



**Submission to the Committee on Economic, Social and Cultural Rights
For the 57th Session of the Committee on Economic, Social and Cultural Rights
(22 Feb 2016 - 04 Mar 2016)**

Submission Raising Issues Related to Articles 2, 3, 6, 7, 9, 10, 11 and 12 in Particular:

**Access to Justice
Maximum Available Resources
Progressive Realization
Equality and Non-Discrimination
Right to an Adequate Standard of Living
The Right to Adequate Housing
The Right to Adequate Food
The Right to Health**

Submitted by Canada Without Poverty, BC Poverty Reduction Coalition, the Canadian Poverty Institute, the Niagara Poverty Reduction Network, the MacKillop Centre for Social Justice and the Canadian Centre for Policy Alternatives

1 February 2016

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I. INTRODUCTION

Canada Without Poverty (CWP), along with the above listed partners and endorsements submits this brief to the Committee on Economic, Social and Cultural Rights (CESCR) in preparation for the review of Canada under the International Covenant on Economic, Social and Cultural Rights (ICESCR) in the 57th session of the Committee.

Canada Without Poverty, Ottawa, Ontario

Founded in 1971 and operating as a leading national anti-poverty organization, CWP has represented low-income populations in Canada for over 40 years. Many of CWP's members are living in poverty and our Board of Directors is comprised of people with direct, personal experience of poverty, both past and present. CWP has sought to provide meaningful and effective representation of people living in poverty. We promote a better understanding of the lived experience of poverty in Canada and work to address problems of stigmatization and discrimination against people living in poverty.

CWP has a network comprised of over 9,000 supporters across the country made up of individuals living in poverty and organizations representing low-income individuals. With a pan-Canadian reach, CWP is often called upon by parliamentary committees, civil society, and the media to speak about poverty as it relates to various stages of the life-cycle and vulnerable demographic groups.

Under our former name, the National Anti-Poverty Organization, **CWP was the first NGO to undertake an oral presentation before the UN Committee on Economic, Social and Cultural Rights in 1993.** CWP continues to promote the implementation of human rights as the fundamental basis for the eradication of poverty and acts as a central resource point on poverty and human rights in Canada.

BC Poverty Reduction Coalition, Vancouver, British Columbia

The BC Poverty Reduction Coalition is a broad-based province-wide network that includes community and non-profit groups, faith groups, health organizations, First Nations and Aboriginal organizations, businesses, labour organizations, and social policy groups. The Coalition has come together around a campaign aimed at seeing the introduction of a bold and comprehensive poverty reduction plan from the Government of British Columbia that would include legislated targets and timelines to significantly reduce poverty and homelessness and improve the health and well-being of all British Columbians. The BC Poverty Reduction Coalition has over 50 Coalition Members and almost 400 supporting organizations that have joined the call for a poverty reduction plan for BC.

The Canadian Poverty Institute, Calgary, Alberta

The Canadian Poverty Institute is a national institute based at Ambrose University that is dedicated to research and teaching on the root causes of poverty in order to inform policy and practice leading to the eradication of poverty in Canada.

The Niagara Poverty Reduction Network, Niagara Region, Ontario

The Niagara Poverty Reduction Network (NPRN) is a regional collective of over 30 members from the health, social, education, and business sectors, along with individuals who currently live in poverty. NPRN is working to wipe out poverty in Niagara through public information, collaboration, and advocacy to address poverty's root causes.

The MacKillop Centre for Social Justice, Charlottetown, Prince Edward Island

The MacKillop Centre for Social Justice is located in the province of Prince Edward Island. It is a non-profit, non-governmental organization consisting of volunteers, which researches, mobilizes and educates people on issues of social justice. Founded in 1995, the Centre founded several coalitions including the P.E.I. Coalition for a Poverty Eradication Strategy. It works on local, regional, national and global levels and uses a conscientizing methodology based on the methodology of Brazilian educator Paulo Freire and the principles of Church Social Teaching.

Canadian Centre for Policy Alternatives, Ottawa, Ontario

The Canadian Centre for Policy Alternatives (CCPA) is an independent, non-partisan research institute concerned with issues of social, economic and environmental justice. Founded in 1980, the CCPA is one of Canada's leading progressive voices in public policy debates.

Further to this written report, CWP will be present at the informal lunch briefing on 24 February 2016 at the 57th session of the CESCR.

II. OVERVIEW OF POVERTY IN CANADA

1. Considering the significant wealth and resources of the State Party, a disproportionate number of people in Canada are living in poverty. **1 in 7 or 4.9 million people in Canada live in poverty**, including 1.34 million children.¹ **Canada ranked 21st out of 27 OECD countries in terms of poverty levels in 2011.**²

¹ Statistics Canada. Table 111-0015-Family characteristics, Low Income Measures (LIM), by family type and family type composition, annual, CANSIM

² OECD Data (2011), "Poverty Rate, Total, Ratio, 2011", available here: <https://data.oecd.org/inequality/poverty-rate.htm#indicator-chart>

2. **Indigenous peoples** in Canada experience the highest levels of poverty: A shocking **1 in 4 Indigenous peoples (First Nations, Métis and Inuit) or 25% are living in poverty³ and 4 in 10 or 40% of Canada's Indigenous children live in poverty.⁴**
3. Close to **15% of people with disabilities** are living in poverty, **59% of whom are women.⁵** The numbers are significantly higher when accounting solely for those with disabilities who are working-age adults (15-64). 25% of people living in low-income households are people with disabilities.⁶
4. **21% of all single mothers are low income compared to just 5.5% of married couples.⁷** Women are also more likely to be poor⁸, and generally earn less than men. This earning gap actually increased between 2007 and 2008, and has yet to fall below the earning gap ratio prior to 2008.⁹
5. **Racialized communities face high levels of poverty.** The 2006 census (the most recent data available) showed that the overall poverty rate for **racialized persons was 22% – double the rate of non-racialized persons.** In two of Canada's largest cities, far more than half of all persons living in poverty were from racialized groups: 58% in Vancouver; and 62% in Toronto. 1 in 5 racialized families live in poverty compared to 1 in 20 non-racialized families.¹⁰

III. GENERAL INFORMATION: DOMESTIC IMPLEMENTATION AND EFFECTIVE LEGAL REMEDIES

1) General Obligations: Lack of Access to Remedies for Violations of ESC Rights and Failure to Implement ESC Rights

6. People in Canada face increasing barriers to exercising economic and social rights. It is nearly impossible to ascertain by what means and mechanisms those who are marginalized can hold the government to account for rights protected under the ICESCR. For example, in a recent Ontario Court of Appeal decision, *Tanudjaja v. Attorney General of Canada*¹¹, the court agreed with the Attorneys General of Canada

³ Collin, Chantal, and Hillary Jensen (2009), "A Statistical Profile of Poverty in Canada", *Library of Parliament*, p.17.

⁴ CCPA (2013) "40% of indigenous children in Canada live in poverty: study," available here: <https://www.policyalternatives.ca/newsroom/news-releases/40-indigenous-children-canada-live-poverty-study>

⁵ Council of Canadians with Disabilities, available here: <http://www.ccdonline.ca/en/socialpolicy/poverty-citizenship/demographic-profile/poverty-disability-canada>

⁶ DAWN-RAFH, "Women with Disabilities and Poverty", available here: <http://www.dawncanada.net/issues/issues/fact-sheets-2/poverty/>.

⁷ Williams, Cara (2010), "Women in Canada, A Gender-based Statistical Report. Economic Well-being", Statistics Canada p.9.

⁸ Ibid p.20.

⁹ Statistics Canada, "Average earnings by sex and work pattern (All earners)", available here: <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/labor01a-eng.htm>.

¹⁰ Block and Galabuzi (2010).

¹¹ *Tanudjaja v. Attorney General (Canada)*, 2013 ONSC 5410

and Ontario that people living in poverty should be denied the ability to claim their right to housing in court, even where their housing circumstances violate other enumerated Charter rights, like the right to life or to equality. Effectively, the government of Canada and Ontario argued and the court agreed that Charter remedies for violations of socio-economic rights for the most disadvantaged people in the country should be prohibited. In other words, the charter of rights and freedoms is intended to protect the rights of people as long as they do not seek to improve their socio-economic conditions. For more on this issue please see the submissions by the charter committee on poverty issues and social rights advocacy centre, Advocacy Centre for Tenants Ontario (ACTO) and the centre for equality rights in accommodation (CERA).

7. As noted in submissions by the Charter Committee on Poverty Issues and Social Rights Advocacy Centre, Canada does not recognize discrimination on the basis of social condition (e.g. socio-economic disadvantage) in human rights legislation. This provides a major obstacle for people in poverty to assert rights protected by Article 11. Regrettably, section 10 of Québec's *Charter of Human Rights and Freedoms* and provisions particular to the denial of housing for social conditions in provincial and territorial human rights legislation are the only human rights document in Canada that affords legal protection from discrimination on the basis of social condition.¹² Other human rights legislation, including the Canadian Human Rights Act, does not consider social condition as a ground of discrimination. In light of the ongoing discrimination and stigma experienced by people because of their poverty, this is a gross omission from our human rights protections and, of course, out of step with the CESCR's General Comment No. 20 and Canada's international human rights obligations.
8. Canada's attention to the implementation of international human rights obligations under the ICESCR has significantly decreased in recent years. Despite opportunities such as the UN Human Rights Committee review of Canada in July 2015, the Universal Periodic Review in 2013 and reviews of Canada by the UN Special Rapporteur on Adequate Food, Canada's accountability and respect for human rights obligations has diminished.
9. In recent years, there have been no significant improvements to consultations with Indigenous peoples and organizations and civil society groups, nor any attempt to increase the transparency, coordination or accountability of Canada's approach to implementation. For example, there has been no political level meeting of federal, provincial and territorial ministers responsible for human rights since 1988.¹³ Though, we sense the new government may have a different approach to civil society and

¹² Government of Québec, "Charter of Human Rights and Freedoms," available here:

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/C_12/C12_A.htm

¹³ Amnesty Canada, "Open letter to Party Leaders on Outcome of the UN Human Rights Review of Canada," available here:

<http://www.amnesty.ca/news/open-letters/open-letter-to-party-leaders-on-outcome-of-the-un-human-rights-committee-review-of>

Indigenous groups, the government has not yet announced any structural or institutional changes to this effect.

10. Indigenous peoples and organizations and civil society groups from across Canada are deeply troubled by comments by the State Party under the former government which diminishing the importance of universality and suggesting that there should be no international scrutiny of Canada's human rights record on the basis that other countries have far worse records than Canada's. At the same time, the independence, integrity and expertise of independent international human rights experts, treaty-based human rights bodies, and senior UN human rights officials has been attacked by the Government of Canada. For example, In May 2012, government ministers unleashing a barrage of personal insults and criticism in Parliament and in media comments following the mission to Canada by the Special Rapporteur on the right to food, Olivier de Schutter.¹⁴ Among numerous insults and dismissive comments, the Special Rapporteur was told that he should not get involved in "political exercises in developed democracies like Canada."
11. For more information regarding the gap in implementation of human rights in Canada, please see the attached letter signed by over 50 organizations (See **Appendix**).

RECOMMENDATIONS

WE RECOMMEND THAT CANADA REVIEW HUMAN RIGHTS LEGISLATION IN LIGHT OF PROTECTING THOSE WHO EXPERIENCE DISCRIMINATION BASED ON SOCIO-ECONOMIC STATUS, WITH A VIEW TO ENSURE COMPLIANCE WITH THE ICESCR.

WE RECOMMEND THAT THE STATE PARTY LAUNCH A PROCESS OF LAW REFORM TO ESTABLISH A FORMAL MECHANISM FOR TRANSPARENT, EFFECTIVE AND ACCOUNTABLE IMPLEMENTATION OF CANADA'S INTERNATIONAL HUMAN RIGHTS OBLIGATIONS. AN *INTERNATIONAL HUMAN RIGHTS IMPLEMENTATION ACT* SHOULD BE DEVELOPED THROUGH A PROCESS OF EXTENSIVE CONSULTATION WITH PROVINCIAL AND TERRITORIAL GOVERNMENTS, INDIGENOUS PEOPLES AND ORGANIZATIONS AND CIVIL SOCIETY GROUPS.

WE RECOMMEND THAT THE GOVERNMENT OF CANADA PUBLICLY AND UNEQUIVOCALLY CONFIRM THAT CANADA'S RECORD MUST REGULARLY BE ASSESSED BY UN LEVEL HUMAN RIGHTS EXPERTS, BODIES AND OTHER PROCESSES, AS PART OF UNIVERSAL HUMAN RIGHTS PROTECTION, AND THAT THE GOVERNMENT WELCOMES SUCH ONGOING REVIEWS, AND WILL ENGAGE CONSTRUCTIVELY WITH RECOMMENDATIONS RESULTING FROM SUCH REVIEWS.

¹⁴ CBC News, "UN official sparks debate over Canadian food security," available here: <http://www.cbc.ca/news/politics/un-official-sparks-debate-over-canadian-food-security-1.1130281>

2) Reinstatement of the Mandatory Long Form Statistics Canada Census – an Essential ESC Rights Accountability Mechanism

12. We recognize the State Party's decision to reinstate the mandatory long form Statistics Canada census as a significant step towards the realization of human rights obligations.
13. Statistics Canada produces critical data that help Canadians better understand their country – its population, resources, economy, society and culture. Over the decades, Statistics Canada has gained a reputation as one of the most reliable and accurate sources of statistical information in the world, thanks in part to its mandatory long-form census. Despite protests from all sectors of society and testimony from the country's two most senior statisticians, the Government of Canada eliminated the mandatory long-form census in 2010. Long form census data has been used and relied upon by researchers, academics, urban planners, and government officials at all levels, among others to develop policies. The Canadian Human Rights Commission recently suggested that without the long form census it will be impossible for Canada to measure and report on any progress it has made in addressing inequalities.¹⁵ Also, it will make it difficult for Canada to successfully implement key international human rights obligations, including its reporting requirements for the Universal Periodic Review (UPR), the Convention on the Rights of Persons with Disabilities and, the CESC.
14. The long-form census was replaced with the National Household Survey. The response rate for this new voluntary instrument was very low in comparison to the previous mandatory census leading many statisticians to consider the data to be inaccurate and unreliable, particularly for smaller communities and neighbourhoods.¹⁶
15. In November 2015, the State Party announced plans to re-instate the long form census.¹⁷ The reinstatement of this important survey will have longstanding effects on civil society's ability to measure poverty in the country, in particular, in relation to those most over-represented in poverty such as indigenous communities and immigrants and refugees.
16. There is concern that the census will not contain the questions on unpaid work that were in the 1996, 2001 and 2006 censuses, but were removed controversially in the 2011 census. In effect, this removes the capacity to study the impact and

¹⁵ Voices-Voix, "Statistics Canada (mandatory long-form census)", available here: <http://voices-voix.ca/en/facts/profile/statistics-canada-mandatory-long-form-census>

¹⁶ Steven Chase and Tavia Grant, "Experts debate how much National Household Survey statistics count", available here: <http://www.theglobeandmail.com/news/national/experts-debate-how-much-national-household-survey-statistics-count/article11743163/>

¹⁷ Government of Canada (2015), "Restoring the long form census", available here: <http://news.gc.ca/web/article-en.do?nid=1019529>

consequences of the “unpaid care economy.”¹⁸ According to the Canadian Federation of University Women (CFUW), women are still doing two-thirds of the unpaid work, and it has been calculated that this contributes 30-45% of Canada’s Gross Domestic Product (GDP).¹⁹ As stated by CFUW, the “importance of tracking and responding to unpaid work has been recognized internationally. Canada acknowledged this as a signatory to the United Nations’ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the 1995 Beijing Platform for Action. Signing these international agreements obligates Canada to collect data on unpaid work and participation in the informal sector by both women and men. The government’s changes to the census in 2010 disregard this requirement.”²⁰

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY BE COMMENDED ON THEIR DECISION TO REINSTATE THE MANDATORY LONG FORM STATISTICS CANADA CENSUS AND ENCOURAGED TO CONTINUE TO TAKE STEPS TO ADEQUATELY MEASURE THE BREADTH AND DEPTH OF POVERTY IN CANADA.

3) Defunding and Closing Down of Important ESC Rights Accountability Programs

Defunding and Closing Down of the National Council of Welfare

17. Since 1962, the National Council of Welfare (NCW) had held up a mirror to the nation, highlighting the reality of poverty and warning policy-makers of the consequences of neglecting those in need. The NCW was a government created arm’s length agency specifically mandated to report to the appropriate minister and was unique in its research collection and reporting, providing accurate pan-Canadian data that was used by various organizations. The NCW also had the statutory authority to create opportunities for the poor to participate in the national decision-making process.²¹ The elimination of the NCW essentially ended national reporting and monitoring on the depth and breadth of poverty in Canada.
18. Such substantive reporting on social wellbeing is necessary in order to not only identify the cross-Canada trends and emerging issues, but also to help map out regional needs and develop targeted solutions. **The loss of important information**

¹⁸ Scofield, Heather, “Voluntary census deletes questions about unpaid work,” available here:

<http://www.theglobeandmail.com/news/politics/voluntary-census-deletes-questions-about-unpaid-work/article1389740/>

¹⁹ Canadian Federation of University Women, February 2011, “A Woman’s Work is Never Done: Unpaid Work and Canada’s Long Form Census.” available here:

<http://www.cfuw.org/Portals/0/Unpaid%20Work%20and%20Longform%20Census%20Tool%20Kit.pdf>

²⁰ Ibid.

²¹ Carol Goar, “Harper Throws National Council on Welfare on the scrap heap”, available here:

<http://www.thestar.com/opinion/editorialopinion/article/1160732--harper-throws-national-council-of-welfare-on-the-scrap-heap>

gathering has left a gap in the monitoring of Canada's commitment to ensuring an adequate standard of living for vulnerable and marginalized groups.

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY REINSTATE THE NCW OR A SIMILARLY SITUATED ENTITY, TO ENSURE THAT POVERTY, SOCIAL ASSISTANCE RATES AND OTHER SOCIAL AND ECONOMIC DISADVANTAGES ARE ADEQUATELY MONITORED.

Defunding of Status of Women Initiatives

19. Between 2006 and 2010 the federal government took a number of steps to defund initiatives undertaken and supported by Status of Women Canada – the Ministry responsible for addressing women's issues. From 1976 to 2006 the organization provided funding to women's groups including women's shelters and research institutes. Additionally, the organization was responsible for monitoring compliance with international human rights obligations affecting women. Historically it was understood that civil society was a necessary partner to advance women's equality.
20. In September of 2006, the federal government cut \$5 million over two years from the budget of Status of Women.²² A month later, the government took a decision to no longer fund those organizations using advocacy and research to promote women's equality, and systemic change. A number of women's organizations working to ensure women's economic and social equality were affected by the cuts to the program. For example, the National Association of Women and the Law (NAWL), an organization dedicated to improving equality for women for thirty years, was forced to close its national office because of the elimination of SWC funding.²³

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY REINSTATE FUNDING TO STATUS OF WOMEN CANADA AND THAT STATUS OF WOMEN CANADA REVIEW AND REVISE ITS FUNDING PRIORITIES SO THAT THEY ARE INLINE WITH CANADA'S INTERNATIONAL HUMAN RIGHTS OBLIGATIONS.

Court Challenges Program of Canada

21. We acknowledge the positive decision by the State Party to re-establish the Court Challenges Program of Canada (CCP). Prior to funding being withdrawn from the equality and language components of the program in 2006, the CCP was a national non-profit established to provide financial support for court challenges aimed at advancing language and equality rights.²⁴

²² Voices-Voix, "Status of Women Canada", available here: <http://voices-voix.ca/en/facts/profile/status-women-canada>.

²³ Ibid

²⁴ Court Challenges Program of Canada, "Who we are", available here: <http://www.ccpcj.ca/en/about.php>

22. People living in poverty are frequently stigmatized, treated as burdens on taxpaying citizens, assumed to be bad parents and to lack work ethic. As a result of these assumptions that describe poverty as a product of individual failure, many policy-makers assume that front-line services are sufficient to alleviate poverty. In reality it is entrenched stigma and discrimination within laws and policies that maintain persistent poverty in such a wealthy country. Dignity, health and security issues for people in poverty are often ignored because decision-makers do not experience poverty themselves and rarely have the opportunity to hear from people living in poverty.
23. Since the CCP was established in 1994, it played a significant role in allowing people living in poverty to challenge that stigma in the courts and better position the State Party towards the realization of international human rights obligations. The program made it possible for equality rights claims to be brought forward, debated and considered.²⁵ Examples of cases supported by the program include amending employment insurance benefits rules that discriminated against parents of children with disabilities, supporting First Nations status entitlements and redress for the Chinese Head Tax and Exclusion Act.
24. Equality rights claims connected to section 7 (life, liberty and security of the person) of the *Canadian Charter of Rights and Freedoms* are of particular relevance to the ICESCR, as rights to life, liberty and security rights are fundamentally tied to domestic implementation of the right an adequate standard of living in the ICESCR. By defunding the program, the State Party engaged in retrogressive measures by recreating barriers for those without financial resources, particularly those in poverty, to access justice and assert equality rights under the Charter.

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY REINSTATE FUNDING TO EQUALITY RIGHTS CLAIMS UNDER THE COURT CHALLENGES PROGRAM.

4) Restrictions on the Political Activities of Charities through the Income Tax Act

Understanding Provisions of the Income Tax Act

25. We are deeply concerned about discriminatory provisions within the Income Tax Act of Canada (ITA) which limit freedom of expression for people living in poverty²⁶ and enforce the antiquated perception that poverty is a result of personal failure rather

²⁵ Court Challenges Program of Canada, "Rights", available here: <http://www.ccpcj.ca/en/rights.php>

²⁶ Concluding Observations of 2015 UN HRC Review of Canada, available here:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=8&DocTypeID=5

than systems and laws which perpetuate discrimination and stigma of persons in poverty.

26. **CWP and other charitable organizations with the objective of the relief of poverty face constant fear about speaking publicly against policies and legislation which create or exacerbate poverty as a result of Section 149.1(6.2) of the ITA.** When CWP seeks to collaborate with fellow organizations who share a common purpose of relieving poverty, it is made clear by many involved that they feel constrained to speak publicly about their concerns regarding government policies and legislation for fear of being audited, losing their charitable status in accordance with Section 149.1 (6.2), and having to close down operations for lack of funding.
27. Section 149.1 (6.2) of the ITA says: "For the purposes of the definition "charitable organization" in subsection 149.1(1), where an organization devotes substantially all of its resources to charitable activities carried on by it and (a) it devotes part of its resources to political activities, (b) those political activities are ancillary and incidental to its charitable activities, and (c) those political activities do not include the direct or indirect support of, or opposition to, any political party or candidate for public office, the organization shall be considered to be devoting that part of its resources to charitable activities carried on by it".²⁷ [emphasis added]
28. Accordingly, when an individual donates to a charity they are issued a charitable tax receipt that they may use to lower personal income tax owed annually (by a percentage of the amount donated). **This provides an incentive for individuals to donate to charitable organizations that is critical to the survival of many organizations, particularly those with the objective of the relief of poverty.**
29. Under section 149.1 (6.2) of the ITA, in order to retain charitable status to issue such receipts to donors, a restriction is placed on the percentage of time and resources a charitable organization can devote to "political" activities. It is capped at 10%. The consequence for a charity of going beyond this 10% "cap" are severe and include the loss of charitable status for an organization.
30. Political activities are defined in policy guideline "CPS-022", written by the Canada Revenue Agency, the administrative body responsible for monitoring charities' compliance with the law. According to CPS-022 'political activity' includes when an organization "explicitly communicates to the public that the law, policy, or decision of any level of government in Canada or a foreign country should be retained (if the retention of the law, policy or decision is being reconsidered by a government), opposed, or changed."²⁸ It also includes any broad calls to action to the general public, for example, encouraging people living in poverty to contact their local or federal Member of Parliament to support or oppose a policy or law.

²⁷ *Income Tax Act* (R.S.C. 1985, c. 1 (5th Supp.))

²⁸ Canada Revenue Agency, CPS-022 Political Activities Policy Statement, Effective September 2003. available here: <<http://www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/cps/cps-022-eng.html>>.

31. In the past, section 149.1(6.2) of the Income Tax Act was not the subject of rigorous enforcement. However, in recent years the Canada Revenue Agency, at the direction of the Government of Canada, has devoted significantly more time and resources to publicizing and enforcing s. 149.1(6.2) of the Income Tax Act. In March 2012, the Government of Canada injected \$8 million (CDN) into political audits of charities. This amount later grew to \$13.4 million (CDN) over five years.²⁹ These audits have included organizations with the objective of the relief of poverty that have explicitly and publically expressed opposition to federal level government policy.
32. In January 2016, we were encouraged by the federal government's announcement that the CRA political audits would be rolled back.³⁰ However, no announcements have been made on whether the root cause of the advocacy chill, section 149.1(6.2), will be reviewed to reflect a modern understanding of the relief of poverty and Canada's obligations under international human rights law.

Modernizing the Charitable Purpose of the Relief of Poverty

33. Section 149.1 (6.2) is being applied in a manner that may restrict organizations like CWP from pursuing the relief of poverty – a long recognized charitable purpose.
34. **To relieve poverty, charitable organizations must be allowed to advocate for changes to policy and legislation that cause or contribute to poverty and to adopt new legislation.** Organizations must be able to push for measures to challenge patterns of political marginalization to re-engage people living in poverty in the political processes and decisions that affect their lives.
35. A modern view of the relief of poverty, consistent with international human rights law, understands that providing for emergency needs through food banks and shelters is not the most effective approach to pursuing the charitable purpose of relieving poverty in Canada. Traditional models of individualized relief such as soup kitchens, food banks and shelters perpetuate a stigmatized dynamic of dependency, rather than permitting poor people to engage with society as equal members, entitled to participate in decision-making and public discussion. Limiting the effective engagement of poor people in political processes reinforces the very patterns of marginalization and exclusion that have come to be understood as a primary cause of poverty.
36. **Poverty is first and foremost a symptom of a failure of laws and policies to respond effectively to the needs and aspirations of disadvantaged and marginalized groups and individuals,** including those who may face barriers related to mental or physical disabilities, historical injustices against Aboriginal peoples or violence and discrimination against women.

²⁹ Dean Beeby, "Canada Revenue Agency's Political Activity Audits of Charities" CBC News, available here: <<http://www.cbc.ca/news/politics/canada-revenue-agency-s-political-activity-audits-of-charities-1.2728023>>.

³⁰ Government of Canada, "Minister Leboutheillier announces winding down of the political activities audit program for charities" (2016), available here: <http://news.gc.ca/web/article-en.do?nid=1028679>

37. **The most effective means for charitable organizations to ameliorate poverty in Canada is therefore to encourage people living in poverty to engage in policy discussions, identify solutions to poverty, and promote necessary legislative and policy changes.** Enhanced participation by people living in poverty in Canadian democracy is a critical component of any attempt to adequately address poverty in Canada.
38. The position that the relief of poverty can only be sought through systemic change to law and policy, is consistent with what Canada has been told by a number of UN treaty monitoring bodies. Further to this point, in July 2015, the United Nations Human Rights Committee found that s. 149.1 (6.2) violated freedom of expression for people in poverty. In their concluding observations, the HRC recommended that Canada ensure the ITA “does not result in unnecessary restrictions on the activities of non-governmental organizations defending human rights.”³¹
39. **In order to relieve poverty by monitoring State compliance with international human rights laws, civil society charitable organizations must not be silenced from commenting on laws and policies.** If CWP were to allocate the appropriate amount of time and resources to engage with government and the public to bring about these required changes, CWP could lose its charitable status and thus its funding base.

The Participation of People Living in Poverty in Democratic Processes

40. **If charities focused on the relief of poverty were forced to close their doors, poor people would lose an important vehicle through which they can engage in democratic processes.** Poverty is a significant barrier to participation due to factors that are both external (e.g. participation fees, transportation costs, isolation, rejection) and attitudes that are internalized (e.g. feelings of hopelessness and worthlessness, loss of confidence). Charities through which people living in poverty can engage directly in initiatives to ameliorate poverty provide a sense of inclusion in society. They also provide structures for people living in poverty to have the kind of meaningful input into the democratic process that is necessary to the development of sound policies.
41. Harriett McLachlan is a member of CWP and is the President of CWP’s board. She has lived most of her life in poverty. She and other individual members of CWP experience political marginalization. As individuals – without a representative body like CWP – they are unable to access policy forums and cannot exert any effective influence on the policies and laws which keep them in poverty and deny them dignity and effective participation. In turn, lawmakers would be unable to learn of the reality of poverty or its detrimental impacts on health, societal inclusion and overall well-being.

