Women's Rights in British Columbia

BC CEDAW GROUP

Submission to the Committee on the Elimination of Discrimination against Women on the occasion of its consideration of Canada's combined eighth and ninth periodic reports at its sixty-fifth session (24 October - 18 November 2016).

The BC CEDAW Group is a coalition of women's non-governmental organizations committed to advancing the rights of women and girls in British Columbia. Formed in 2002, the Group has participated in United Nations periodic reviews before a variety of treaty bodies. Past reports of the BC CEDAW Group can be found at http://povertyandhumanrights.org/.

The 2016 BC CEDAW Group includes: • Coalition of Child Care Advocates of BC; • Hospital Employees' Union; • Justice for Girls; • Poverty and Human Rights Centre; • Vancouver Committee for Domestic Workers and Caregivers Rights; • Vancouver Rape Relief and Women's Shelter; • West Coast LEAF-Women's Legal Education and Action Fund; • Single Mothers Alliance of BC; • Vancouver Women's Health Collective.

Our submission documents the Government of British Columbia's failure to respect, protect, and fulfill its obligations to women and girls under the Convention on the Elimination of All Forms of Discrimination against Women.

Canadian Federal System: Provincial Responsibility for International Human Rights

All levels of government within Canada are fully bound by Canada's international human rights commitments. Because Canada is a federal state, however, substantive legislative abilities vary in terms of the division of legislation jurisdiction between federal and provincial governments. Thus, full implementation of the CEDAW by Canada is dependent upon the performance of provincial governments, as well as the federal government. Indeed, some aspects of the obligations assumed by Canada are centrally part of provinces' formal jurisdiction. Provincial governments thus must be treated as key participants in the periodic review process and Canada, when under review, carries accountability for both federal and provincial governments' implementation of the Covenant.

We submit that, despite substantial available resources, the Province of British Columbia has failed to ensure that the women of British Columbia fully enjoy their rights as these essential conditions of political, civil, social, economic, and cultural equality are protected under the CEDAW.

"States Parties Condemn discrimination against women in all its forms… and to this end, undertake: (a) To embody the principle of equality of men and women… and to ensure, through law and other appropriate means, the practical realization of this principle."
- CEDAW Article 2(a)

1. Access to Justice

a) Access to Human Rights Justice

In 2002, the British Columbia government eliminated the BC Human Rights Commission, leaving BC as the only province without such a commission and creating a gaping hole in BC's human rights system. No public body is mandated to prevent discrimination through education or to inquire into systemic issues. Instead, BC is left with a system focused primarily on the resolution of individual complaints of discrimination. The importance of human rights commissions is well established, particularly with respect to addressing systemic violations of women's rights. Simply, human rights compliance is weakened by the elimination of the human rights commission.[1]

In addition, the BC government continues to make deep cuts to funding for legal services for human rights complainants. Despite an increase in complaints and no increase to tribunal member compensation for eight years, the BC Human Rights Tribunal was directed to reduce its budget by 5% mid-way through the 2014/15 fiscal year.[2] These cuts undermine the ability of women to access meaningful legal redress when they experience discrimination.[3]

Recommendation:

- **That the Government of British Columbia reinstate the BC Human Rights Commission or establish a new public body mandated to prevent discrimination, educate the public, initiate inquiries on broad systemic issues, and promote human rights compliance.**

b) Inadequate Legal Aid

In 2008, the Committee on Elimination of Discrimination against Women (Committee) expressed concern about financial cuts and restricted access to civil legal aid, particularly in BC. The Committee noted that this effective denial of access to justice for low income women could

[1] Brodsky, Gwen, and Shelagh Day. Strengthen Human Rights: Why British Columbia Needs a Human Rights Commission. Canadian Centre for Policy Alternatives, 10 Dec. 2014. Web. https://www.policyalternatives.ca/sites/default/files/uploads/publications/BC%20Office/2014/12/ccpa-bc_StrengtheningHumanRights_web.pdf
[2] BC Human Rights Tribunal, Annual Report 2014-15, online: http://www.bchrt.bc.ca/shareddocs/annual_reports/2014-2015.pdf
[3] West Coast LEAF. 2015 CEDAW Report Card: How BC Is Measuring Up in Women's Rights. West Coast LEAF, 2015. Web. http://www.westcoastleaf.org/wp-content/uploads/2015/11/CEDAW-Report-Card-FINAL-for-web.pdf

be addressed by establishing minimum criteria for access to legal aid, particularly for poverty and family law matters, to ensure that women have access to the legal aid they need.[4]

Since 2008, access to justice has not improved in BC. While cuts and service reductions affect many people, women and marginalized people are disproportionately affected. While men are the principal users of criminal law legal aid, women are the principal users of family law legal aid and civil legal aid. Legal aid for family law in BC is restricted by both issue coverage and income thresholds. Because women disproportionately experience poverty and economic hardship after relationship breakdowns, the legal and financial rights afforded to them under family law are vital to their ongoing economic security. They need accessible legal services to enforce their rights,[5] but in BC there is no legal aid coverage for financial matters involving division of property and family maintenance. In addition, women who face a legal issue that BC's legal aid system might cover, including seeking protection or restraining orders against violent spouses, may be denied aid based on income thresholds that are so low that many women in poverty do not qualify. Funding for poverty law legal aid has largely been eliminated in BC.

The inadequate funding of legal aid services in BC has resulted in an access to justice crisis in the province:

- Between 2001 and 2015, the number of family law cases approved for legal aid in BC dropped from 15,526 to 3,442;[6]
- Only 32% of those who received a referral to a legal aid lawyer on any matter were women;[7]
- 6,579 women applied for legal aid to assist them with a family law matter in 2012/2013 compared with only 2,870 men. Fewer than half of persons who applied for family legal aid received a referral to a legal aid lawyer.[8]

Recommendation:

- **That the Government of British Columbia immediately provide new, sustained and adequate funding for poverty law legal aid and for legal aid for family law matters, and ensure that legal aid is available to those who need it by raising financial thresholds for qualification.**

[4] Committee on the Elimination of Discrimination Against Women. Concluding Observations of the Committee on the Elimination of Discrimination Against Women Canada. 2008. At paragraph 22.
[5] Committee on the Elimination of Discrimination against Women. Recommendation 29: Economic consequences of marriage, family relations and their dissolution. Paragraphs 4-5, 42. UN Committee on the Elimination of Discrimination Against Women. 2013. Print.
[6] Brewin and Govender, Rights-based Legal Aid: Rebuilding BC's Broken System, 2010; Legal Services Society. 2014/2015 Annual Service Plan Report.
Web.http://www.lss.bc.ca/assets/aboutUs/reports/annualReports/annualServicePlanReport_2014.pdf
[7] Track, Laura, Shahnaz Rahman and Kasari Govender. Putting Justice Back on the Map: The Route to Equal and Accessible Family Justice. West Coast LEAF, Feb. 2014.
[8] Ibid.

