, Indigenous partners, community leaders, experts, academics and civil society groups. The 2021 federal budget committed \$601.3m over five years towards developing and implementing<sup>179</sup> a new national action plan to end gender-based violence, and Budget 2022 proposed an additional investment of \$539.3m over five years to support provinces and territories in their implementation efforts. Unfortunately, details of this funding are sparse. There also appears to be no new money for federal implementation of the NAP within Budget 2022 or the NAP itself.

Advocates across Canada welcomed the launch of the NAP, which incorporated an intersectional analysis and many positive recommendations, including the need to continue engagement with advocates, conduct national research and collect data, fund core services, address poverty and housing and improve access to communication technology and transportation especially in rural, remote and Northern areas.<sup>180</sup> Over the coming year, Women and Gender Equality Canada will begin negotiations to establish bilateral agreements with provinces and territories in order to support the plan's implementation in accordance with their regional realities and priorities. In the meantime, implementation plans, detailed targets, indicators and reporting mechanisms for the NAP across federal, provincial and territorial governments have not yet been outlined.

Furthermore, while the NAP recognizes and provides recommendations to address gender-based violence in the workplace, it stopped short of mentioning the International Labour Organization Convention 190 on violence and harassment in the world of work.<sup>181</sup> This was later addressed in the government's ratification of Convention 190 in January 2023.<sup>182</sup> This is an important step towards ensuring safe and healthy workplaces free from violence and harassment. It further signals that action must follow given that one in four workers (28%) have experienced some form of inappropriate sexual behaviour or harassment at work, with women, young employees, those with disabilities and those belonging to the 2SLGBTQ community disproportionately targeted.<sup>183</sup>

This year the federal government continued to roll out the funding committed through Budget 2021 to increase efforts to end gender-based violence. Some of the initiatives included a \$3m project to help survivors fleeing gender-based violence in the Prairies,<sup>184</sup> and a call for proposals to increase the capacity of Indigenous and 2SLGBTQ organizations in Canada to provide gender-based violence prevention services and supports in their communities.<sup>185</sup> The provision of funding to frontline organizations representing the marginalized groups who are disproportionately affected by gender-based violence is a positive and welcome move.

The House of Commons Standing Committee on the Status of Women undertook several important studies and developed resources and recommendations

related to gender-based violence in 2022, filling some long-standing evidence gaps on specific issues in Canada. One study, for example, examined violence against Indigenous women, girls and Two-Spirit individuals in the context of resource development projects.<sup>186</sup> Another explored different aspects of intimate partner and domestic violence in Canada, including but not limited to the effects of the COVID-19 pandemic.<sup>187</sup>

Legislative and judicial reforms and amendments have been proposed and debated in the last year. Bill C-233, also known as “Keira’s Law”, has passed in the House of Commons and is currently at third reading in the Senate.<sup>188</sup> A private member’s bill with unilateral all-party support, it would amend the Criminal Code and *Judges Act* to educate judges on domestic violence and coercive control. This builds on another bill, C-3, that passed in 2021 requiring judges to undergo training on sexual assault.<sup>189</sup> The more recent attempt to propose gun control reform, largely supported by gun control and women’s advocates, has been mired in disinformation.<sup>190</sup> Facing backlash from the CPC and firearm advocates for being unclear, the government has agreed to revisit the text of Bill C-21, hear from advocates, turf controversial amendments and find an alternative approach to implementation. The bill was intended to reinforce the existing handgun freeze, remove licences from people who have committed domestic violence or coercion and increase penalties for smuggling and trafficking.

## Where the government missed the mark

The NAP fell short of what was needed in the eyes of advocates and civil society organizations. Many groups felt the document was not an action plan, but rather a framework and “menu” of suggested actions for provinces and territories to choose from, which would likely maintain the inconsistent patchwork of services and programs currently available across the country.<sup>191</sup> They cited the absence of detailed targets, indicators, timelines and monitoring and reporting mechanisms compelling governments to implement the plan as major flaws in the document.

National and international organizations have long pointed to a lack of regularly collected, high quality and accessible national data on gender-based violence in Canada. For example, the UN special rapporteur on violence against women has repeatedly called on Canada to improve data collection on femicide.<sup>192</sup> Data that is disaggregated by multiple characteristics (e.g., gender, age, race, disability, geography, Indigenous status, etc.) and analysed intersectionally will be required to guide the effective implementation of the NAP. Otherwise, government policies, programs and actions risk excluding women with diverse lived experiences and folks of diverse sexual orientation, gender identity and expression and sexual characteristics.

