



**The National Council of Women of Canada
Le Conseil national des femmes du Canada**

*FOUNDED 1893
(INCORPORATED BY ACT OF PARLIAMENT)*

IN FEDERATION WITH THE INTERNATIONAL COUNCIL OF WOMEN

**Annual Brief to the Government of Canada
Fall 2018**

*Presented by
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and the NCWC Board*

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Preamble

The National Council of Women of Canada (NCWC) is pleased to present its new and updated policies in the form of this Brief to the Prime Minister and the Government of Canada.

Founded in 1893, the National Council of Women is a non-profit and non-partisan organization of women, representing a large number of Canadians of diverse occupations, languages, origins and customs and reflecting a cross-section of public opinion. NCWC is a non-governmental organization (NGO) comprised of Local Councils, Provincial Councils, and Nationally Organized Societies.

NCWC is a federate of the International Council of Women (ICW), an international non-governmental organization holding Consultative Status (Category 1) with the Economic and Social Council (ECOSOC) of the United Nations. Founded in 1888, the ICW is composed of National Councils in 74 countries.

NCWC holds Consultative Status (General) with ECOSOC, enabling NCWC to bring a Canadian perspective to the work of the United Nations Commission for the Status of Women. NCWC also participates as an Observer Non-governmental Organization with the Permanent Council of the Organization of American States.

NCWC is an organization of local, provincial and national organizations which are closely connected with issues at those levels, and which also has a firm grasp of international issues and Canada's commitment to them. For this reason, NCWC is uniquely qualified to approach our Government with suggestions and recommendations, which are based on carefully researched and democratically approved policies for improving the quality of life of Canadians.

For the past 125 years, the National Council of Women has worked to improve the quality of life in Canada through education and advocacy. All policy for NCWC is generated through resolutions originating with either Local Councils or NCWC Committees. These are circulated to, and then voted on, by the general membership, at our Annual General Meeting. When contacting the Government, the media and the public, Council representatives speak only on existing policy. This Brief is therefore the united voice of the federated membership of the National Council of Women of Canada.

At our most recent Annual General Meeting in Niagara-on-the-Lake (June 2018), we continued the long history of NCWC's policy development, and we would like to introduce our new policies and updates to existing policies, as listed below.

NEW POLICIES

1. WOMEN AND PRECARIOUS EMPLOYMENT / NON-STANDARD WORK
2. CITIZENSHIP EDUCATION FOR LANDED IMMIGRANTS AND/OR PERMANENT RESIDENTS
3. CITIZENSHIP FOR IMMIGRANTS AND REFUGEES
4. RECONCILING WITH CANADA'S ABORIGINAL PEOPLE

Policy Updates:

1. ELIMINATING INDIAN ACT DISCRIMINATION
2. FEMALE GENITAL MUTILATION
3. SEWAGE TREATMENT / WASTEWATER FACILITIES
4. ENDING ADMINISTRATIVE SEGREGATION / SOLITARY CONFINEMENT IN CANADIAN PRISONS

Emerging Issue

1. CURBING GANG ACTIVITY AND GUN VIOLENCE

NEW POLICIES

1. WOMEN AND PRECARIOUS EMPLOYMENT / NON-STANDARD WORK

NCWC strongly urges the Government of Canada to:

1. adopt as policy the protection of Landed Immigrant and/or Permanent Resident women and girls from unlawful practices; and be it further
2. take immediate action to develop policies to rectify the discrepancies between the standard employment model and "non-standard" employment

with the objective to end precarious work and bring fairness to workplaces;
and be it further

3. examine, through gender-based analysis, the over-representation of women in non-standard work and employment both in the public and private sectors; and be it further
4. encourage the provinces and territories to review practices in their jurisdictions related to precarious employment.