³¹ Concluding Observations of 2015 UN HRC Review of Canada, available here:
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=8&DocTypeID=5

42. As a member of an organization such as CWP, however, Ms. McLachlan and others living in poverty are able to engage in political dialogue, appear before parliamentary committees and communicate their concerns and experiences to politicians and decision-makers. Ms. McLachlan has made submissions to parliamentary committees and submitted written briefs outlining aspects of her lived experience, which are of direct relevance to public policy and legislation under consideration by the federal government on poverty related matters.
43. Democratic dialogue and policy discussions in Canada are negatively affected by the lack of effective representation of people living in poverty. Cabinet Ministers, Deputy Ministers, Members of Parliament and high level civil servants involved in developing policy and legislation regularly meet with or otherwise communicate with representatives of charities representing particular associations or interests. Such interaction is essential to informed decision making and policy and to the efficient and fair functioning of Canadian democracy.
44. Further to this point, former Special Rapporteur on Extreme Poverty Magdalena Sepúlveda Carmona made the following comment: “Conceived as a right, **participation is a means of challenging forms of domination that restrict people’s agency and self-determination. It gives people living in poverty power over decisions that affect their lives, transforming power structures in society and creating a greater and more widely shared enjoyment of human rights**”.³²
45. In 2006 and thereafter, the federal government began to implement a general policy of denying funding to organizations engaged in any kind of advocacy for policy or legislative change. For example, federal funding of CWP was eliminated in 2006 and, as stated above, funding for the government’s arm’s length advisory body on the relief of poverty, the National Council on Welfare, which had been formed in 1969 and recommended many changes to federal policy in order to relieve poverty, was eliminated in 2013.³³
46. To make up for this loss of support, CWP like other organizations, has focused on developing a charitable donor base, upon which it now relies to fund its activities. Currently 80% of CWP’s funding comes from charitable donations. CWP would not be able to function if it relinquished its charitable status as it relies on charitable donations to operate.
47. Having a properly resourced organization to advocate for policy and legislative change that addresses the otherwise neglected interests and needs of poor people and to promote the dignity and equal rights of poor people is essential to combatting stigmatization and dehumanization. The existence of **CWP and other charities whose goal it is to relieve poverty, is fundamental to promoting a more balanced discussion**

³² Sepúlveda Carmona, Magdalena (2013): Report of the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, para. 17. available here: <http://www.un.org/esa/socdev/egms/docs/2013/EmpowermentPolicies/Report%20of%20the%20Special%20Rapporteur%20on%20extreme%20poverty%20and%20human%20rights.pdf>

³³ Voices-Voix, “National Council of Welfare”, available here: <http://voices-voix.ca/en/facts/profile/national-council-welfare>

of federal policies and programmes related to the relief of poverty and human rights.

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY BE REQUIRED TO REVIEW SECTION 149.1(6.2) OF THE INCOME TAX ACT WITH A VIEW TO MODERNIZING ITS PROVISIONS AND ENSURING THAT ORGANIZATIONS RELYING ON CHARITABLE DONATIONS TO PROMOTE THE RELIEF OF POVERTY IN CANADA ARE NOT RESTRICTED IN THEIR ABILITY TO PROMOTE CHANGES TO LAW OR POLICY TO RELIEVE POVERTY IN CANADA IN KEEPING WITH THE ICESCR.

IV. ARTICLES 1 – 5: ISSUES RELATING TO GENERAL PROVISIONS OF THE COVENANT

5) Article 2: Maximum Available Resources

48. **Federal government spending, as a share of GDP, is at its lowest level since 1949.**³⁴ Every year between 1950 and 2007, federal government expenditures exceeded 15% of GDP³⁵. Federal program spending for 2016-17 is projected to be 13.3% of Canada's GDP. With current projections, this spending will decline further to 12.8% of GDP by the year 2020.³⁶ Even including the current federal government's proposed new spending measures, expenditures to GDP will only reach 15% at their peak in 2017-18.
49. If Canada were to inch towards a similar percentage of GDP in government spending as nine years ago, even by a single percentage point (14.3%), this would make available \$19.5 billion to invest in Canada's international human rights obligations. For example, with the additional \$19.5 billion, Canada could invest in: on-reserve housing (\$1 billion), on-reserve drinking water (\$0.5 billion), on-reserve schools (\$2 billion), improvements to health care (\$4 billion), national pharmacare (\$4 billion), improvements to homecare (\$3 billion), a national housing and homelessness strategy (\$2 billion), a national poverty strategy (\$2 billion) and a violence against women strategy (\$0.5 billion).
50. **Canada's overall tax system has become so regressive that the top 1% pays a lower share of their income in tax than the poorest 10%.** Capital gains are taxed at half the rate of employment income. Corporate tax rates have been cut from 29.1% in 2000 to 15% in 2008. Over that time, corporations amassed over \$600 billion in surpluses and excess cash. Corporate tax rates in Canada are extremely low in comparison to most

³⁴ Statistics Canada, "Fiscal Reference Tables – 2015: Part 2 of 9", available here: <http://www.fin.gc.ca/ftr-trf/2015/ftr-trf-1502-eng.asp#tbl8>

³⁵ Statistics Canada, "Historical Statistics of Canada", available here: <http://www.statcan.gc.ca/pub/11-516-x/3000140-eng.htm>

³⁶ Government of Canada, "Update of Economic and Fiscal Projections 2015", available here: <http://www.budget.gc.ca/efp-peb/2015/pub/toc-tdm-en.html>

other countries: less than half of the rate applied in the U.S., and Australia for example.

51. Canada is losing billions of dollars through tax avoidance and tax evasion, including to tax havens. An investment of \$30 million to boost the Canada Revenue Agency's international compliance division activities in 2005 yielded \$2.5 billion over four years. Future investments could yield even greater revenues. Canadian direct foreign investment in tax havens increased to \$199 billion in 2014. **Applying a 1% withholding tax on Canadian assets held in tax havens would raise revenue of about \$2 billion.**
52. In comparison to subnational governments, the federal government's debt load is fairly low. While subnational governments (i.e. provinces and territories) bear a significant obligation to address socio-economic disadvantage, for example, they are responsible for the cost of social assistance payments, they are limited by their ability to take on debt load. In order to meet international human rights law obligations, better cost sharing arrangements must be made between the federal and subnational governments.

RECOMMENDATIONS

WE RECOMMEND THAT THE STATE PARTY BE REQUIRED TO ENSURE THAT MAXIMUM AVAILABLE RESOURCES ARE DEDICATED TO INTERNATIONAL HUMAN RIGHTS OBLIGATIONS INCLUDING HALTING RETROGRESSIVE SPENDING PATTERNS, INCREASING EXPENDITURES AS A PERCENTAGE OF GDP AND REVIEWING CORPORATE TAXATION POLICIES.

WE RECOMMEND THAT THE STATE PARTY TAKE STEPS TO ENSURE THAT COST SHARING ARRANGEMENTS BETWEEN FEDERAL AND SUBNATIONAL GOVERNMENTS ARE SUFFICIENT TO FULFILL OBLIGATIONS UNDER THE ICESCR.

6) Article 3: A Rights Based National Action Plan on Violence Against Women

53. Rates of violence against women have remained largely unchanged over the past two decades. In the past five years alone one million women in Canada report having experienced sexual or domestic violence.³⁷ Economic insecurity is a central contributing factor to the vulnerability of women to intimate partner violence. On any given day, more than 4,000 women and over 2,000 children will reside in a domestic violence shelter.³⁸ More than 500 women and children are turned away from shelters on a typical day, with overcrowding being the primary reason, forced back into situations of violence.³⁹ Many women leaving violent relationships are compelled to

³⁷ *General Social Survey: Victimization*. Ottawa: Statistics Canada.

³⁸ *Shelter Voices*. Ottawa: Canadian Network of Women's Shelters and Transition Houses, 2014.

³⁹ Hutchins, Hope and Sara Beattie (2015). *Shelters for Abused Women 2014*. Ottawa: Statistics Canada.

receive social assistance, with no other economic means, forcing them into a life of poverty. These facts signal the persistence of the problem, the inadequacy of a justice system response by itself to address it and a failure to provide basic supports for survivors of violence.

54. By the federal government's own account, violence against women costs in excess of \$12 billion annually.⁴⁰ Yet federal spending amounts to approximately \$80 million annually. Provincial spending is greater, but falls far short of per capita spending on other social and health issues such as smoking cessation and the use of illegal drugs (which have similar per capita costs to the economy).⁴¹

55. In the Mandate letter to the Minister responsible for the Status of women, the government commits to working with the Minister of Justice and "experts and advocates to develop and implement a comprehensive federal gender violence strategy and action plan, aligned with existing provincial strategies". This is an important commitment which we welcome, though as with other policy directives, it is not clear whether the government recognizes that it must implement these policies in compliance with its international human rights obligations.

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY COMMIT TO A RIGHTS BASED NATIONAL ACTION PLAN ON VIOLENCE AGAINST WOMEN, WITH ADEQUATE FINANCIAL SUPPORT AND THE DIRECT AND MEANINGFUL INVOLVEMENT OF RIGHTS HOLDERS.

V. ARTICLES 6 – 9: ISSUES RELATING TO WORK, UNIONS AND SOCIAL SECURITY

7) Articles 6 and 7: Minimum Living Wage for a Decent Living and Measures to Create Stable, Full-time Employment

56. In addition to insufferably low welfare rates, in each province and territory across the country minimum wage rates fall well below what it is required to maintain a decent living. For example, experts have calculated that a living wage in Vancouver, British

⁴⁰ Sarah Boesveld, National Post "Crowd boos mention of Harper at event aimed at highlighting women's issues in the federal election". available here: <http://news.nationalpost.com/news/canada/up-for-debate-event>

⁴¹ Kate McInturff, "The Gap in the Gender Gap: Violence Against Women in Canada" Canadian Centre for Policy Alternatives, July 2013

Columbia should be set at \$20.68 per hour⁴², however, the minimum wage in the province is currently set at \$10.25 per hour.

57. Employees who work in minimum wage positions are primarily comprised of marginalized groups. In 2009, women represented just over 60% of minimum-wage workers, although they made up one-half of employees.⁴³
58. Though there has been an upward trend recently in Ontario, Newfoundland and Labrador, Alberta, Saskatchewan and Manitoba⁴⁴, minimum wages across the country remain well below the decent living standard under the ICESCR.
59. Canada's labour market has changed dramatically. It is no longer the case in Canada that employment leads to economic security and social well-being. Most jobs being created in Canada are low-paying, part-time, temporary or contract and without long term benefits. Barely half of those working today are in permanent, full-time positions that provide benefits and a degree of employment security. **Precarious employment in particular has increased by nearly 50% in the last 20 years.**⁴⁵ In Maritime Provinces, the lack of stable, full-time employment is particularly visible. On Prince Edward Island, only 45% of workers have full-time jobs.⁴⁶ Marginalized groups, particularly young people and recent immigrants, are more likely to be precariously employed.
60. Much of the recent decline in the unemployment rate has been the result of young workers ending their search for work, not the result of those unemployed workers finding jobs. Young persons in particular face diminished job security, growth of temporary work, rising costs of education and record debt levels. **Young people face a rate of unemployment at 13% – nearly twice the national average of 7.1%.**⁴⁷ Youth employment rates have fallen from a high of 60% prior to the recession to only 56% in 2015.⁴⁸ If today's employment rate had been the same as it was in 2008, 186,000 more youth would have a job.
61. Inuit, First Nations and Métis peoples face serious barriers to employment. Unemployment rates on-reserve are not included in national employment measures.

⁴² Living Wages for families Campaign, "Living wage rises again in 2015; federal policies leave families struggling to cover basics", available here: <http://www.livingwageforfamilies.ca/media/news-releases/living-wage-rises-again-in-2015-federal-policies-leave-families-struggling-to-cover-basics/>

⁴³ Statistics Canada, "Minimum Wage", available here: <http://www.statcan.gc.ca/pub/75-001-x/topics-sujets/minimumwage-salaireminimum/minimumwage-salaireminimum-2009-eng.htm>

⁴⁴ Labour Program Government of Canada, "Current and Forthcoming Minimum Hourly Wage Rates for Experienced Adult Workers in Canada," available here: <http://srv116.services.gc.ca/dimt-wid/sm-mw/rpt1.aspx?lang=eng>

⁴⁵ United Way Toronto, "It's More Than Poverty: Employment Precarity and Household Well-Being: Summary", February 2013, available here: <http://www.unitedwaytyr.com/document.doc?id=90>.

⁴⁶ MacKillop Centre for Social Justice and Poverty Bites, "WE CAN'T LINGER", available here: https://eradicatepovertypei.files.wordpress.com/2013/04/poverty_eradication_strategy_for_prince_edward_island.pdf.

⁴⁷ Statistics Canada, "Labour Force Survey, December 2015" available here: <http://www.statcan.gc.ca/daily-quotidien/160108/dq160108a-eng.htm>

⁴⁸ Statistics Canada, "Labour force characteristics by age and sex – Seasonally adjusted", available here: www.statcan.gc.ca/daily-quotidien/150605/t150605a001-eng.htm.

However, census estimates put the on-reserve unemployment rate at 22% – compared to 7.6% for the rest of the country in the same year.⁴⁹

62. Employment standards have been cut back over the past decade, increasing the vulnerability of workers to negative conditions of employment and unregulated employer abuse. For instance, in British Columbia, the minimum shift time was reduced from four hours to two hours in 2002, and the notice of 24 hours was eliminated, putting undue hardship on those needing to organize child care or balance other part-time work.⁵⁰ In Ontario, millions of workers do not receive paid sick leave or even unpaid sick leave with job protection.⁵¹

RECOMMENDATIONS

WE RECOMMEND THAT THE STATE PARTY TAKE STEPS TO SET NATIONAL WAGE STANDARDS AND ENCOURAGE SUBNATIONAL GOVERNMENTS (PROVINCES AND TERRITORIES) TO ENSURE MINIMUM WAGES ARE REGULATED SO THAT WORKERS CAN MAKE A “DECENT LIVING” IN COMPLIANCE WITH ARTICLE 7.

WE RECOMMEND THAT THE STATE PARTY TAKE STEPS TO ENCOURAGE SUBNATIONAL GOVERNMENTS TO ENSURE THAT EMPLOYMENT STANDARDS ARE IN COMPLIANCE WITH ARTICLE 7.

WE RECOMMEND THAT THE STATE PARTY REVIEW AND ESTABLISH JOB CREATION PROGRAMS TO ENSURE THAT NEW JOBS CREATED ARE STABLE, FULL-TIME JOBS WITH SOCIAL BENEFITS AND THAT PAY A LIVING WAGE.

8) Article 7: Pay Equity

63. The gender wage gap for full-time work is currently getting bigger, not smaller, in Canada. In 2009 women earned 78% of what men earned, in 2010 it was 77.6% and in 2011 it was 76.7%.⁵² The wage gap is even greater for some groups of women. Aboriginal women earn 10% less than Aboriginal men (working full time) and 26% less than non-Aboriginal men.⁵³

64. Racialized women earn 21% less than racialized men and 32% less than non-racialized men. Immigrant women earn 25% less than immigrant men and 28% less than non-

⁴⁹ Statistics Canada, “Fact Sheet - 2011 National Household Survey Aboriginal Demographics, Educational Attainment and Labour Market Outcomes”, available here: <https://www.aadnc-aandc.gc.ca/eng/1376329205785/1376329233875>.

⁵⁰ Cohen, Marjorie Griffin and David Fairey, April 2013, “Why BC’s lower wage workers are struggling: The case for stronger employment standards.” available here: <https://www.policyalternatives.ca/publications/commentary/why-bc%E2%80%99s-lower-wage-workers-are-struggling-case-stronger-employment>

⁵¹ 15 and Fairness Campaign, available here: <http://15andfairness.org/health-care-providers-support-paid-sick-leave/>

⁵² “CAN-SIM Table 282-0072: Labour force survey estimates (LFS), wages of employees by type of work, North American Industry Classification System (NAICS), sex and age group, annual.” Ottawa: Statistics Canada.

⁵³ Kate McInturff, February 2016. Behind the Numbers “All your wage gap questions answered” Canadian Centre for Policy Alternatives, available here: <http://behindthenumbers.ca/2015/02/26/all-your-wage-gap-questions-answered/>

immigrant men.⁵⁴ The wage gap actually gets bigger for Aboriginal, racialized and immigrant women with university degrees. Aboriginal women with a university degree earn 24% less than Aboriginal men with a university degree and 33% less than non-Aboriginal men with a university degree.⁵⁵

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY TAKE STEPS TO ENSURE EFFECTIVE, PROACTIVE PAY EQUITY LEGISLATION IS IN PLACE IN THEIR JURISDICTION THAT WILL ADDRESS AND CORRECT THE LOWER PAY ASSIGNED TO WOMEN'S WORK.

9) Article 9: Social Assistance Incomes

Inadequate Social Assistance Rates

65. Welfare incomes continue to fall well below any measure of poverty used in this country. Most welfare recipients are worse off than recipients in previous decades because welfare incomes have not increased alongside inflation. In many cases rates are 20% lower than in the past.⁵⁶

- For example, in **Vancouver, British Columbia** a single mother with two children receives \$1036/mos⁵⁷, which includes \$660 for housing and \$376 for basic needs.⁵⁸ Meanwhile, the current average rent for a two bedroom apartment in Canada's most expensive city is: \$1345/mos,⁵⁹ almost twice as much as what is provided by social assistance for housing. Statistics Canada's Low-Income Cut-Off After-Tax (LICO-AT) measure indicates that social assistance rates would have to be 48% higher just to meet that poverty measure.⁶⁰
- In **Toronto, Ontario**, a single person receives a mere \$8,172 annually or \$681 per month.⁶¹ Each month recipients are expected to find adequate shelter with a meager \$376, while the average rent for a one-bedroom apartment in Toronto is \$ 1,217.⁶²

⁵⁴ 2011 National Household Survey. Ottawa: Statistics Canada.

⁵⁵ 2011 National Household Survey. Ottawa: Statistics Canada. See also: McInturff, Kate and Paul Tulloch (2014). Narrowing the Gap: The Difference the Public Sector Makes. Ottawa: Canadian Centre for Policy Alternatives

⁵⁶ National Council of Welfare, "Welfare Incomes 2009", Vol. 129, Winter 2010, p. viii.

⁵⁷ All dollar figures are Canadian currency. Government of British Columbia Ministry of Social Development, "Increases to Income Assistance Rates Table", (2008), available here: http://www.eia.gov.bc.ca/factsheets/2007/increase_table.htm

⁵⁸ Government of British Columbia Ministry of Social Development, "BC Employment and Assistance Rate Tables", available here: <http://www.hsd.gov.bc.ca/mhr/ia.htm>

⁵⁹ Canada Mortgage and Housing Corporation, "Rental Market Report, British Columbia Highlights", Housing Market Information, Spring 2015, p.4. available here: http://www.cmhc-schl.gc.ca/odpub/esub/64487/64487_2015_B01.pdf

⁶⁰ Statistics Canada, Table 1 "Low income cut-offs (1992 base) after tax", available here: <http://www.statcan.gc.ca/pub/75f0002m/2010005/tbl/tbl01-eng.htm>

⁶¹ Income Support Advocacy Centre, "Social Assistance Rates and the OCB - October 1, 2015", available here: http://yourlegalrights.on.ca/sites/all/files/OW_and_ODSP_rates_and_OCB_as_of_Oct-2015.pdf.

⁶² Rent Board, "https://www.rentboard.ca/rentals/rental_rates.aspx?locid=4893", available here: https://www.rentboard.ca/rentals/rental_rates.aspx?locid=4893

- **St. John's, Newfoundland and Labrador** has noticeably low social assistance rates. For example, a single parent with dependent children who is living with relatives receives \$570/month for living expenses to help with food, clothing, running the household and utilities.⁶³ Meanwhile, the average rent for a two bedroom apartment in St. John's is \$888.⁶⁴ These benefit amounts are clearly not enough to afford shared accommodation along with other living expenses.

66. In welfare programs across the country, including those intended for persons with disabilities, rules penalize individuals who attempt to work themselves out of poverty or otherwise reduce living costs (for example taking in roommates or engaging in spousal relationships). Individuals who engage in these cost-saving activities to cover the small amount of income they receive from social assistance benefits are penalized by reductions in payments or are excluded from the program.

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY IMMEDIATELY INCREASE THE AMOUNT OF TRANSFER PAYMENTS TO PROVINCES AND TERRITORIES; EARMARK SUFFICIENT FUNDS SPECIFICALLY FOR SOCIAL ASSISTANCE; AND DESIGNATE THAT TRANSFER PAYMENTS BE CONDITIONAL ON PROVINCES AND TERRITORIES SETTING THEIR SOCIAL ASSISTANCE RATES AT LEVELS THAT ARE ADEQUATE FOR SURVIVAL, IN LIGHT OF THE AVERAGE COST OF HOUSING, HEAT/ELECTRICITY, WATER, FOOD AND TRANSPORTATION, IN COMPLIANCE WITH OBLIGATIONS UNDER THE COVENANT.

Retrogressive Measures to Deny Refugees Access to Welfare Benefits

67. In December 2014, the national government passed Bill C-43, provisions 172 and 173 of which remove a key national standard which protected refugees against a requirement that they be residents for a period of time before applying for and receiving social assistance. Without this national standard, subnational governments are free to force refugees to rely upon shelters, food banks and civil society without the assistance of welfare benefits. In some circumstances, refugees rely upon welfare benefits for accommodation in shelters catering to newcomers.

68. Racialized and immigrant groups already experience poverty in significant numbers and at high levels. For example, across the country racialized women living

⁶³ Government of Newfoundland and Labrador, "Monthly Basic Income Support Benefits", Retrieved from <http://www.aes.gov.nl.ca/income-support/overview.html#monthlyrates>

⁶⁴ City of St. John's, "Accommodation and Housing", available here: <http://www.stjohns.ca/living-st-johns/newcomers/accommodation-and-housing>

in poverty outnumbered men by a factor of 52% to 48%.⁶⁵ **The majority of racialized persons (66%) living in poverty are immigrants.**

69. Almost two-thirds of the racialized immigrants living in poverty came to Canada in the previous ten years and among these 70% had been in Canada for 5 years or less. Once overcoming the language and educational barriers that keep many from finding work, both recent immigrants and racialized individuals are more likely to be paid less than their non-racialized, Canadian-born counterparts when they are employed.⁶⁶ There is also a tendency for racialized individuals to be concentrated in less stable, precarious work.⁶⁷

70. Removing the protection that ensured refugees could access social assistance, constitutes a retrogressive measure under Article 9.

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY REINSTATE THE NATIONAL STANDARD PROTECTING REFUGEES FROM A MINIMUM RESIDENCY REQUIREMENT BEFORE RECEIVING WELFARE BENEFITS.

Income Support Programs for Seniors

71. Nearly 15% of elderly single individuals are living in poverty.⁶⁸ The OECD recently reported that Canada saw a **2% increase in poverty amongst people 65 years and older between 2007 and 2010, with a 3% increase for those over 75.**⁶⁹ Other OECD countries, meanwhile, showed stable or decreased levels of poverty for those aged 65 and older during the same period. Poverty rates are higher for single senior women (14%) than for elderly couples (1%) as well as single senior men (13%). Elderly women make up 73% of all poor seniors in Canada who are living alone⁷⁰.

72. We welcome the Government of Canada's stated commitment to "improv[ing] the income security of lower income seniors living alone by increasing the Guaranteed Income Supplement (GIS) by ten percent, indexing Old Age Security (OAS) and GIS

⁶⁵ These statistics were gathered by the National Council of Welfare in a document called, *A Snapshot of Racialized Poverty in Canada*, which was dismantled by the current government including its website and public access to its documents. Please see point 5 below.

⁶⁶ Collin and Jensen, p. 24; Block, Sheila and Grace-Edward Galabuzi (2011) *"Canada's Colour Coded Labour Market"*. Wellesley Institute and the Canadian Centre for Policy Alternatives, p.3.

⁶⁷ Block and Galabuzi (2011), p.10.

⁶⁸ Statistics Canada, "Persons in low income after tax (In percent, - 2007 to 2011) ", available here: <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/famil19a-eng.htm>.

⁶⁹ OECD, Pensions at a Glance 2013: Retirement-Income Systems in OECD and G20 Countries, "Old-age income poverty" available here: http://www.keepeek.com/Digital-Asset-Management/oecd/finance-and-investment/pensions-at-a-glance-2013/old-age-income-poverty_pension_glance-2013-26-en#page1.

⁷⁰ Gertrude Schaffner Goldberg, "Poor Women in Rich Countries: the Feminization of Poverty" (2009) available here: https://books.google.ca/books?id=ky_iBwAAQBAJ&pg=PT164&lpg=PT164&dq=Elderly+women+make+up+73%25+of+all+poor+seniors+in+Canada+who+are+living+alone.&source=bl&ots=mP6BMH1k14&sig=Wc_2QYiurSItmleMtbokCQHm&hl=en&sa=X&ved=0ahUKEwi_sL-Q-qnKAhUMFj4KHcb5Dq4Q6AEIjAB#v=onepage&q&f=false

payments to a new Senior's Price Index, cancelling the increase in age of eligibility for OAS (65 to 67), and working with provinces and territories to ensure adequate and coordinated support programs to address seniors' poverty."

RECOMMENDATION

WE RECOMMEND THAT THE FEDERAL GOVERNMENT ENSURE THE IMPLEMENTATION OF THESE MEASURES TO IMPROVE THE STANDARD OF LIVING FOR SENIORS ARE BASED ON AND IN COMPLIANCE WITH ITS INTERNATIONAL HUMAN RIGHTS OBLIGATIONS INCLUDING AS A STATED GOAL.

VI. ARTICLES 10 – 12: ISSUES RELATING TO ASSISTANCE TO FAMILIES, STANDARD OF LIVING, PHYSICAL AND MENTAL HEALTH

10)Article 10: Early Childhood Education and Care

73. There is a significant interconnection between poverty experienced by women, particularly single mothers, and childcare. With the exception of Québec's \$7 per day childcare program, the rest of the country lags behind in ensuring accessible and affordable childcare spaces. Affordable child care in Québec, access to better paid parental leave and leave for both parents has resulted in greater participation in the paid work force by women.⁷¹
74. In Canada, there are only enough regulated child care spaces for just over 20% of young children, despite the fact that more than 70% of Canadian mothers are in the paid labour force.⁷² Canada's public support for young children and their families is the weakest among the world's rich countries at only 0.25%⁷³ of GDP – about one-third the OECD average (0.7%).⁷⁴

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY DEVELOP, IN COLLABORATION WITH THE PROVINCES, TERRITORIES, AND INUIT LAND CLAIM ORGANIZATIONS, FIRST NATIONS AND

⁷¹ Kate McInturff With Courtney Lockhart, "The Best and Worst Places to be a Woman in Canada 2015", available here: https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2015/07/Best_and_Worst_Places_to_Be_a_Woman2015.pdf.

⁷² Martha Friendly et al. "Early childhood education and care in Canada 2012", available here: http://childcarecanada.org/sites/default/files/CRRU_ECEC_2012_revised_dec2013.pdf

⁷³ UNICEF Innocenti Research Centre, "The child care transition: A league table of early childhood education and care in economically advanced countries", available here: http://www.unicef-irc.org/publications/pdf/rc8_eng.pdf

⁷⁴ John Bennett "Benchmarks for Early Childhood Services in OECD Countries". available here: <https://ideas.repec.org/p/ucf/inwopa/inwopa08-51.html>

MÉTIS GOVERNMENTS, A COMPREHENSIVE PLAN BASED IN HUMAN RIGHTS, FOR THE IMPLEMENTATION OF A HIGH-QUALITY, UNIVERSAL, PUBLICLY-FUNDED AND MANAGED EARLY CHILDHOOD EDUCATION AND CARE PROGRAM FOR CHILDREN AGED 0 TO 5 YEARS AND FOR SCHOOL-AGED CHILDREN UP TO AGE 12.

