

**CEDAW Speaking Notes for Caryn Duncan, VWHC
IWD Event in Langley, March 6, 2003**

Thank you for inviting me to share your International Women's Day celebration. I think it is important for us to congratulate ourselves, this evening, because women have come a long way and have achieved much over the years. The recent Raging Women's Conference in Vancouver provided me with a better understanding of women's activism and accomplishments in BC over the last four decades.

For 30 years the Vancouver Women's Health Collective has been a part of that activism. We continue to offer women complementary and mainstream health information, help women find a new doctor, speak out against drugs and medical practices that are harmful to women, and work in coalitions to raise women's voices about health care.

Over the last decade a lot has happened in this country and over the last year, particularly, a lot has happened in BC and not a lot of it has been good for women. We know this and, now, the United Nations knows it too.

The UN CEDAW Committee reviewed Canada's 5th Report on its compliance with the *Convention on the Elimination of All Forms of Discrimination against Women* during its 28th session, which was held in New York City from January 13 to January 31, 2003. Canada has been a signatory to this UN *Convention* since 1980. This means that federal, provincial and territorial governments are obligated to comply with the Convention's terms and to report on Canada's compliance every 4 years.

Last week, the UN CEDAW Committee - CEDAW refers to the UN Committee to End Discrimination Against Women - issued a highly critical report on Canada and singled out BC for special criticism. The UN Committee found that decades of cuts to social programs have harmed Canadian women and BC's recent rash of cuts has further compounded this harm to women.

So, what conclusions did this UN Committee come to after reviewing Canada's recent record on eliminating discrimination against women? The CEDAW Committee issued a ten-page report on Canada's efforts. It is worth noting that 5 of these 10 pages are highly critical of Canada. In UN language, the committee identified "principal areas of concern and recommendations" that total five pages. BC was the only province singled out in the report.

The Committee urged the government of BC to analyze the impact of its recent measures on women and girls, and to change them as necessary. It is clear that the UN Committee understands that the BC government, far from advancing women, as the UN *Convention* requires, is moving women backwards.

The UN Committee raised concerns about the following recent developments in BC:

- The cuts in funds for legal aid and welfare assistance
- Narrowed eligibility rules for welfare
- The incorporation of the Ministry of Women's Equality under the Ministry of Community, Aboriginal and Women's Services
- The abolition of the independent Human Rights Commission
- The closing of a number of courthouses
- The cut in support programs for victims of domestic violence and
- The proposed changes regarding the prosecution of domestic violence.

The UN CEDAW Committee holds the federal government principally responsible for ensuring that the terms of the Convention on the Elimination of All Forms of Discrimination against Women are implemented. The Committee particularly criticized the federal government's decision, taken in 1995, to remove conditions from the transfer of monies to the provinces. The UN Committee noted that this has meant the loss of nationwide consistent standards for health and social welfare programs, and it has had a negative impact on "women's situation" across Canada. The Committee sees the federal government's move away from attaching conditions to the transfer of monies as a neglect of its obligation.

In their questioning of Canada, Committee members also expressed shock about the poverty rates of Canadian women, and were particularly appalled by the numbers of single mothers, Aboriginal women and women of colour who are living in poverty. In a country as wealthy as Canada they found poverty rates of: 54 per cent for single mothers, 43 per cent for Aboriginal women, 37 per cent for women of colour, and 48 per cent for women who are recent immigrants. Committee members were concerned that cuts to social programs have deepened women's social and economic vulnerability, eliminating their good jobs, increasing their burden of unpaid work, and making them less able to leave abusive relationships.

The UN report paid important attention to women's ability to exercise their legal rights. The Committee found that the trend to cut funds for family and poverty law legal aid, as was recently done in BC, discriminates against women, because women are the principal users of civil legal aid, while men are the principal users of criminal legal aid. Making family law legal aid unavailable prevents women from accessing their rights. The UN Committee also recognized that women must have full access to the exercise of their constitutional right to equality. This access is currently blocked by the restrictive mandate of the Court Challenges Program, which provides test case funding for equality challenges to federal law, but not to provincial law.

The UN Committee was particularly shocked by the situation of Aboriginal women and expressed intense concern about 'the persistent and systematic discrimination faced by Aboriginal women in all aspects of their lives. The Committee found that Aboriginal women are overtly discriminated against under the law in Canada, specifically because Aboriginal women living on reserves do not enjoy matrimonial property rights, and because the residual discrimination caused by the "marrying out" provision of the *Indian Act* has not yet been corrected. Aboriginal women have been lobbying for years to get these problems fixed and the CEDAW Committee has said that these failures to treat Aboriginal women equally are incompatible with the *Convention*.