Rationale:

an increasing number of workers are in precarious employment, poorly paid, insecure, unprotected and unable to support a household; and

Statistics Canada reported in November 2017 that Canadians in their prime working years were less likely to hold full-time, year-round jobs: the percentage of men fell to 56.2 from 63.3 percent a decade earlier, and women fell to 43.7 from 46.4 percent, a clear indication of the rise of precarious employment that carries implications for household income, retirement savings, consumer spending and tax returns; and

these workers are not protected from unacceptable practices such as being denied benefits like pensions, extended medical coverage and sick leave, and these jobs lack clear progression towards full-time work and job security; and

women account for 70% of part-time workers and 60% of minimum wage earners in Canada indicating that a robust gender-based analysis of trends is needed; and

the health effects on workers and their families include high levels of stress related tensions and exhaustion, the constant search for new work, periods of unemployment, limited rights and access to traditional representation and gaps in healthcare because of a lack of health benefits.

2. CITIZENSHIP EDUCATION FOR LANDED IMMIGRANTS AND/OR PERMANENT RESIDENTS

NCWC strongly urges the Government of Canada to:

1. adopt as the protection of Landed Immigrant and/or Permanent Resident women and girls from unlawful practices; and be it further
2. to protect Landed Immigrant and/or Permanent Resident women and girls by reforming the citizenship and testing program to include, among other things, human rights information about Canadian laws against female genital mutilation (FGM), early and forced marriages, polygamy, sexual assault, “honour killings”, and helpful universal health coverage, family planning and abortion services; and be it further
3. amend the short title of the current law Zero Tolerance for Barbaric Cultural Practices, changing “barbaric cultural” to “harmful” in accordance with the United Nations Security Council Resolution 1325 “Women, Peace and Security” and the Sustainable Development Goals for 2030.

Rationale:

the Government of Canada publishes a booklet which helps new Canadian study for their citizenship test, but it do not cover aspects of Canadian law and culture that are important to protect women and girls; and

some laws and cultural practices in Canada differ from other countries and female immigrants may not be aware of their rights; and

some of these unlawful practices include female genital mutilation, early and forced marriages, polygamy, sexual assault, and honour killings and some cultural practices include family planning and abortion services; and

in 2015 the Government of Canada called for “zero tolerance” of “barbaric cultural practices” by asking Canadians to denounce to authorities such practices.

3. CITIZENSHIP FOR IMMIGRANTS AND REFUGEES

NCWC strongly urges the Government of Canada to:

1. Adopt as policy that those laws that protect women and girls from underage forced or fake marriages are enforced and that the process set down to gain citizenship include access to programming and resources designed to educate, assist and protect those who might need direct protection; and be it further
2. a. take appropriate action to educate and protect women and girls from underage, forced or fake marriages, and re-establish the two years living together

in Canada with the spouse, common-law partner and conjugal partner prior to becoming a Canadian resident, and

b. establish an exception to this rule in the case of any kind of abuse (verbal, physical or mental) giving an abused person and his/her children the right to move out of the common living space without losing the right to become a permanent Canadian resident and to be protected under Canadian law as other Canadian residents.

Rationale:

the National Council of Women has adopted policy giving special treatment to refugee women to ensure equality, safety and prevention of sexual abuse and exploitation 2001.6; and

the Parliament of Canada has passed Bill C-6, Citizenship Act, eliminating the obligation to live with the spouse, common-law partner or conjugal partner for two years in Canada prior to eligibility for Canadian residency; and

even though this change seems to have been adopted with the best intent, it can lead to fraud and crimes such as fake and forced marriages; and

Canada's Civil Marriage Act requires the free and enlightened consent of two persons to be the spouse of each other and no person who is under the age of 16 years may contract marriage.