11)Article 11: The Right to Housing

Housing – General

75. **One-fifth of all households** in Canada experience **extreme housing affordability**⁷⁵ issues – **with Eighteen percent of all renters** or over 730,000 households **experiencing extreme housing affordability problems, threatening their security of tenure.**⁷⁶
76. Over the last 20 years the annual national investment in housing by the federal government has decreased by more than 46% while the population has increased by 30%. The federal government now spends one-third less on social housing than it did in the 1990s. With operating agreements between social housing providers and the government about to expire, 365,000 households are at risk of having their rents increased to unaffordable levels.

Social and Cooperative Housing

77. As noted in submissions by Front d'action populaire en réaménagement urbain (FRAPRU) and the Advocacy Centre for Tenants Ontario (ACTO), federal investment in social housing is steadily decreasing. With the decrease in spending on social housing, it is estimated that by 2040 federal funding for social housing will drop to zero.⁷⁷ Many social housing units need to be upgraded and require significant repairs. As the federal government cuts co-op housing subsidies and terminates funding agreements with co-operative housing, many low-income tenants are fearful of evictions.⁷⁸

Homelessness

78. The CESCR has described housing and **homelessness** in Canada as a “**national emergency**”.⁷⁹ In their most recent report to the CESCR, the Government of Canada states that 150,000 people are homeless each year, a figure which only covers those using emergency shelters. Of course many homeless individuals do not resort to

⁷⁵ Spending more than 50% of income on rent.

⁷⁶ Stephen Gaetz, Tanya Gulliver & Tim Richter, The State of Homelessness in Canada 2014. available here: <http://www.homelesshub.ca/sites/default/files/SOHC2014.pdf>

⁷⁷ Vineeth Sekharan, “Infographic: Federal Investment in Affordable Housing”, available here: <http://homelesshub.ca/blog/infographic-federal-investment-affordable-housing#sthash.7Wv3bEqb.dpuf>.

⁷⁸ Erika Tucker and Vassy Kapelos, “Fears of evictions across Canada as feds end co-op housing subsidy”, available here: <http://globalnews.ca/news/1100348/co-op-housing-subsidy-to-end/>.

⁷⁹ UN Committee on Economic, Social and Cultural Rights, Review of Canada 1996, 2008 and UN Special Rapporteur on Adequate Housing, Mission Report on Canada, 2009.

shelters for a number of reasons, including lack of available spaces. Other estimates put the number of homeless at over **235,000 people annually**, which includes those in shelters and in temporary housing (e.g.: motels).⁸⁰ Neither figure includes the hidden homeless: thousands of individuals (particularly women and youth) and families doubled up with friends, family or neighbours.

79. In January 2016, the State Party initiated steps to begin a point-in-time homelessness count in thirty communities across the country. A number of cities have determined that they will not participate in the point-in-time count as they are already aware of the systemic causes of homelessness in their communities⁸¹ and the actions needed to address the issue. Civil society representatives have expressed concern that a homeless count will not take into account those who are the “hidden homeless” (those who are not visible street involved), and generally fail to measure or address discrimination and stigma faced by those who are homeless. For a homeless count to overcome these obstacles, it is essential that the State Party consider their human rights obligations in this regard. This can include making adjustments for the inevitable limitations, omissions and possible distortions in available data through the collection of qualitative data and longitudinal studies.

80. Across the country, some subnational governments have taken steps to create provincial, territorial or regional homelessness strategies. While we commend the steps taken by these governments, many of these strategies have not been fashioned to ensure compliance with international human rights obligations. For example, the Alberta government’s “A Plan for Alberta: Ending Homelessness in 10 Years”⁸² does not specifically reference their international human rights obligations under the Covenant anywhere in the strategy. The Ontario plan commits to eliminating homelessness with no reference to international human rights and no review or claiming mechanism.

81. As noted in submissions and recommendations made to the CESCR for the review of Canada by Pivot Legal Society, the lack of rights-based homelessness strategies at the national and subnational levels has led to a patchwork of policies absent of a cohesive vision for homelessness. The lack of national leadership on homelessness has a particular effect on those who are ‘living rough’, who must engage in life-sustaining activities in public spaces such as sleeping in parks, loitering and panhandling.

82. In communities across the country, subnational governments have created laws and bylaws which fine or criminalize the activities of those who are participating in life-sustaining activities. For example, the Safe Streets Act⁸³ of Ontario allows municipal

⁸⁰ Stephen Gaetz, Tanya Gulliver & Tim Richter, *The State of Homelessness in Canada 2014*. available here: <http://www.homelesshub.ca/sites/default/files/SOHC2014.pdf>

⁸¹ Emily Mertz, Global News, “Edmonton won’t participate in first national homeless count”, available here: <http://globalnews.ca/news/2451497/edmonton-wont-participate-in-first-national-homeless-count/>

⁸² Government of Alberta “A Plan for Alberta: Ending Homelessness in 10 Years”, available here: http://humanservices.alberta.ca/documents/PlanForAB_Secretariat_final.pdf

⁸³ Safe Streets Act, S.O. 1999, CH. 8

officials to issue tickets to those who are panhandling, squeegeeing or exercising other forms of solicitation. When living in poverty, these activities are essential to survival. The language of the Act is vague, and allows law enforcement broad discretion in its application. In 2009, 13,023 tickets were issued to individuals living in poverty in the city of Toronto alone.⁸⁴ Attached to each of these tickets is a fine to be paid to the municipality - a punishment for engaging in life-sustaining activities connected to homelessness.

83. Municipalities have been left to develop and interpret policies addressing homelessness in their day to day interactions with those 'living rough', leading to substantial violations of rights. Accounts of violations of Article are far too common. For example, in Abbotsford, British Columbia, law enforcement officials spread chicken manure on the tents in a homeless encampment to force those who are homeless to vacate the area⁸⁵. Another example is the targeted removal of homeless individuals with Aboriginal ancestry from public spaces in Vancouver, British Columbia.⁸⁶

The Government's Response

84. The government of Canada has outlined a number of initiatives regarding affordable housing. For example, among other commitments, the Prime Minister has indicated that the State Party will "provid[e] communities the money they need for Housing First initiatives that help homeless Canadians find stable housing", "prioritiz[e] infrastructure investments in affordable housing and seniors' housing, including finding ways to support the municipal construction of new housing units and refurbishment of existing ones" and "undertak[e] a review of escalating home prices in high-priced housing markets and considering all policy tools that could keep home ownership within reach for more Canadians."⁸⁷
85. The commitments made by the federal government on affordable housing seem to be out of step with the needs of rights bearers and the recommendations put forward by civil society organizations. Canada still has no rights based national housing and homelessness strategy. As the Committee told Canada in 2006, "[t]he Committee urges the State party to implement a national strategy for the reduction of homelessness that includes measurable goals and timetables, consultation and collaboration with affected communities, complaints procedures, and transparent accountability mechanisms, in keeping with Covenant standards."⁸⁸

RECOMMENDATIONS

⁸⁴ Homeless Hub, "Coalition for the Repeal of Ontario's Safe Streets Act", available here: <http://homelesshub.ca/safe-streets-act>

⁸⁵ CBC News, "Abbotsford homeless lawsuit closing arguments begin at B.C. Supreme Court" available here: <http://www.cbc.ca/news/canada/british-columbia/abbotsford-homeless-lawsuit-closing-arguments-begin-at-b-c-supreme-court-1.3175319>

⁸⁶ West Coast Leaf, "VANDU v DVBI [2014]", available here: <http://www.westcoastleaf.org/our-work/vandu-v-dvbia-2014/>

⁸⁷ Office of the Prime Minister, "Minister of Families, Children and Social Development Mandate Letter", available here: <http://pm.gc.ca/eng/minister-families-children-and-social-development-mandate-letter#sthash.3P9WYlRa.dpuf>

⁸⁸ See CESCR 2006 recommendations, para 62.

BEYOND FULLY ENDORSING THE HOUSING RELATED RECOMMENDATIONS MADE BY FRAPRU, THE RIGHT TO HOUSING COALITION, ACTO, PIVOT LEGAL SOCIETY, WE MAKE THE FOLLOWING RECOMMENDATIONS:

WE RECOMMEND THAT THE STATE PARTY TAKE IMMEDIATE STEPS TO CREATE A RIGHTS BASED NATIONAL HOUSING AND HOMELESSNESS STRATEGY IN KEEPING WITH THE CESCR'S 1998 AND 2006 RECOMMENDATIONS.

WE RECOMMEND THAT THE STATE PARTY ENSURE THAT EFFORTS TO MEASURE HOMELESS POPULATIONS ARE COMPLETED IN A MANNER THAT INCLUDES ALL OF THOSE WHO ARE HOMELESSNESS – THE VISIBLE AND INVISIBLE - WITH A VIEW TO ENSURING COMPLIANCE UNDER ARTICLE 11 OF THE ICESCR.

WE RECOMMEND THAT SUBNATIONAL GOVERNMENTS REVISE AND REVIEW EXISTING HOUSING AND HOMELESSNESS STRATEGIES TO ENSURE THEY ARE BASED IN INTERNATIONAL HUMAN RIGHTS OBLIGATIONS. ALL MUNICIPALITIES SHOULD ADOPT HOMELESS STRATEGIES IN COMPLIANCE WITH INTERNATIONAL HUMAN RIGHTS LAW STANDARDS.

WE RECOMMEND THAT THE STATE PARTY, INCLUDING ALL SUBNATIONAL GOVERNMENTS, REVIEW, REPEAL AND REFRAIN FROM CREATING LEGISLATION CRIMINALIZING LIFE-SUSTAINING ACTIVITIES AS A RESULT OF HOMELESSNESS, INCLUDING THE ONTARIO SAFE STREETS ACT AND OTHER MUNICIPAL BYLAWS, WITH A VIEW TO ENSURING COMPLIANCE WITH ARTICLE 11 OF THE ICESCR.

12)Article 11: A National Anti-Poverty Strategy Based in Human Rights

86. In 2006, the CESCR told Canada “[t]he Committee also recommends that the State party integrate economic, social and cultural rights in its poverty reduction strategies.”⁸⁹

87. We are encouraged by a recent publically released “mandate letter” by the Prime Minister instructing the Minister of Children, Families and Social Development to create a national anti-poverty strategy. We are concerned, however, that this strategy may not be based in Canada’s human rights obligations and commitments. (see **Appendix**).

88. The Government of Canada has been told repeatedly by the CESCR⁹⁰ and other UN human rights bodies⁹¹ that it should adopt both a human rights based national anti-

⁸⁹ Committee on Economic, Social and Cultural Rights, 2006 Concluding Observations.

⁹⁰ See Committee on Economic Social and Cultural Rights Concluding Observations from 1998 and 2006 reviews of Canada.

⁹¹ See United Nations Human Rights Council, Report of the Working Group on the Universal Periodic Review: Canada, UN Human Rights Council OR, 11th Sess, UN Doc A/HRC/11/17, (2009) at paras 45, 72 & 75 and United Nations Human Rights Council, Draft

poverty strategy and a human rights based national housing and homelessness strategy.

89. February 2015, in collaboration with hundreds of civil society organizations and experts, the *Dignity for All* campaign released a model human rights based national anti-poverty plan⁹² for Canada (see **Appendix**). The plan represents a starting point for the State Party to move forward on their obligations under the ICESCR to create and implement a national poverty plan.
90. In late November 2015, the public release of the mandate letter to the Minister marked the State Party's first significant step towards a Canadian Poverty Reduction Strategy and the realization of the government's human rights obligations. **While this announcement is a positive step towards fulfilling Canada's international human rights obligations, we are concerned that there has been no mention of such obligations in relation to the forthcoming Canadian Poverty Reduction Strategy.**
91. The Minister's mandate letter suggests that the national poverty strategy be fashioned in coordination with provincial/territorial poverty plans. The concern, however, is that subnational governments are unaware of their international human rights obligations and commitments, in light of the fact that no subnational level strategy (save for Québec) includes any reference to international human rights principles or standards. In turn, considerable leadership by the federal government would be required in this regard.
92. Twelve of thirteen of Canada's provinces and territories have taken steps toward the creation of regional poverty reduction strategies. Despite the urging of civil society and legislation proposed by opposition Members of the Legislative Assembly, the province of British Columbia (BC) has yet to make a commitment to develop such a strategy. Instead, the BC government's "community poverty reduction pilot projects"⁹³ are focused on connecting families living in poverty with existing services and include little funding and no policy changes to address the systemic issues emerging from the small-scale project. The founding partner, the Union of BC Municipalities, and one of the original seven cities involved, Prince George, have now stepped away from the project because of its lack of meaningful impact.
93. As the CESCR told Canada in 1998 and 2006 in ensuring compliance with the ICESCR, State Parties must, among other elements, specifically reference international human rights obligations, ensure that there is a claiming mechanism for stakeholders,

Report of the Working Group on the Universal Periodic Review: Canada, UNHRCOR, 16th Sess, UN Doc A/HRC/WG.6/16/L.9 (2013) at paras 129.124 –129, 127.

⁹² Dignity for All "Dignity for All: A National Anti-Poverty Plan for Canada" available here: <http://www.cwp-csp.ca/wp-content/uploads/2015/12/Dignity-for-All-A-National-Plan-for-Poverty-in-Canada.pdf>.

⁹³ Government of British Columbia, "Community Poverty Reduction Pilot Projects: 2014 Progress Report", available here: http://www.mcf.gov.bc.ca/pdf/community_poverty_reduction.pdf.

meaningfully consult with people in poverty and commit to principles of non-discrimination⁹⁴.

94. None of the existing poverty strategies at the provincial or territorial level comply with the full complement of these criteria. Without reference to human rights, many of these strategies have remained ineffective documents and have failed to create substantive change.

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY URGENTLY RESPOND TO SIGNIFICANT LEVELS OF POVERTY BY DEVELOPING A HUMAN RIGHTS BASED NATIONAL ANTI-POVERTY STRATEGY IN COLLABORATION WITH THE PROVINCES, TERRITORIES, AND INUIT LAND CLAIM ORGANIZATIONS, FIRST NATIONS AND MÉTIS GOVERNMENTS, ESPECIALLY THROUGH THE PROVISION OF ADEQUATE RESOURCES AND CAPACITY BUILDING, TO REVIEW, REVISE AND IMPLEMENT POVERTY REDUCTION STRATEGIES IN A MANNER THAT COMPLIES WITH THEIR INTERNATIONAL HUMAN RIGHTS OBLIGATIONS.

13) Article 11: The Right to Food

95. We are greatly concerned with high rates of food insecurity in Canada, especially considering the relative wealth of the State Party. **In 2013, the last date for which data is available, 12.5% of households in Canada experienced some level of food insecurity in the previous 12 months.** This statistic represents 2.4 million adults and 1 million children under the age of 18.⁹⁵
96. Food insecurity is a persistent problem in communities across the country. **In the Maritime Provinces, in 2012, Prince Edward Island had the highest percent of food insecurity in Canada with food insecurity for children at 21.9%.⁹⁶** With the fall of the Canadian dollar and the rate of inflation on food products above 2.5% (at 4.1% in January 2016), civil society organizations have expressed serious concern that the price of food will continue to rise at an unparalleled rate as compared to other industrialized countries.⁹⁷ **Nunavut, an Inuit Territory in the North of Canada, has the highest food costs in the country** and also the highest number of households in Canada that are food insecure at 28.8%. One-third of female-led lone parent families

⁹⁴ Office of the United Nations High Commissioner for Human Rights, "Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies" available here: <http://www.ohchr.org/EN/Issues/Housing/Pages/AnnualReports.aspx> at para 112.

⁹⁵ PROOF, Valerie Tarasuk, Andy Mitchell and Naomi Dachner, "Household Food Insecurity in Canada, 2013", available here: <http://nutritionalsciences.lamp.utoronto.ca/wp-content/uploads/2015/10/foodinsecurity2013.pdf>.

⁹⁶ University of Prince Edward Island, "Food Insecurity, Nutrition and Health Among Clients of a Local Food Bank: A Call to Action", available here: <https://peifoodsecurity.files.wordpress.com/2015/06/food-insecurity-among-female-clients-of-a-food-bank-a-call-to-action.pdf>.

⁹⁷ Food Secure Canada, "The Rising Cost of Food: a National Food Policy Should Focus on Health and Sustainability", available here: <http://foodsecurecanada.org/resources-news/news-media/cost-food-national-food-policy-should-focus-health-and-sustainability#sthash.082m1oVt.dpuf>.

are food insecure. Aboriginal women across Canada are also more likely to experience food insecurity or inadequacy than non-Aboriginal women. First Nations women, in particular, have much higher rates of food insecurity than their male peers, with 26% of First Nations women experiencing moderate or severe household food insecurity compared to 16% of First Nations men.

97. The State Party's current approach to food insecurity is based on short term solutions such as the establishment of food banks. Food banks can deny the dignity of the user. Food banks do not allow low-income persons to access food in the same way as others in the community; rather, it forces them to rely on hand outs from members of the community who have donated canned good and other food products. **In the early 1980s and run by public food donations, food banks were created as an emergency measure to address food insecurity.** Over the past 30 years, food banks have come to be viewed by the State as the solution to food insecurity.
98. **Over 850,000 people across Canada have no choice but to use food banks each month in order to make ends meet. This is a 26% increase since the recession in 2008 and the second highest usage rate in the history of food bank usage in Canada.** Forty-six percent of the individuals using food banks are in receipt of social assistance (an indicator that social assistance rates are simply too low), and 16% had income from employment (an indicator that a job does not guarantee an exit from poverty).⁹⁸
99. **In Alberta,** food bank usage skyrocketed between March 2014 and March 2015 from 33,580 individuals to 67,443 individuals.⁹⁹ This change is likely due to the 10% increase in unemployment associated with the continuous drop in the price of oil. Without a national food strategy or programs to address the systemic causes of poverty and food insecurity, this number will likely increase.
100. It should be noted that statistics regarding food bank usage does not reflect the amount of food insecurity in Canada. Many who are food insecure are unable to access food banks (for example, those in rural or Northern communities). Additionally, the stigma attached to using a food bank means that many who experience food insecurity will avoid the service. These individuals will not be counted in food bank statistics.
101. Olivier De Schutter, the then-Special Rapporteur on the Right to Food, on his first trip to Canada in May 2012, observed that there is a widening inequality gap that is affecting food security across the country. Not surprisingly, this gap parallels the

⁹⁸ Food Banks Canada, "Hunger Count Canada, 2015" (2015), https://www.foodbankscanada.ca/getmedia/01e662ba-f1d7-419d-b40c-bcc71a9f943c/HungerCount2015_singles.pdf.aspx?ext=.pdf. Job creation in Canada has not resulted in poverty reduction. In fact, a 2009 survey of residents at Salvation Army shelters for the homeless revealed that nearly one-quarter of the shelter population have jobs – but are still unable to make ends meet. See: Salvation Army (2011), "Canada Speaks": Exposing Persistent Myths about the 150,000 Canadians living on the streets, p. 7. http://vcu.visioncritical.com/wp-content/uploads/2012/09/REP_TheDignityProject_CanadaSpeaks_01.05.12.pdf

⁹⁹ Food Banks Canada (2015).

ever-growing discrepancy between Canada's international commitments and current domestic social policy.¹⁰⁰

RECOMMENDATION

WE RECOMMEND THAT THE STATE PARTY TAKE IMMEDIATE STEPS TO IMPLEMENT THE RECOMMENDATIONS OF THE SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD, WITH SPECIAL ATTENTION TO THE SEVERE RATES OF FOOD INSECURITY IN NORTHERN CANADA.

14) Article 12: The Right to Health

Social Determinants of Health

102. Poverty has been recognized by the World Health Organization as the single largest determinant of health affecting both mental and physical health outcomes.¹⁰¹ This manifests in a number of adverse health issues including depression, diabetes, heart disease and other chronic conditions. For example, in Canada, one in five dollars spent on health care is attributed to 'health inequities'.¹⁰² These conditions can lead to ill health and the contraction of otherwise preventable life threatening diseases.
103. Dr. Hwang at St. Michael's Hospital in Toronto has said, "homelessness affects tens of thousands of Canadians and has important health implications. Homeless people are at increased risk of dying prematurely and suffer from a wide range of health problems, including seizures, chronic obstructive pulmonary disease, musculoskeletal disorders, tuberculosis, and skin and foot problems. Homeless people also face significant barriers that impair their access to health care."¹⁰³
104. Studies have also shown that living in shelters, rooming houses, and hotels – in other words, homelessness – is associated with much higher mortality than expected on the basis of low income alone.¹⁰⁴
105. In Hamilton, Ontario, a 21-year difference was found in the life expectancy of individuals between the poorest and wealthiest residents of the city.¹⁰⁵ In January

¹⁰⁰ De Schutter, Olivier, Special Rapporteur on the right to food: visit to Canada from May 6-16, 2012. Press statement, May 16, 2012, p. 2-3. available here: http://www.srfood.org/images/stories/pdf/officialreports/201205_canadaprelim_en.pdf

¹⁰¹ World Health Organization, "Poverty and social determinants", available here: <http://www.euro.who.int/en/health-topics/environment-and-health/urban-health/activities/poverty-and-social-determinants>.

¹⁰² Health Council of Canada (2010), "Stepping It Up: Moving the Focus from Health Care in Canada to a Healthier Canada", p.7. available here: <http://www.healthcouncilcanada.ca/tree/2.40-HCCpromoDec2010.pdf>

¹⁰³ Stephen W. Hwang, "Homelessness and health" CMAJ (January 2001), available here: <http://www.cmaj.ca/content/164/2/229.short>

¹⁰⁴ Stephen W Hwang, et al. "Mortality among residents of shelters, rooming houses, and hotels in Canada: 11 year follow-up study", available here: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2767481/>.

¹⁰⁵ Code Red, "CODE RED: Mapping the Health of Hamilton", available here: http://media.metroland.com/thespec.com/statistics_flash/

2015, two homeless persons died in Toronto, Ontario due to cold weather, poverty and lack of adequate housing.¹⁰⁶

106. Persons who are marginalized are more likely to experience manifestations of poverty which affects health. These groups include women, people with disabilities, migrants, youth and children, indigenous peoples and other disadvantaged groups.
107. The relationship between women's premature death and domestic violence is well documented. Many women experiencing domestic violence have few housing options, which means they are compelled back to a violent situation or are compelled into homelessness. Either way, their lives are at stake. One study in Toronto found that homeless women 18 to 44 years old are 10 times more likely to die than women of the same age group in the general population.¹⁰⁷

Health Care Coverage

108. Canada's public health care system is regarded worldwide as a model for health care, where all persons have access to medically necessary services on a universal basis. However, the system does not provide complete coverage for health needs, and has some significant gaps. While services in the doctor's office and in hospital are covered, Medicare only covers 70% of total health care costs, with the rest covered by private insurance and out of pocket spending.
109. Drug, dental and eye care, are not available under Canada's Medicare program. Drug costs are also not covered under Canada's health care system, including drugs prescribed for serious illnesses. For those living in poverty, these out-of-pocket expenses can become a barrier to accessing health care.
110. There are serious barriers to accessing dental health care. Canada's national system of health insurance (Medicare) does not include dental care.¹⁰⁸ **Ninety-five percent of dental care is paid out-of-pocket or through private dental insurance and is delivered in private dental offices.** The remaining 5% is covered through a combination of public health programs offered federally and provincially, targeting the needs of specific populations. Many are unable to access necessary dental services, including uninsured adults and seniors living on low incomes. Internationally, Canada is among the lowest funders of public dental health care programs.¹⁰⁹

Refugee Health Care

¹⁰⁶ Daniel Otis, "Second homeless man dead as bitter cold envelops city" Toronto Star (January 2015), available here: <http://www.thestar.com/news/gta/2015/01/06/second_homeless_man_dead_as_bitter_cold_envelops_city.html>

¹⁰⁷ Angela M. Cheung, Stephen W. Hwang, "Risk of death among homeless women: a cohort study and review of the literature" CMAJ (April 2004), available here: <<http://www.cmaj.ca/content/170/8/1243.full>>

¹⁰⁸ Network for Canadian Oral Health Research, "Why was dental care excluded from Canadian Medicare?", available here: <http://ncohr-rcrsb.ca/knowledge-sharing/working-paper-series/content/quinonez.pdf>

¹⁰⁹ Paul Allison, "Why dental care should be included in the public health system", available here: <http://www.theglobeandmail.com/opinion/why-dental-care-should-be-included-in-the-public-health-system/article20614696/>

111. The State Party should be commended for the decision not to challenge the federal court decision urging the State Party to re-establish the interim federal health program (IFHP). The IFHP provides limited and temporary coverage of health-care benefits to people who are not eligible for provincial or territorial health insurance. These services include pre-and-post-natal care, laboratory services, diagnostic and ambulance services and vaccination. In June 2012, the federal government cut \$20 million from the program.

Health Care for those with Undocumented Immigration Status

112. Denial of health care also occurs for those with undocumented immigration status who are ineligible for provincial health care insurance and have no means to pay for care themselves. We agree with the submissions and recommendations on undocumented migrant health care made to the CESCR for the review of Canada by the Charter Committee on Poverty Issues and Social Rights Advocacy Centre.

RECOMMENDATIONS

WE RECOMMEND THAT THE STATE DEVELOP, IN COLLABORATION WITH THE PROVINCES, TERRITORIES, AND INUIT LAND CLAIM ORGANIZATIONS, FIRST NATIONS AND MÉTIS GOVERNMENTS, A NEW 10-YEAR HEALTH ACCORD FOR THE IMPLEMENTATION OF HIGH-QUALITY, UNIVERSAL, CULTURALLY-APPROPRIATE, PUBLICLY-FUNDED AND MANAGED HEALTH PROMOTION, PREVENTION, AND ACUTE CARE SERVICES.

WE RECOMMEND THAT THE STATE PARTY DEVELOP, IN COLLABORATION WITH THE PROVINCES, TERRITORIES, AND INUIT LAND CLAIM ORGANIZATIONS, FIRST NATIONS AND MÉTIS GOVERNMENTS, HEALTH ORGANIZATIONS AND PROVIDERS, AND THE PUBLIC, A NEW UNIVERSAL, PUBLICLY-FUNDED NATIONAL PHARMACARE PROGRAM THAT PROVIDES COST-EFFECTIVE PRESCRIPTION DRUGS AT LITTLE OR NO COST TO ALL CANADIANS, REGARDLESS OF INCOME, OCCUPATION, AGE, OR PROVINCE OF RESIDENCE.

WE RECOMMEND THAT THE STATE PARTY DEVELOP, IN COLLABORATION WITH THE PROVINCES, TERRITORIES, AND INUIT LAND CLAIM ORGANIZATIONS, FIRST NATIONS AND MÉTIS GOVERNMENTS, HEALTH ORGANIZATIONS AND PROVIDERS, AND THE PUBLIC A STRATEGY FOR ACCESS TO DENTAL CARE REGARDLESS OF INCOME, OCCUPATION, AGE OR PROVINCE OF RESIDENCE.

WE RECOMMEND THAT THE STATE PARTY TAKE STEPS TO ENSURE THAT PUBLIC POLICY DECISIONS ARE MADE IN LIGHT OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS WITH SPECIAL CONSIDERATION FOR THE RIGHT TO HEALTH. THIS INCLUDES THE USE OF HEALTH IMPACT ASSESSMENT TOOLS TO DETERMINE THE EFFECTS OF POLICIES AND LAWS ON THE HEALTH AND WELL-BEING OF PERSONS LIVING IN POVERTY.

WE RECOMMEND THAT THE STATE PARTY TAKE STEPS TO ENSURE THAT ALL REFUGEES AND UNDOCUMENTED MIGRANTS – REGARDLESS OF CATEGORY OR STAGE OF PROCESSING –

ARE ELIGIBLE FOR THE SAME HEALTH CARE COVERAGE AS IS PROVIDED TO SOCIAL ASSISTANCE RECIPIENTS.

VII. ENDORSEMENTS

This report has been endorsed by the following organizations:

- ACORN Canada
- Campaign 2000
- Canadian Association of Social Workers
- Citizens for Public Justice
- Community Society to End Poverty - Nova Scotia
- Faith In Action
- Hamilton Roundtable for Poverty Reduction
- Make Poverty History Canada
- Pathway to Potential, Windsor Essex County's Poverty Reduction Strategy
- PEI Coalition for a Poverty Eradication Strategy
- The Social Assistance Reform Network of Niagara



Prime Minister of Canada
Justin Trudeau

MINISTER OF FAMILIES, CHILDREN AND SOCIAL DEVELOPMENT MANDATE LETTER

Office of the
Prime Minister



Cabinet du
Premier ministre

Ottawa, Canada K1A 0A2

Dear Mr. Duclos:

I am honoured that you have agreed to serve Canadians as Minister of Families, Children and Social Development.