Sex workers in Canada face some of the most dangerous working conditions, especially Indigenous, Black, racialized, trans and migrant sex workers.<sup>193</sup> The Trudeau government has failed to take any action on sex work and the decriminalization of Canada’s harmful and regressive sex work laws, despite committing to do so during the 2015 election.<sup>194</sup> This year, the *Protection of Communities and Exploited Persons Act* (PCEPA) underwent a mandatory cross-party review by the House of Commons Standing Committee on Justice and Human Rights.<sup>195</sup> The final report from the Committee makes several positive recommendations, including to repeal the Immigration and Refugee Protection Regulations, which unfairly put migrant sex workers at elevated risk of violence and danger by making them unable to report these incidents without fear of deportation. However, it ultimately fails to recommend the decriminalization of sex work and, instead, maintains Canada’s ongoing use of criminalization as the primary tool for addressing sex work at the expense of sex workers’ safety, autonomy and equality.<sup>196</sup> Now sex workers are taking the federal government to court for a second time over its failure to protect sex workers’ human rights.<sup>197</sup>

While the ratification of ILO Convention 190 is a significant step forward, more must be done to prevent violence against woman journalists. According to the Press Freedom Tracker 2022 by the Coalition for Women in Journalism, Canada ranks fourth after Turkey, Russia and Iran, for the most cases of violence in 2022.<sup>198</sup> For the most part, attacks are

aimed at racialized and female journalists. In 2021, a poll of journalists revealed that 72% of respondents has received some form of online harassment.<sup>199</sup> Advocates have asked that Canada take action to improve law enforcement efforts and urge social media to respond to abuse on their platforms.<sup>200</sup>

## What's needed now:

- Take steps to ensure independent oversight and a robust monitoring and evaluation framework for the NAP, including disaggregated data collection and intersectional analysis. Intended outcomes need to be effectively measured and advocates, researchers and civil society groups should be able to easily access this information, including how and where funds are distributed.
- Ensure cooperation and coordination between federal and provincial/territorial governments in implementing the NAP. Develop clear targets and requirements for provinces and territories, as well as timeframes to meet them.
- Invest a minimum of \$600m in new funding over the next four years for the development and implementation of the national and federal components of the NAP.
- Establish a national advisory council on the NAP to guide and support implementation, working in concert with the NAP Secretariat. Creating this council would continue to put the voices and experiences of the people most affected at the centre in implementing the NAP -- including Indigenous women and girls, Black and racialized women, immigrant and refugee women, women with disabilities, 2SLGBTQ people and women living in Northern, rural and remote communities.. Creating this council via a transparent appointment process would guide, support and help to implement the NAP by working in concert with the NAP Secretariat announced in Budget 2021. Council members need to should receive adequate compensation in order to dedicate time and focus.
- Repeal all regressive and harmful sex work laws, including those in the PCEPA, as well as immigration laws and regulations prohibiting migrant sex work, and decriminalize sex work in Canada.
- Prepare for the entry into force of ILO Convention 190. Build a framework for the prevention, protection, enforcement and remedy, ensure employers are responsible for implementation and ensure those most at risk (e.g., domestic workers) and unions and worker organizations are specifically included. The government should also convene a national summit on third party violence in the workplace, which is a gap in the legislation and a serious problem in many feminized sectors (e.g., health, retail and education).
- Work with women in journalism, law enforcement, media organizations and civil society to develop a national plan to address violence against women journalists.

# 10 BUILDING A PROGRESSIVE TAX SYSTEM

SCORE: YELLOW

## The Issue

The COVID-19 pandemic exposed and exacerbated deep-seated social and economic inequalities in our society. Now, Canada's fragile economic recovery is being threatened by levels of inflation not seen in decades. As Canadians grapple with a cost-of-living crisis, a housing crisis and a looming recession, Canadian corporations are reaping record-level profits and avoiding paying tens of billions of dollars in taxes. In 2021, corporations enjoyed their lowest ever recorded income tax rate, despite having their third highest recorded profit rate, thanks in part to over \$100b in federal pandemic support.<sup>201</sup> Canadian corporations pay so little tax that less than one week of revenues covered all their income taxes for the entire year in 2022.<sup>202</sup>

Canada's wealthy individuals and corporations can easily afford to pay their fair share, but instead they take advantage of tax havens and loopholes in order to pad their bottom lines. Canada's largest corporations avoided paying \$30b in taxes in 2021, which is double the average amount prior to the pandemic.<sup>203</sup> Government tax cuts and corporate tax

“Our government absolutely is committed to ensuring that everyone in Canada pays their fair share. In fact, we have brought in a COVID windfall tax. It is called the COVID recovery dividend. It is levied at 15% on financial institutions and insurers. We have also brought in a permanent 1.5% tax increase on banks and insurers. We have introduced a luxury tax of 10% on private planes, luxury cars and luxury boats.”