2. Violence Against Women

> *"States Parties shall take in all fields… all appropriate measures… to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men."*
> *- CEDAW Article 3*
> *(Guarantee of Basic Human Rights and Fundamental Freedoms)*

Men's violence against women continues to be one of the most pervasive and grave human rights violations in Canada, including for women in British Columbia. Women's economic, social and political inequality is both a cause and a consequence of men's violence against women.

The Government of British Columbia fails to adequately address wife battery[9] and other forms of violence against women. Front line workers, including BC CEDAW Group members, are witnesses to government failures at all levels: failure to take adequate measures to improve policing and criminal justice system response to violence against women; failure to provide an adequate level of welfare so that women can leave violent partners and provide adequate shelter and food for themselves and their children; failure to provide legal aid for women in the family courts when they try to protect themselves and their children from violent men;[10] and failure to provide rape crisis centres with adequate, stable funding so that they can assist women who are victims of male violence.[11] These failures contribute to women's unequal status both in society and in relation to individual men.

Poverty and economic inequality are inextricably linked to women's vulnerability to male violence and compound the inequalities women already face in society. For women, a gendered wage gap, performing the majority of the unpaid labour of caring for the children, sick and elderly, and being the majority of minimum wage workers and the majority of single parents, all make women poorer than men and increase their vulnerability to sexist attacks. Women who attempt to escape violent men often return to abusers because of a lack of affordable housing and unlivable welfare rates. Many impoverished and racialized women are coerced by economic circumstance into prostitution, where violence is rife. To demonstrate a genuine commitment to ending violence against women, Canada and British Columbia must address women's poverty and their access to the necessary resources to live autonomous lives, free from men's violence.

a) Wife Assault in BC

In 2010, there were 16,259 reported cases (to police) of intimate partner violence in BC.[12] We

[9] This term refers to violence committed by men against female intimate partners, including common law spouses.
[10] Streibel, Katie. "B.C. Must Do More to Protect Battered Women." The Vancouver Sun. 17 Apr. 2014. Web. http://www.vancouversun.com/life/Opinion must more protect battered women/9749468/story.html
[11] Hui, Stephen. "Lack of Funds for B.C. Rape Crisis Centres Decried by Vancouver Advocate." The Georgia Straight. 25 May 2015. Web. https://www.straight.com/news/453481/lack-funds-bc-rape-crisis-centres-decried-vancouver-advocate
[12] Family Violence in Canada: A Statistical Profile, 2010. Statistics Canada, 2012. Print.

know from our frontline experience only 30% of women that call transition houses and sexual assault centres across Canada report to the police.[13] In 2014, 15 women were murdered by their intimate partners in the province.[14] In addition to the violence women face from husbands and boyfriends, women face many barriers when trying to access redress or protection in both the criminal justice system and the family courts. Although the provincial government states: "BC's Violence Against Women In Relationships policy sets out the protocols, roles and responsibilities of service providers across the justice and child welfare systems that respond to domestic violence…"[15], for women who are trying to protect themselves and their children from violent men, the family court system in British Columbia is a challenge. With significant cuts to legal aid outlined above, women receive less time with a lawyer (if they are eligible for legal aid at all) to proceed with family law protection orders and custody agreements. This often means they and their children are left with no protection from violent partners.

In 2008, the CEDAW Committee urged Canada to "implement legislation requiring that domestic violence convictions be taken into account in child custody or visitation decisions."[16] This recommendation was directed at provincial governments but has not been implemented: BC judges continue to disregard men's violence against female partners when considering the best interest of the child in child custody cases. Women are often forced to share custody and pressured to communicate with their attackers to coordinate access to the children. Women are also rightfully scared to report a partner's violence to authorities in family courts for fear that they will be accused of failing to protect their children and that the children will be apprehended by the child welfare system. Women's distrust of child welfare authorities is explained by the case of *J.P. v. British Columbia (Children and Family Development*). In a scathing 341-page judgment, a BC Supreme Court judge found that BC's child protection service abused authority by siding with a father against a mother, and allowing the father to molest his child while the toddler was in the Ministry's care.[17]

Recommendation:

- **That the Government of British Columbia immediately develop a provincial anti-violence plan, in consultation with women's anti-violence organizations, to address:**
  1) the failed police response to violence against women; and
  2) economic and social policy omissions and failures that make women vulnerable to male violence and less able to escape it, including inadequate social assistance rates, inadequate housing, and inadequate access to justice.

[13] Lee Lakeman. Obsession, with Intent: Violence against Women. Page 148 to 153. Montreal: Black Rose, 2005. Print.
[14] "Wife Murder in British Columbia 2014." Vancouver Rape Relief and Women's Shelter. 2014. Web. http://www.rapereliefshelter.bc.ca/wife-murder-british-columbia-2014
[15] Provincial Office of Domestic Violence. British Columbia's Provincial Domestic Violence Plan. Government of British Columbia, Feb. 2014. Web. http://www.mcf.gov.bc.ca/podv/pdf/dv_pp_booklet.pdf
[16] Committee on the Elimination of Discrimination against Women. Concluding observations of the Committee on the Elimination of Discrimination against Women Canada. 2008. At paragraph 30.
[17] J.P. v. British Columbia (Children and Family Development). The Supreme Court of British Columbia. 14 July 2015. Web. http://www.courts.gov.bc.ca/jdb-txt/SC/15/12/2015BCSC1216.htm

3. Poverty and Welfare

a) BC Fails to Provide Targeted Measures to Address Disproportionate Levels of Women's Poverty

Women's poverty rates are higher than men's in British Columbia, as in the rest of the country. Statistics Canada reports that 15.3% of women compared to 13.4% of men in British Columbia are living in (after tax) low income. The rates are much higher for single women (32.2%) and for single elderly women (28.6%).[18] Women outnumber men among those accessing disability and income assistance in BC, due to the high numbers of single mothers on welfare.[19] As of July 2016, there are 45, 514 single parents accessing income and disability assistance, about 90% of whom are single mothers.[20] When you include children, single parent families represent 44% of all recipients of income assistance in British Columbia.

b) Right to Adequate Social Security Denied

> *"States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure… The right to social security."*
> *- CEDAW Article 11(e)*

Since the repeal of the *Canada Assistance Plan Act* in 1995, there have been no conditions attached to the federal Social Transfer that specify that receiving provinces and territories must provide adequate levels of welfare. Welfare (social assistance) rates in BC have not been raised since 2007. This inaction forces thousands of women who are reliant on social assistance to live far below the poverty line. In 2013, a BC two-parent family on social assistance was at 63% of the poverty line, and a BC lone-parent family was at 71% of the poverty line.