We have promised Canadians a government that will bring real change – in both what we do and how we do it.

Canadians sent a clear message in this election, and our platform offered a new, ambitious plan for a strong and

growing middle class. Canadians expect us to fulfill our commitments, and it is my expectation that you will do your part in delivering on those promises to Canadians.

We made a commitment to invest in growing our economy, strengthening the middle class, and helping those working hard to join it. We committed to provide more direct help to those who need it by giving less to those who do not.

We committed to public investment as the best way to spur economic growth, job creation, and broad-based prosperity. We committed to a responsible, transparent fiscal plan for challenging economic times.

I expect Canadians to hold us accountable for delivering these commitments, and I expect all ministers to do their part – individually and collectively – to improve economic opportunity and security for Canadians.

It is my expectation that we will deliver real results and professional government to Canadians. To ensure that we have a strong focus on results, I will expect Cabinet committees and individual ministers to: track and report on the progress of our commitments; assess the effectiveness of our work; and align our resources with priorities, in order to get the results we want and Canadians deserve.

If we are to tackle the real challenges we face as a country – from a struggling middle class to the threat of climate change – Canadians need to have faith in their government's honesty and willingness to listen. I expect that our work will be informed by performance measurement, evidence, and feedback from Canadians. We will direct our resources to those initiatives that are having the greatest, positive impact on the lives of Canadians, and that will allow us to meet our commitments to them. I expect you to report regularly on your progress toward fulfilling our commitments and to help develop effective measures that assess the impact of the organizations for which you are answerable.

I made a personal commitment to bring new leadership and a new tone to Ottawa. We made a commitment to Canadians to pursue our goals with a renewed sense of collaboration. Improved partnerships with provincial, territorial, and municipal governments are essential to deliver the real, positive change that we promised Canadians. No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership.

We have also committed to set a higher bar for openness and transparency in government. It is time to shine more light on government to ensure it remains focused on the people it serves. Government and its information should be open by default. If we want Canadians to trust their government, we need a government that trusts Canadians. It is important that we acknowledge mistakes when we make them. Canadians do not expect us to be perfect – they expect us to be honest, open, and sincere in our efforts to serve the public interest.

Our platform guides our government. Over the course of our four-year mandate, I expect us to deliver on all of our commitments. It is our collective responsibility to ensure that we fulfill our promises, while living within our fiscal plan.

Other issues will arise or will be brought to our attention by Canadians, stakeholders, and the public service. It is my expectation that you will engage constructively and thoughtfully and add priorities to your agenda when appropriate.

As Minister, you will be held accountable for our commitment to bring a different style of leadership to government. This will include: close collaboration with your colleagues; meaningful engagement with Opposition Members of Parliament, Parliamentary Committees and the public service; constructive dialogue with Canadians, civil society, and stakeholders, including business, organized labour, the broader public sector, and the not-for-profit and charitable sectors; and identifying ways to find solutions and avoid escalating conflicts unnecessarily. As well, members of the Parliamentary Press Gallery, indeed all journalists in Canada and abroad, are professionals who, by asking necessary questions, contribute in an important way to the democratic process. Your professionalism and engagement with them is essential.

Canadians expect us, in our work, to reflect the values we all embrace: inclusion, honesty, hard work, fiscal prudence, and generosity of spirit. We will be a government that governs for all Canadians, and I expect you, in your work, to bring Canadians together.

You are expected to do your part to fulfill our government's commitment to transparent, merit-based appointments, to help ensure gender parity and that Indigenous Canadians and minority groups are better reflected in positions of leadership.

As Minister of Families, Children and Social Development, your overarching goal will be to increase Canadians' economic and social security. All Canadian children deserve a real and fair chance to succeed, and all Canadians should be able to live with dignity. I trust you will keep these principles uppermost in your mind as you deliver on our commitments, and I know you will undertake your work in a collaborative way with an appreciation that provinces and municipalities play a leadership role in these areas.

You will be the leader of a strong team of Ministers, supported by the Minister of Employment, Workforce Development and Labour and the Minister of Sport and Persons with Disabilities.

In particular, I will expect you to work with your colleagues and through established legislative, regulatory, and Cabinet processes to deliver on your top priorities:

- Work with the Minister of Finance to design and implement the Canada Child Benefit (CCB), which will build on the existing Canada Child Tax Benefit and the National Child Benefit Supplement and will replace the Universal Child Care Benefit.
- Work with the Minister of Finance to improve the income security of lower income seniors living alone by increasing the Guaranteed Income Supplement (GIS) by ten percent, indexing Old Age Security (OAS) and GIS payments to a new Senior's Price Index, cancelling the increase in age of eligibility for OAS (65 to 67), and working with provinces and territories to ensure adequate and coordinated support programs to address seniors' poverty.
- Work with the Minister of Indigenous and Northern Affairs to launch consultations with provinces and territories and Indigenous Peoples on a National Early Learning and Childcare Framework as a first step towards delivering affordable, high-quality, flexible and fully inclusive child care.
- Lead the development of a Canadian Poverty Reduction Strategy that would set targets to reduce poverty and measure and publicly report on our progress, in collaboration with the Minister of Employment, Workforce Development and Labour. Our strategy will align with and support existing provincial and municipal poverty reduction strategies.
- Work with the Minister of Employment, Workforce Development and Labour to fulfill our commitment to provide more generous and flexible leave for caregivers and more flexible parental leave.
- In your role as Minister responsible for the Canada Mortgage and Housing Corporation, work with the Minister of Infrastructure and Communities to develop a strategy to re-establish the federal government's role in supporting affordable housing, including:
 - prioritizing infrastructure investments in affordable housing and seniors' housing, including finding ways to support the municipal construction of new housing units and refurbishment of existing ones;
 - providing support to municipalities to maintain rent-geared-to-income subsidies in co-ops;
 - providing communities the money they need for Housing First initiatives that help homeless Canadians find stable housing;
 - working with the Minister of Finance to encourage the construction of new affordable rental housing by

- removing all GST on new capital investments in affordable rental housing;
- o working with the Minister of Finance to modernize the existing Home Buyers' Plan to allow Canadians impacted by sudden and significant life changes to buy a house without tax penalty;
- o working with the Minister of Finance to ensure that the new Canada Infrastructure Bank provides financing to support the construction of new, affordable rental housing;
- o working with the Minister of Public Services and Procurement to conduct an inventory of all available federal lands and buildings that could be repurposed, and making some of these lands available at low cost, or no cost, for affordable housing;
- o undertaking a review of escalating home prices in high-priced housing markets and considering all policy tools that could keep home ownership within reach for more Canadians;
- o bringing forward a proposal to prevent mortgage fraud; and
- o using the restored mandatory long-form census to ensure that decisions on housing are made using the best and most up-to-date data available.
- Work with the Minister of Sport and Persons with Disabilities, as well as with provinces, territories and stakeholders, to develop a National Disabilities Act to eliminate systemic barriers and deliver equality of opportunity to all Canadians living with disabilities.
- Work with the Minister of Employment, Workforce Development and Labour to develop a Social Innovation and Social Finance strategy.
- Work with the Minister of Public Services and Procurement to set transparent service standards so that Canadians get timely access to the benefits to which they are entitled.

These priorities draw heavily from our election platform commitments. The government's agenda will be further articulated through Cabinet discussions and in the Speech from the Throne when Parliament opens.

I expect you to work closely with your Deputy Minister and his or her senior officials to ensure that the ongoing work of your department is undertaken in a professional manner and that decisions are made in the public interest. Your Deputy Minister will brief you on issues your department may be facing that may require decisions to be made quickly. It is my expectation that you will apply our values and principles to these decisions, so that issues facing your department are dealt with in a timely and responsible manner, and in a way that is consistent with the overall direction of our government.

Our ability, as a government, to successfully implement our platform depends on our ability to thoughtfully consider the professional, non-partisan advice of public servants. Each and every time a government employee comes to work, they do so in service to Canada, with a goal of improving our country and the lives of all Canadians. I expect you to establish a collaborative working relationship with your Deputy Minister, whose role, and the role of public servants under his or her direction, is to support you in the performance of your responsibilities.

In the coming weeks, the Privy Council Office (PCO) will be contacting you to set up a meeting with PCO officials, your Deputy Minister and the Prime Minister's Office to further discuss your plans, commitments and priorities.

We have committed to an open, honest government that is accountable to Canadians, lives up to the highest ethical standards, and applies the utmost care and prudence in the handling of public funds. I expect you to embody these values in your work and observe the highest ethical standards in everything you do. When dealing with our Cabinet colleagues, Parliament, stakeholders, or the public, it is important that your behaviour and decisions meet Canadians' well-founded expectations of our government. I want Canadians to look on their own government with pride and trust.

As Minister, you must ensure that you are aware of and fully compliant with the *Conflict of Interest Act* and Treasury Board policies and guidelines. You will be provided with a copy of *Open and Accountable Government* to assist you as you undertake your responsibilities. I ask that you carefully read it and ensure that your staff does so as well. I draw your attention in particular to the Ethical Guidelines set out in Annex A of that document, which apply to you and your staff. As noted in the Guidelines, you must uphold the highest standards of honesty and impartiality, and both the performance of your official duties and the arrangement of your private affairs should bear the closest public scrutiny. This is an obligation that is not fully discharged by simply acting within the law. Please also review the areas of *Open and Accountable Government* that we have expanded or strengthened, including the guidance on non-partisan use of departmental communications resources and the new code of conduct for exempt staff.

I know I can count on you to fulfill the important responsibilities entrusted in you. In turn, please know that you can

count on me to support you every day in your role as Minister.

I am deeply grateful to have this opportunity to serve with you as we build an even greater country. Together, we will work tirelessly to honour the trust Canadians have given us.

Yours sincerely,

Rt. Hon. Justin Trudeau, P.C., M.P.
Prime Minister of Canada

*This Ministerial Mandate Letter was signed by the Prime Minister in the Minister's first official language.

Important Links



[Recalls and safety alerts](http://healthykanadians.gc.ca/recall-alert-rappel-avis/index-eng.php)

[\(<http://healthykanadians.gc.ca/recall-alert-rappel-avis/index-eng.php>\)](http://healthykanadians.gc.ca/recall-alert-rappel-avis/index-eng.php)



[Weather](http://www.canada.ca/en/services/environment/weather/index.html)

[\(<http://www.canada.ca/en/services/environment/weather/index.html>\)](http://www.canada.ca/en/services/environment/weather/index.html)



[Find a job](http://www.esdc.gc.ca/en/jobs/opportunities/index.page?_ga=1.24195571.893274733.1442262361)

[\(\[http://www.esdc.gc.ca/en/jobs/opportunities/index.page?_ga=1.24195571.893274733.1442262361\]\(http://www.esdc.gc.ca/en/jobs/opportunities/index.page?_ga=1.24195571.893274733.1442262361\)\)](http://www.esdc.gc.ca/en/jobs/opportunities/index.page?_ga=1.24195571.893274733.1442262361)



[Write to the troops \(<http://www.forces.gc.ca/en/write-to-the-troops/index.page>\)](http://www.forces.gc.ca/en/write-to-the-troops/index.page)

dignity for all
the campaign for a
poverty-free canada



dignité pour touTEs
la campagne pour un
canada sans pauvreté

dignity for all



A National Anti-Poverty Plan for Canada

"A human rights approach respects the dignity and autonomy of persons living in poverty and empowers them to meaningfully and effectively participate in public life, including in the design of public policy, and to hold duty bearers accountable."

GUIDING PRINCIPLES ON EXTREME POVERTY AND HUMAN RIGHTS, ADOPTED BY THE UNITED NATIONS HUMAN RIGHTS COUNCIL IN 2012

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Acknowledgements

The Dignity for All Campaign co-leads, Canada Without Poverty and Citizens for Public Justice, would like to acknowledge those who have played an especially important role in developing this national anti-poverty plan.

The Dignity for All Campaign expresses our profound gratitude to the Sisters of Service for their years of commitment to ending poverty in this country and especially for their financial support for the campaign. Many other individuals and groups have also contributed financially, and for that, we offer our sincere thanks.

Additionally, the Dignity for All Campaign would like give Katherine Scott a standing ovation for wrestling down – in a tight timeframe – four years of meetings, notes, and recommendations into one succinct document. It was no easy task! Bravo!

This plan is truly the result of communities across Canada coming together to form a cohesive strategy to address poverty. Thank you to all of the over 600 organizations, coalitions, faith groups, and unions and the over ten thousand individuals whose time, effort, and resolve for a better Canada has allowed the Dignity for All Campaign to develop agreement on these recommendations – and to ensure that they soon become a reality in this country. We are indeed better together.



Executive Summary

It's time for a plan to end poverty in Canada. In a country as wealthy as ours, 4.8 million people struggle to make ends meet: to pay their rent, feed their families, and address basic needs.

Despite multiple calls for the development of a national poverty plan by the United Nations, the Senate, and a House of Commons Standing Committee, Canada has not stepped up to the plate. This means that there is no strategy in place at the national level to address the needs of **one in seven** people in Canada who live in poverty.

This document presents the key planks of an anti-poverty plan that, if implemented, will make a meaningful difference in the lives of low-income Canadians, achieving greater prosperity and security for all.

The plan is based on an understanding that poverty is a violation of Canada's human rights obligations. It provides a succinct overview of what this means for governments formulating policy and programs aimed at addressing poverty.

The plan asserts that poverty must be addressed in Canada through focussing on six different realms:

- income security
- housing and homelessness
- health
- food security
- early childhood education and care, and
- jobs and employment

The policy recommendations in this anti-poverty plan were developed through an extensive process of community engagement by the Dignity for All

campaign, bringing together leading academics and experts from social policy organizations, provincial and territorial anti-poverty movements, national associations, faith-based groups, unions, and front-line service agencies. With limited resources, the campaign held six policy summits, where participants developed specific recommendations in each of these areas. The recommendations can be found within this report; just some are previewed below:



Income security

Canada's income security system is now one of the weakest among developed countries. Those in receipt of social assistance continue to subsist on benefits that place them well below any poverty measure used in Canada.

Dignity for All recommends that Canada:

- Reform income assistance programs, such as Employment Insurance, to better reflect labour market realities and other gaps in the system.
- Increase the National Child Benefit to \$5,600 annually for eligible families (and index it to the cost of living).



Housing and homelessness

While there are at least 250,000 homeless persons in Canada, most shelters are at maximum capacity.

Dignity for All recommends that Canada:

- Develop and implement a coordinate National Housing Strategy based in human rights.
- Increase funding by no less than \$2 billion per year in new money to implement housing strategies that meet the strategy targets.



Health

Socio-economic disparities account for 20% of total annual health care spending (expected to have exceeded \$211 billion in 2013). Medicare covers only 70% of total health care costs – the rest is covered by private insurance plans and out-of-pocket spending.

Dignity for All recommends that Canada:

- Recognize in the legislation of an anti-poverty plan the social determinants of health, including income, employment, food security, early childhood education and care, and housing.
- Commit to a new ten-year Health Accord including a National Pharmacare Program.



Food security

Since the 2008-2009 economic recession, food bank usage has increased by 25%, with children and youth now representing over 30% of food bank users. There are far more who do not visit food banks and also experience food insecurity. Among Inuit adults living in Nunavut, the rate of food insecurity is shockingly high at 69% or six times higher than the Canadian national average.

Dignity for All recommends that Canada:

- Develop, in collaboration with all levels of government, food producers, community stakeholders, and food insecure people, a National Right to Food Policy.
- Increase federal investment to address the very high levels of household food insecurity among First Nations, Inuit, and Métis peoples in a manner that respects cultural, community, and gender considerations and Aboriginal land sovereignty.



Early childhood education and care

There are only enough regulated child care spaces for just over 20% of young children, despite the fact that more than 70% of Canadian mothers are in the paid labour force. Regulated child care in Canada is currently characterized by high fees, low staff wages, mediocre quality, and unmet demand.

Dignity for All recommends that Canada:

- Develop a high-quality, universal, publicly-funded and managed early childhood education and care program for children aged 0 to 5 years and for school-aged children up to age 12, to be phased in by 2020.
- Dedicate federal transfers of \$1 billion, \$1.6 billion, and \$2.3 billion over each of the next three years with the ultimate goal of achieving the international benchmark of spending at least 1% of GDP on childhood education and care by 2020.



Jobs and employment

In the past 20 years, precarious employment, characterized by some degree of insecurity and unpredictability, generally low wages and few benefits, has increased by nearly 50%. Youth and other groups under-represented in the workforce face particular barriers in obtaining secure employment.

Dignity for All recommends that Canada:

- Set national wage standards above the poverty line.
- Provide employment incentives for youth and other groups under-represented in the workforce.

We know government policy can make a difference for those living in poverty. While all levels of government have a role to play in addressing poverty, the federal government, with its policy-making, legislative, taxation, and redistributive powers, has the particular responsibility of providing leadership and promoting reform in key areas that are crucial to the wellbeing of people in Canada. Already every province but one has committed to their own plans; it's time for our federal government to do the same.

Poverty is a complex issue. In order to effectively address it, we need solutions that meet those complexities. We need a coordinated national anti-poverty plan that is consistent with international human rights obligations, is comprehensive in its approach, focuses on those most in need, includes measurable goals, targets, and timelines, includes review and accountability processes, involves communities who will be affected by these strategies, and is integrated with provincial and territorial plans.

While our proposed plan is suggestive of some of the key elements required for a comprehensive anti-poverty plan, it is not exhaustive. We're not expecting the federal government to adopt our proposals in their current form. We offer this plan as a starting point. A solid, considered, informed starting point. In 2015, a federal election year, every political party platform should include the commitment to develop, and then implement, a national anti-poverty plan.

It's past time for our national government to step up and take action. *Dignity for All: A National Anti-Poverty plan for Canada is here.*



Dignity for All: Campaign for a Poverty-Free Canada

The Campaign

Dignity for All: the campaign for a poverty-free Canada¹ is a collective initiative, launched in 2009 by Canada Without Poverty² and Citizens for Public Justice.³ The campaign seeks concrete and sustained action by the federal government towards a Canada where everyone can pursue opportunities for achievement and fulfillment, embrace the responsibilities of citizenship and community opportunities, and live with a sense of dignity.

While everyone has a role to play in building this Canada, the federal government, with its particular policy-making, legislative, taxation, and redistributive powers, has the responsibility of providing leadership and promoting reform in key areas under its jurisdiction.

Since Dignity for All's inception, the campaign has worked to build a movement for change, bringing together members of all political parties, persons with lived experiences of poverty, and community practitioners to discuss poverty-related issues and potential solutions.

We have hosted a series of policy summits on housing and homelessness, early childhood education and care, income security, food security, health, and labour and employment – all aimed at developing a comprehensive and effective anti-poverty plan that is founded on the best evidence and represents a consensus on the best strategies for reducing poverty across the country. (Please see Appendix 1 for an overview of the policy summits).

This document represents a summary of this work, bringing together the key planks of a plan that if implemented will make a meaningful difference in the lives of low-income Canadians, achieving greater prosperity and security for all Canadians. The recommendations made are not exhaustive but represent community consensus on six particular policy areas.

Canada has achieved a measure of success in reducing rates of poverty among seniors, the result of important investments in seniors' income security. Some provinces are also making headway in reducing the incidence and depth of poverty, notably in Newfoundland and Labrador and Québec.

Concerted action is needed now on the part of the federal government in concert with others to broaden the scope and make meaningful investments in proven strategies to reduce poverty among people in Canada regardless of where they live or the unique circumstances of their lives.

The Dignity for All Campaign is aimed at achieving three federal policy goals:



1

Creation of a comprehensive federal plan for poverty eradication that complements the work of other partners, notably the provinces/territories and communities.



2

Introduction and implementation of a federal *Anti-Poverty Act* to eradicate poverty, promote social inclusion, and strengthen social security.



3

Collection and allocation of sufficient federal revenue to provide for social and economic security for all.

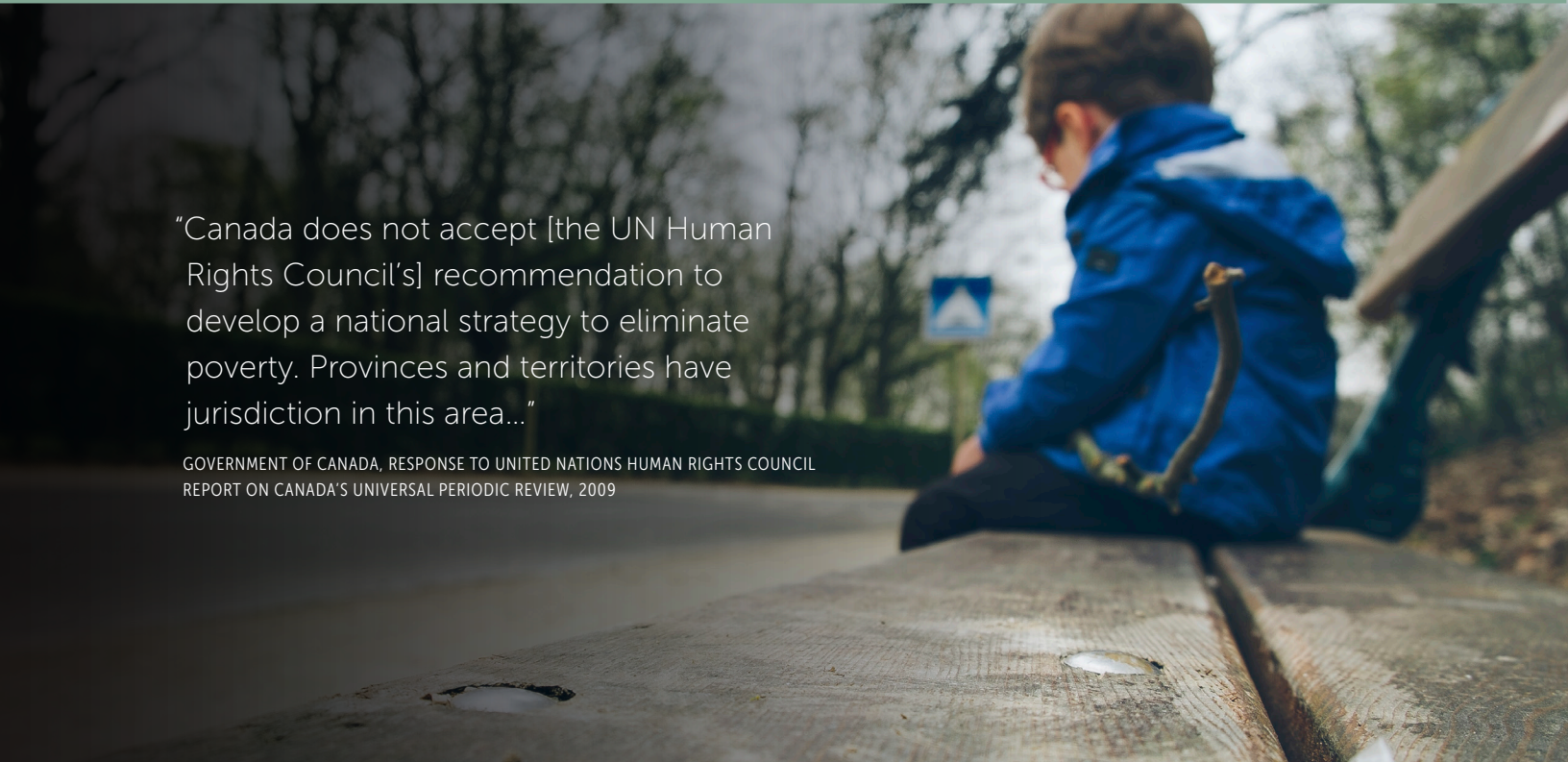
The Federal Government's Key Role in Poverty Reduction

The task of eliminating poverty requires all levels of government to work collaboratively and in concert alongside other sectors. In this regard, the federal government has a fundamental and unique role to play. As the signatory of international human rights treaties committing Canada to uphold human rights including the right to an adequate standard of living, the federal government itself must meet certain obligations and must show leadership. Moreover, the federal government is uniquely placed to address poverty nationally in light of the role it plays with respect to:

- Income security programs (e.g., Canada Child Tax Benefit, GST Tax Credit, Working Income Tax Benefit, and Guaranteed Income Supplement for seniors);⁴
- Programs and services designed to economically assist Inuit, First Nations, and Métis peoples, newcomers, and persons with disabilities; and
- Federal transfers to the provinces and territories under programs such as the Canada Social Transfer and Affordable Housing Agreements.

The federal government also plays an essential role with respect to revenue, ensuring, for example, the fair and progressive taxation of individuals and businesses. Tax policy is a key component of an effective anti-poverty plan as it is a vehicle through which government can generate sufficient revenues to support vibrant and effective public programs in ways that equitably distribute the costs.

The federal government must link with poverty reduction efforts across all levels of government (while navigating provincial/territorial distinctions) and across the federal government itself, leveraging collective knowledge and action to maximum effect. In a highly decentralized federation such as Canada, achieving success demands strong relationships between governments. This includes meaningful consultation and liaising with provinces and territories.



"Canada does not accept [the UN Human Rights Council's] recommendation to develop a national strategy to eliminate poverty. Provinces and territories have jurisdiction in this area..."

GOVERNMENT OF CANADA, RESPONSE TO UNITED NATIONS HUMAN RIGHTS COUNCIL
REPORT ON CANADA'S UNIVERSAL PERIODIC REVIEW, 2009

Essential Elements of a Meaningful Plan

Successful anti-poverty strategies must include the following elements:



Consistency with International Human Rights Obligations

An effective anti-poverty plan must be informed by Canada's international human rights obligations. This includes the obligation to take reasonable steps to effectively address poverty, using the maximum of available resources. It also includes many of the elements described below.



A Comprehensive Approach

An effective anti-poverty plan must deal with the multiple dimensions and causes of poverty, incorporating a range of strategies and investments targeting family income, the high cost of essentials such as housing and education, and needed community supports and services.



A Focus on Those Most in Need

An effective plan must address the unique and particular needs and circumstances of groups most vulnerable to poverty (such as youth, single mothers, Inuit, First Nations and Métis peoples, people with disabilities, as well as newcomers and immigrants) and their particular experiences of poverty (such as homelessness or inadequate housing, low-wage precarious employment, and lack of affordable child care).



Measurable Goals, Targets, and Timelines

An effective anti-poverty plan must have clear and realistic goals, as well as realistic timelines to achieve these goals, using widely accepted measures of progress. The benchmarks for the timelines must be concrete enough, and frequent enough, that a government can be held accountable within its mandate. While the goals are an important part of the plan, other and emerging factors should always be taken into account. Goals and timelines should be legislated.



Review and Accountability

Accountability mechanisms are key to an effective and credible anti-poverty plan. Transparent and timely mechanisms and indicators are needed to track progress. A detailed implementation plan must be established for the government and individual departments to follow, which is coordinated and monitored by a lead minister or department. The lead minister, in turn, should be required to report annually to Parliament. And individuals must have opportunities to hold their government accountable to a national anti-poverty plan – be it through existing or newly established mechanisms.