– The Hon. Chrystia Freeland, deputy prime minister and finance minister (2022)<sup>205</sup>

“Budget 2022 continues to put Canada at the back of the pack in terms of taxing wealth. We need to get serious about taxing wealth if we want to tackle inequality and invest in services and projects that make life better for everyone in Canada.”

– Katrina Miller, executive director, Canadians for Tax Fairness (2022)<sup>206</sup>



## TAX

Rising inflation and the cost-of-living crisis hits marginalized women and groups with less access to resources the hardest. Meanwhile, Canadian corporations are reaping record-level profits and avoiding tens of billions of dollars in taxes. While the government took some steps this year towards improving tax fairness, it stopped short of taking key actions to tackle extreme wealth inequality, like introducing a wealth tax, taxing excess corporate profits beyond the financial sector, closing tax loopholes and cracking down on tax avoidance.

dodging have shifted over \$1.1 trillion from federal and provincial governments to corporations over the last two decades.<sup>204</sup> Meanwhile, public services that benefit all Canadians, such as health care, disability and long-term care, education and public transit, remain dramatically underfunded. With the cost-of-living crisis putting the squeeze on low-income Canadians in particular, public needs can be expected to rise. Marginalized groups with less access to resources will be hit hardest by rising inequality.

Feminist tax reform would involve a comprehensive overhaul of the Canadian tax system to curb growing inequality and generate more revenue for urgently needed public services. While the federal government did take some steps this year towards improving tax fairness, it failed to take key actions to tackle extreme wealth inequality, like introducing a wealth tax, taxing excess corporate profits beyond the financial sector, closing tax loopholes and cracking down on tax avoidance.

## Where the government got it right

The 2022 federal budget imposed new taxes on big banks and insurance companies. It raised the corporate tax rate slightly from 15% to 16.5% for profits over \$100m and introduced the Canada Recovery Dividend, a one-time 15% windfall tax on profits made during the pandemic above \$1b. The argument for both taxes is that government support programs introduced during the pandemic have boosted the profits of banks and insurers, and it is now time for them to start repaying.

Canada's new luxury goods tax officially came into effect on September 1, 2022, specifically targeting luxury cars, private jets and yachts. Tax justice and fairness groups have welcomed the introduction of the luxury goods tax. However, many feel the legislation does not go far enough and that it should be expanded to cover a broader range of goods and services, including "used" luxury items, and that the price threshold for when the tax applies should be lowered.<sup>207</sup> Canada's 50 richest families added more than \$30b to their wealth in 2021,<sup>208</sup> and can easily afford to contribute more for their luxury lifestyles.

The government's 2022 fall economic statement introduced a new tax on share buybacks by public corporations in Canada. Under the proposal, which would come into force on January 1, 2024, a 2% tax would apply when corporations use their profits to buy back their own shares. Few other details have been released on the proposed tax, but the government predicts this measure will increase federal revenues by \$2.1b over five years, starting in 2023-24.<sup>209</sup>

A public registry of the beneficial owners of companies and trusts will be delivered by early 2023, to help curb tax avoidance, fraud and illicit financial flows. It was highlighted as a priority action in the supply and confidence agreement between the Liberals and the NDP<sup>210</sup> and has been celebrated by tax and transparency experts.

After years of stalled negotiations among rich countries at the OECD, a ground-breaking resolution was adopted by United Nations members that calls for talks on international tax cooperation to be brought under their jurisdiction.<sup>211</sup> The resolution, presented by the Group of African States, paves the way for a United Nations convention on taxation and a new global tax body, where all countries can participate equally in discussions and decision making related to global tax reform and fighting transnational tax avoidance. The stakes could not be higher. It is estimated that a global wealth tax starting at just 2% on millionaires and 5% on billionaires, could generate \$2.52 trillion a year – enough to lift 2.3 billion people out of poverty, make enough vaccines for the entire world and deliver universal healthcare and social protection for everyone living in low- and lower middle-income countries.<sup>212</sup>

## Where the government missed the mark

While it is good to see the government taking progressive action on corporate taxation, both the new measures introduced for banks and insurance companies were substantially watered down compared to their original versions. For instance, during the 2021 election campaign, the Trudeau government promised to increase the corporate income tax rate for finance corporations by three percentage points to 18% (instead of 16.5%).<sup>213</sup>

Likewise, the Canada Recovery Dividend was initially supposed to apply to profits earned during the 2021 fiscal year, but will now apply to the average of 2020 and 2021 profits – a move that will save financial corporations hundreds of millions of dollars.<sup>214</sup>

The 2022 federal budget predicted that these two measures will raise over \$6b in revenue, but they could have brought in significantly more.