4. RECONCILING WITH CANADA'S ABORIGINAL PEOPLE

NCWC strongly urges the Government of Canada to:

1. adopt as policy acknowledgement of the rights of Canada's Aboriginal people and support for the recommendations of the Truth and Reconciliation Commission report; and be it further

2. a .implement the 94 recommendations of the Truth and Reconciliation Commission without delay, and to report at least annually on progress; and
b. prioritize those recommendations that address the human rights of Canada's Aboriginal peoples, for example, water, sanitation and hygiene (WASH) housing, education and health services; and be it further

3.strongly recommend to the Government of Canada to NOT destroy the historic records and testimony of the affected Survivors of the Residential Schools System; and be it further

4. urge its members to continue to move toward reconciliation with Canada's Aboriginal peoples.

Rationale:

the Government of Canada established the Royal Commission on Aboriginal Peoples, tabled its Report in 1996, and failed to address its recommendations; and

the living conditions of people on some reserves have continued to deteriorate with boil water advisories lasting many years, overcrowded substandard housing, lower quality education opportunities, and inadequate health services; and

the Government of Canada recognized the need to address the legacy of the Residential School system which was operating between 1876 (the Indian Act) and 1996, and established the Truth and Reconciliation Commission in 2009 which listened to residential school survivors who testified to their past experiences, and their current troubles; and

the Truth and Reconciliation Commission tabled its report in 2015, including 94 recommendations for improving the relationship between the Aboriginal peoples, the Government of Canada and the churches that ran the Residential Schools, but moreover with us, the other Canadians.

Policy Updates:

1. ELIMINATING INDIAN ACT DISCRIMINATION

NCWC strongly urges the Government of Canada to:

1. adopt as policy that all gender-based inequalities be eliminated from the Indian Act; and be it further
2. eliminate all gender-based inequalities in the Indian Act.

Rationale:

the National Council of Women of Canada asked the Government of Canada in 1974.1 that an Indian woman be granted the same status and rights as an Indian man; and

some status rights for Indian women were given in 1985 and in 2010 through amendments to the Indian Act, but the right of a grandmother to pass her Indian status on to a grandchild, as a grandfather can, was not given; and

the Government of Canada tabled new amendments (Bill S-3) in 2016 to correct sex-based inequities in the Indian Act, but the amendments are incomplete.

2. FEMALE GENITAL MUTILATION

NCWC strongly urges the Government of Canada to:

1. adopt as policy that girls be protected from female genital mutilation in Canada and from being sent abroad for the procedure; and be it further
2. to protect girls from female genital mutilation in Canada and from being sent abroad for the procedure by:
 - a. tracking and reporting cases of female genital mutilation
 - b. designing a data collection system to analyze the reported data
 - c. communicating the analysis to the public in a transparent manner
 - d. taking proactive measures to prevent the practice
 - e. charging and prosecuting those suspected of the offence or aiding, abetting and/or counselling it.

Rationale:

in 1992 NCWC had an Emergency Resolution urging the Government to pass legislation making female circumcision illegal in Canada and in 1996, part of a multi-faceted Emergency Resolution, urging the Government to:

- a. specifically state that the practice of female genital mutilation is illegal in Canada
- b. continue to expand its involvement in an education program to educate Canadians regarding the health risks associated with female genital mutilation and to work closely with those communities where the practice is more prevalent; and

in 1997 the Parliament of Canada passed an amendment to the Criminal Code of Canada prohibiting all forms of genital mutilation in Canada and prohibiting the transport of a child outside Canada for the purpose of obtaining female genital mutilation; and

federal officials believe that girls are being sent abroad to undergo female genital mutilation, known as “vacation cutting”, and that practitioners are being brought to Canada to perform the illegal procedure on girls; and

there has never been a successful prosecution in this country for performing female genital mutilation.