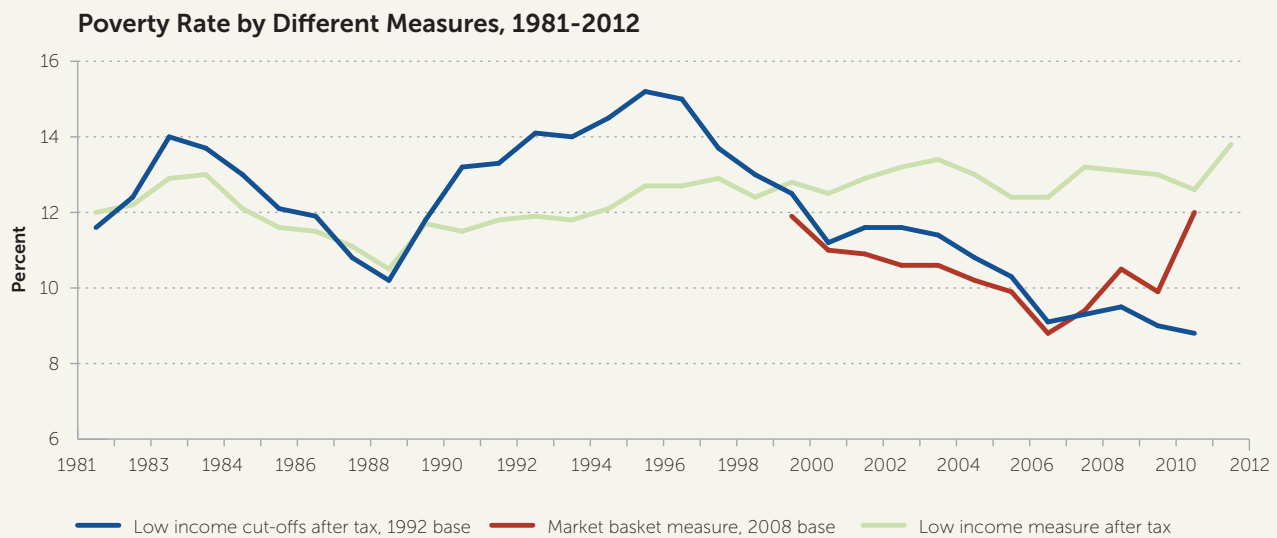
Community Involvement

Meaningful and ongoing country-wide consultations and engagement is essential to producing, implementing, and monitoring an effective anti-poverty plan that speaks to the diverse experiences of people living in poverty in Canada. In particular, it will be critical to meaningfully engage First Nations, Métis, and Inuit communities, as well as other groups at high risk of poverty, including: recent immigrants, single mothers, single senior women, people with disabilities, and people with chronic illness and addictions.



Integration

Provinces and territories have led the way in introducing poverty reduction plans in Canada over the past decade. A new federal plan should link with existing efforts at the provincial/territorial and community levels, recognizing in particular the unique position of Québec and its approach to social policy within the Canadian context.



Source: Statistics Canada. Table 202-0802 – Persons in low income families, annual

Poverty in Canada: Why We Need a Plan

It is clear. Canada needs an anti-poverty plan – one with measurable goals and timelines and mechanisms for assessing progress – to change the lives of people in Canada on the economic margins.

By any measure, Canada has a high rate of poverty. Even according to the most restrictive measure, almost 3 million people in Canada are poor. Compared to other developed countries, our poverty rate is shocking, especially in light of our wealth and economic stability as a nation: Canada ranks 24th out of 34 OECD countries. Our record on Inuit,

First Nations, and Métis poverty is shameful: one quarter of Aboriginal people live in poverty.⁵ Many poor people in Canada are employed in the paid labour force, yet their earnings are not enough to lift their families out of poverty. Others hover on the edge of poverty, only the loss of a job or an illness away from economic hardship.

There is no excuse for poverty in a society as wealthy as ours. The United Nations has repeatedly told the Government of Canada that its poverty levels are unacceptable in light of the country's wealth and that Canada is obliged to do better and must take immediate steps to address poverty, including by adopting a national plan or strategy. Adopting an anti-poverty plan is not only just and fair, it makes sound financial sense. If we commit to a plan, and take reasonable steps in keeping with the country's wealth, the eradication of poverty is within our reach.

The Cost of Poverty Diminishes Us All

Living in poverty is hard. It requires impossible choices. Pay the rent or pay for medicine? Pay the hydro bill or buy food? The experiences of poverty – hunger and inadequate nutrition, substandard housing, preventable illness and disease, precarious employment, huge levels of family stress and social isolation, feelings of inadequacy, diminished opportunities to develop and learn, and discrimination and stigmatization – exact a heavy toll on individuals and families living on Canada's economic margins.

There is no more telling statistic than the difference in life expectancy between individuals living in poor communities and those living in affluent communities. A Hamilton study found a **21-year difference** in average age at death between neighbourhoods at the top and the bottom of the income scale, an appalling gap in a country that prides itself on universal health care and that has the resources to address poverty.⁶

Poverty has been consistently linked with poorer health, higher health care costs, greater demands on social and community services, more stress on family members, and diminished school success – not to mention huge costs associated with reduced productivity and foregone economic activity. Yet governments claim a lack of sufficient resources to adequately address the problem all the while paying for the damaging consequences of living in poverty.

According to a report by the National Council of Welfare, poverty costs taxpayers more than \$24 billion a year.⁷ The Canadian Alliance to End Homelessness estimates that the total annual cost of homelessness to the Canadian economy is \$7.05 billion dollars, including the cost of emergency shelters, social services, health care, and corrections.⁸

It makes much more sense to tackle poverty directly rather than to attempt to address its injurious legacy. For example, ensuring people have access to housing has been shown to be considerably cheaper and much more effective than continuing to pump money into emergency supports such as shelters. Indeed, bringing the income of poor households up to the poverty line – closing the poverty gap – would cost considerably less than the total cost of poverty we now pay.⁹

There is no excuse for poverty in a society as wealthy as ours. The United Nations has repeatedly told the Government of Canada that its poverty levels are unacceptable in light of the country's wealth and that Canada is obliged to do better and must take immediate steps to address poverty, including by adopting a national plan or strategy. Adopting an anti-poverty plan is not only just and fair, it makes sound financial sense. If we commit to a plan, and take reasonable steps in keeping with the country's wealth, the eradication of poverty is within our reach.



Human Rights Framework

Overview

Addressing poverty is essential in creating a society where everyone, regardless of their means, background, or ability, can be actively engaged members of their communities. Although poverty is closely associated with charity, poverty is not about charity, it's about human rights. In turn, solving poverty requires a commitment to human dignity and justice and it requires recognition that when people are denied adequate housing, an adequate income, and adequate food their human rights are violated, particularly in a rich nation like Canada.

What distinguishes a human rights approach to addressing poverty from other approaches is the transformative nature of human rights. Human rights transform issues of homelessness, poverty and hunger from being solely about economic deprivation to being about equal citizenship and dignity. A human rights approach understands that socio-economic deprivation occurs in large part because of the de-valuing of the rights of the most vulnerable leading to particular policy and program choices and decisions.

A human rights approach to poverty shifts the conversation. It moves us away from political ideology and political whim and provides more solid ground upon which laws, policies, and programs aimed at ending poverty must be based. The legitimacy of the human rights framework comes from a set of universally internationally recognized norms.

Human rights are a moral yardstick against which we can assess government measures and progress over time and to which we can hold governments accountable.

Using a human rights framework to address poverty in Canada is a legitimate approach in light of the fact that Canada has ratified a number of treaties committing itself to ensuring the most disadvantaged enjoy an adequate standard of living. Though these treaties are not directly enforceable in Canadian courts, it is understood that laws, policies, and programs that fall in areas where governments have international human rights obligations must give effect to those obligations. This means laws, policies and programs related to an adequate standard of living must be informed by Canada's international human rights obligations.

Human rights transform issues of homelessness, poverty and hunger from being solely about economic deprivation to being about equal citizenship and dignity.

Human Rights Standards

One of the benefits of using a human rights based approach to addressing poverty is that a set of standards has been developed to measure progress and ensure accountability. The same cannot be said for other approaches.

What exactly are these standards and what do they mean for governments in Canada? Does it mean governments have to ensure everyone in Canada is affluent?

Using human rights to address poverty does not mean the government is responsible for ensuring everyone in Canada is affluent. It also does not mean that poverty must be eliminated immediately (with the exception of any poverty related policies or programs that discriminate – those must be addressed urgently). Under international human rights law, it is understood that putting in place the requisite programs and policies to eliminate poverty will take time and therefore that governments must **progressively eliminate poverty** by **taking reasonable steps** in light of their **maximum available resources** and they must refrain from taking **retrogressive measures** – measures that will make people worse off.

The **progressive elimination of poverty** in Canada requires the government of Canada to develop an anti-poverty plan that distinguishes three types of human rights obligations:

- i. **Immediate Obligations** – These apply to all existing programs and policies and include obligations to administer programs without discrimination and meet basic and emergency needs.
- ii. **Short-term Commitments and Targets** – These are obligations to meet agreed upon targets with established timelines – for example, to increase levels of social assistance or minimum wage by a particular percentage or to put in place a new program for community living within a year. Short-term commitments should be concrete and realistic and based on firm government policy. Commitments should be regularly updated.
- iii. **Longer Term Goals** – The central long-term goal should be an expressed commitment by the government to eliminate poverty as a violation of human rights, and not as a matter of policy. This commitment should be incorporated into a national anti-poverty plan, like this one. It should be achieved without unreasonable delay, and should be based on an established timeline that is realistic in light of resources and other challenges.

In order to show that the maximum of available resources are being harnessed to address poverty, governments must demonstrate that human rights priorities are reflected in their budgeting. The obligation to eliminate poverty cannot be deferred simply because of general budgetary constraints.

The Key Characteristics of the Human Rights Approach

Human rights are most often thought of as lofty goals or principles to strive for, but they can also be understood as practical tools – as a way of doing policy or as a way of governing. We advocate therefore, that an anti-poverty plan include the following human rights characteristics:

- A commitment to non-discrimination and equality in all aspects of the plan from development, substance, and implementation to monitoring, and review. This will help to ensure that the plan is focused on the most disadvantaged groups and will require an analysis of whether the effect of the plan is to ameliorate poverty and its consequences.
- Meaningful consultation and engagement throughout the development and implementation of the plan with representatives from groups most affected by poverty including, Inuit, First Nations, and Métis peoples, single mothers, immigrants, refugees and newcomers to Canada, persons with disabilities, and young people.
- Meaningful consultation with all levels of government (eg: provincial/territorial and municipal) that retain responsibilities with respect to poverty to ensure they have the knowledge, capacity and resources to implement their international human rights obligations.
- Measureable goals, targets, and timelines to assist in ensuring that the plan focuses on addressing concrete problems within a realistic timeframe.
- Monitoring and review mechanisms to remain transparent and accountable to those for whom the anti-poverty plan is intended to assist, as well as for the general public. Monitoring and review mechanisms should not become an end to themselves; both statistics and real life experiences of beneficiaries will be used to measure results.
- Access to effective remedies to ensure the rights protected through the anti-poverty plan are meaningful. Human rights are illusory if they cannot be enforced in some manner. There are a variety of mechanisms that can be put in place beyond resorting to courts. For example: parliamentary hearings, human rights tribunals, Ombudsmen, etc.

There are a variety of mechanisms that can be put in place beyond resorting to courts.



Parliamentary Hearings



Human Rights Tribunals



Ombudsmen



Taking Action: Dignity for All's Anti-Poverty Plan

"For too long we've heard that a rising tide lifts all boats – that economic growth benefits everyone and will solve problems like poverty."¹⁰ Yet in Canada, even after a decade-long run of strong economic growth and low unemployment in the 2000s, poverty remains deep and persistent. The sluggish recovery since the 2008–09 recession has created further barriers as the benefits of economic growth are increasingly concentrated in the hands of just a few.

Public policy choices not based in an appreciation of Canada's human rights obligations, explain some of this paradox. In recent years there have been a series of policy choices that have been largely retrogressive resulting in the erosion of benefits and protections for the most marginalized, reduced access to Employment Insurance, frozen or reduced social benefits, barriers to adequate, affordable housing for those with few means, or contracted-out work so that thousands of workers earn less than a living wage.

To tackle poverty, particularly in the face of a slow-moving recovery, governments must commit to a policy agenda that focuses on that goal, in keeping with Canada's human rights obligations. "Only when governments make concrete commitments to reducing poverty — and evaluate their choices through that lens — will we see real improvements."¹¹

There are many factors to consider. Income from employment is fundamental. But it is not enough. It is also necessary to ensure that people have the ability, as Amartya Sen has said, to choose lives that they personally have reason to value.¹² The key building blocks of a comprehensive anti-poverty plan for the 21st century include respecting human rights and providing adequate support and resources for people to meet their basic needs while promoting

the active participation of all community members in social, economic, cultural, and political life.

Just as important are strategies that foster innovation and spur the creation of well-paid, stable employment for all working-aged people. Facilitating the growth of "good" employment that is both socially inclusive and highly productive is essential to eliminating poverty.

We also need creative strategies to address the caring needs of families and communities. Families now struggle largely alone, with women bearing the brunt of competing demands – employment, child care, and elder care. The answer lies in acknowledging the unsustainable role women play in caregiving and in the need for new models which embrace the collective character of caregiving and equitably distribute the costs and responsibilities between men and women, and between families, communities, businesses, and governments.

Together these different strategies build on the government of Canada's central role in the economy and its historic leadership in creating and sustaining a resilient social safety net, in keeping with its obligations under a number of international human rights instruments including, the *International Covenant on Economic, Social and Cultural Rights*.

In what follows, we present the programmatic planks of an anti-poverty plan for Canada developed at six different policy summits, organized around six thematic areas. They are:



Income Security



Housing and Homelessness



Health



Food Security



Jobs and Employment



Early Childhood Education and Care

A paper like this can only be suggestive of some of the elements that are required for a comprehensive anti-poverty plan. In order to get there, a wide-ranging discussion is needed to forge a new, shared understanding of what we can achieve together.

Action items are presented under each thematic area. These recommendations were developed through an extensive process of community engagement, bringing together leading subject matter experts with representatives from various organizations, including social policy organizations, provincial and territorial anti-poverty movements, national associations, faith-based groups, and front-line service agencies.

For a full list of policy recommendations prepared through the policy summit process and a description of the process, please see www.dignityforall.ca

“Canadian governments have stopped trying to keep up with rising inequality... Action and inaction – policy change and policy shift – are at the heart of growing inequality in Canada.”

KEITH BANTING AND JOHN MYLES, INEQUALITY AND THE FADING OF REDISTRIBUTIVE POLITICS, 2013, P. 33



Income Security (April 2012)

Canadian families on average enjoy a higher standard of living today than they did thirty years ago. Senior families, in particular, have made important gains in their after-tax incomes, even as the number of seniors has grown.

And yet, approximately 4.8 million people in Canada still live in poverty.¹³ Far too many for a wealthy nation like Canada. The general poverty rate only tells part of the story. Many of today's poor are those who have jobs and increasingly are singles between the ages of 18 and 64. What's more, the poor are very poor, with incomes well below the poverty line.¹⁴

A survey of poverty indicators reveals that in fact two "recoveries" from the 2008-2009 recession are underway.¹⁵ For those on the "lucky" side, recovery has meant maintaining employment or finding a new job at the same wage level as the old job. For those on the unlucky side, however, recovery is either precarious or non-existent. They are still unemployed or precariously employed, with low wages, facing rising costs of living. They are living on poverty-level incomes – with all the attendant stresses and struggles that living in poverty involves.

While Canada's system of income transfer programs and income taxes has helped to offset the growing gap in income and opportunity, it is not nearly as effective as it once was. The tax-benefit system offsets less than 40% of market inequality, compared to more than 70% prior to the mid-1990s.¹⁶

This downward trend in redistribution has been driven by policy choices which have reduced the role of means-tested¹⁷ transfers such as social assistance and through deep cuts to benefit levels and tighter eligibility rules (e.g., a new definition of "suitable employment" under Employment Insurance regulations). As a result, those in receipt of social assistance continue to subsist on benefits that see marginal, if any, increases and that

place them well below any poverty measure used in Canada. Social assistance recipients are required to live a life replete with impossible choices: pay the rent or pay for food? Pay the heating bill or pay the phone bill?

Changes made by governments to income tax rates and the erosion of spending on social programs have also played a role in increasing poverty in Canada. Total tax revenues have fallen from 36% to 31% of GDP since the mid-1990s, matched by an equivalent decline in spending on social programs.¹⁸ Tax cuts in Canada have been among the largest in the Organization for Economic Cooperation and Development (OECD). Canada's income security system is now one of the weakest among developed countries, ranking 25 out of 30 countries studied.¹⁹

Programs such as the Canada Child Tax Benefit (CCTB) and the two main pillars to the federal government's retirement income programs – Old Age Security (OAS) and the Guaranteed Income Supplement (GIS) – have been working harder to fill the gaps left by the shortfall in employment earnings and private savings.²⁰ Indeed, the decline in old-age poverty rates has slowed and reversed since the 2008-09 recession.²¹ However, the federal government's decision, announced in Budget 2012, to raise the eligibility age for OAS/GIS from 65 to 67 will mean that many poor Canadians approaching retirement (including those living on social assistance) will have to wait longer before accessing seniors benefits and related programs.²² And the introduction of programs such as the Universal Child Care Benefit (UCCB) have actually diverted significant resources away from low-income families to upper-income families.²³

The "working poor" find themselves in particular difficulty due to precarious employment including inadequate pay and limited advancement opportunities.²⁴ For instance, dramatic changes to the



Social assistance recipients are required to live a life replete with impossible choices: pay the rent or pay for food? Pay the heating bill or pay the phone bill?

unemployment insurance program in 1996 – raising the entrance requirements and reducing the duration of benefits – have had the effect of driving down the numbers served. This despite the fact that Employment Insurance (EI) is funded by individual workers and employers, and not by government.²⁵

The current system does not reflect labour market realities as it is premised on full-time employment under one employer with a 35-hour work week, ignoring the dramatic increase in other forms of labour. "Erratic and part time hours disadvantage workers, leaving many with insufficient hours to qualify for EI or reducing their weeks of entitlement if they do qualify."²⁶ The barriers posed by the current EI system are felt most keenly by those already vulnerable to poverty, in particular: women, immigrants, and young people.²⁷ At the height of the recession, between 2009 and 2011, EI beneficiaries actually decreased to 40% even though unemployment continued to rise.²⁸

New approaches to income security programming are necessary to protect Canadians against loss of income due to unemployment, illness, disability, or family responsibilities. Programs devised a half century ago need to be updated to meet the realities of Canada today. In particular, there is a critical need to support workers trapped in precarious, low wage jobs and to ensure social assistance benefits are set at realistic levels in light of the real costs of housing, food, and other necessities.

Income security programs for children in low-income families and seniors have demonstrated that when government makes it a priority, poverty can be reduced. How can we build on that and work towards a goal of zero poverty, where everyone has enough? Without an anti-poverty plan, the progress that Canada has made will erode, diminishing the life chances and opportunities of the poor and undercutting Canada's future prosperity.

The Dignity for All Campaign Calls on the Federal Government

1. To lift children and their families out of poverty by **increasing the maximum National Child Benefit** (CCTB/NCBS) to \$5,600 (2014 dollars) for eligible families (annually indexed to increases in the cost of living), and taking steps, in collaboration with the provinces and territories, to ensure that families living on social assistance retain the full child benefit without claw backs and rate reductions in social assistance.
2. **To redirect funding** for income support programs that do not sufficiently benefit low-income families with children, including the Universal Child Care Benefit, the Child Tax Credit, and Child Fitness Tax Credit, **and invest the savings** in high quality child care and the National Child Benefit – a progressive

transfer focused on both poverty prevention and eradication. Campaign 2000 estimates that this approach would bring the child poverty rate down by 15% and lift 174,000 children out of poverty at a modest additional cost of \$174 Million (when combined with funding currently dedicated to the UCCB, the CTC, and the CFTC).

3. To support provincial and territorial efforts to reduce poverty by **reinstating minimum national standards for provincial and territorial income assistance** through conditions that require that social assistance rates be set at adequate levels in keeping with the real costs of housing, food, and other basic necessities, with specific consideration for vulnerable populations (such

as: persons with disabilities, lone-parent families, immigrants, and women). This would be in keeping with recommendations to Canada made by the UN Committee on Economic, Social and Cultural Rights in 1998 and 2006.

4. To enhance the **Canada Social Transfer** to include a boost of \$2 billion to the provinces to support poverty reduction efforts, tying the investment to measurable goals and timelines and efforts to improve public accountability.
5. To increase refundable tax benefits for individuals engaged in work that requires financial assistance, including the **Working Income Tax Benefit** so that it pays one half of the poverty gap between minimum wages and the after-tax Low-Income Measure with the remainder of income provided by the employer.²⁹
6. To reform the Employment Insurance program so as to better support individuals separated from their employment by **easing eligibility requirements, extending benefit durations, and increasing benefit rates**. For example:
 - a. Establish an entrance requirement of **360 hours** for a minimum EI claim; apply the 360 hour requirement to all regions in Canada and to EI special benefits for maternity, parental, sickness, and compassionate care leave;
 - b. Restore the **50 week maximum benefit duration** and extend EI income benefits for older workers, expanding the scope of the 'Targeted Initiative for Older Workers'; and
 - c. Increase the benefit rate of 55% of previous earnings to **60% or more** that would apply to all forms of EI, including regular benefits and special benefits for leaves.
7. To **reform EI sickness benefits** to better serve the needs of people with disabilities, who represent over half of the EI sickness benefit recipients who exhaust their benefits, by extending the length of coverage of EI sickness benefits from 15 to 50 weeks; lowering the number of hours needed to claim EI to 360 hours; raising the benefit

entitlements to 60% of best weekly earnings in the last 52 weeks; and allowing people with a disability to work part-time and still receive partial EI sickness benefits.

8. To improve the **Old Age Security (OAS)** and **Guaranteed Income Supplement (GIS)** programs by:
 - a. **Increasing the GIS** by the amount required to lift the incomes of all seniors in Canada out of poverty and increasing and indexing the basic earnings exemption for employment income (set at the current level of \$3,500 in 2008) when calculating GIS;
 - b. **Modifying the residency requirement** for seniors' programs, including OAS and GIS, so that immigrants are entitled to benefits after three years of residence instead of 10 years; and
 - c. Implementing a **proactive enrollment regime**, similar to that proposed in Budget 2012, that would automatically notify and enroll eligible seniors for OAS and GIS benefits.
9. To **reverse its decision to raise the eligibility age from 65 to 67 for OAS, GIS, and the Spousal Allowance**, a decision that will disproportionately penalize low-income seniors and extend poverty for those on social assistance, and establish a multi-stakeholder taskforce to explore the feasibility and advantages of lowering the age of entitlement below age 65 as part of a broader discussion about retirement security, time stress, and access to jobs for younger workers.
10. To take action immediately to **double the CPP income replacement rate from 25% to 50%** of pensionable earnings over a period of several years by raising the employer and employee contribution rates to a modest 7.95% (15.9% combined). As part of these discussions, governments should **explore ways to reduce the impact of CPP contribution rate increases on low-income earners** such as raising the basic personal exemption to offset the impact on lower income workers.

New approaches to income security programming are necessary to protect Canadians against loss of income due to unemployment, illness, disability, or family responsibilities. Programs devised a half century ago need to be updated to meet the realities of Canada today.

"The Special Rapporteur calls for Canada to adopt a comprehensive and coordinated national housing policy based on indivisibility of human rights and the protection of the most vulnerable. This national strategy should include measurable goals and timetables, consultation and collaboration with affected communities, complaints procedures, and transparent accountability mechanisms."³⁰

MILOON KOTHARI, SPECIAL RAPPORTEUR ON ADEQUATE HOUSING, *REPORT: MISSION TO CANADA*, OCTOBER 2007. OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS.



Housing and Homelessness (March 2011)

Access to safe, affordable, and adequate housing is fundamental for survival, health, social inclusion, and participation in society. For too many people in Canada, it is a scramble every night to find a safe place to spend the night. Many more people are at serious risk of homelessness because of the high cost of housing, meagre stock of affordable units, inadequate incomes, discrimination, and family violence and illness. Support services such as mental health facilities or child welfare agencies can actually create homelessness when programs discharge people with no place to go.

Homelessness and inadequate housing are strongly linked to a range of negative health outcomes, stress, family breakdown, and increased mortality. These negative outcomes contribute to the costs of health care and social services as well as economic participation, productivity, and competitiveness.

The people most at risk of living on the streets, in shelters, or in inadequate housing are those most at risk of living in poverty: First Nation, Métis, and Inuit, recent immigrants, persons with disabilities and chronic illnesses, lone-parent families and single seniors, families on social assistance, and the working poor. Housing on many First Nations, Inuit, and Métis reserves, for instance, is in deplorable condition, characterized by the presence of mould, poor heating, contaminated water, and overcrowding. Housing conditions are not much better off-reserve with 20% or more Aboriginal people living in core housing need.³¹

Since the 1980s, the erosion of access to affordable housing, combined with the erosion of income support programs and inadequate supports for housing, particularly for those with psycho-social and physical disabilities, has created high levels of homelessness and housing insecurity in many Canadian communities.

Federal investment in affordable and social housing has fallen considerably short of demand. Indeed, taking inflation and population growth into account, funding levels have been on the decline for more than two decades.³² And funding is scheduled to continue to drop sharply as the federal government 'steps out' of its remaining affordable housing commitments. The \$1.7 billion in annual federal funding for Canada's 600,000 social housing units "has already started to expire" putting more than 200,000 units – or one-third of Canada's stock of social housing – at risk.³³

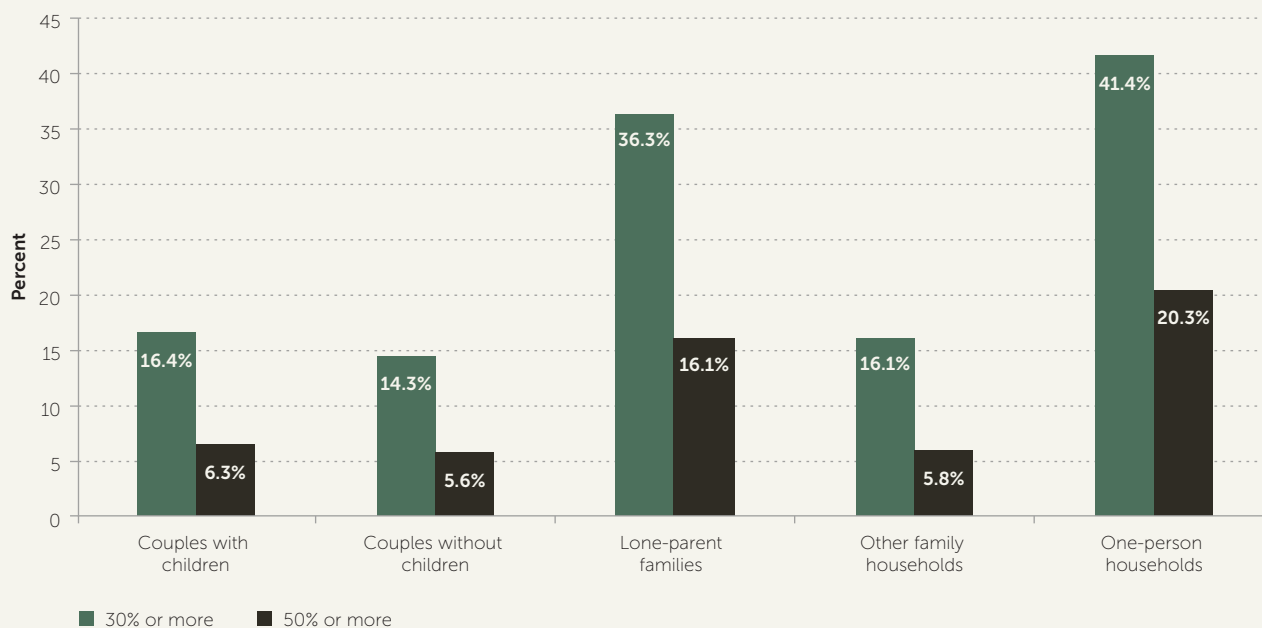
The government has just renewed the Homeless Partnering Strategy (at \$113 million per year) and Investment in Affordable Housing program (at \$253 million per year) – until 2019. The latter is cost-shared with the provinces and territories, bringing the potential value of this funding stream up to \$506 million, still only about one-quarter of what is needed annually, according to housing experts, to expand and upgrade the stock of affordable housing in Canada.³⁴



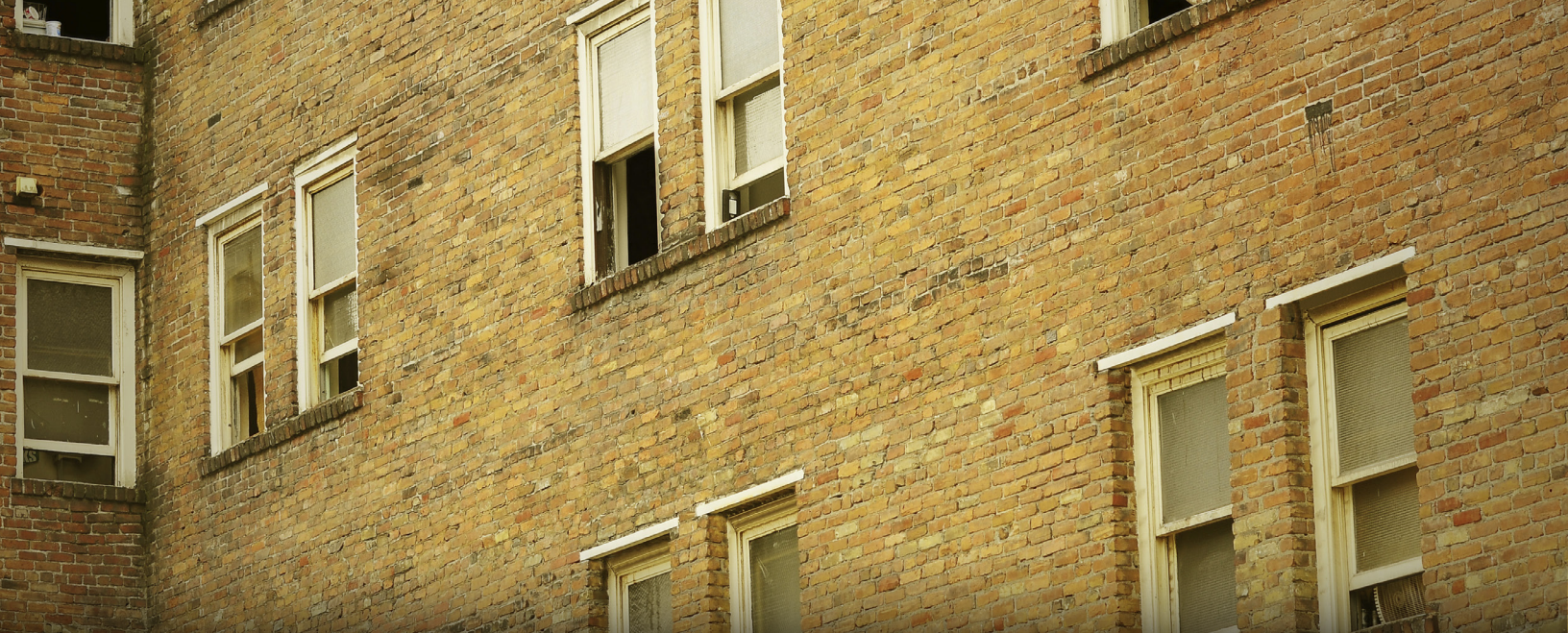
An investment of nearly \$1 billion dollars is needed to expand and repair housing on reserves. According to an evaluation for Aboriginal Affairs and Northern Development Canada, by 2034, there will be a housing shortfall of 130,197 units. An additional 11,855 units will be required to replace existing units, and approximately 10,000 units will need major repairs.³⁵

The hodgepodge of programmatic, policy, and funding decisions related to housing, taken without regard for the intersections between income support programs and housing, has created and sustained homelessness and resulted in an insecure housing sector for the most vulnerable populations.