While Canadians struggle to pay for basic essentials like groceries, heat and gas, the biggest companies in Canada saw profit margins soar by 60% during the pandemic.<sup>215</sup> The dramatic increase in profits means that companies are not just passing along their own higher costs to consumers, but are actually profiting from the crisis. So far, the government has taken no targeted action to curb corporate greed and reduce the incentive to increase profit margins. Similar to the measures introduced for the financial sector, a temporary 15% windfall tax on excess profits should be introduced across all sectors to help bring an end to crisis profiteering. The federal corporate tax rate must also be increased to 20% from 15%, where it has been locked for decades. This is an all-time low and less than half of what Canada's corporate tax rate was in the 1980s. The parliamentary budget officer estimates that every percentage point increase in the general corporate tax rate increases revenues by \$2.2b.<sup>216</sup> Boosting Canada's corporate tax rate to 20% would generate \$11b annually.

The Trudeau government has not delivered on its 2021 election promise to tax extreme wealth inequality and impose a minimum 15% tax rate on the top 1% of income earners.<sup>217</sup> A modestly progressive wealth tax – at 2% for wealth over \$5m, 3% for wealth over \$50m and 5% for wealth over \$1b – would generate close to \$79b annually.<sup>218</sup> Canadians support such a move in principle, with polls showing that the idea of a 1% tax on wealth paid by people who have more than \$20m in assets is favoured by 4 in 5 Canadians, with at least 75% support in every region, across age groups and education levels, including broad support in households in the top income bracket.<sup>219</sup>

As of July 1, 2022, employee stock options over \$200,000 are being taxed fully as salary, helping to close a nearly four decades old loophole and generating between \$100m<sup>220</sup> and \$750m<sup>221</sup> in public

revenue. While this is a step in the right direction, it is time to review and close all federal tax loopholes available for individuals and corporations, including the loophole that allows just 50% of capital gains to be included as taxable income. It is also time to modernize the general anti-avoidance rule regime, to prevent corporate tax dodging via tax havens. The government lost a whopping \$30b in revenue in 2021 due to an unexplained doubling in corporate tax avoidance.<sup>222</sup> In order to effectively fight tax dodging, the government must deliver on its 2021 election promise to invest \$2.5b in the Canada Revenue Agency (CRA) over four years.<sup>223</sup> This is a no-brainer as the parliamentary budget officer estimates a payback of four to five dollars for every additional dollar invested in the CRA.<sup>224</sup> The government must take advantage of cross-party support to get this done quickly.

The government has been slow to implement automatic tax filing for low-income Canadians, despite committing to do so in its 2020 Fall Economic Statement. Every year, too many Canadians are not receiving government supports and benefits to which they're entitled because they haven't filed an income tax return. Although the government made a clear commitment to implement automatic filing, it is concerning that the mandate letter for the minister of national revenue, Diane Lebouthillier, seems to be a watered-down version of the original promise. With the rising cost of living eating away at the spending power of low-income Canadians, automatic filing is truly one of the low-hanging fruit for reforming Canada's tax system and should be fully implemented without delay.

## What's needed now:

- Introduce a permanent wealth tax on the richest Canadians immediately. This tax should be at least at 2% percent for wealth over \$5m, 3% for wealth over \$50m and 5% for wealth over \$1b. Explore additional equality-boosting measures such as an inheritance tax.
- Improve the luxury goods tax. Expand it to cover a broader range of goods and services, including "used" luxury items and lower the price threshold for when the tax applies to \$100,000 for all luxury items.

- Ensure Canadian corporations pay their fair share. Implement a 15% windfall tax for companies in all sectors generating oversized profits due to the pandemic. Raise the federal corporate tax rate to 20% from 15%.
- Deliver on the promise to invest in the CRA to combat aggressive tax planning and tax avoidance by Canada's wealthy elites and corporations.
- Commit to a public review of all federal tax loopholes for individuals and corporations, including the capital gains loophole. Modernize the general anti-avoidance rule regime to avoid corporate tax dodging via tax havens.
- Follow through on promised tax reform measures including a minimum 15% tax on all income earners in the top tax bracket and ensure that all industries pay their fair share of taxes when doing business in Canada. Move ahead with the Digital Services Tax as promised, showing leadership on the global stage.
- Implement automatic filing for low-income Canadians to enable the poorest and most vulnerable to access government benefits and support in this difficult economic climate.