Families relying on social assistance in BC are forced to choose between secure housing, food and other basic necessities. In fact, 76% of families on social assistance do not have secure access to adequate food supply.[21] The recent *Priority health equity indicators for BC: Household food insecurity indicator report*, released August 2016, revealed that female lone-parent led BC households, with children less than 18 years of age, have the highest rate of food insecurity in BC (34.2%). [22]

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[18] CANSIM Table 206 0041. Statistics Canada. Web http://www5.statcan.gc.ca/cansim/a26?lang=eng&id=2060041
[19] Ministry of Social Development and Social Innovation: http://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/organizational-structure/ministries-organizations/social-development-social-innovation/bcea-caseload.pdf
[20] Ministry of Social Development and Social Innovation press release, Wednesday, March 11, 2015: https://news.gov.bc.ca/stories/significant-changes-announced-to-support-single-parents-on-assistance
[21] West Coast LEAF. 2015 CEDAW Report Card: How BC Is Measuring Up in Women's Rights. At page 4.
[22] *Priority health equity indicators for BC: Household food insecurity Indicator report,* August 2016: http://www.phsa.ca/population-public-health-site/Documents/Household%20food%20insecurity%20in%20BC_full%20report.pdf

c) Indigenous Women and Girls in BC – Social and Economic Disadvantage

Indigenous women and girls are one of the most socially and economically disadvantaged groups in Canada, and many of their disadvantages are rooted in the history and modern day effects of colonization.

Indigenous women face severe economic and social hardship, including high rates of poverty and unemployment, lower educational attainment, poor health, lack of access to clean water, and overcrowded, substandard housing. Indigenous women and girls face discrimination on multiple fronts: as women in their home communities due to the patriarchal legacy of colonization, as women in mainstream society, and as Indigenous persons in mainstream society.[23] Additionally, a disproportionate number of the most vulnerable street prostituted women are Indigenous, and they struggle with addiction, homelessness, and chronic, often life-threatening, health problems.[24] Engagement in prostitution is a reflection of the overall economic and social marginalization faced by Indigenous women and girls, and it further increases levels of vulnerability to coercion, abuse and violence

Recommendations:

- **That British Columbia immediately raise the welfare rates to above poverty line levels, remove new barriers to adequate service delivery, and restore access to education and training for all accessing welfare, including tuition and subsidy programs targeting the removal of unique barriers to education for Indigenous women in particular, refugee and immigrant women, senior women, women with disabilities, and single mothers.**
- **That British Columbia enact a comprehensive poverty reduction plan within a gender based analysis targeting women's poverty, with special temporary measures, pro-active long term strategies, and targets to eliminate women's poverty in BC. Plan must include a rights-based food strategy with time frames and attentiveness to most vulnerable populations.**

4. Employment

> *"States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights"*
>
> *- CEDAW Article 11.1*

a) Structural Inequality

Women in British Columbia are locked in to a structure of inequality in the workforce. This is due to a combination of factors, including: a gendered wage gap, which has narrowed little in

[23] B.C. CEDAW Group. Inaction and Non-compliance: British Columbia's Approach to Women's Inequality. Sept. 2008. Web. http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/CEDAWCanadaBC2008.pdf
[24] B.C. CEDAW Group. Inaction and Non-compliance: British Columbia's Approach to Women's Inequality. 2008. At page 29.

twenty years; entrenched patterns of jobs segregation by sex, with jobs traditionally performed by women paid less than jobs traditionally performed by men; the majority of unpaid caregiving work being performed by women; attacks on "good jobs" held women in the public sector (teaching, care aids, hospital workers); cuts to public services which support women's ability to participate in the labour force; inaccessible and unaffordable child care; a predominance of women in part-time and casual work with little job security or benefits; a low minimum wage which provides less than a poverty level income to full-time full-year minimum wage workers, most of whom are women.

British Columbia has no adequate mechanisms for addressing this structural inequality. As described below, there is no pay equity law, no employment equity law or programs, no women's machinery in government (Ministry of the Status of Women, or Advisory Council) and no governmental strategy for eliminating the entrenched sex discrimination in work.

b) Pay Equity

British Columbia has no law that requires employers to pay women and men equal pay for work of equal value. The standard in BC is a much lower one: employers are required to pay women the same pay as men when they are performing the similar work. [25] This means that the law in BC cannot address the substantial differences in pay that are attached to traditionally female jobs when compared to traditionally male jobs.

There is a substantial gender pay gap in British Columbia. Women's full-time earnings were about 65% of what men earned in 2010. In addition, women in British Columbia are not keeping pace with women workers in other parts of Canada.[26] The Canadian Centre for Policy Alternatives reports that the median income for all female workers in BC rose only 4% between 2000 and 2010 compared with the national increase of 10.6 %.

c) Employment Equity

British Columbia has no employment equity law or programs that require employers to scrutinize their employment practices to ensure that they do not have discriminatory effects on traditionally disadvantaged groups including women, or to make efforts to hire non-traditional workers into job categories where they are underrepresented. There is no mechanism for addressing the discriminatory effects of sex-based job segregation.

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[25] Section 12 of the B.C. Human Rights *Code* prohibits employers from paying employees of one sex a different rate of pay than employees of the other sex for work that is similar or substantially similar. http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96210_01#section12

[26] Canadian Centre for Policy Alternatives – BC Office, *BC Disadvantage for Women: Earnings Compared with Other Women in Canada*, Vancouver 2012, available at https://www.policyalternatives.ca/sites/default/files/uploads/publications/BC%20Office/2012/12/CCPA-BC_BC_Disadvantage_for_Women_0.pdf

d) Minimum Wage: Minimum Wage Work is Women's Work in BC

In BC, 63% of minimum wage workers are women, and 310,000 women earn $15 per hour or less.[27] BC's minimum wage was increased to $10.85 an hour in September 2016, but it is among the lowest in the country.[28]

Overall, BC's abysmal record on poverty is directly related to its low minimum wage. BC's inadequate minimum wage perpetuates women's poverty, as women fill the majority of low wage jobs in the province. A single mother parent with one child, working full time, full year, but earning only $10.85 an hour, earns total wages well below the Low Income Measure (LIM) before-tax poverty line of $27,437 for this family.[29] BC's minimum wage does not provide for an adequate standard of living.