Percentage of households spending more than 30 and 50 percent of total income on shelter, 2011



Source: Statistics Canada, National Household Survey 2011. Catalogue Number 99-014-X2011031.



The Dignity for All Campaign Calls on the Federal Government

1. To develop, in collaboration with all levels of government (including First Nations, Métis governments, and Inuit Land Claim Organizations), key community stakeholders, and individuals living in precarious housing situations, a **comprehensive National Strategy on Housing and Homelessness**. In keeping with the United Nations recommendations to Canada on a number of occasions, the strategy should include:
 - a. Recognition of the **right to adequate housing** as found in the International Covenant on Economic, Social and Cultural Rights;
 - b. **Measureable goals and timelines** for implementing a new national housing and homelessness strategy and provisions for public **monitoring and reporting** on the strategy's performance and impact;
 - c. Measures to address the needs of **specific marginalized populations**;
 - d. Appropriate supporting **policies, programs, and legislation**; and
 - e. Dedicated **federal funding** of not less than \$2 billion per year in new money (to be matched by the provinces and territories) to implement housing solutions that meet the national strategy targets.
2. To develop, adopt, and implement **national legislation** that clearly establishes the right to secure, adequate, and affordable housing (similar to the 2013 proposed legislation, Bill C-400) and the federal mandate to move forward in collaboration with its partners to implement, monitor, and evaluate a national housing and homeless strategy.
3. To collaborate with Inuit Land Claim Organizations, First Nations, and Métis governments to develop a **comprehensive Aboriginal Housing Strategy**, setting out measureable goals and timelines as well as mechanisms to coordinate implementation and to track and evaluate progress. The new strategy should cover all aspects of established housing programming (on and off-reserve) as well as investments in new social housing, more affordable housing, and options for individual home ownership.

“The poorest of the poor, around the world, have the worst health. Within countries, the evidence shows that in general the lower an individual’s socioeconomic position the worse their health.”

WORLD HEALTH ORGANIZATION – SOCIAL DETERMINANTS OF HEALTH



Health (January 2014)

The health of people in Canada is profoundly impacted by their social and economic circumstances. While biological factors and lifestyle choices play an important role, research reveals that it is the quality of the social determinants of health – such as level of education or quality of housing – that largely define individual well-being.³⁶

“How long Canadians can expect to live and whether they will experience cardiovascular disease or adult-onset diabetes is very much determined by their living conditions. The same goes for the health of their children: differences among Canadian children in their surviving beyond their first year of life, experiencing childhood afflictions such as asthma and injuries, and whether they fall behind in school are strongly related to the social determinants of health they experience.”³⁷

Level of income, in particular, is strongly correlated with health outcomes. Poverty weighs heavily on health in both its material and social dimensions. And the consequences of this are reflected in most social and health indicators: reduced life expectancy and more particularly, in the higher prevalence of disease, stress and psychological problems.

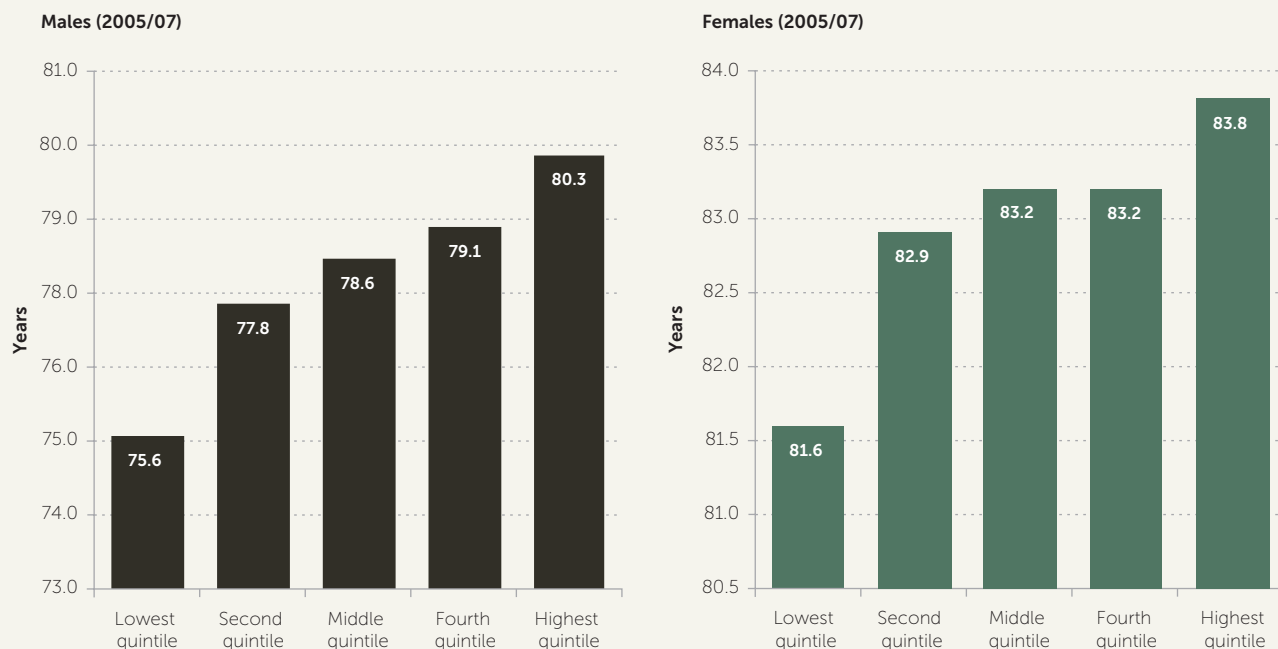
Thus, as social and economic inequalities among Canadians have widened, so too have the disparities in health – the damaging consequences of which persist over people’s lives.

We see this most graphically among groups at high risk of poverty such as Inuit, First Nations, and Métis peoples or people with chronic illnesses. The Health Council of Canada reports that life expectancy for First Nations, Inuit, and Metis peoples is far lower than non-Aboriginal peoples at the national, provincial, and territorial level.³⁸ A recent study of urban Aboriginal people living in Hamilton found much higher levels of chronic illness when compared to the overall population. For example, the rate of arthritis was 50% higher among First Nations adults compared to the rate among all adults (30.7% compared to 19.9%), while the rate of diabetes was three times greater (15.6% compared to 5.1%).³⁹

These findings are particularly troubling in light of the well-documented barriers to receiving health care services among the poor, including long wait lists, challenges with accessing and affording transportation, and not being able to afford health costs or services that aren’t covered by provincial health insurance plans. Almost half of the respondents in the Hamilton study, for example, reported that their ability to engage in preventative health activities (i.e., regular exercise or going for health screening tests) had been affected by financial hardship.

Poverty has extremely detrimental effects on health – and poor health can contribute to experiencing poverty. For example, “the risk of mental illness among people who live in poverty is higher, but so too is the likelihood that those living with mental illness will drift into or remain in poverty.”⁴⁰

Life expectancy at birth, by income group



Sources: Statistics Canada, Canadian Vital Statistics, Birth and Death Databases and population estimates

We all pay the cost of health disparities through higher health care costs and other social programs. It is estimated that 20% of total annual health care spending (expected to have exceeded \$211 billion in 2013) can be attributed to socio-economic disparities.⁴¹

Canadians are rightly proud of their public health care system which provides access to all “medically necessary” services on a universal basis, regardless of province of residence, age, income, or health status. Yet significant gaps remain. While Canada is in the mid-range of public spenders on health care (14th of 30 OECD nations), it is amongst the lowest in its coverage of total health care costs. Medicare covers only 70% of total health care costs – the rest is covered by private insurance plans and out-of-pocket spending. Unlike many other wealthy countries, the Canadian health care system does not cover drug costs, and

there is huge variation in the coverage of home care and nursing costs among provinces and territories. The lack of total coverage is particularly difficult for the working poor who most often have to pay out-of-pocket because their precarious employment rarely provides private coverage.

The pressure to cap health spending has led to a further narrowing of services covered under the public system and expansion of private sector alternatives. Health premiums are being introduced across the country for a range of community-based services such as home care or supports for those with mental illness, many of which are effective in preventing costly health care problems from developing in the first place. As a consequence, it is the poorest residents who have the greatest needs that are least able to access care.⁴²

Poverty has extremely detrimental effects on health – and poor health can contribute to experiencing poverty.

The Dignity for All Campaign Calls on the Federal Government

1. To recognize in legislation the **social determinants of health**, including **income, employment, food security, early childhood education and care, and housing**⁴³ as part of its anti-poverty plan and adopt a **Health Impact Assessment**⁴⁴ process as part of its policy-making and evaluation practice across current environmental, social, economic, and service portfolios.
2. To develop, in collaboration with all levels of government (including Inuit Land Claim Organizations, First Nations, and Métis governments), a new 10-year Health Accord for the implementation of high-quality, universal, culturally-appropriate, publicly-funded and managed health promotion, prevention, and acute care services. The Accord should include:
 - a. Recognition of the right to the enjoyment of the highest attainable standard of physical and mental health as found in the International Covenant on Economic, Social and Cultural Rights (ratified by Canada in 1976) and the values of the **Canada Health Act** where access to care is not based on ability to pay or place of residence;
 - b. **Measureable goals and timelines** for implementation of the Accord, and provisions for public monitoring and reporting on the Accord's performance and impact;
 - c. Measures to address the needs of **specific marginalized populations**.
3. To develop, in collaboration with all levels of government, health organizations and providers, and the public, a new **Continuing Care Program**⁴⁵ that provides a seamless continuum of safe, culturally-appropriate quality services, to be financed in part through a new, legislated, non-time-limited fund, with a 6% annual escalator as set out in the 2004 Health Accord.
4. To develop, in collaboration with all levels of government, health organizations and providers, and the public, a new universal, publicly-funded **National Pharmacare Program** that provides cost-effective prescription drugs at little or no cost to all Canadians, regardless of income, occupation, age, or province of residence. The program should be financed through the elimination of tax subsidies to private drug insurance plans and an earmarked progressive tax to help facilitate price negotiations for patented medicines, bulk-buying of generic medicines, and overall government accountability.
5. To implement the National Mental Health Strategy developed by the **Mental Health Commission of Canada** directed to the federal government, which includes a national campaign **to combat stigma and discrimination**, policies and programs that create **greater access to needed mental health and addictions supports** for vulnerable individuals and families, and tools for **monitoring and reporting** on mental health and its determinants.
6. To fund, support, and encourage multi-lateral collaborative ventures designed to improve the health and well-being of Inuit, First Nations, and Métis peoples, working toward the goal of establishing a separate, but equitable **First Nations, Métis, and Inuit Health Authority**. Such a system would be based on the recognition of the inherent right of Inuit, First Nations, and Métis peoples to control the design, delivery, and administration of health promotion, prevention, and acute care services.
7. To **fully rescind the 2012 cuts**, totalling \$20 million, to the **Interim Federal Health Program (IFHP)**, repay those provinces who stepped in to fill the gap, and reimburse Sponsorship Agreement Holders for any costs incurred as a result of the 2012 IFHP changes. As a general principle, all refugees and undocumented migrants – regardless of category or stage of processing – should be eligible for the same health care coverage as is provided to social assistance recipients.

“What I’ve seen in Canada is a system that presents barriers for the poor to access nutritious diets and that tolerates increased inequalities between rich and poor, and Aboriginal (and) non-Aboriginal Peoples.”

OLIVIER DE SCHUTTER, UN SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD, MAY 2012



Food Security (December 2012)

Far too many Canadians do not have access to nutritious food “in sufficient quantities and of sufficient quality” to maintain their health and well-being.⁴⁶

The surge in food bank users and high levels of food insecurity are two of the most visible and lasting impacts of the 2008-2009 recession. Since the recession, food bank usage has increased by 25%, with children and youth now representing over 30% of food bank users.⁴⁷ There are far more who do not visit food banks and also experience food insecurity.

Stagnant incomes, inadequate income support programs, the loss of permanent jobs and the rise in precarious employment, along with rising food costs have resulted in high levels of food insecurity, especially in remote and northern Aboriginal communities. While food banks were originally intended as a temporary stop-gap measure, they have now become entrenched community institutions in the absence of coordinated efforts to eliminate poverty.

Research from the Canadian Community Health Survey found in 2011 that slightly more than 12% of Canadian households were “food insecure” – a number totaling more than 1.6 million households and 3.9 million people. These levels represent a shocking increase of over 100,000 households (and 450,000 Canadians) since 2008.⁴⁸

The disparity between income and cost of living is particularly prominent in Inuit, First Nations, and Métis communities, especially those located in the North. A family of four in an isolated community in Nunavut must spend \$395 to \$460 a week to buy a basic nutritious diet. This compares to spending \$226 a week in a southern city such as Ottawa.⁴⁹

Almost half of poor Aboriginal households (46%) are food insecure. Among Inuit adults living in Nunavut, the rate is even higher at 69% or six times higher than the Canadian national average.⁵⁰ Country food continues to be an important source of sustenance for some Inuit, First Nations, and Métis communities, but the significant cost of purchasing gas, ammunition, snowmobiles, boats, and motors places it beyond the grasp of many.⁵¹

Food insecurity constrains food choices, increasing nutritional vulnerability particularly among adults and adolescents, and increases the risk of negative health outcomes.⁵² Additionally, food insecurity makes it harder for people with chronic diseases (e.g., diabetes, HIV/AIDS) to manage their conditions.⁵³ It also has long-term adverse health consequences for Canadian children.⁵⁴

Charitable food programs provide a necessary service for the people who do not have the means to provide enough food for themselves and their families, given current levels of poverty and the policy climate. However, the scale of the problem extends much further, affecting millions of people who find themselves food insecure in a wealthy nation. This highlights the need for a coordinated national anti-poverty plan to ensure that all people, at all times, have access “to sufficient, nutritionally adequate and safe food and its effective utilization.”⁵⁵

As a part of this effort, it will be critical to examine the efficacy of the new Nutrition North Canada program in making nutritious food accessible and affordable in northern communities.

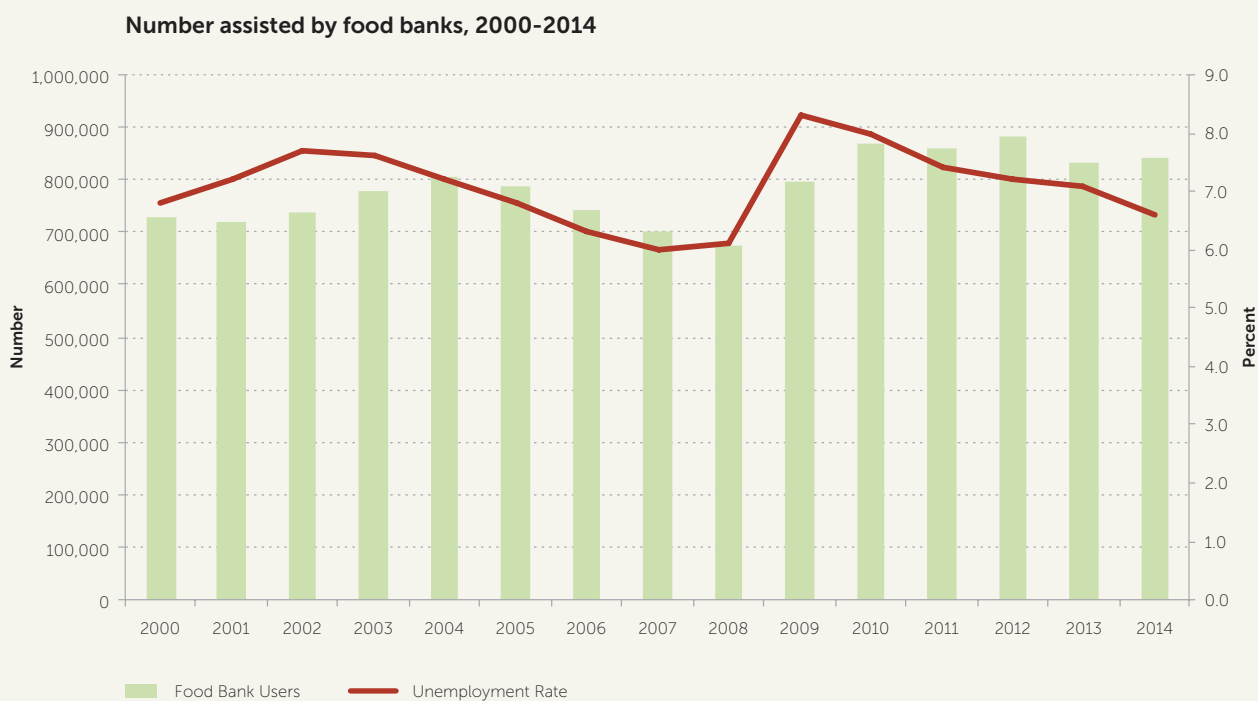
The Dignity for All Campaign Calls on the Federal Government

1. To develop, in collaboration with all levels of government (including Inuit Land Claim Organizations, First Nations, and Métis governments), food producers, community stakeholders, and food insecure people, a **National Right to Food Policy**, as part of a broader anti-poverty plan. The policy should include:
 - a. Recognition of the right to adequate food as found in the International Covenant on Economic, Social and Cultural Rights, Article 2;
 - b. Measureable goals and timelines in regards to the prevalence of food insecurity, using the validated measure and methods adopted in 2004 as part of the Canadian Community Health Survey cycle 2.2 (Nutrition) or another appropriate tool;
 - c. Mechanisms to identify threats to availability of safe and adequate food and water, coordinate implementation of the national policy, and track and evaluate progress at all levels;
 - d. Measures to address the needs of children, youth, and specific marginalized populations that experience barriers to food security such as social and geographic isolation and dietary needs; and
 - e. Community-based food programs as well as population-level interventions. Scale-appropriate food safety regimes are also important in that they reduce the economic burden on small- and medium-scale producers and processors while protecting the public.
2. To **increase federal investment** to address the very high levels of household food insecurity among **First Nations, Inuit, and Métis peoples** in a manner that respects cultural, community, and gender considerations and Aboriginal land sovereignty, as well as supports the transfer and preservation of traditional ways of knowing. In addition, the government should pursue efforts that reduce and monitor the impact of climate change, industrialization, and contaminants on Aboriginal land, resources, and livelihoods.

Charitable food programs provide a necessary service for the people who do not have the means to provide enough food for themselves and their families, given current levels of poverty and the policy climate. However, the scale of the problem extends much further, affecting millions of people who find themselves food insecure in a wealthy nation.



3. To take action, in consultation with affected communities, to eliminate food insecurity and improve access to safe water and sanitation in Northern Canada (territories and Northern provinces) by:
 - a. Addressing the challenges of the Nutrition North Canada Program, including increasing funding so that those living in northern remote communities can take full advantage of the program;
 - b. Reviewing the current program and the needs of all isolated communities to determine how best to support food security in northern communities going forward; and
 - c. Establishing a new federal Northern Food Security Fund to support community innovation and the physical and social infrastructure needed to serve northern communities.



Source: Food Banks Canada (2014), Hunger Count 2014; Statistics Canada, CANSIM Table 282-0002.

“Working many hours and holding full-time, year-round employment is no longer a guarantee of escaping poverty.”

DAVID HULCHANSKI, UNIVERSITY OF TORONTO



Jobs and Employment (June 2014)

Six years after the recession, the economic recovery remains modest and Canadians continue to report high levels of uncertainty about the future. While job growth has been fairly steady over the last few years, employment gains have not kept pace with population growth and unemployment levels have been stuck at or near 1.4 million since 2011.

Overall, the labour market is much more volatile than it was before the recession: making gains one month, clawing them back the next. From a regional perspective, Newfoundland and Labrador and Prince Edward Island have experienced significant job growth since the height of the recession, but employment levels are still depressed in New Brunswick, British Columbia, Manitoba, and Nova Scotia. The other provinces are treading water.

There is also troubling evidence that the average duration of unemployment – and the number of long-term unemployed – is growing.⁵⁶ This is part of a growing trend toward labour market polarization.

While some well-paid sectors such as natural resources, health care, and construction are doing well post-recession,⁵⁷ the trend towards non-standard work continues with the increase in temporary work and the erosion of workplace benefits. The number of people in temporary jobs, for instance, grew at more than two and half times the pace of permanent employment between 2009 and 2013 and now accounts for over 11% of the labour force.⁵⁸

This is part of a larger trend. In the past 20 years, precarious employment, characterized by some degree of insecurity and unpredictability, generally low wages and few benefits, has increased by nearly 50%.⁵⁹ Today, those searching for work increasingly face the stark choice between precarious work – at lower levels of pay – or no work.

Groups such as young people have been particularly hard hit. While young people have always struggled to establish themselves, times are particularly hard now. Diminished job security, growth of temporary work, rising costs for the basics (education in particular), and record debt levels are threatening the economic security of a generation and could leave a permanent gouge in the national economy.⁶⁰

Inuit, First Nations, and Métis peoples, newcomers, caregivers (predominantly women), and individuals with disabilities face real barriers as well. For instance, while First Nations Peoples are the fastest growing segment of the Canadian population, unemployment rates are at least three times higher than the rest of Canada. The average employment rate on-reserve is 50%,⁶¹ while some First Nation communities have unemployment rates as high as 90%.⁶² The Assembly of First Nations (AFN) has estimated that an additional 100,000 First Nation jobs are needed in order to meet their employment parity with the rest of Canada.

The economic benefit of higher education and skills for workers is well documented, including lower rates of unemployment, higher pay, and greater labour mobility.⁶³ Importantly, training that is broadly-based can enhance the ability of workers to reach their full potential and participate fully in society.

And yet, Canadian business investment in training has decreased 40% since 1993.⁶⁴ Only 31% of employed adult Canadians receive workplace training, placing Canada far behind many of its international competitors.⁶⁵

There are significant training dollars available for unemployed workers through the Employment Insurance system. However, less than 40% of unemployed workers now qualify for Employment Insurance benefits.⁶⁶ As the surplus in the EI account accumulates, billions of potential training dollars are

lapsing.⁶⁷ And with the introduction of the new Canada Job Grant program, \$300 million is being diverted from training programs targeting unemployed workers outside of the EI system. Other programs such as Aboriginal Skills Employment and Training Strategy (ASETS) have been renewed for 2015-2016 but commitment to the program has yet to be announced beyond this timeline.

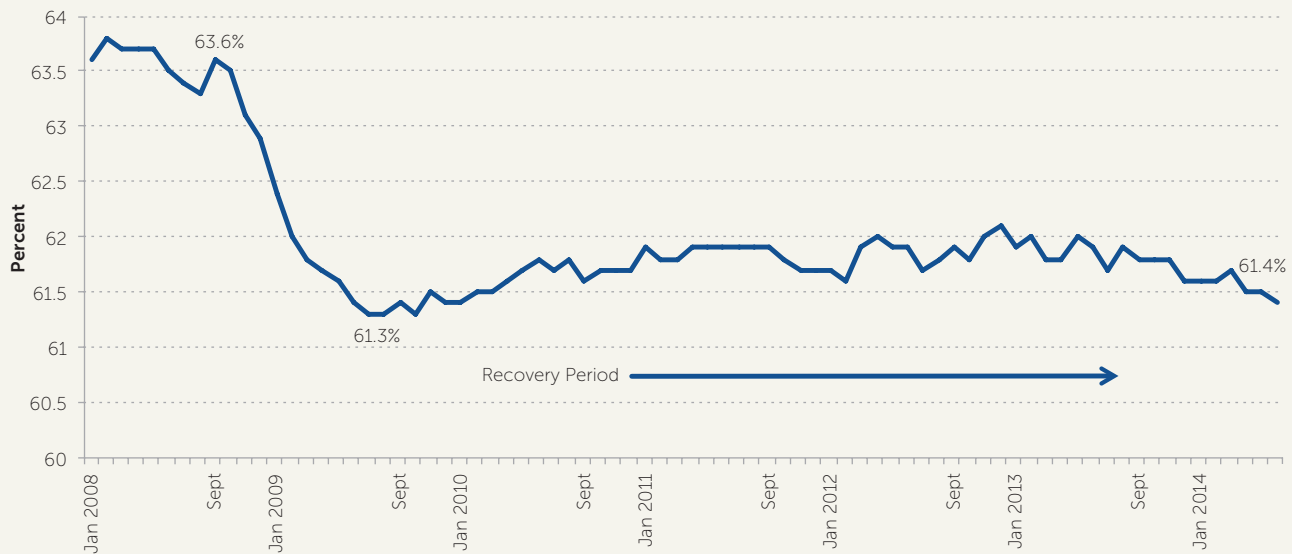
Canada has never had a coherent and comprehensive federal/provincial/territorial strategy for labour market development. The resulting patchwork of programming is failing to provide the training necessary to assist workers in Canada to adapt and thrive in today's labour market, particularly those who are low-income and engaged in precarious work.

In the past 20 years, precarious employment, characterized by some degree of insecurity and unpredictability, generally low wages and few benefits, has increased by nearly 50%.