# 11 PROMOTING LABOUR RIGHTS AND EQUAL WORK FOR WOMEN

SCORE: YELLOW

## The Issue

Women in Canada continue to be paid lower wages than men, are overrepresented in the most precarious jobs and are more likely to experience violence and harassment in the workplace.<sup>225,226</sup> These disparities are amplified for women from marginalized communities, such as women living with disabilities, racialized women, Black women, Indigenous women, immigrant women and 2SLGBTQ individuals, who are navigating a labour market that exploits and discriminates against them at every turn. The pandemic intensified wage gaps and amplified socioeconomic inequalities. Now Canadians are grappling with the highest rate of inflation in decades combined with a housing crisis that makes life unaffordable. Wages are inadequate despite increases in job vacancies. Given the scale of this issue, federal action is needed to address the structural disadvantages and barriers that marginalized women face in the labour market. In particular, attention and investment are needed to create opportunities for women's employment and advancement and ensure fair wages and decent working conditions.

“One of the most important lessons we've learned from COVID is that if you feel sick, stay home. Workers shouldn't have to pay for doing the right thing. Ten days of paid sick leave means they won't have to.”

– The Hon. Seamus O'Regan Jr., minister of labour (2022)<sup>229</sup>

“Bill S-211 merely creates the appearance of action to end modern slavery without actually doing anything about it. Simply put, a law that requires you to report but does not require you to stop the harm you are causing may be easy to pass, but it is also meaningless.”

– Emily Dwyer, policy director, Canadian Network on Corporate Accountability (2022)<sup>230</sup>



## WOMEN'S WORK & LABOUR RIGHTS

Women in Canada continue to be paid lower wages than men, are overrepresented in the most precarious jobs and are more likely to experience violence and harassment in the workplace. The government made several positive changes to employment wages and benefits in 2022 that will benefit women workers and ratified International Labour Organization Convention 190 on violence and harassment in the world of work. However, more federal action is needed to address gender inequality in the labour market and to hold Canadian companies accountable for their environmental and human rights violations abroad.



We know that seven in ten workers experience some form of harassment and violence, with women and equity-deserving workers experiencing higher rates and deeper impacts on their jobs, their health and their well-being. Ratifying C-190 not only sends a powerful signal that Canadians believe everyone deserves to work free from violence and harassment – it gives governments, unions, and employers a roadmap for preventing it, addressing it, and one day eliminating it.”

– Bea Bruske, president, Canadian Labour Congress (2023)<sup>231</sup>

The federal government should take action to hold Canadian companies accountable for their environmental and human rights violations abroad. Several Canadian companies have been directly associated with grave human rights abuses (killings, sexual violence, poverty wages and forced labour) and environmental impacts (land grabs and water contamination) in their operations and supply chains.<sup>227</sup> The United Nations Working Group on Business and Human Rights has repeatedly highlighted the Canadian government’s inaction and called on Canada to implement binding human rights legislation.<sup>228</sup> Comprehensive and robust legislation is needed to protect people and the planet and to meet Canada’s international obligations and feminist foreign policy goals.

## Where the government got it right

The federal government made several changes to employment wages and benefits in 2022, such as expanding employment insurance sickness benefits from 15 to 26 weeks<sup>232</sup> and raising the federal minimum wage from \$15.00 to \$15.55 per hour.<sup>233</sup> These changes are expected to benefit women, particularly in federally regulated workplaces; however, considering the living wage in Canada is estimated to be much higher, ranging from \$15.66 per hour in Manitoba to \$32.75 per hour in Alberta,<sup>234</sup> this increase is still inadequate to cover basic expenses for many workers.

The Trudeau government also delivered on its 2021 campaign promise to bring in paid sick leave. Employees in federally regulated private sector

workplaces are now eligible for up to 10 days of paid sick leave after Parliament voted unanimously in favour of the move last year. This is a permanent change to the *Canada Labour Code* that will improve working conditions for the nearly one million federally regulated private sector workers across Canada.<sup>235</sup> Moving forward, the government should convene the provinces and territories to adopt similar legislation around guaranteed paid sick days and minimum wage increases.

In the Fall Economic Statement 2022, finance minister Freeland announced a multi-billion dollar plan to automatically send the Canada workers benefit to people who qualified in the previous year.<sup>236</sup> This move will enable more Canadians to receive their payments in advance, providing quicker access to much-needed funds for low-income women and their families. Currently, the refundable tax credit is delivered through tax returns, which means that recipients must wait until the tax year is over to receive funds and must file income tax returns, which poses a barrier to some low-income Canadians who do not file tax returns.