Further, BC is one of only three provinces in Canada that has a reduced minimum wage of $9.60 per hour for "liquor servers" – employees whose employment duties include serving liquor directly to customers. Because women make up the majority of those working in the service industries, they are disproportionately impacted by the lower liquor server wage.

e) Austerity Measures: Impact of Tax Cuts and Cuts to Services That Support Women

Women's status and participation in the workforce has been affected by austerity measures introduced over the last fifteen years by the BC government, in the form of tax cuts and cuts to services. The BC government has offered little, if any, gender impact analysis of these tax cuts (and the resulting spending cuts). We note that women have been negatively affected in four distinct ways:

- Women received a smaller share of the tax cuts, because women have lower incomes than men on average, and the tax cuts were skewed to disproportionately benefit higher-income taxpayers and business owners/shareholders;[30]
- Many of the public services that were scaled back or dismantled in the wake of these tax cuts were social services used disproportionately by women. Examples include women's shelters, legal aid, welfare and seniors' care;
- Cuts to public programs shift the burden of care giving from a collective, societal

[27] BC Federation of Labour. BC Minimum Wage and Women: The Facts. BC Federation of Labour. Web. http://bcfed.ca/sites/default/files/attachments/BCFED%20minimum%20wage%20fact%20sheet%20-%20women.pdf

[28] Labour Program Canada: Our Current and Forthcoming Minimum Hourly Wage Rates for Experienced Adult Workers in Canada. Statistics Canada, January 27, 2015: http://srv116.services.gc.ca/dimt-wid/sm-mw/rpt1.aspx?lang=eng CBC, "B.C. minimum wage now lowest in Canada", March 31, 2016: http://www.cbc.ca/news/canada/british-columbia/bc-minimum-wage-lowest-canada-1.3515923

[29] First Call: BC Child and Youth Advocacy Coalition. BC Child Poverty Report Card Fact Sheet 6: Child Poverty and Working Parents. Nov. 2015. Web. http://still1in5.ca/wp-content/uploads/2015/11/2015-BC-Child-Poverty-Report-Card-WebSmall-FirstCall-2015-11.pdf

[30] The trend of eroding tax fairness is documented in Lee, Marc, Seth Klein and Iglika Ivanova. A Decade of Eroding Tax Fairness in BC: Time for Progressive Tax Reform. Canadian Centre for Policy Alternatives. 2011. Web. https://www.policyalternatives.ca/bc-tax-shift

responsibility to a responsibility of individual families. Because women continue to do considerably more unpaid care giving work at home than men, they are the ones who bear the brunt when services like home support are scaled back. The increased burden of unpaid care-giving work has made it more difficult for BC women to fully and equally participate in the economy and in society outside of the home.

- Public sector workers are predominantly women, so the job losses associated with scaling down social services over the last 15 years have disproportionately affected women. For example, when funding shortfalls after the first round of steep tax cuts led the BC government to contract out hospital cleaning and food service jobs in the early 2000s, the vast majority of the 8,000 public sector workers affected were women, many of whom were racialized. Many lost their jobs and those who stayed saw their wages drop to less than 60% of previous pay and faced heavier workloads and no job security.[31]

Recommendations:

- **That British Columbia immediately introduce proactive pay equity legislation that requires both public and private sector employers to pay women equal pay for work of equal value;**
- **That British Columbia introduce a $15 an hour minimum wage law immediately, as recommended by the British Columbia Federation of Labour;**
- **That British Columbia immediately eliminate the liquor server wage;**
- **That British Columbia immediately consult with women's organizations and trade unions and devise an 'equality in work' strategy for the Province that will address the structural inequality of women in the workforce, taking into account the interactions of various factors including the gender wage gap, women's unpaid work, women's unmet child care needs, and sex-based job segregation.**

5. Childcare

> *"State Parties shall take appropriate measures… To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities."*
>
> *- CEDAW Article 11(2)(c)*

In its 2008 review of Canada, the Committee expressed concern about women's access to child care. The Committee urged Canada to "step up its efforts to provide a sufficient number of affordable childcare spaces," linking this recommendation with the necessity to increase efforts to provide "affordable and adequate housing options…pay particular attention to services in Indigenous communities and for low-income women, (whom it noted are particularly disadvantaged in those areas); and "carry out a cost-benefit analysis to assess the impact of current living standards, housing and childcare situations on the economic empowerment of

[31] Pollak, Nancy, Jane Stinson and Marcy Cohen. The Pains of Privatization: How Contracting Out Hurts Health Support Workers, Their Families, and Health Care. Canadian Centre for Policy Alternatives. 2005. Web. https://www.policyalternatives.ca/publications/reports/pains-privatization

women and present the findings in its next report to the Committee. Such an analysis should have a special focus on low-income women, taking into account the amount of social assistance they receive from the State compared with the actual cost of living, including housing and childcare."[32]

At 0.25% of GDP,[33] Canada's combined public investment in kindergarten and child care for young children is about one-third the OECD average and far less than the recommended benchmark of at least 1% of GDP.[34]As a result, Canada has among the lowest levels of access to child care and the highest parent fees in the OECD.

British Columbia is even worse than the already-weak Canadian average on most measures related to child care. Mothers' workforce participation rates, access to regulated spaces, and public investment per childcare space are all below the Canadian average,[35] while parent fees and the presence of for-profit child care centres are both higher than the Canadian average.[36] Given the important role that public investment plays in achieving child care quality and affordability, it is particularly noteworthy that BC's public investment per regulated child care space ($2,131) is far below the Canadian average ($3,558) and lower than it was in 2001 ($2,256, not adjusted for inflation).[37]

Eight years after the Canada's last CEDAW review, the government of British Columbia has not made substantive progress on any of the Committee's recommendations regarding child care. Specifically:

1. **Insufficient number of affordable spaces**: Between 2008 and 2012 (the most recent year for which data is available), the percentage of children under age 12 with access to a regulated child care space in BC grew only slightly, from 15.4% to 18%.[38] Nearly one half of regulated spaces are not in for-profit agencies.[39] BC is one of the only provinces that provides capital funding to "big-box" commercial chains to establish for-profit care centres.[40]

[32] Committee on the Elimination of Discrimination against Women. Concluding observations of the Committee on the Elimination of Discrimination Against Women Canada. 2008. At paragraph 8 to 9.
[33] Organization for Economic Co-operation and Development. Directorate for Education. (2006). *Starting Strong II.* Paris: OECD Publishing.
Up-to-date comparative data is not available as Canada's 2009 OECD entries and other international sources are incomplete. Total ECEC funding has likely increased since 2006 from the addition of full school-day kindergarten in several provinces and slow growth of child care funding. However, in BC the introduction of full school-day kindergarten only increased the provincial child care/kindergarten spending from an estimated 0.23% of GDP to 0.29% of GDP (Steele, D., Montani, A., Anderson, L. and Oloman, M. (2015). *Making BC's young children and families a priority: A call to action.* Vancouver: First Call: BC Child and Youth Advocacy Coalition. 19.).
[34] Bennett, J. (2008). *Benchmarks for Early Childhood Services in OECD Countries.* Innocenti Working Paper 2008-02. Florence: UNICEF Innocenti Research Centre. 38.
[35] Friendly, M. et al. (2015). See 124-139, Tables 1, 8, 11, and 13.
[36] Friendly, M. et al. (2013). See 55-69, Tables 1-15. *Note: parent fee update not included in 2015 update.*
[37] Friendly, M. et al. (2015). 137, Table 11.
[38] Beach and Friendly. The state of early childhood education and care in Canada 2010: Trends and analysis. 2013. At page 67, table 13.
[39] Friendly, M. et al. (2015). 139, Table 13.
[40] Harney, S. (2015). *Letter to Christy Clark.* Vancouver: Coalition of Child Care Advocates of BC.