The Dignity for All Campaign Calls on the Federal Government

1. To develop, in collaboration with all levels of government (including Inuit Land Claim Organizations, First Nations and Métis governments), labour, employers, education groups, and representatives from groups facing employment barriers, a **National Jobs Creation and Training Strategy**, with a view to ensuring that all jobs have all the advantages of secure employment, including equitable access to occupational benefits, labour standard protections, and opportunities for post-secondary training and education. This strategy should include:
 - a. Recognition of the **right to work which includes the right of everyone to the opportunity to gain his or her living by work which is freely chosen** as found in Article 6 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the **right of everyone to the enjoyment of just and favourable conditions of work** as found in article 7 of the ICESCR;
 - b. **Measureable goals and timetables** for implementing the new employment and training strategy, and provisions for **public monitoring and reporting** on the strategy's performance and impact;
 - c. Measures to address the needs of **specific marginalized populations**;
 - d. Appropriate supporting **policies, programs and legislation**; and
 - e. **Increased federal funding**, tied to explicit reporting requirements, to implement solutions that meet the national strategy targets, including funds for the **Labour Market Development Agreements (LMDAs)**, the **Labour Market Agreements (LMAs)**, and **Labour Market Agreements for Persons with Disabilities (LMPDs)**.
2. To **set national wage standards** to ensure that no fully employed individual lives below the poverty line by re-establishing a federal minimum wage for all Canadians and Temporary Foreign Workers, and promote phase in of federal/provincial/territorial minimum wages of at least \$12 an hour (indexed to the Consumer Price Index), and promoting living wage policies that reflect actual costs of living in specific regions.
3. To explore different ways to **support human capital development** through the expansion of education and training programs for those without access and through bridging programs for newcomers and equity-seeking groups, including Inuit, First Nations, and Métis peoples, people with disabilities, racialized groups, and people facing employment barriers. Strategies may include paid internships, subsidies, and/or tax incentives for employers who practice employment equity.

Employment Rate, Population 15 years and older, January 2008 – June 2014



Statistics Canada. Table 282-0087 Labour force survey estimates (LFS), by sex and age group, seasonally adjusted and unadjusted, monthly

4. To **reform existing programs** to better serve the needs of Canadians seeking to upgrade their skills, taking into account unique barriers to employment and training such as language, location, caring responsibilities, etc. For example:
 - a. The federal government should introduce a new program, starting with a pilot, which would allow currently employed workers to access EI benefits for training leaves up to a certain amount and duration.
 - b. The federal government should enhance employment incentives in national and provincial disability-related income programs through improvements to allowable asset limits, increased earning exemptions, and the provision of supports for transition to employment.
5. To strengthen and fully implement the federal **Employment Equity legislation** so that all designated groups enjoy equal opportunity to employment, and to implement the **Pay Equity Task Force recommendations** dealing with systemic gender inequities in pay and extending protection to members of visible minorities, persons with disabilities, and Inuit, First Nations, and Métis people.
6. To invest an additional \$500 million per year over the next five years (\$2.5 billion total) for **Aboriginal education, skills training and economic development** to enable Inuit, First Nations, and Métis peoples to fully participate in employment and economic development opportunities. The **Aboriginal Skills Employment and Training Strategy (ASETS)** program should be renewed after 2016.
7. To offer **youth facing employment barriers** co-operative placements, work terms, summer jobs in the private sector, or jobs in social enterprises with inclusive work settings; supported employment and job retention; targeted wage subsidies; and enforcement of existing employment equity legislation.
8. To enforce and uphold the **provision of workplace accommodations** and consider providing financial incentives to employers to create inclusive workplaces.
9. To **increase funding for Statistics Canada** so it can collect and analyze comprehensive labour market information, following up on the recommendations of the Don Drummond Expert Panel on Labour Market information (2009).

"Government commitments will not achieve sustained poverty reduction and improve the life chances for all children and their families without a robust, planned and adequately-resourced system of ECEC [Early Childhood Education and Care] services and complementary maternity/family leave."⁶⁸

LAUREL ROTHMAN, CAMPAIGN 2000



Early Childhood Education and Care (February 2011)

Today in Canada, families struggle to balance their caring and earning responsibilities. There are only enough regulated child care spaces for just over 20% of young children, despite the fact that more than 70% of Canadian mothers are in the paid labour force.⁶⁹

An entire generation of Canadian children has grown-up since federal and provincial reports first identified the need for child care and the value of early childhood education (e.g. the *Royal Commission on the Status of Women in Canada, 1970*). Yet Canada's public support for young children and their families is the weakest among the world's rich countries at only 0.25% of GDP – about one-third the OECD average (0.7%).⁷⁰

In its most recent review of the Convention on the Rights of the Child, the UN expressed concern about Canada's lack of progress in expanding "affordable and accessible early childhood care and services," this despite "the State party's significant resources."⁷¹

With few exceptions, Canada continues to rely largely on the market – individuals, non-profit organizations, and for-profit businesses – to plan and operate services, and parents to pay for them. It is not surprising, then, that regulated child care in Canada is currently characterized by high fees, low staff wages, mediocre quality, and unmet demand.

Economic studies have repeatedly shown that investing in quality child care is not only the right thing to do for children and parents, but the smart thing to do for

Canada's economy.⁷² Indeed, "investing in child care services offers among the highest benefits of any policy strategy a nation can adopt."⁷³

All children should have equal opportunities to develop their capacities fully and access to economic security. Child care is essential to promoting social inclusion, with important benefits to children in terms of their long-term development in key areas such as social interaction with other children, language, cognitive and physical development.⁷⁴

Safe, stable, affordable, and high quality child care also enables parents to financially provide for their families in an economy where two salaries are essential to making ends meet.

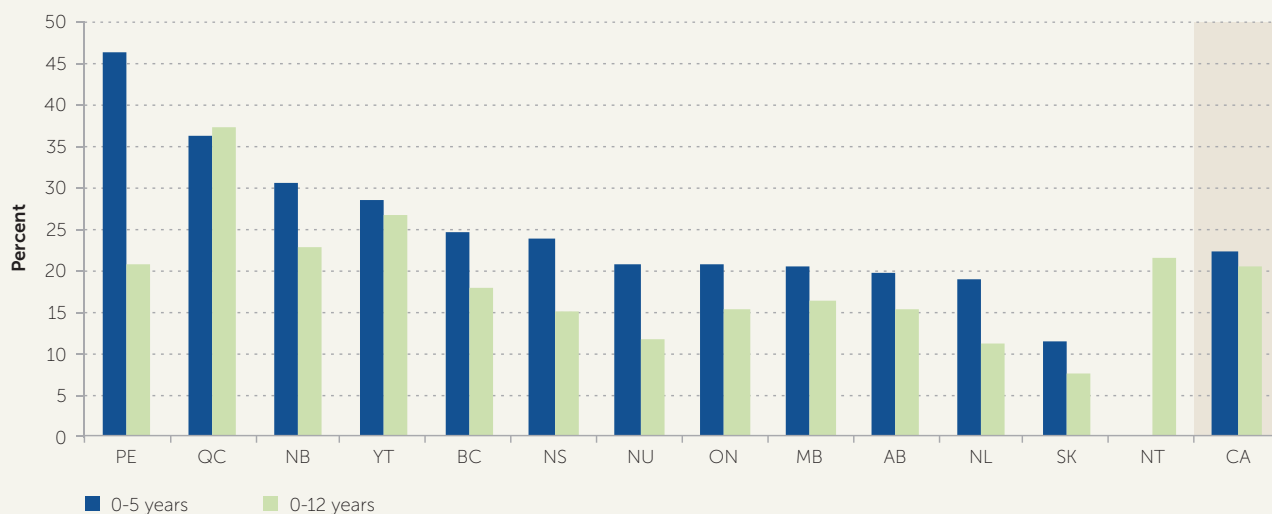
Investing in child care produces a higher tax revenue, as an increased number of people can be gainfully employed. This is the Québec experience: with the introduction of \$7/day child care employment rates and tax revenues are up, and child poverty rates are down.⁷⁵ Cleveland and Krashinsky estimate that society gains two dollars for every dollar spent on a publicly-provided, quality child care program.⁷⁶

A lack affordable child care, by contrast, is a significant obstacle to acquiring training, entering the labour market and escaping low income, especially for groups at high risk of poverty such as women and new immigrants.

The Dignity for All Campaign Calls on the Federal Government

1. To develop, in collaboration with the provinces, territories, and Inuit Land Claim Organizations, First Nations and Métis governments, a comprehensive plan and timeframe for the implementation of a high-quality, universal, publicly-funded and managed early childhood education and care program for children aged 0 to 5 years and for school-aged children up to age 12, to be phased in by 2020.
2. To develop, pass, and implement national legislation that clearly establishes:
 - a. The right of children of working parents to benefit from child care services and facilities, in keeping with Article 18(3) of the Convention on the Rights of the Child;
 - b. Canada-wide **goals and principles** for the care and education of young children including, but not limited to, quality (such as staff training and compensation), access (universal entitlement, affordability, and inclusion), and respect for diversity including measures to address culturally and linguistically relevant programming;
 - c. **Measureable goals and timetables** for implementing the new Early Childhood Education and Care system and provisions for public **monitoring and reporting** on system performance and impact;
 - d. Measures to address the needs of **specific marginalized populations**;
 - e. Appropriate supporting **policies, programs and legislation**; and
 - f. Dedicated **federal transfers** of \$1 billion, \$1.6 billion, and \$2.3 billion over each of the next three years to assist in the development of high-quality, accessible services, with the ultimate goal of achieving the international benchmark of at least 1% of GDP by 2020.
3. To improve **maternity/parental leave benefits** by: increasing maternity benefit level to 80% of wages; creating a more flexible system with respect to duration and financing options; improving eligibility for all currently excluded workers, trainees, and students as well as those in special circumstances; and introducing a paternity leave benefit of at least two weeks in accordance with international benchmarks.

Percent of children for whom there is a regulated centre-based child care space, by age group, and province/territory (2012)





Progress and Accountability

The Dignity for All Campaign calls for the creation of a comprehensive, coordinated federal plan for poverty eradication based in human rights. To be effective, a plan requires **transparency** and **accountability**, with **measureable goals and timelines** and **indicators** of progress. Different **mechanisms** will also be necessary to ensure that the federal government is held to account for the creation, evaluation and ongoing improvement of its anti-poverty plan along with the underlying strategies. This would include confirming access for people in poverty to mechanisms to ensure their rights are protected.

What follows is a framework to assist the government in establishing progress and accountability mechanisms to ensure a national anti-poverty plan is effectively implemented.

Setting Goals and Timelines

Specific goals and timelines should be established for each of the recommendations made in this report. In keeping with a human rights based approach to progressively eliminating poverty, immediate, short, and long term commitments should be established in the range of policy and program areas covered in this plan. In each area, the responsibilities of particular bodies or actors should be specified with individual targets and timelines.

Poverty affects particular groups disproportionately and it affects different groups in different ways. Setting general goals and timelines for the population as a whole is an important way to assess over-all progress but it is also important to ensure progress with respect to particular groups. Rights-based strategies should therefore include both broad poverty reduction targets and specific targets and commitments in relation to the groups that are most affected by poverty. In some cases, targets may relate to particular sectors, such as access to employment for First Nations, Inuit, and Métis peoples, people or supports for community living for people with disabilities. The communities most affected by poverty need to be engaged in an ongoing process of improving the understanding of what is needed to fulfil their dignity and equality rights in the context of an anti-poverty strategy.

Accountability mechanisms must be put in place so that governments can be challenged when they act in a manner which is inconsistent with attaining established long term goals.

Establishing Mechanisms

The obligation to put in a place a comprehensive and reasonable plan or strategy with clear goals and timelines to eliminate poverty is a legal requirement under international human rights law. For human rights to be meaningful, there must be some means by which individuals can hold governments accountable to their obligation to progressively eliminate poverty. Mechanisms should be in place to assess the impact of new policies, to ensure that budgets take into account the commitments made and to review whether governments are on track to meet their commitments.

Accountability mechanisms must be put in place so that governments can be challenged when they act in a manner which is inconsistent with attaining established long term goals.

Monitoring Progress

To ensure meaningful accountability and to monitor progress in eliminating poverty as a matter of human rights, it is important to develop human rights based indicators. Indicators should be developed to measure progress in relation to agreed goals and timelines and to assess whether governments are meeting their obligations to apply the maximum of available resources to eliminating poverty and whether they are addressing the needs of vulnerable groups.

Statistics and indicators should not be overemphasized, obscuring from view the successes and limitations of the National Anti-Poverty Plan as experienced by people living in poverty. Human rights based indicators should therefore combine statistics with qualitative information about experiences of poverty and social exclusion.

Monitoring should be directly incorporated into the implementation of an anti-poverty plan, rather than as an evaluation at the end of a process.

The communities most affected by poverty need to be engaged in an ongoing process of improving the understanding of what is needed to fulfil their dignity and equality rights in the context of an anti-poverty strategy.

A number of lessons have been learned from international experience of indicators, including:



1

Disaggregated statistics and indicators of experiences of poverty by different vulnerable groups are important to ensure that strategies are effective at addressing diverse circumstances.



2

Different measures may be needed for different groups. Low-income measures that do not include disability related expenses, for example, will not be useful in assessing progress in reducing poverty among people with disabilities.



3

Stakeholders, experts, governments as well as private actors should be involved in the ongoing monitoring of anti-poverty strategies. However, there also needs to be a neutral body with both human rights and social policy expertise to make objective assessments.



Ensuring Accountability

It is an intrinsic feature of the human rights approach that institutions and legal/administrative arrangements for ensuring accountability are built into an anti-poverty plan.⁷⁷

There is a need for both internal and external mechanisms of accountability. An internal review mechanism provides a way for the government to review its own progress and make necessary changes. In this regard, it may be helpful to appoint an ombudsperson or commissioner to take charge of promoting an anti-poverty plan and encouraging all government ministries and departments to comply with it.

An external review procedure by a committee or council is also important to ensure objective assessments of progress and to provide fair hearings of complaints. Monitoring bodies should issue periodic reports assessing governments' progress and identifying problems. The external human rights body should have the authority to present its findings to the government for a response as well as to the public.

Procedures for individual communications or complaints should also be developed within a national plan. Complaints procedures provide a mechanism for people living in poverty to have their concerns heard and an opportunity for governments to explain considerations that may have informed their decisions.

Time to Act



Call to Action

The most visible aspect of poverty is low income, but poverty is much more than that. It is lack of access to a sustainable livelihood. It includes being forced to make impossible choices between basic necessities like food, shelter, clothing, heat, and other utilities. It is lack of opportunity, stigmatization, discrimination, and social exclusion. Poverty is also about well-being, lack of access community health care, education and training, safe and rewarding work, and the opportunity to engage in community life and activities.

Poverty makes it difficult for people to live in dignity.

The Dignity for All Campaign has outlined a detailed package of action items that together will significantly reduce poverty in Canada. As the federal government gets ready to announce a budget surplus, the time is right to move forward decisively, and introduce a comprehensive anti-poverty plan, based in human rights.

We can invest this money now into ending poverty or we can continue to shut out the most vulnerable in our society from the wealth of the nation. There is

nothing inevitable about poverty in a country as wealthy as Canada. Other jurisdictions, including those within Canada, have made a difference in reducing the incidence and depth of poverty, even after a recession. It is time for the federal government to step-up.

Time and again, public opinion polls find that people across Canada are concerned about poverty and believe that the federal government should play a bigger role in reducing poverty and closing the income gap between the rich and the poor.⁷⁸ Indeed, in a 2012 poll, close to 70% of Canadians indicated that they are willing to pay slightly higher taxes if that's what it would take to protect our social programs.⁷⁹

Ending poverty in Canada will take coordination across a number of sectors, but it is do-able, more than reasonable in light of the country's wealth, and is a human rights obligation.

"The need is obvious, the policy measures are known, the financial resources are present, and the public appetite is strong. All that is needed now is the political will to act boldly."⁸⁰

It's past time for our national government to step up and take action. We offer *Dignity for All: A National Anti-Poverty Plan for Canada* as a strong place to start.

Appendix: Dignity for All Policy Summits

For a complete record of the summits, including background materials, recommendations, and presentations, please see the Dignity for All website at www.dignityforall.ca.



Jobs and Employment Summit June 2014

Summit Presenters:

- James Clancy, National Union of Public and General Employees
- Stephanie Procyk, United Way Toronto
- Mike Luff and Amy Huziak, Canadian Labour Congress
- Karl Flecker, Canadian Labour Congress
- David Macdonald, Canadian Centre for Policy Alternatives
- Bryan Hendry, Assembly of First Nations
- Alexa Conradi, la Fédération des femmes du Québec
- Avvy Go, Colour of Poverty: Colour of Change
- Michael Prince, Council of Canadians with Disabilities



Health Summit January 2014

Summit Presenters:

- Nuala Kenny, Department of Bioethics, Dalhousie University
- Dennis Raphael, Faculty of Health, York University
- Mike McBane, Canadian Health Coalition
- Steve Morgan, School of Population and Public Health, University of British Columbia
- Yvonne Boyer, Aboriginal Health and Wellness, Brandon University
- Doug Gruner, Bruyère Family Health Team and University of Ottawa
- Mark Ferdinand, Canadian Mental Health Association
- Martha Jackman, Faculty of Law, University of Ottawa



Food Security Summit December 2012

Summit Presenters:

- Diana Bronson, Food Secure Canada
- Lauren Goodman, Inuit Tapiriit Kanatami
- Shawn Pegg, Food Banks Canada
- Valerie Tarasuk, Department of Nutritional Sciences, University of Toronto



Income Security Summit April 2012

Summit Presenters:

- Laurel Rothman, Campaign 2000
- Miles Corak, Graduate School of Public and International Affairs, University of Ottawa
- John Stapleton, Open Policy Ontario
- Laurell Ritchie, Canadian Auto Workers
- Monica Townson, Canadian Centre for Policy Alternatives
- Chris Roberts, Canadian Labour Congress



Housing and Homelessness Summit – March 2011

Summit Presenters:

- Michael Shapcott, Affordable Housing and Social Innovation, Wellesley Institute
- Charlie Hill, National Aboriginal Housing Association
- Leilani Farha, Centre for Equality Rights in Accommodation



Early Childhood Education and Care Summit – March 2011

Summit Presenters:

- Martha Friendly, Child Care Resource and Research Unit
- Christa Japel, Department of Special Education and Training, University of Montreal
- Lynell Anderson, Childcare Advocacy Association of Canada and UBC Human Early Learning Partnership

Endnotes

- 1 Dignity for All: the campaign for a poverty-free Canada: <http://www.dignityforall.ca/en>
 - 2 Canada Without Poverty: <http://www.cwp-csp.ca/>
 - 3 Citizens for Public Justice: <http://www.cpj.ca>
 - 4 Over 80% of all spending on income security programs come from the federal government.
 - 5 Citizens for Public Justice (2014), *The Burden of Poverty*. <http://www.cpj.ca/burden-of-poverty>
 - 6 The Hamilton Spectator (2010), *Code Red Project*. <http://thespec-codered.com/>
 - 7 Derek Abma and Jordan Press (2011), "Canadians cover \$24-billion a year in poverty costs: report", *National Post*, September 28, 2011, <http://news.nationalpost.com/2011/09/28/canadians-cover-24-billion-a-year-in-poverty-costs-report/>
 - 8 Stephen Gaetz et al. (2013), *The State of Homelessness in Canada 2013*. Canadian Alliance to End Homelessness. <http://www.homelesshub.ca/ResourceFiles/SOHC2103.pdf>
 - 9 According to the National Council of Welfare, the poverty gap in Canada in 2007 – the money it would have taken to bring everyone just over the poverty line—was \$12.3 billion. The total cost of poverty [in 2007] was double or more using the most cautious estimates. *The Dollars and Sense of Solving Poverty*. Volume 130, Autumn 2011. http://publications.gc.ca/collections/collection_2011/cnb-ncw/HS54-2-2011-eng.pdf
 - 10 Canadian Centre for Policy Alternatives, BC Office (2008), *The Time is Now: A Poverty Reduction Plan for BC*. Summary, p. 9.
 - 11 *Ibid.*, p. 9.
 - 12 Amartya Sen(1999), *Development as Freedom*. New York: Alfred A. Knopf.
 - 13 Citizens for Public Justice (2014), *The Burden of Poverty*. <http://www.cpj.ca/burden-of-poverty>
 - 14 Citizens for Public Justice (2014), *Poverty Trends Highlights: Canada 2013*. <http://cpj.ca/poverty-trends-highlights-canada-2013>
 - 15 Citizens for Public Justice (2012), *Poverty Trends Scorecard: Canada 2012*. <http://www.cpj.ca/files/docs/poverty-trends-scorecard.pdf>
 - 16 OECD (2011), *Divided We Stand: Why Inequality Keeps Rising*. "Country Note: Canada." <http://www.oecd.org/canada/49177689.pdf>
 - 17 A means test is an examination of an individual's or family's income and assets in order to determine eligibility for public assistance.
 - 18 Broadbent Institute (2012), *Towards a More Equal Canada*, p. 14. http://www.broadbentinstitute.ca/sites/default/files/documents/towards_a_more_equal_canada.pdf
 - 19 Andrew Sharpe and Evan Capeluck (2012), *The Impact of Redistribution on Income Inequality in Canada and the Provinces, 1981-2010*. Centre for the Study of Living Standards. <http://www.csls.ca/reports/csls2012-08.pdf>
 - 20 See: John Myles (2000), "The Maturation of Canada's Retirement Income System: Income Levels, Income Inequality and Low-Income among the Elderly," Statistics Canada Catalogue No. 11F0019MPE, No. 147.
- The 2011 federal budget introduced a supplement to the GIS, raising benefit levels to a maximum of \$600 per year for single seniors and \$840 for couples. The cost of the top-up to GIS, paid to an estimated 700,000 GIS and Allowance beneficiaries in 2012, is approximately \$310 million per year.

- 21 Murphy, Brian, Xuelin Zhang and Claude Dionne (2012), *Low Income in Canada: a Multi-line and Multi-index Perspective*, Statistics Canada 75F0002M, No. 001. <http://www.statcan.gc.ca/pub/75f0002m/75f0002m2012001-eng.pdf>
- 22 Michael Wolfson, (2012), "OAS Cuts Could Cost Provinces Millions, and Increase Poverty Rate among Seniors," *iPolitics Insight*, March 27, 2012.
- 23 Campaign 2000 (November 2013), "Canada's Real Economic Action Plan begins with Poverty Eradication – 2013 Report Card on Child and Family Poverty in Canada," Campaign 2000. <http://www.campaign2000.ca/reportCards/national/2013C2000NATIONALREPORTCARDNOV26.pdf>
- 24 John Stapleton, Brian Murphy, and Yue Xing (2012), *The Working Poor in the Toronto Region*, Metcalf Foundation. <http://metcalffoundation.com/wp-content/uploads/2012/02/Working-Poor-in-Toronto-Region.pdf>
- 25 For an in-depth discussion of the EI program, see: Mowat Centre EI Task Force (2011), *Making It Work: Final Recommendations of the Mowat Centre Employment Insurance Task Force*. University of Toronto. <http://www.mowateitaskforce.ca/sites/default/files/MakingItWork-online.pdf>
- 26 Laurell Ritchie (2012). Notes from presentation to Dignity for All April 2012 policy summit on income security.
- 27 Leah Vosko (2011), "The Challenge of Expanding EI Coverage: Charting Exclusions and Partial Exclusions on the Bases of Gender, Immigration Status, and Place of Residence and Exploring Avenues for Policy Redesign," Mowat Centre, The University of Toronto. http://mowatcentre.ca/wp-content/uploads/publications/23_the_challenge.pdf
- 28 Laurell Ritchie (2012). Notes from presentation to Dignity for All April 2012 policy summit on income security.
- 29 For example, a single person working 40 hours a week for 42 weeks of the year earns \$16,295 annually after tax, where as the LIM for a single individual is approximately \$18,500. The poverty gap is therefore \$2,205. The suggested WITB supplement would be \$1102.50 to fill half of that gap.
- 30 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/115/02/PDF/G0911502.pdf?OpenElement>
- 31 National Aboriginal Housing Association. (2009). *A Time for Action: A National Plan to Address Aboriginal Housing*. http://www.cwp-csp.ca/wp-content/uploads/2011/07/NAHA_Action_Plan_July_2009_FINAL.pdf
- 32 Steve Pomeroy and Nick Falvo (2013), "Housing Policy in Canada under the Harper Regime," in *How Ottawa Spends, 2013*. Montreal and Kingston: McGill-Queens Press. <http://www.focus-consult.com/wp-content/uploads/2014/07/PomeroyFalvoThe-Harper-Years-ENHR-with-table.pdf>
- 33 Federation of Canadian Municipalities (2014), Fixing Canada's Housing Crunch, www.fcm.ca/housingcrunch
- 34 Canadian Centre for Policy Alternatives (2014), *Striking a Better Balance: Alternative Federal Budget 2014*, p. 100. https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2014/02/AFB2014_MainDocument.pdf
- 35 *Ibid.*, p. 81.
- 36 According to the Canadian Institute for Advanced Research, 50% of a person's health is determined by social and economic environments, whereas 25% is determined by the healthcare system and 25% is from biological factors and health-related behaviours. Cited in the Standing Senate Committee on Social Affairs, Science and Technology (2001), *The Health of Canadians – The Federal Role, Volume One: The Story so Far*. Interim report on the state of the health care system in Canada, p. 81. <http://www.parl.gc.ca/Content/SEN/Committee/371/pdf/interim-soci-e.pdf>
- 37 Juha Mikkonen and Dennis Raphael (2010), *Social determinants of health: the Canadian facts*. Toronto: York University School of Health Policy and Management. http://www.thecanadianfacts.org/The_Canadian_Facts.pdf
- 38 Health Council of Canada (2005). The Health Status of Canada's First Nations, Metis and Inuit Peoples. http://publications.gc.ca/collections/collection_2012/ccs-hcc/H174-37-2005-1-eng.pdf
- 39 Firestone M, et al. (2014), "Unmasking health determinants and health outcomes for urban First Nations using respondent-driven sampling," *BMJ Open* 2014; See also: Rochelle Garner et al., (2010), *The health of First Nations living off-reserve, Inuit, and Métis adults in Canada: the impact of socio-economic status on inequalities in health*.
- 40 Crick Lund, et al., (2011), "Poverty and mental disorders: Breaking the cycle in low-income and middle-income countries," *Lancet*, 378: 1502-14.
- 41 Public Health Agency of Canada (2004), *Reducing health disparities – Roles of the health sector: Discussion paper*. Ottawa. <http://publications.gc.ca/collections/Collection/HP5-4-2005E.pdf>

- 42 Sources: Statistics Canada, Canadian Vital Statistics, Birth and Death Databases and population estimates; Canadian Community Health Survey; National Population Health Survey, Health institutions component; Residential Care Facilities Survey; Canadian Health Measures Survey; Census of population.
- 43 Refer to other sections of Dignity for All anti-poverty plan which suggest recommendations to address these social determinations of health.
- 44 HIA is an evidence-based approach used to judge the potential health impacts of a policy, program or project on a population – particularly on vulnerable or disadvantaged groups. Recommendations are produced for protecting and promoting health. World Health Organization. *Health Impact Assessment*. <http://www.who.int/hia/en/>
- 45 Continuing care is “an integrated mix of health, social and support services offered on a prolonged basis, either intermittently or continuously, to individuals whose functional capacities are at risk of impairment, temporarily impaired or chronically impaired.” This definition is based on the Canada Health Act, 1993. See: Canadian Federation of Nurses Unions (2012), “Improving Continuing Care in Canada: Towards Shared Understanding and Action.” https://nursesunions.ca/sites/default/files/cfnu_march_8_forum_on_cont_care_report_0.pdf
- 46 Valerie Tarasuk, Andy Mitchell and Naomi Dachner, Research to identify policy options to reduce food insecurity (PROOF), (2013). *Household Food Insecurity in Canada 2012*. http://nutritionalsciences.lamp.utoronto.ca/wp-content/uploads/2014/05/Household_Food_Insecurity_in_Canada-2012-ENG.pdf.
- 47 Hunger Count 2014. <http://www.foodbankscanada.ca/HungerCount>
- 48 Tarasuk, Mitchell and Dachner (2013), *Household Food Insecurity in Canada 2012*, p. 5.
- 49 Aboriginal Affairs and Northern Development Canada (2009). Regional Results of Price Surveys.
- 50 Grace Egeland, et al., (2010). “Food Insecurity among Inuit preschoolers: Nunavut Inuit Child Health Survey, 2007-2008,” *Canadian Medical Association Journal*, Vol. 182, No. 3, pp. 243-248.
- 51 Jill Lambden, et al., H.V (2006), “Traditional and market food access in Arctic Canada is affected by economic factors,” *International Journal of Circumpolar Health*, Vol. 65, No. 4, pp. 331-340.
- 52 Sharon Kirkpatrick and Valerie Tarasuk, (2008). “Food insecurity is associated with nutrient inadequacies among Canadian adults and adolescents,” *Journal of Nutrition*, Vol. 138, pp. 604-12.
- 53 For example, see: Enza Gucciardi, et al., (2009), “Exploration of the relationship between household food insecurity and diabetes care in Canada,” *Diabetes Care*, Vol. 32, pp. 2218-24.
- 54 Sharon Kirkpatrick, Lynn McIntyre and Melissa Potestio (2010), “Child hunger and long-term adverse consequences for health,” *Archives of Pediatrics and Adolescent Medicine*, Vol. 164, No. 8, pp. 754-62.
- 55 Food and Agriculture Organization of the United Nations (1996), “Rome Declaration on World Food Security,” World Food Summit, November 1996. <http://www.fao.org/docrep/003/w3613e/w3613e00.htm>
- 56 Grant, T. (2013). Long-term unemployment a blight despite solid gains since recession. *The Globe and Mail*. <http://www.theglobeandmail.com/report-on-business/economy/economy-lab/long-term-unemployment-a-blight-despite-solid-gains-since-recession/article8449679/>.
- 57 Citizens for Public Justice, (2013). *Labour Market Trends. Poverty Trends Scorecard*.
- 58 Zizys, T. (2014). *Better Work: The path to good jobs is through employers*. Toronto: Metcalf Foundation.
- 59 Poverty and Precarious Employment in Southern Ontario (PEPSO) (2013). *It's More than Poverty*. McMaster University and United Way Toronto. <http://pepsouwt.files.wordpress.com/2013/02/its-more-than-poverty-feb-2013.pdf>, citing Statistics Canada data.
- 60 UNICEF Canada, (2014). *UNICEF Report Card 12: Children of the Recession – Canadian Companion*. Toronto: UNICEF Canada, p.6.
- 61 Statistics Canada, (2009). *Employment and unemployment rates for the First Nations identity population and the Registered Indian population (aged 25 to 54) living on and off reserve, Canada, 2001 and 2006*. <http://www12.statcan.ca/census-recensement/2006/as-sa/97-559/table/t7-eng.cfm>.
- 62 Wilson, D. and Macdonald, D. (2010). *The income gap between Aboriginal peoples and the rest of Canada*. Growing Gap Project. Ottawa: Canadian Centre for Policy Alternatives.
- 63 OECD (2011), *Towards an OECD skills Strategy*. Organization for Economic Co-operation and Development (OECD). Paris, France. <http://www.oecd.org/edu/47769000.pdf> ; ESDC (2008). *Special Reports: What difference does learning make to financial security*. Ottawa. <http://www4.hrsdc.gc.ca/3ndic.1t.4r@-eng.jsp?iid=54#a2>; D.A. Green and C.W. Riddell (2007), *Literacy and the Labour Market: The Generation of Literacy and its Impact on Earnings*. Statistics Canada and HRSDC. Ottawa.