## Where the government missed the mark

The government has committed to introducing legislation addressing the human rights abuses and environmental impacts of Canadian companies operating abroad.<sup>237</sup> Canadian parliamentarians are currently considering two options for a new business and human rights law.<sup>238</sup> The first is Bill S-211, which requires companies to report on any measures taken to identify forced and child labour in their supply

chains and assess their effectiveness, but stops short of requiring companies to take any action. The second is a more robust due diligence law that would require Canadian companies to respect human rights, would impose penalties for causing harm and give impacted communities access to justice and remedy. With this decision, Canada is facing a major test of its human rights and feminist credentials. Robust and comprehensive legislation must cover the full range of human rights, including women's rights and the right to a living wage, and have clear consequences for violations. Effective due diligence is not achieved through voluntary corporate social responsibility (CSR) measures, reporting-only laws or box-ticking compliance exercises.<sup>239</sup> Canadian companies operating abroad should be legally obligated to identify, prevent, mitigate and provide remedy for all human rights violations and environmental damage caused by their operations. Anything less is a failure of Canada's international obligations and feminist foreign policy goals.<sup>240</sup>

Employment equity remains a tremendous challenge in Canada, with marginalized groups experiencing systemic discrimination and racism in the labour market. In 2021, the government announced funding and a new task force to review the *Employment Equity Act* and make recommendations to modernize the legislation.<sup>241</sup> Budget 2022 further allocated \$1.9m to complete the review, but advocates are still waiting on the final report from the taskforce. It was originally promised in early 2022. The final report should be delivered as soon as possible and include specific recommendations to ensure Indigenous women, Black and racialized women, women with disabilities and 2SLGBTQ individuals have equitable access to the labour market.

More targeted actions are needed to address the racial gender wage gap and lack of access to employment insurance for marginalized women. Women working full-time in Canada earn 16% less than their male counterparts,<sup>242</sup> and the gender pay gap is worse for those who face multiple barriers, including racialized women, Indigenous women, women with disabilities and 2SLGBTQ individuals.<sup>243</sup>

Over the course of a lifetime, this difference contributes to a gendered pension gap of 22%,<sup>244</sup> putting women at greater risk of economic insecurity in retirement and throughout their senior years. Women are also concentrated in precarious sectors, where they have difficulty accessing employment insurance or receive such low levels of support that they are forced to move from one low-paying job to another. While Budget 2022 committed to amending the *Employment Insurance Act* to increase access to training for workers before they become unemployed, significant changes like higher benefit levels and coverage for self-employed people were missing.

## What's needed now

- Enact mandatory human rights and environmental due diligence legislation for Canadian companies operating abroad. Comprehensive legislation would ensure Canadian companies conduct human rights due diligence, are held liable for any failure to prevent human rights or environmental abuses in their operations and international supply chains and provide impacted communities with access to Canadian courts for remedy and to prevent harm.
- Strengthen the *Employment Equity Act* to ensure equal access to the labour market for women and gender-diverse people in all their diversity. Adopt the recommendations of the task force as soon as they are available. Invest \$20m per year over the next five years for implementation and enforcement, mandate regular independent progress reviews adopting an intersectional gender lens and ensure alignment with the efforts of the Pay Equity Commissioner.
- Convene the provinces and territories to adopt legislation around guaranteed paid sick days and minimum wages increases to keep pace with the rising cost of living in Canada.
- Expand women's access to Employment Insurance by modernizing the existing system and addressing key gaps. Consult organizations led by or representing Black, Indigenous and racialized women workers on these reforms.

## 12 UPHOLDING THE RIGHTS OF INDIGENOUS WOMEN

SCORE: RED

### The Issue

Since coming to power in 2015, the Trudeau government has voiced its deep commitment to reconciliation with First Nations, Métis and Inuit peoples, with the Prime Minister himself articulating repeatedly that there is no relationship more important for him than that with Indigenous peoples. Yet, into the eighth year of its mandate, the government has shown limited progress on ending the discrimination and human rights violations facing First Nations, Métis and Inuit women, girls, Two-Spirit and gender-diverse people.

Every day, Indigenous women, girls and Two-Spirit people wake up in a country with water that is unfit to drink and a health care system rife with systemic racism, fearing for their safety because they or their daughters could be violently attacked with impunity. The numbers are stark. Six in ten Indigenous women will experience physical or sexual assault in their lifetime.<sup>245</sup> More than 50% of women in the Canadian prison system are Indigenous, for the first time ever, despite making up only 5% of Canada's population.<sup>246</sup>

“Health care is a human right. Receiving health care in a non-racist, non-discriminatory, culturally safe environment is a human right. When Indigenous people know they will be treated without respect from doctors, nurses and other health care staff, they avoid seeking medical attention.”