The limited access is still unattainable for many due to high parent fees. A 2014 study of child care parent fees in large Canadian cities found that – outside of Quebec and Manitoba, where parent fees are capped[41] – median child care fees range from 23% to 36% of median pre-tax market income for women aged 25 to 34.[42] Thus, mothers in most of Canada pay three to four months of their annual salary in child care costs. A 2015 study of fees in large cities found that they have increased by 5% since 2014, or about five times the rate of inflation.[43]

2. **Indigenous communities and low-income women**: While child care affordability is a serious issue for most families, it is of particular concern to women in lower income families. Yet, "fee subsidies for lower income families are inadequate [and] the proportion of subsidized children has essentially remained static since 2001."[44] In BC, "even families that qualify for the maximum subsidy are still responsible for significant financial contributions because subsidies do not cover the actual costs of care."[45] In addition, child care staff – who are predominantly women and frequently college-educated – continue to earn poverty-level wages, with the median wage in 2012 at "only 69% of the average wage in Canada."[46]

   For Indigenous communities, there is no evidence that child care has been a policy priority and some evidence to indicate the opposite. Although the federal government has direct responsibility for Aboriginal child care, program funding "has been virtually static since 2006, and dropped in 2008/2009."[47] BC research on Aboriginal ECDC concluded:

   > *"The picture… is one marked by a decline of political will and support at the federal level for Aboriginal ECDC. At the provincial level, this picture is marked by frequent changes in direction and senior management in [government ministries], a lack of meaningful consultation with Aboriginal community and service providers, a lack of accountability for Aboriginal ECDC funding, and an overall ambivalence regarding community consultation on Aboriginal ECDC."*[48]

[41] Parent fees are also capped in Prince Edward Island, but the cities in that province did not fit the 2014 study's definition of big cities so were not included.
[42] Macdonald, D. and Friendly, M. (2014). *The Parent Trap: Child care fees in Canada's big cities*. Ottawa: Canadian Centre for Policy Alternatives.
[43] Macdonald, D. and Klinger, T. (2015). *They Go Up So Fast: 2015 Child Care Fees in Canadian Cities*. Ottawa: Canadian Centre for Policy Alternatives.
[44] Canadian Centre for Policy Alternatives (CCPA) (2015). *Delivering the Good: Alternative Federal budget 2015*. Ottawa: Canadian Centre for Policy Alternatives. 41.
[45] Milne, K. (2016). *High Stakes: The impacts of child care on the human rights of women and children*. Vancouver: West Coast LEAF. 14.
[46] Ferns, C. and Friendly, M. (2014). 3.
[47] Friendly, M. and Beach, J. (2013). *The state of early childhood education and care in Canada 2010: Trends and analysis*. Toronto: Childcare Resource and Research Unit. Table 14.
[48] Jamieson, K. and Isaac, K. (2014). *An environmental scan of public policy and programs for young Aboriginal children in BC: A cold wind blows*. West Vancouver: BC Aboriginal Child Care Society. ii.

3. **Comprehensive cost/benefit analysis**: Academics and economists have published studies that consistently find that the benefits of quality, affordable child care outweigh the costs.[49] For example, research shows that the current $7/day system in Quebec more than pays for itself, bringing 70,000 more women into the paid work force[50] and decreased poverty rates by approximately 50% by 2008.[51] A recent study in BC estimates that the implementation of a proposed "Community plan for a public system of early care & learning"[52] would increase women's workforce participation, grow BC's economy by $3.9 billion per year and generate approximately $1.3 billion in revenues to the provincial and federal governments once fully phased in.[53]

In 2015, the government of Canada changed to a different political party. The new government's 2016 budget "proposes to invest $500 million in 2017–18 to support the establishment of a National Framework on Early Learning and Child Care. Of this amount, $100 million would be for Indigenous child care and early learning on reserve."[54] It is too early to tell what impact these investments will have, although the amount promised is too low to implement past CEDAW recommendations and ensure that quality, affordable child care is consistently available to families across the country. Nonetheless, the renewed federal commitment to child care is cause for optimism. Given that the delivery of child care services is a provincial/territorial responsibility, BC has yet to indicate how it may participate or use any funds allotted.

The Early Childhood Educators of BC and the Coalition of Child Care Advocates of BC have developed the previously mentioned $10 a Day Child Care Plan for BC, which has broad support from British Columbians[55] and over 250 endorsements from local government, business, child care, labour, health, and community organizations.[56] The Plan illustrates how a national vision can be applied in provinces in ways that respond to different contexts while leading towards a shared outcome that: substantially increases access to quality, affordable child care for all who want or need it, on a voluntary basis; prioritizes social, physical and cultural inclusion of children and their families, ensuring that the needs of the most vulnerable are prioritized; values and respects the early childhood work force with fair compensation, decent working conditions and professional development opportunities.

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[49] Fortin, P., Godbout, L. and St-Cerny, S. (2012). *Impact of Quebec's universal low-fee childcare program on female labour force participation, domestic income, and government budgets*. University of Sherbrooke.
The Centre for Spatial Economics (2009). *Estimates of Workforce Shortages: Understanding and addressing workforce shortages in early childhood education and care (ECEC) project*. Ottawa: Canadian Child Care Human Resources Sector Council.
Kershaw, P., Anderson, L., Warburton, B. and Hertzman, C. (2009). *15 by 15: A comprehensive policy framework for early human capital investment in BC.* Vancouver: Human Early Learning Partnership, UBC.
[50] Fortin, P. et al. (2012). 27.
[51] Fortin, P. et al. (2012). 7.
[52] Early Childhood Educators of BC and Coalition of Child Care Advocates of BC (2016). *Community plan for a public system of early care & learning*. Vancouver: ECEBC and CCCABC.
[53] Ivanova, I. (2015). *Solving BC's Affordability Crisis in Child Care: Financing the $10 a Day Plan*. Vancouver: Canadian Centre for Policy Alternatives. 6.
[54] Government of Canada (2016). *Budget 2016.* http://www.budget.gc.ca/2016/docs/plan/toc-tdm-en.html
[55] Coalition of Child Care Advocates of BC (2015). *Province-wide poll confirms broad support for $10aDay Child Care Plan.* http://www.10aday.ca/province_wide_poll_confirms_broad_support_for_10aday_child_care_plan
[56] Coalition of Child Care Advocates of BC (2015). *Endorse the Plan.* http://www.10aday.ca/endorse

Building an effective child care system contributes to equality for women in their enjoyment of their human rights. If done well, child care advances social and income equality, reduces poverty and improves health. Child care that is developed by and for Indigenous communities helps to close the gaps in outcomes for Indigenous peoples. Overall, child care helps women achieve their education and career goals, among other crucial benefits.