I would encourage you to read the UN CEDAW report yourselves. I brought 10 copies of the report as well as a list of web sites you can check out for more details about the reports I've mentioned. Just see me afterwards and I'd be happy to pass the information on to you.

So, now I'd like to talk about the ways in which women influenced this UN committee and the content of their report. It happened both in person and in writing. Women's organizations were represented by Sheila Day, Margot Young, and Sharon McIvor in New York leading up to and on January 23, 2003, when the UN CEDAW Committee reviewed Canada's compliance with the Convention. Shelagh Day was able to meet with and talk to the individuals who comprised the UN committee. Highlighting the concerns raised in both the BC and Canadian reports compiled by women's organizations. This meant that women's groups were able to counter the report that was presented by the Canadian government delegation to the UN CEDAW Committee.

In terms of reporting, BC and Canadian women's organizations detailed the state of affairs for women. Nationally, the Feminist Alliance for International Action, an alliance of 40 Canadian women's groups, compiled a lengthy report entitled *Canada's Failure to Act: Women's Inequality Deepens*. This report outlines the harmful effects of Canada's cuts to social programs on women and I would encourage you to explore the full report on the FAFIA web site.

In BC, the VWHC along with a number of other women's groups, Shelagh Day who works with the Poverty and Human Rights Project, and Margot Young a lawyer with UBC's Centre for Feminist Legal Studies, came together last year as the BC CEDAW Group. We produced a 40-page report detailing the cuts to programs that effect women and related this to specific articles under the UN Convention on the Elimination of All Forms of Discrimination Against Women.

The report we produced is entitled *British Columbia Moves Backward on Women's Equality* and details the harmful impacts of current government policy in BC including an examination of the following:

- Legislated protection against sex discrimination
- Legal aid
- Access to court
- Income assistance and social services
- Elimination of the ministry of women's equality
- Elimination of funding for women's centres
- Violence against women
- Police protection for women
- Criminalization of teenage girls in lieu of social programs and services
- Sexual exploitation and the Secure Care Act
- Education
- Employment rules and standards
- Child care
- Women's health and
- Rural women

The BC report also notes that the harmful impacts of current government policies in BC have a pernicious effect on groups of women and girls who are most disadvantaged and most vulnerable. Specifically, elderly women, and women and girls who are Aboriginal, of colour, disabled, lesbian, recent immigrants or refugee claimants, living on low incomes, or living in rural areas experience the harms our report details in particular and intensified ways.

Overall, this story that I have shared with you, I believe, illustrates the power of individual women and women's organizations in influencing the contents of a UN CEDAW Committee report and broadening the committee members understanding of the Canadian government's achievements and failures in terms of Canada's compliance with a UN Convention. What we do next, what the provincial government does, and how the federal government acts will determine the quality of life for women across this country now and in the future. Will further impoverishment and even greater violence confront women in four year's time when Canada is next held to account by the UN CEDAW Committee? Or, are our governments going to address these issues and confront the compelling concerns raised by the UN?

Florence levers, the head of the Canadian delegation that appeared before the CEDAW Committee in New York, and the Federal Government's deputy minister for Status of Women Canada, promised the CEDAW Committee members that Canada would make its best efforts to implement the Committee's recommendations. Women are now looking to the BC and Canadian governments to reverse the patterns of discrimination against women. Will we be working with them to accomplish this or against their indifference in the coming years?

If you are interested in learning more about the UN CEDAW Report and the BC perspective on CEDAW then please join us at a public meeting on Wednesday, March 12 from 7 to 9 p.m. at the Vancouver Public Library.

Thanks, again, to all of you for inviting me to speak to you about the UN CEDAW Committee's critical report on Canada's cuts to social programs and their effect on all women's lives.

The BC CEDAW Group is a coalition of 12 BC women's organizations including:

- Aboriginal Women's Action Network
- Working Group on Poverty
- West Coast Women's Legal Education and Action Fund
- Justice for Girls
- Vancouver Rape Relief and Women's Shelter
- Canadian Association of Sexual Assault Centres (BC and Yukon Region)
- End Legislated Poverty
- Vancouver Committee for Domestic Workers and Caregivers Rights
- British Columbia Coalition of Women's Centres
- Vancouver Women's Health Collective
- National Action Committee on the Status of Women – B.C.
- Women's Working Group of the BC Health Coalition