– Carol McBride, president, Native Women's Association of Canada (2022)<sup>247</sup>

“Our justice system has failed Indigenous Peoples. Violence against Indigenous women, girls and 2SLGBTQQIA+ people in Canada, is a heartbreaking national tragedy. Three years ago today, the National Inquiry into Missing and Murdered Indigenous Women and Girls presented its final report, which confirmed what Indigenous Peoples have long known – that for generations Canada has failed them.”

– Prime Minister Justin Trudeau (2022)<sup>248</sup>



### RIGHTS OF INDIGENOUS WOMEN

The federal government has been too slow in addressing the inequalities and discrimination faced by Indigenous women in relation to sexual and gender-based violence, housing, health care and the justice system. Progress in implementing the Calls to Action in the Truth and Reconciliation Commission and the Calls for Justice from the National Inquiry on Missing and Murdered Indigenous Women and Girls continues to move at a glacial pace. Prioritizing the rights, needs and interests of First Nations, Métis and Inuit women, girls and Two-Spirit people will require more focus, commitment and financial resources from the government.

The crises in First Nations, Métis and Inuit families and communities are the direct result of systemic racism, neglect and a failure to prioritize the human rights of peoples by governments at all levels. Despite this, First Nations, Métis and Inuit women, girls and Two-Spirit people are the backbone of their communities. They are water carriers, knowledge keepers, healers and land defenders. They protect their people against the threats of climate change, destructive resource extraction projects and colonial institutions that want to rob them of their lands, their children and their culture.

The feminist track record of any government can be measured by the empowerment – or, conversely, the oppression – of its most marginalized people. Prioritizing the rights, needs and interests of First Nations, Métis and Inuit women, girls and Two-Spirit people will require more focus, commitment and financial resources from the government to move from institutional inertia to genuine progress.

## Where the government got it right

The government has made progress in implementing Bill S-3, which was developed to address and eliminate sex-discriminatory provisions from the Indian Act. In May 2022, the Native Women's Association of Canada released an extensive assessment and found the implementation of the bill had been "largely successful."<sup>249</sup> However, many ongoing concerns and unresolved issues remain, including the second-generation cut-off that was not addressed in the bill. First Nations women's rights advocates are continuing to push the government to fix the complex and convoluted systems that deny First Nations people their rights. Ultimately, they want the *Indian Act* repealed and replaced by agreements and laws that are consistent with the *UN Declaration on the Rights of Indigenous Peoples Act*.

While the 2022 federal budget held little in the way of significant funding announcements in support of Indigenous women, girls and gender-diverse people, \$200m in community economic development funding was welcomed as a positive step towards economic recovery in First Nations, Métis and Inuit communities.

Indigenous women's organizations were pleased to see January 4, 2023, officially recognized as the first ever National Ribbon Skirt Day, after Parliament passed Bill S-219 in late December. The bill was developed following a troubling incident involving a young First Nations girl in Saskatchewan who was shamed by a teacher for wearing a ribbon skirt to a school function. Ribbon skirts are recognized in many First Nations cultures as garments of pride, beauty and tradition. Recognizing this important day at the federal level provides new opportunities for Indigenous women, girls, Two-Spirit and gender-diverse people to express themselves and their culture with pride.

## Where the government missed the mark

Over the past twelve months, the federal government made little progress on many of the issues of greatest concern to First Nations, Métis and Inuit women, girls and Two-Spirit people. In many Indigenous traditions, women, girls and Two-Spirit people play a vital role as water carriers and protectors of water.<sup>250</sup> The drinking water crisis continues in communities across the country, with the government having failed to achieve its goal of ending all boil-water advisories by March 2021. In 2022, 11 water advisories were lifted but seven more were added, which suggests that investments in water infrastructure are not being done in a long-term, sustainable manner.<sup>251</sup> The government opted not to set a firm target date and now points to 2025 as an aspirational target date.