Recommendations:

- **That the government of Canada provide leadership, legislation, and adequate and sustainable funding for provinces, territories and Indigenous communities to build quality, affordable child care;**
- **That the British Columbia implement the recommendation as outlined in the Community Plan for a Public System of Integrated Early Care and Learning.**

6. Housing and Food Security

Given the critical nature of the housing crisis for Canadian women and their families, this periodic review offers a singular opportunity for accountability on this front. Canada's housing emergency is a failure shared by every level of government in Canada, as each level in the Canadian federation has unique as well as overlapping capacities to address the issue. Provincial governments have direct constitutional jurisdiction over housing, along with significant revenue raising capacity unavailable at the local level. The provincial government is responsible for development of human settlements, regulation of urban and rural development and regulation of building and housing standards. Provincial governments also have laws regulating landlord-tenant relationships and have primary responsibility for social housing and other key areas of social policy.

PROVINCIAL FAILURE The housing emergency in Canada is nowhere more acute than in British Columbia. As the following numbers attest, significant numbers of British Columbians face severe housing inadequacy—with a continuum that runs from homelessness to housing that is too expensive, substandard in condition, and inadequate in size, location, and facilities. Close to the homelessness end of the spectrum are those who, because of their poverty, live in single room occupancy hotels infested with vermin, without heat or hot water for periods of time, paying per square foot some of the most expensive rents in the city for a tiny cell.[57]

Remarkably, the crisis of housing inadequacy in Canada has not improved, and in many aspects has worsened, since the UN Special Rapporteur on Adequate Housing, in 2009, detailed a long list of features relevant to both the federal and provincial governments that result in denial of the right to adequate housing for many Canadians, and, in this context, British Columbians.[58]

[57] Matt Lee. "Poor living conditions still plague notorious Downtown Eastside SRO." News Talk 980 CKNW | Vancouver's News. 17 Oct. 2015. Web <http://www.cknw.com/2015/10/17/103574/>.

[58] Miloon Kothari. Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. United Nations General Assembly, October 2007. Web. <http://www2.ohchr.org/english/bodies/hrcouncil/docs/10session/A. HRC.10.7.Add.3.pdf> 66

CORE HOUSING NEED The Canadian Mortgage and Housing Corporation (CMHC) defines core housing need as occupying housing that requires more than 30% of pre-tax household income and/or that fails to meet standards of adequacy and suitability. Numbers of households in core housing need exclude the homeless, households headed by full-time students between the ages of 15 and 29, and Indigenous on-reserve households. Inclusion of these groups would significantly raise the percentage of households in core housing need. Data from the last voluntary National Household Survey show that BC had the highest percentage of households in core housing need at 15.35% in 2011.67[59] The national average was 12.45%. Many British Columbian households spend more than 30% of their gross income on housing. More recent research shows that core housing need for urban households in BC in 2012 was 16.1%, higher than the national average, and second highest only to Ontario at 16.6%.[60] In Vancouver, the largest city in British Columbia and third largest in Canada, 20.1% live in core housing need, the highest incidence of core housing need in Canadian municipal areas.[61] Renters are more likely to be in core housing need than home owners. Among provinces, renters in British Columbia at 31.1% were the most likely to live in core housing need in 2011.[62] In Vancouver, more than 35% of renters spend more than 50% of their income on housing.[63] The impacts on children in families spending the majority of their income on rent are particularly severe, including a high risk of malnutrition and higher risk of respiratory and other diseases.[64] Pointedly, female lone-parent households and female one-person households had the highest incidences of core housing need in 2011.[65] Women, already disproportionately affected by poverty, intimate partner violence, and sexual abuse, disproportionately bear the brunt of this housing inadequacy crisis.

RESIDENTIAL TENANCY REGULATION INADEQUATE As already noted, erosion of housing affordability is strong among tenant households. And, the majority of low-income women are tenants. As well, vacancy rates in many BC communities are extremely low. Vancouver and Victoria, the provinces two largest metropolitan areas, are particularly low. As of July 2016, Vancouver's vacancy rate was 0.6 per cent.[66] Protections offered by the provincial Residential Tenancy Act are simply inadequate. Evictions for renovation are allowed under the

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[59] Cooper, Sarah and Ian Skelton. Addressing Core Housing Need in Canada. Canadian Centre For Policy Alternatives—Manitoba Office, 2015. Web. https://www.policyalternatives.ca/publications/reports/ addressing-core-housing-need-canada

[60] Canada Mortgage and Housing Corporation. First Annual Estimate of Urban Households in Core Housing Need Based on Statistics Canada's New Canadian Income Survey. 14 December 2015. Web. <http:// www.cmhc-schl.gc.ca/en/hoficlincl/observer/observer_026.cfm?utm_source=observer-en&utm_ medium=link&utm_campaign=obs-20151214-core-housing-need-data

[61] Canada Mortgage and Housing Corporation. Housing Observer 2014. April 2015. Web. http://www. cmhc-schl.gc.ca/odpub/pdf/68189. pdf?fr=1451379075805#page47

[62]Canada Mortgage and Housing Corporation. First Annual Estimate of Urban Households in Core Housing Need Based on Statistics Canada's New Canadian Income Survey. 2015.

[63] Save Social Housing Coalition - First Meeting, Carnegie Centre Theatre, Vancouver. Inclusion BC, 2012. Web. http://www.inclusionbc.org/events/2012-09-12/save-social-housing-coalition

[64] BC Poverty Reduction Coalition. Cost of Poverty: Housing. Web. http://bcpovertyreduction.ca/learnmore/cost-of-poverty/#housing

[65] Canada Mortgage and Housing Corporation. Housing Observer 2014. 2015. At page 1 to 7.

[66] Ian Bailey, "High rents, low vacancy rates create 'crisis' for Vancouver region: study," Globe and Mail, Thursday, Jul. 07, 2016 Web http://www.theglobeandmail.com/news/british-columbia/high-rents-low-vacancy-rates-create-crisis-for-vancouver-region-study/article30785297/

law and continue apace.[67] Rent increases are inadequately regulated, problems with discrimination continue, and the administrative procedures for addressing tenant concerns are underfunded, unfair, and practically inaccessible for many of the most vulnerable populations.[68] Civil society housing advocates have long called for a number of changes to the legislation to address these concerns, to no avail.