3. SEWAGE TREATMENT / WASTEWATER FACILITIES

NCWC strongly urges the Government of Canada to:

1. adopt as policy that sewage treatment and wastewater facilities comply with federal regulations; and be it further
2. urge the Government of Canada in consultation with provincial, territorial and aboriginal governments to ensure compliance with federal regulations for wastewater treatment and management by:
 - a. shortening the timeline for compliance with federal regulations for wastewater treatment and management;
 - b. ensuring sufficient funding for upgrading sewage treatment plants;
 - c. specifying that a definite portion of money given to municipalities and First Nations Reserves for infrastructure be applied to waste water upgrades;
 - d. monitoring the results and reporting yearly;
 - e. increase the fines for non-compliance; and be it further
3. urge the members of the International Council of Women to work with their respective Governments to ensure adequate treatment of waste water.

Rationale:

in 1995 the National Council of Women of Canada urged the Government of Canada to:

- a. effectively address the national environmental issue of sewage by allocating funds for the upgrading of wastewater management facilities, to end the discharge of untreated sewage into Canada's lakes, rivers and seas;
- b. enforce existing legislation such as the Fisheries Act, the Canada Water Act and the Canadian Environmental Protection Act where these acts relate to sewage disposal;
- c. promote provincial and territorial development and enforcement of municipal and industrial sewage abatement plans;
- d. continue public education on source control and pollution prevention methods; and

the federal government passed regulations in 2012 under the Fisheries Act called Wastewater Systems Effluent Regulations; and

untreated waste water is still one of the largest sources of pollution in Canadian rivers, lakes and oceans; and

approximately, 25 per cent of Canadian communities, large and small, have inadequate treatment or management of the waste water that they generate every day; and

The Federation of Canadian Municipalities (FCM) estimates \$18 billion will be needed to comply with the federal standards.

4. LONG-TERM STEWARDSHIP OF NUCLEAR WASTE

NCWC strongly urges the Government of Canada to:

1. adopt as policy that nuclear waste not be abandoned, but be safely stored above ground, under human control using good stewardship practices; and be it further
- 2 . ensure good stewardship of nuclear waste through its safe storage above ground under human control.

Rationale:

1A In 1992 the National Council of Women of Canada urged the Government of Canada to establish an independent commission to investigate the safety of nuclear power as an energy source; and in 1997 NCWC updated its nuclear policy asking the Government of Canada to:

- a. reject as unsafe, the AECL “concept” for the burial of high-level nuclear wastes in the Precambrian shield; and
- b. initiate a public policy debate, with broad public consultation, on the energy future of Canada, with specific focus on the nuclear issue; and
- c. expend research moneys on a search for a safe technology to treat nuclear wastes; upgrading current nuclear-site safety; and developing alternative sources of energy; and
- d. bring Canadian radiation exposure standards into conformity with those adopted by the International Radiation Protection Association of 1991, while encouraging the Association to improve these standards even further to reflect the gender and age differences of women and children; and
- e. do all that is in its power to prevent the expansion of the nuclear industry; and

1B In 2004 NCWC updated its nuclear policy urging the Government of Canada to:

- a. reject the Atomic Energy of Canada Limited (AECL) concept for the burial of high -level radioactive waste; and
- b. initiate a broad-based public policy debate on the energy future of Canada, with a specific focus on alternative sources of energy, energy efficiency, and energy conservation versus nuclear power; and
- c. make significant government expenditures on the search for a safe technology to treat nuclear waste; the upgrading of current nuclear sites and storage safety; and the development of alternative sources of energy, energy efficiency, and energy conservation; and,
- d. promote the adoption by the ICRP of standards that reflect gender, age and health, as well as long term exposures of workers and the public to low level radiation, and of the impacts of both high dose and low dose radiation on the environment. e.g. air, soil, water; and
- e. ensure that there will be a full Federal/Provincial/Territorial Environment Assessment of the Nuclear Waste Management Organization (NWMO) recommendations, with allowance for intervenor funding; and a full parliamentary debate, with a free vote, on the NWMO and the Environmental Assessment final recommendations; and
- f. do all that is in the government’s power to prevent the expansion of the nuclear industry in Canada, encourage the Provinces and Territories to phase out the nuclear plants at the end of their life cycle; and
- g. ban the importation of high-level radioactive waste and further importation of fresh reactor fuel; and