Seven years have passed since the Truth and Reconciliation Commission issued its Final Report and Calls to Action for governments and other sectors and institutions. Regrettably, implementation of the Calls to Action continues to move forward at a glacial pace. According to the Yellowhead Institute's *Calls to Action Accountability* annual tracker, only two Calls to Action (#67 and #70) were completed in 2022, both of which involved actions by non-governmental professional associations in the museum and archives sector. At this rate, the Calls will not be fully implemented for another 42 years, until 2065 – clearly unacceptable for a government committed to reconciliation.<sup>252</sup>

Implementation has also been slow on the Calls for Justice that emerged from the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). Three years after the National Inquiry concluded, Canada still does not have an implementation plan that is costed and measurable, although some progress was made over the past year to establish accountability mechanisms. Jennifer Moore Rattray was appointed as a ministerial special representative to advance work in the establishment of an ombudsperson and Innovation for Seven Generations was selected to develop recommendations for an oversight mechanism to enhance accountability and track progress. However, no new funding was announced in Budget 2022, and existing funding commitments announced in Budget 2021 have been disbursed very slowly. In June 2022, the Native Women's Association of Canada published a detailed scorecard grading the government on its efforts to realize the MMIWG Calls to Justice and concluded the first year had been "a failure."<sup>253</sup> Of the 30 actions outlined in the National Action Plan, 14 had seen "no progress" and there are a significant number of Calls for Justice that are completely unaddressed in the Plan.

Precarious housing and homelessness are among the key drivers of violence against Indigenous women and girls. Addressing the housing crisis facing First Nations, Métis and Inuit peoples is included explicitly in the MMIWG Calls for Justice. However, according to Indigenous housing advocates, funding announced in the 2022 budget is insufficient to tackle the housing crisis First Nations, Métis and Inuit women, girls and gender-diverse people are facing. The government committed \$4b over seven years to Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada to close housing gaps in First Nations, Métis and Inuit communities.<sup>254</sup> This falls well short of the needed \$5.6b per year over 10 years recommended by the Canadian Mortgage and Housing Corporation and \$6.8b over two years recommended by the National Housing Council.<sup>255</sup>

Anti-Indigenous racism and discrimination in health care systems across the country persists, despite promises from the Prime Minister and federal cabinet ministers to address the problem in the wake of the tragic death of Joyce Echaquan, an Atikamekw woman

who faced racism, misogyny and neglect in a Quebec hospital in 2020. High-level meetings were held in 2020 and 2021 between senior federal leaders and the leaders of First Nations, Métis and Inuit organizations to discuss what actions the government needs to take to respond to entrenched racism in health care institutions.<sup>256</sup> However, little action has occurred over the past year. The federal government has announced support for mental health services for First Nations, Métis and Inuit people using a distinctions-based approach. However, the government has failed to catalyze change through more systemic approaches, such as providing anti-racism and anti-bias training and education to personnel in the health care sectors and ensuring Indigenous people are recruited and supported to work in health care institutions.

The over-incarceration of First Nations, Métis and Inuit women and Two-Spirit people is beyond a crisis point and has left a huge stain on Canada's justice system and correctional institutions for many years. Indigenous women continue to be the fastest growing federally incarcerated population in Canada. On April 28, 2022, the number of incarcerated Indigenous women in Canada reached 50% of the prison population for the first time. This alarming trend is the result of years of federal inaction and neglect. The correctional investigator's annual report, published in June 2022, found that this over-representation is "largely the result of systemic bias and racism, including discriminatory risk assessment tools, ineffective case management and bureaucratic delay and inertia."<sup>257</sup>

## What's needed now

- Expand investments in housing infrastructure and support for First Nations, Métis and Inuit peoples, as recommended by both the Truth and Reconciliation Commission and MMIWG Inquiry.
- Accelerate the implementation of the MMIWG Calls for Justice by developing clear timelines, adequate resourcing and measurable indicators and accountability mechanisms, in close consultation with survivors, families and First Nations, Métis and Inuit women's organizations.

- Ensure that Indigenous women, Two-Spirit and gender-diverse people have access to culturally safe, good quality health care close to home regardless of status or geographic location, as a matter of policy. Provide ongoing training, education and awareness to all personnel involved in the provision of health services about the history of colonial oppression and genocide of Inuit, Métis and First Nations people, as well as anti-bias and anti-racism awareness training; and recruit, encourage, support and equitably fund Indigenous people to train and work in their institutions.
- Address the over-incarceration of Indigenous women and Two-Spirit people by adopting and implementing the longstanding recommendations of First Nations, Métis and Inuit women's organizations and the Office of the Correctional Investigator. The government should end the use of mandatory minimum sentences and ensure Indigenous sentences principles are being adhered to. Funding and resources currently dedicated to maximum security operations should be redirected to better support and address the unique needs of women, particularly Indigenous women.
- Continue to address the outstanding issues of sex and gender discrimination under the *Indian Act* left unaddressed by reforms of Bill S-3, while also advancing towards its repeal and replacement with new agreements and laws that respect the rights of Indigenous peoples.

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