Recommendations:

- **That the BC Government use its legislative resources to raise incomes, for example, through minimum wage and social assistance rates law, and thus address the income piece of the housing affordability question;**
- **That the BC Government amplify existing spending on social and public housing, providing below market rental housing in particular.**
- **That the BC Government strengthen residential tenancy law, for example, attaching rent increases to residential units (not tenants) and prohibit eviction into homelessness.**

In 2012, the last year for which data are available, four million Canadians, including 523,000 British Columbians, were food insecure.[69] Household food insecurity in BC rose from 11% in 2005 to 12.7% in 2012. This number under represents the hungry and malnourished as it leaves out Indigenous people on reserves and the homeless. The Special Rapporteur on food security in a 2012 report on Canada noted that lone women-led households are particularly vulnerable.[70] The inadequacy of provincial social protection schemes to meet basic household needs has precipitated the proliferation of private and charity-based food aid.[71] The BC Government has no poverty reduction plan, more specifically, no policy to deal with the hungry within its territory. Essentially and effectively, food security is outsourced by the BC government to food charity. Today 97 food banks distribute emergency food throughout BC. Yet many continue to go hungry. In 2015, 100,000 British Columbians were able to use a food bank; only one in four hungry Canadians access food banks.[72]

Recommendation:

- **That the BC Government formulate a comprehensive rights-based food strategy, identifying measure to be adopted, time frames, and attentiveness to most vulnerable populations. Included must be revision of social assistance levels and minimum wage levels to correspond to costs of necessities required to enjoy the human right to an adequate standard of food security.**

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[67] Pivot Legal Society. Homes For All. 2012. Web. http://www.pivotlegal.org/homes_for_all

[68] Hadley, Jessica and Kendra Milne. On Shaky Ground: Fairness at the Residential Tenancy Branch. Community Legal Assistance Society, Oct. 2013. Web. https://assets.documentcloud.org/ documents/803170/on-shaky-ground-fairness-at-the-rtb-clasbc-10-13.pdf

[69] Graham Riches. "Opinion: Doing a Bit Isn't Enough." The Vancouver Sun. 28 December 2015. Web. http://www.vancouversun.com/business/opinion+doing+enough/11617817/story.html

[70] Olivier De Schutter. Report of the Special Rapporteur on the right to food, Olivier De Schutter. United Nations General Assembly, 24 December 2012. Web. http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/AHRC2250Add.1_English.PDF

[71] 88 De Schutter. Report of the Special Rapporteur on the right to food, Olivier De Schutter. 2012.

[72] Graham Riches. "Opinion: Doing a Bit Isn't Enough." 2015.

7. Women's Health

> *"States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure… access to health care services, including those related to family planning."*
>
> *- CEDAW Article 12.1*

Women are the majority of the senior population of Canada (those over 65 years of age). In BC, the projected proportion of the population aged 65 and over will reach between 24% and 27% of the total in 2038, levels higher than the national average.[73] On average, women use the health care system more often and live almost seven years longer than men.[74] The weaknesses in the health care system for seniors affect women disproportionately both as consumers of health care services and as caregivers.

Indeed, women make up from nearly two thirds to three quarters of the residential care population. Up to 95% of workers in long-term care (LTC), or residential, facilities are women[75], and so are over 80% of those providing paid care and unpaid personal care.[76] In both positions, women are greatly impacted by the trend towards privatization, and cuts to funding[77], which has been raising concerns for several years in terms of quality of care, working conditions, cost for both residents and taxpayers, and transparency to the public.[78]

Much has been written about the exponentially rising health costs associated with an aging population. In BC, though expenditures have risen by 39% from 1998 to 2012, this rise is primarily due to spending on the middle-aged demographic, while care for seniors has seen either insufficient increase or outright decline due to residential care cuts after 2002.[79] Similarly, between 2001/02 and 2009/10, access to home and community care declined by 14%, in terms of volume of services provided each year relative to the number of seniors over the age of 75, with

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[73] Statistics Canada. Population projections: Canada, the provinces and territories, 2013 to 2063. Statistics Canada, 17 Sept. 2014. Web. http://www.statcan.gc.ca/daily-quotidien/140917/dq140917a-eng.htm

[74] Lorber, Judith, and Lisa Jean Moore. Gender and the Social Construction of Illness. Thousand Oaks, CA: Sage Publications, 1997. Print.

[75] Canadian Union of Public Employees. Residential Long-Term Care in Canada: Our Vision for Better Seniors' Care. Canadian Union of Public Employees, Oct 2009. Web. https://cupe.ca/sites/cupe/files/CUPE-long-term-care-seniors-care-vision.pdf

[76] The National Coordinating Group on Health Care Reform and Women. In Reading Romanow: The Implications of the Final Report of The Commission on the Future of Health Care in Canada for Women (Revised and Updated Edition). The National Coordinating Group on Health Care Reform and Women, Apr. 2003. Web. http://www.womenandhealthcarereform.ca/publications/reading-romanow.pdf

[77] Canadian Union of Public Employees. Residential Long-Term Care In Canada: Our Vision for Better Seniors' Care. Canadian Union of Public Employees, Oct 2009.

[78] Donna Vogel, Michael Rachlis and Nancy Pollak. Without Foundations: How Medicare is Undermined by Gaps and Privatization in Community and Continuing Care. Canadian Centre for Policy Alternatives. 2000. Web. https://www.policyalternatives.ca/publications/reports/without-foundation#sthash.VeBTwvZm.dpuf

[79] Marc Lee. "Spotlight on health care austerity: seniors' residential care." Policy Note. 30 Oct. 2015. Web. http://www.policynote.ca/spotlight-on-health-care-austerity-seniors-residential-care/

significant variations across health authority regions.[80] These substantial cuts have turned BC's home care and support services into a reactive and ill-equipped system[81] that also pushes seniors to rely more heavily on emergency room visits thus transferring the burden onto hospitals.

In 2012, the Ombudsperson's office of BC made 176 recommendations to address issues of fairness, access and quality in BC's home support, assisted living and residential care systems - 140 of which were directed at the Ministry of Health of BC. A June 2015 update outlines that the provincial government has implemented less than 14 per cent of the recommendations, and made no progress on 58% of the recommendations.[82]

BC can afford to provide appropriate care to its population of seniors and to women in particular: the province's nominal GDP growth has averaged 4.5% in the past decade and could, if the rate continues, afford to increase healthcare expenditures by the necessary 4.2%. However, the BC Budget allocated only a 2.8% increase to healthcare spending for 2015, and projects the same for 2016 and 2017.[83] In the meantime, MSP premiums are slated to increase again in 2017.