- 64 Conference Board of Canada (2007), *The Economic Benefits of Improving Literacy Skills in the Workplace*. Prepared by Michael Bloom, Marie Burrows, Brenda Lafleur, Robert Squires. Ottawa.
- 65 Conference Board of Canada (2013), *How Canada Performs 2013: Adult Participation in Education*. Ottawa.
- 66 Bell, J. (2014). Less than 4 in 10 workers get Employment Insurance. *Canadian Association of Labour Media*. <http://calm.ca/fixei>.
- 67 Cameron, S. and Lao, H. (2014). *Response on the financing of Employment Insurance and recent measures*. Ottawa: Office of the Parliamentary Budget Officer.
- 68 68 Laurel Rothman (2009), *Child Care and Poverty Reduction: Where's the Best Fit?* Canadian Centre for Policy Alternatives. <http://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2009/04/Child%20Care%20and%20Poverty%20Reduction.pdf>
- 69 Carolyn Ferns and Martha Friendly (2014), *The state of early childhood education and care in Canada 2012*. Moving Childcare Forward Project (Childcare Resource and Research Unit, Centre for Work, Families and Well-Being at the University of Guelph, and the Department of Sociology at the University of Manitoba) <http://childcarecanada.org/sites/default/files/StateofECEC2012.pdf>. See also: Martha Friendly, Shani Halfon, Jane Beach and Barry Forer (2013), *Early Childhood Education and Care in Canada 2012*. Toronto: Childcare Resource and Research Unit. http://childcarecanada.org/sites/default/files/CRRU_ECEC_2012_revised_dec2013.pdf
- 70 The .07% and 1% come from Bennett, J. (2008). *Benchmarks for Early Childhood Services in OECD Countries*. Innocenti Working Paper 2008-02. Florence: UNICEF Innocenti Research Centre, p. 38. http://www.unicef-irc.org/publications/pdf/iwp_2008_02_final.pdf. The source of the 0.25% of GDP is OECD, Directorate for Education (2006), *Starting Strong II*. Paris: OECD Publishing. See also: UNICEF Innocenti Research Centre. (2008). *The child care transition: A league table of early childhood education and care in economically advanced countries*, Report Card 8. Florence. http://www.unicef-irc.org/publications/pdf/rc8_eng.pdf
- 71 UN Committee on the Rights of the Child (2012), "Consideration of reports submitted by States parties under article 44 of the Convention. Concluding observations: Canada." http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-CAN-CO-3-4_en.pdf
- 72 Child Care Human Resources Sector Council (CCHRSC). (2009) Literature review of socioeconomic effects and net benefits: Understanding and addressing workforce shortages in early childhood education and care (ECEC) project. Ottawa. CCHRSC. See <http://www.ccsc-cssge.ca/english/aboutus/completed.cfm#p5> for full report
- 73 Alternative Federal Budget (2010), *Getting the Job Done Right*, Ottawa: Canadian Centre for Policy Alternatives. https://www.policyalternatives.ca/sites/default/files/uploads/publications/reports/docs/AFB%202010%20Main%20Budget%20Document_0.pdf
- 74 Clyde Hertzman (2004), *Making Childhood Development a Priority: Lessons from Vancouver*. Vancouver: Canadian Centre for Policy Alternatives. http://www.policyalternatives.ca/sites/default/files/uploads/publications/BC_Office_Pubs/early_childhood.pdf
- 75 Christina Japel (2009), "What a difference a decade makes: Counting the benefits of investment in early childhood development in Quebec," in *Paediatric Child Health*, Vol. 14, No 10, pp. 662-663.
- 76 Gordon Cleveland and Michael Krashinsky (1998), "The Benefits and Costs of Good Child Care: The Economic Rationale for Public Investment in Young Children: A Policy Study." Toronto: University of Toronto. <http://www.childcarecanada.org/sites/default/files/bc.pdf>
- 77 Principles And Guidelines for a Human Rights Approach to Poverty Reduction Strategies, para 24.
- 78 National Council of Welfare, *Report on Responses to the Poverty and Income Security Questionnaire, October-December 2006*, prepared by MiroMetrica Inc., Ottawa, January 2007.
- 79 Broadbent Institute (2012), *It's Time to Tackle Inequality*. www.broadbentinstitute.ca/sites/default/files/documents/equality-project_0.pdf
- 80 CCPA BC Office (2008), *The Time is Now: A Poverty Reduction Plan for BC. Summary*, p. 11.

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EMPTY WORDS AND DOUBLE STANDARDS: CANADA'S FAILURE TO RESPECT AND UPHOLD INTERNATIONAL HUMAN RIGHTS

Joint Submission to the United Nations Human Rights Council
in relation to the May 2013 Universal Periodic Review of Canada
October, 2012

This Submission addresses two overarching human rights matters that are of pressing concern to a diverse range of Indigenous Peoples and organizations and civil society groups across Canada. The first is the failure of Canada to adopt effective means of ensuring implementation of its international obligations. This concern was presented at the time of Canada's 2009 review as well. The second is a deeply troubling and more recent pattern of the Canadian government asserting that UN human rights experts and review processes should give less or even no scrutiny to Canada's record because other countries may face more serious human rights problems or because poverty and hunger may be more prevalent in less affluent countries.

1. EMPTY WORDS: THE IMPLEMENTATION GAP CONTINUES

At the time of the first Universal Periodic Review (UPR) of Canada, 48 civil society groups and Indigenous Peoples and organizations supported the attached joint submission, expressing serious and longstanding concern about the Canadian government's failure to institute a transparent, effective and accountable system for ensuring full and proper implementation of the country's international human rights obligations. The submission, a copy of which is attached as an Annex,¹ highlighted that a growing number of important UN level human rights recommendations remain unimplemented and also pointed to numerous calls from UN treaty monitoring bodies for Canada to take action to address this very serious shortcoming.

The stakeholders that endorsed the 2009 statement reflected a broad range of human rights concerns and represent many different sectors of Canadian society including Indigenous Peoples, women, children, people living in poverty, people living with disabilities, lesbian, gay, bisexual and transgendered people and refugees. All find that Canada's deficient approach to implementation is one of the most serious obstacles they face in advancing stronger protection within Canada of the rights enshrined in UN human rights instruments, and, indeed, the *Canadian Charter of Rights and Freedoms*. Organizations that work in the areas of international development and international human rights also supported the statement because they believe that Canada can and must set a much stronger example to the international community and demonstrate best practices with respect to implementing international human rights obligations.

¹ Annex, Promise and Reality: Canada's International Human Rights Implementation Gap.

At the time of Canada's first UPR in February 2009, numerous states picked up these concerns and made recommendations to Canada to strengthen its approach to implementation.² In its response, Canada committed to "considering options for enhancing existing mechanisms and procedures related to implementation of international human rights obligations".³

Indigenous Peoples and organizations and civil society groups were hopeful that Canada's approach to the follow up of its first UPR, a review process that the Canadian government itself had championed when the Human Rights Council was created, would mark a turning point. It was expected that Canada would make significant improvements in its approach to the implementation of recommendations made by UN treaty monitoring bodies and the UN Human Rights Council's Special Procedures. Unfortunately, neither has occurred.

Since the February 2009 UPR, two treaty monitoring bodies have conducted their periodic reviews of Canada.⁴ A third, the Committee on the Rights of the Child, was completing its review of Canada's record at the end of September 2012 while this submission was being finalized. Additionally, two Special Procedures Mandate Holders have carried out visits to Canada and issued reports.⁵ Throughout that time period Canada was also tasked with implementing the recommendations it accepted at its 2009 UPR and in preparation for its 2013 UPR. All offered important opportunities for a new approach to implementation based on effective and meaningful consultations with Indigenous Peoples and organizations and civil society, and that would also be transparent, well-coordinated between federal and provincial levels of government, and accountable to elected politicians across the country.

Despite these opportunities, there have been no significant efforts to ensure genuine consultations with Indigenous Peoples and organizations and civil society groups, nor any attempt to increase the transparency, coordination or accountability of Canada's approach to implementation. Civil society has made numerous recommendations to government, with little to no response from government. There has, for instance, been no political level meeting of federal, provincial and territorial ministers responsible for human rights since 1988. As such the only intergovernmental process for discussing and coordinating human rights implementation remains the secretive Continuing Committee of Officials, which has no decision making authority and does not report publicly as to the topics it discusses let alone the results of those discussions.

² Report of the Working Group on the Universal Periodic Review, Canada, A/HRC/11/17, 3 March 2009, para. 86. See, for example, recommendations 12, 13, 14, 15, 62, 63 and 64.

³ Report of the Working Group on the Universal Periodic Review, Canada, Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, A/HRC/11/17/Add.1, 8 June 2009, para. 14.

⁴ UN Committee on the Elimination of Racial Discrimination, February 2012; UN Committee against Torture, May 2012.

⁵ Special Rapporteur on the Right to Food, 2012; Independent Expert on Minorities, 2009.

There is no public tabling of action plans or reporting on the progress of implementing international human rights recommendations, including those stemming from the 2009 UPR or any of the other international level reviews that have taken place in the past four years.

In the preparation of Canada's National Report for its first UPR, the government did not engage in any consultations with Indigenous Peoples and organizations or civil society. After Canada submitted its first UPR report and prior to its oral review, Canada provided modest funding for a coordinating committee of NGOs and Indigenous representatives to organize and host engagement meetings in five cities across Canada. These engagement sessions were attended by approximately 200 organizations, as well as by representatives of federal and provincial governments. In response to concerns and recommendations regarding the inadequate engagement with civil society and Indigenous Peoples and organizations in advance of its first UPR, Canada accepted recommendation #63, to:

Establish an effective and inclusive process to follow-up on the universal periodic review recommendations (Norway); that civil society be actively involved in the further universal periodic review process of Canada (The Netherlands), in a thorough and timely (Denmark), meaningful and participatory (Philippines) manner and, in the implementation of the review (United Kingdom).

There has been no meaningful implementation of this commitment. One meeting was held between representatives of the federal government and a small number of civil society groups and Indigenous Peoples and organizations in Ottawa in September, 2010 dealing only with the issue of developing a procedure for consultation. No funding was provided for travel for organizations outside of Ottawa to attend. There was no follow-up with participants of the meetings. Further meetings were held in 2010 in three Canadian cities, with short notice, no funding for civil society or Indigenous participation and no follow-up reports or engagement. Funding which was provided in advance of Canada's first UPR for cross-country engagement has been refused for the upcoming UPR. There are currently no plans for consultative meetings anywhere in the country to discuss preparations for the 2013 UPR. Public input is limited to an email address to which submissions can be sent.

Collectively, we believe that these entrenched problems with implementation by the government of Canada will only be resolved through law reform. Equivocal commitments to "consider" making improvements have proven meaningless. Instead, people in Canada find it increasingly difficult, in fact nearly impossible, to ascertain what steps *their* governments are taking to live up to binding international obligations to protect *their* rights.

RECOMMENDATIONS:

The Canadian government should launch a process of law reform to establish a formal mechanism for transparent, effective and accountable implementation of Canada's international human rights obligations. *An International Human Rights Implementation*

Act should be developed through a process of extensive consultation with provincial and territorial governments, Indigenous peoples and organizations and civil society groups.

Canada should provide to the Human Rights Council within one year of its UPR a report on the precise plans for implementation of UPR recommendations, including procedures and resources to be made available to ensure meaningful participation of civil society and Indigenous peoples and organizations.

2. DOUBLE STANDARDS: CANADA’S WAVERING COMMITMENT TO UNIVERSALITY

Central to the international human rights system is the essential principle of universality. States are committed to fulfill their obligations to promote universal respect for and the observance and protection of all human rights for all. The international system does not declare that the rights of individuals and peoples matter more or less because of where they live, or that there should be more or less international level concern about human rights protection in certain countries over others. From the adoption of the Universal Declaration of Human Rights in 1948 to the advent of the Universal Periodic Review 60 years later, in 2008, universality has been fundamental to international human rights protection. An important dimension to the principle of universality is that Canada’s implementation of human rights should be measured against its capacity and history: whether it is progressing, regressing or stagnant, and in light of what should be reasonably expected of a country with such an abundance of resources and wealth.

Indigenous Peoples and organizations and civil society groups from across Canada are deeply troubled by a growing number of public comments made by senior members of the Canadian government diminishing the importance of universality and suggesting that there should be less or even no international scrutiny of Canada’s human rights record on the basis that other countries have worse records than Canada’s or that less affluent countries experience more hunger or poverty. At the same time, the independence, integrity and expertise of independent international human rights experts, treaty-based human rights bodies, and senior UN human rights officials have been attacked by the government of Canada.

During the past nine months this has included:

- Characterizing concern expressed by the Special Rapporteur on the rights of Indigenous Peoples, James Anaya, about a grave housing crisis faced by Indigenous People in the Attawapiskat First Nation as a “publicity stunt.”
- Government ministers unleashing a barrage of personal insults and criticism in Parliament and in media comments during and following the May 2012 mission to Canada by the Special Rapporteur on the right to food, Olivier De Schutter. Among numerous insults and dismissive comments, the Special Rapporteur was told that he had wasted money that could be spent on food aid by choosing to have a mission to Canada, and that he should not get involved in “political

exercises in developed democracies like Canada”. The Parliamentary Secretary to the Minister of Foreign Affairs stated that “it is an insult to Canadians and their tax dollars that this fellow came over here to waste the dollars they have contributed”.

- Chastising the Committee against Torture for carrying out its regular, treaty-mandated review of Canada’s record under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in May 2012, instead of focusing on concerns about torture in other countries. A government spokesperson stated that, “in times when there are serious concerns regarding human rights violations across the world, it is disappointing that the UN would spend its time decrying Canada”.
- Sharply criticizing the High Commissioner for Human Rights for mentioning concerns about emergency legislation passed in the province of Quebec in a passage in her June 2012 speech to the UN Human Rights Council referencing various countries where freedom of association and assembly had been restricted. Canada’s Minister of Foreign Affairs stated publicly that “with what’s going on in Syria, with what’s going on in Iran and Belarus, the UN would be better to spend its time on [what is happening] there”.
- Dismissing the UN Committee on the Rights of the Child’s concerns regarding Canada’s compliance with the Convention on the basis that one of the independent expert Committee members is from Syria and was only critiquing Canada so as to deflect attention away from human rights abuses in Syria.

These public comments, some of which descended to the level of personal insults, appear to have become a sustained attack on UN level human rights experts and bodies when they raise questions or concerns or even make recommendations with respect to Canada’s human rights record. Implicit in these attacks is a notion that there should be little or no international oversight of Canada’s human rights record because Canada’s record is better than other countries or because poverty and hunger are less severe in an affluent country like Canada. That position has no basis in international law, it renders empty the very concept of universality in international human rights protection, and devalues the human rights of the countless people in Canada whose rights are not adequately protected and who look to the international system for protection. Furthermore, it sets a debilitating example to the other states which may use similar insults or double standards to argue that they too should not be subject to international scrutiny.

RECOMMENDATION:

The Government of Canada should publicly and unequivocally confirm that it fully accepts that Canada’s record must regularly be assessed by UN level human rights experts, bodies and other processes, as part of universal human rights protection, and that the government welcomes such ongoing reviews, and will engage constructively with recommendations resulting from such reviews.

- Aboriginal Council of Winnipeg
- Action Canada for Population and Development
- Amnesty International Canada (English Branch)
- Amnistie Internationale Canada francophone
- Asian Canadian Labour Alliance
- Assembly of First Nations
- Barbra Schlifer Commemorative Clinic
- Campaign 2000
- Canada Without Poverty
- Canadian Association of Elizabeth Fry Societies
- Canadian Association of Refugee Lawyers
- Canadian Association of University Teachers
- Canadian Auto Workers
- Canadian Auto Workers Local 88 Human Rights Committee
- Canadian Coalition for the Rights of Children
- Canadian Council for International Cooperation
- Canadian Council for Refugees
- Canadian Feminist Alliance for International Action
- Canadian Friends Service Committee (Quakers)
- Canadian Labour Congress
- Canadian Union of Public Employees
- Centrale des Syndicats du Québec
- Centre for Equality Rights in Accommodation
- Coalition of Black Trade Unionists
- Communications, Energy and Paperworkers Union of Canada
- Confédération des Syndicats Nationaux
- Council of Canadians
- Disabled Women's Network
- First Call: BC Child and Youth Advocacy Coalition
- First Nations Summit
- Front d'Action Populaire en Réaménagement Urbain
- Grand Council of the Crees (Eeyou Istchee)
- Halifax Initiative
- Inter Pares
- International Association of Machinists and Aerospace Workers
- International Civil Liberties Monitoring Group
- International Human Rights Program, University of Toronto Faculty of Law
- Justice, Peace and Integrity of Creation Committee, Sisters of Providence of St. Vincent de Paul
- Kairos: Canadian Ecumenical Justice Initiatives
- Latin American Trade Unionists Coalition
- Law Union of Ontario
- Lawyers' Rights Watch
- Maritimes-Guatemala Breaking the Silence Solidarity Network
- McLeod Group
- Mining Watch
- National Union of Public and General Employees
- Native Women's Association of Canada
- Native Youth Sexual Health Network
- New Brunswick Common Front for Social Justice
- Oxfam Canada
- Pivot Legal Society
- Public Interest Alberta
- Public Service Alliance of Canada
- Refugee Forum
- Social Issues Networking Group
- Social Rights Advocacy Centre
- Society for Children and Youth BC
- Table de Concertation des Organismes au Service des Personnes Réfugiées et Immigrantes
- Treaty Four First Nations
- United Church of Canada
- Wellesley Institute
- Yukon Status of Women Council

ANNEX

PROMISE AND REALITY: CANADA'S INTERNATIONAL HUMAN RIGHTS IMPLEMENTATION GAP

Joint NGO Submission to the United Nations Human Rights Council
in relation to the February 2009 Universal Periodic Review of Canada
September 8, 2008

Our organizations are deeply concerned about the mounting gap between the commitments Canada has made on the world stage to protect human rights and the failure to live up to those promises at home. We are particularly concerned that there is no transparent, effective and accountable means of ensuring that those commitments are implemented.

Over several decades many important UN recommendations have been directed at Canada. The recommendations have been made by treaty monitoring bodies in the course of their periodic reviews of Canada's record or in response to petitions brought forward by individuals. Recommendations have also been made by the special procedures of the UN Human Rights Council (previously Commission on Human Rights) following visits to Canada. The recommendations touch on a wide variety of critical human rights concerns and range from outlining specific action to be taken on behalf of one aggrieved individual to suggestions for law reform to better protect the rights of entire marginalized communities.

Many of our organizations separately highlight a number of these vitally important UN recommendations in our individual submissions to this review. While they touch on a range of disparate issues they all have two unfortunate points in common. First, few, if any have been implemented. Second, there has been virtually no public reporting or public explanation of the refusal or failure to implement. Sadly, these two observations apply to the overwhelming majority of recommendations directed at Canada by UN level human rights bodies: no implementation and no explanation.

Our organizations have repeatedly sought to engage governments at federal, provincial and territorial levels about this serious concern. We have made little or no progress. Repeatedly we come up against two major barriers.

First, excessive government secrecy means that there is virtually no public information about these issues. When Canada has been asked by UN treaty monitoring bodies about how it deals with follow-up to recommendations and concerns, it has pointed to a relatively obscure Federal, Provincial and Territorial Continuing Committee of Officials on Human Rights. That Committee, however, is virtually unknown by most Canadians, conducts all of its work *in camera* and never reports publicly.

An appropriate inter-governmental institution with the authority and accountability to implement recommendations and respond to concerns has never existed in Canada. Federal and provincial level human rights commissions are not able to play this role as they have limited mandates, grounded in specific aspects of non-discrimination, which do not extend to many of the rights enshrined in international instruments. There has been no inter-ministerial meeting dealing with human rights in Canada since 1988.

Second, governments frequently blame federalism. Federal and provincial/territorial governments consistently blame each other for the shortcomings. The constitutional division of powers between the federal and provincial/territorial governments in Canada cannot be an excuse for a failure to implement rights. Article 27 of the Vienna Convention on the Law of Treaties states the principle that a state may not invoke provisions of its internal law as justification for a failure to perform a treaty.

Numerous UN level bodies have raised these concerns.

- The Committee on Economic, Social and Cultural Rights, noting that most of its previous recommendations have not been implemented, has called on Canada “to establish transparent and effective mechanisms, involving all levels of government as well as civil society, including indigenous peoples, with the specific mandate to follow up on the Committee’s concluding observations.”⁶
- The Human Rights Committee has urged Canada to “establish procedures, by which oversight of implementation of the Covenant is ensured, with a view, in particular, to reporting publicly on any deficiencies. Such procedures should operate in a transparent and accountable manner and guarantee full participation of all levels of government and of civil society, including indigenous peoples.”⁷
- The Committee on the Elimination of Discrimination against Women has urged that Canada “search for innovative ways to strengthen the currently existing consultative federal-provincial-territorial Continuing Committee of Officials for human rights as well as other mechanisms of partnership in order to ensure that coherent and consistent measures in line with the Convention are achieved.”⁸
- The Committee on the Rights of the Child has encouraged Canada to “strengthen effective coordination and monitoring, in particular between the federal, provincial and territorial authorities, in the implementation of policies for the promotion and protection of the child, as it previously recommended, with a view to decreasing and eliminating any possibility of disparity or discrimination in the implementation of the Convention.”⁹

⁶ *Concluding Observations of the Committee on Economic, Social and Cultural Rights*, E/C.12/CAN/CO/4, E/C.12/CAN/CO/5, 22 May 2006, para. 35.

⁷ *Concluding Observations of the Human Rights Committee*, CCPR/C/CAN/CO/5, 20 April 2006, para. 6.

⁸ *Report of the Committee on the Elimination of Discrimination against Women*, A/58/38, Twenty-eighth session (13-31 January 2003), para. 350.

⁹ *Concluding observations: Canada*, CRC/C/15/Add.215, 27 October 2003, para. 11.

The Standing Committee on Human Rights of the Senate of Canada has similarly recommended that the “federal government – with the provinces, territories, Parliamentarians and interested stakeholders - ... establish a more effective means of negotiating, incorporating and implementing its international human rights obligations.”¹⁰

The Solution

In our view, there are three fundamental changes that must be made before Canada’s approach to implementation of its international human rights obligations will improve.

1. Government secrecy around these issues must give way to openness and transparency.
2. A coordinated and accountable process for monitoring implementation of Canada’s international human rights obligations involving both levels of government, as well as Indigenous peoples and civil society, needs to be developed. As part of any such process there should be a high level focal point for implementation of Canada’s international obligations that, at a minimum, meets the following criteria:
 - a) regular public reporting and transparency;
 - b) on-going engagement with civil society organizations, citizens and the media;
 - c) following engagement with affected stakeholder populations, public response to concluding observations from UN treaty body reviews and other UN-level recommendations within a year of receipt; and
 - d) a mandate to investigate and resolve complaints, including those related to co-ordination with provinces on matters that cross federal/provincial jurisdiction.
3. A more concerted effort must be made to ensure that effective remedies are available in Canadian law and within Canadian human rights institutions for all of the rights contained in ratified international human rights treaties, so that governments can be held accountable by Canadian courts and human rights institutions for failures to comply with international human rights.

We are hopeful that in the context of the constructive dialogue engendered by the new procedures under the Universal Periodic Review, these three changes may be put forward by Canada as firm commitments.

¹⁰ Standing Senate Committee on Human Rights, *Who’s in Charge Here? Effective Implementation of Canada’s International Obligations with Respect to the Rights of Children*, November 2005, pg. 82.

Endorsed by:

- Action des Chrétiens pour l'Abolition de la Torture – Canada
- L'Association québécoise des organismes de coopération internationale
- Canadian Association of Elizabeth Fry Societies
- Canadian Centre for International Justice
- Canadian Council for International Cooperation
- Canadian Council for Refugees
- Canadian Federation of University Women
- Canadian Journalists for Free Expression
- Canadian Lawyers Association for International Human Rights
- Canadian Paraplegic Association
- Civil Liberties Association – National Capital Region
- Communication, Energy and Paperworkers' Union
- DisAbled Women's Network Canada
- Entraide missionnaire
- Group of 78
- Human Rights Watch
- Kashmiri-Canadian Council
- Maritimes-Guatemala Breaking the Silence Network
- Oxfam Canada
- Parkdale Community Legal Services
- Safe Drinking Water Foundation
- Social Justice Committee of Montreal
- Social Rights Advocacy Centre
- World Federalist Movement - Canada

The following organizations, which are making their own separate submissions to this Review, associate themselves with the concerns and recommendations outlined in this submission:

- Action Canada for Population and Development
- Amnistie internationale Canada francophone
- Amnesty International Canada (English branch)
- Canadian Centre for Victims of Torture
- Canadian Coalition for the Rights of Children
- Canadian Feminist Alliance for International Action
- Canadian Friends Service Committee (Quakers)
- Canadian HIV/AIDS Legal Network
- Centre for Equality Rights in Accommodation
- Citizens for Public Justice
- Council of Canadians with Disabilities
- First Nations Summit
- Independent Living Canada
- International Civil Liberties Monitoring Group
- International Organization of Indigenous Resource Development
- La Ligue des droits et libertés
- Mouvement d'éducation populaire et d'action communautaire du Québec
- National Union of Public and General Employees
- Native Women's Association of Canada
- PEN Canada
- Quebec Native Women Inc / Femmes Autochtones du Québec
- Right On Canada
- The Wellesley Institute
- Women's Housing Equality Network