there is still no national energy policy for Canada and, enormous quantities of highly dangerous nuclear waste, much of which will last for many thousands of years, continue to be produced; and

current above ground or near surface nuclear waste is safely stored at nuclear reactor sites using constant monitoring, timely stoppage of leaks, prompt retrieval in case of containment failure and periodic repackaging if necessary, as well in some cases solidification and storage; and

although there are no proven safe underground nuclear storage sites in the world, and no scientific principles that can be used to forecast with confidence what will happen over such a long period of time, new plans for nuclear waste management feature its abandonment deep underground beyond human control, and /or above ground in mounds open to the elements and close to waterways; and

any breakthrough of radioactive materials into water, air or land, will result in monumental health and environmental risks for present and future generations; therefore be it

that the National Council of Women of Canada (NCWC) adopt as policy that nuclear waste not be abandoned, but be safely stored above ground, under human control using good stewardship practices; and be it further

that NCWC urge the Government of Canada to ensure good stewardship of nuclear waste through its safe storage above ground under human control.

4 ENDING ADMINISTRATIVE SEGREGATION / SOLITARY CONFINEMENT IN CANADIAN PRISONS

NCWC strongly urges the Government of Canada to:

1. adopt as policy that ending administrative segregation/solitary confinement in federal prisons is the objective and meanwhile its use be governed by international standards and the Canadian Charter of Rights and Freedoms; and be it further

2. a. end without delay the practice identified as Administrative Segregation/ Solitary Confinement in Canadian prisons; and

b. adopt without delay legislation related to administrative segregation/solitary confinement to meet international standards in the United Nations Mandela Rules;

c. appoint immediately independent oversight officers to ensure that prisoners' constitutional rights are observed and protected at all times; and

d. urge Provincial and Territorial governments to adopt policies and practices aimed at meeting international standards, and ensuring the constitutional rights of inmates are protected.

Rationale:

in 2016 the National Council of Women of Canada urged the Government of Canada to cease using solitary confinement as a disciplinary method in Canadian penitentiaries and ensure sufficient, independent, secure facilities for persons with mental health issues; and

the United Nations (UN) Mandela Rules adopted in 1955 defines solitary confinement as a period lasting no more than 15 consecutive days, and 60 days in any 365-day period; and

the British Columbia Civil Liberties Association and the John Howard Society of Canada and their lawyers argue that the practice of administrative segregation/solitary confinement in federal prisons is unconstitutional, increases inmates' suffering, and discriminates against offenders who are Indigenous or have mental illness; and

even though the Attorney General of Canada maintains that segregation is a reasonable and necessary tool which protects inmates and staff, it is possible to operate prisons without resorting to sending prisoners to windowless cells where human contact is minimal; and solitary confinement causes psychological harm in nearly, everyone who endures it, is a factor in several prison suicides and requires long term treatment following release.

Emerging Issue

1. CURBING GANG ACTIVITY AND GUN VIOLENCE

NCWC strongly urges the Government of Canada to:

1. adopt as policy that gang activity and gun violence be curbed through best-practices preventive and intervention initiatives; and be it further
2. urge the Government of Canada to collaborate with the provinces and territories and municipalities to take whatever steps are needed to overcome the problem of gang activity and gun violence and mitigate its impact.

Rationale:

gang activity and gun violence is an increasing and evolving issue across Canada involving primarily youth from twelve to young adults twenty-five years of age; and

this issue is complex, impacting families and communities, the public health and educational systems, public safety including law enforcement and the criminal justice system; and

illegal guns are widely available through the internet, the dark net and other hidden importing means, and gang activity involves and promotes illegal activities; and

since a 'one size fits all' model is not effective in addressing the issue, research is required with a Canadian perspective, as well as a review of best practices from other jurisdictions; and

prevention and intervention are significant remedies where women can play a major leadership role.