

UN Singles Out B.C. Government on Women's Rights

by Shelagh Day and Margot Young

B.C. is not meeting its obligations to women under international human rights law. That was the clear message of the United Nations Committee on the Elimination of Discrimination against Women in comments issued recently in New York City.

The U.N. Committee singled out the province of British Columbia for criticism in its review of Canada's compliance with the United Nations *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW). The Committee is concerned about the disproportionately negative impact on women and girls of a number of recent changes in British Columbia, including: funding cuts to legal aid and welfare assistance; narrowed eligibility rules for welfare; the elimination of the freestanding Ministry of Women's Equality; the abolition of the independent Human Rights Commission; the closing of a number of courthouses; cuts in support programmes for victims of domestic violence; and proposed changes regarding prosecution of domestic violence.

The Committee recommends that the B.C. government change these laws and policies in order to eliminate the discriminatory impact on women.

The CEDAW Committee reviewed Canada's 5th Report on its compliance with the *Convention on the Elimination of Discrimination Against Women* during its 28th session, held in New York city from January 13 to January 31. Canada ratified the *Convention* in 1981, obligating federal, provincial and territorial governments to comply with its terms and to report on their compliance every four years. Their concluding comments, which are the end-product of the review, provide the Committee's assessment of Canada's current performance in satisfying the terms of the treaty.

B.C. is the only province targeted for specific criticism. But the Committee also finds that Canada overall is not living up to its obligations to women. In questioning Canadian representatives during the day-long session devoted to the review of Canada on January 23rd, Committee members repeatedly expressed shock about the high poverty rates of Canadian women. In a country as wealthy as Canada, 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 were found to be unacceptable.

Given the fact of women's vulnerability to poverty and their overall economic inequality in Canada, Committee members were concerned that government cuts to social programs are deepening women's social and economic vulnerability, since these cuts eliminate women's good jobs, increase women's burden of unpaid work, and make women less able to leave abusive relationships.

The Committee was also troubled by the absence of any institutional mechanism that would ensure governments observe international human rights norms across Canadian jurisdictions. While clearly holding each government responsible for meeting these

obligations within its own jurisdiction, the Committee also holds the federal government responsible for ensuring that the provinces and territories do not introduce measures that drive women's conditions below treaty standards, as B.C. has done.

The Committee thus criticizes the federal government for backing away from attaching conditions to the transfer of funds to the provinces. It recommends that the federal government reconsider changes made in the 1995 *Budget Implementation Act* repealing national standards for social assistance and some social services, and ending the targeting of transfers to particular social programs. The Committee recommends that the federal government re-establish national standards to ensure that commitments to women's equality are met across the country.

The Committee's deliberations were wide-ranging and a number of other recommendations for government action were made: acceleration of efforts to eliminate discrimination against Aboriginal women; provision of sufficient legal aid funding for civil and family law matters; elimination of sex discrimination from the *Immigration and Refugee Protection Act*; change of the terms of the Live-In Caregiver Program; provision of adequate funding to women's crisis centres and shelters; adoption of measures to bring women out of non-standard employment and into secure jobs; expansion of affordable child care; reconsideration of eligibility rules for Employment Insurance; assurance of access for vulnerable women to social housing; increasing women's representation in political and public life; and assistance to victims of human trafficking.

The B.C. government and the federal government have ignored their international human rights commitments to women. Governments have cut social programs and social protections that are essential to Canadian women's enjoyment of their rights to equal economic and social citizenship. In unmistakable terms, the U.N. expert body on discrimination against women has recommended that current patterns of women's social and economic inequality be reversed. We should expect our governments to move women forwards not backwards; the international community certainly does.

Shelagh Day is a Director of the Poverty and Human Rights Project. Margot Young holds the Walter Owen Chair in Public Law at the University of British Columbia, and is a member of the Advisory Committee for the Project. The Poverty and Human Rights Project, and Day and Young in particular, helped a coalition of 12 women's non-governmental organizations to produce a report on the impact on women of recent cuts and legislative changes in B.C. This report, entitled British Columbia Moves Backward on Women's Equality, was submitted to the United Nations CEDAW Committee for its consideration at the time of Canada's 5th review. The Centre for Feminist Legal Studies also supported this initiative. Patricia Cochran provided research support.

The coalition which produced the submission to the CEDAW Committee, entitled British Columbia Moves Backward on Women's Equality, includes: 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 (British Columbia and Yukon Region), End Legislated Poverty, Vancouver Committee for Domestic Workers and Caregivers Rights, British Columbia Coalition of Women's Centres, the Vancouver Women's Health

Collective, the National Action Committee on the Status of Women – B.C. Society, and the Women’s Working Group of the B.C. Health Coalition.

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