Since the Romanow Commission in 2002, scholars and health care practitioners have been arguing that the Canada Health Act has left Long Term Care and "continuing care" out of the scope of Medicare. Proponents call for federal leadership in requiring provincial and territorial governments to include the continuum of care in their scope, and addressing the current trend of privatization of extended services like LTC. The federal government has a renewed opportunity to 'do it right', implement the Romanow recommendations using a gender-based approach, and give full meaning to Recommendation 29: "governments, regional health authorities, and health care providers should continue their efforts to develop programs and services that recognize the different health care needs of men and women, visible minorities, people with disabilities, and new Canadians."

Recommendations:

- **That the Government of Canada through the Canada Health Transfer and the Canada Health Accord require provincial and territorial governments to include the continuum of care in their scope, including Long Term Care, home care, and seniors housing;**
- **That the Government of Canada take measures, in cooperation with the provinces and territories to stop the privatization of health services such as Long Term Care;**

[80] Marcy Cohen. Caring for BC's Aging Population: Improving Health Care for All. Canadian Centre for Policy Alternatives, July 2012. Web. https://www.policyalternatives.ca/sites/default/files/uploads/publications/BC%20Office/2012/07/CCPABC-Caring-BC-Aging-Pop.pdf

[81] Cohen, Marcy and Joanne Franko. Living Up to the Promise: Addressing the high costs of underfunding and fragmentation in BC's home support system. Integrated Care Advocacy Group and the BC Health Coalition, May 2015. Web. http://www.bchealthcoalition.ca/sites/default/files/uploads/Living%20Up%20To%20The%20Promise%20-%20Full%20Report%20-%20press%20-%20%20new%20appendixA.pdf

[82] Office of the Ombudsperson of BC. Update on Status of Recommendations -- The Best of Care: Getting it Right for Seniors in BC (Part 2). June 2015. Web. https://www.bcombudsperson.ca/sites/default/files/Best%20of%20Care%20%28Part%202%29%20-%202015%20Updates%20%28All%29.pdf

[83] Marc Lee. "Austerity comes to BC's health care system." Policy Note. 29 Oct 2015. Web. http://www.policynote.ca/austerity-comes-to-bcs-health-care-system/

- **That all governments in Canada develop programs and services that recognize the different health care needs of men and women, visible minorities, people with disabilities, and new Canadians;**
- **That the Province of British Columbia implement the recommendations of the B.C. Ombudsman regarding health care services;**
- **That the Province of British Columbia increase funding for health care services for seniors, such as but not limited to, expanding the continuum of care, including home health services, residential care and seniors housing.**

8. Women and the Environment

Climate change is a serious and imminent threat to humanity, one that disproportionately impacts women and girls, especially those who are vulnerable due to poverty, colonization, social inequalities, or geographic location (such as Arctic, small island and sub-Saharan regions).[84] On our current course of global greenhouse gas (GHG) emissions, the Intergovernmental Panel on Climate Change predicts catastrophic climate destabilization with devastating outcomes for humanity.[85] For this reason, all nations must cooperate to urgently and aggressively reduce GHG emissions. If States ignore the warnings of climate scientists and refuse to implement science-based GHG emissions targets that will limit the concentration of atmospheric carbon dioxide to 350 parts per million (ppm), we are likely to cross a threshold in which disruption to climate equilibrium reaches a tipping point that threatens human survival.[86]
Climate change has many devastating consequences and threatens a broad spectrum of human rights: such as shrinking water sources, collapse of food stocks, reduction of biodiversity and species extinction, desertification, and extreme weather.[87] Women and girls are disproportionately harmed by climate change, experiencing elevated rates of mortality in the wake of extreme weather disasters; hardship and violence related to water and food insecurity; lack of access to education in times of conflict or food and water stress; and vulnerability to disease. [88] Women are also more at risk, in both relative and absolute terms, of dying in heatwaves[89] and are more likely to experience male violence—including rape and sexual assault, physical assault, psychological and emotional abuse, sexual exploitation, and trafficking—in the aftermath of extreme weather disasters.[90]Indigenous women and girls are especially vulnerable due to conditions of social and economic inequality. Further, indigenous territories tend to be

[84] IPCC, 2014: Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland, 151 pp. (IPCCAR5)
[85] Ibid.
[86]James Hansen and others, 'Climate Sensitivity, Sea Level and Atmospheric Carbon Dioxide' (2013) 371 Phil Trans R Soc A 24.
[87] IPCCAR5 (n 72).
[88] Gender, Climate Change and Health, WHO Report (2014); Neumayer, Eric, and Thomas Plümper. "The gendered nature of natural disasters: The impact of catastrophic events on the gender gap in life expectancy, 1981–2002." *Annals of the Association of American Geographers* 97, no. 3 (2007): 551-566.
[89]Ibid.
[90] Gennari, Floriza; Arango, Diana; Hidalgo, Nidia; McCleary-Sills, Jennifer. 2015. *Violence against women and girls resource guide : disaster risk management brief*. Washington, DC ; World Bank Group.

geographically vulnerable and indigenous foods and culture are more directly connected to the ecosystems threatened by climate change.

Recognizing the critical importance of women's rights in relation to climate change, in February 2016, the Committee held a half-day of General Discussion with the aim of developing a General Recommendation on gender-related dimensions of disaster risk reduction and climate change. There is no longer any question that States have binding obligations to protect women and girls against the harmful effects of climate change.

In breach of its obligations under the Covenant, Canada has failed to implement all appropriate legislative and other measures to mitigate climate change and ensure the full development and advancement of women and girls in British Columbia, especially indigenous women and girls. Canada's GHG emissions targets[91] fall far short of what is required to avoid catastrophic climate change. Canada's continued development and subsidies of fossil fuels, especially carbon intensive sources such as tar sands or shale gas, [92] also breach Canada's extraterritorial obligations to women and girls who are more immediately and disproportionately vulnerable to climate change impacts due to global economic inequalities or geographic location (for instance sub-Saharan regions or small island nations).

Recommendations:

- **In order to meet its obligations under the Covenant, Canada must swiftly implement science-based GHG emissions targets[93] that ensure stabilization of the climate and protect the most fundamental rights of women and girls domestically and extraterritorially;**
- **Further, Canada must immediately terminate fossil fuel subsidies, cease authorizations of new fossil fuel development projects, and invest in rapid transition to renewable energy sources.**

[91] The Canadian government recently announced that it will maintain emissions targets set out by the previous administration. These targets fall far short of what climate scientists prescribe to avoid catastrophic climate destabilization.

[92] For instance, Canada's recent approval and expected approval of carbon intensive fossil fuel development projects in BC—Petronas Pacific Northwest LNG project (approved), and Kinder Morgan Trans Mountain pipeline expansion project (expected to be approved).

[93] Climate scientists call for GHG emissions targets that reduce atmospheric carbon to 350ppm by the end of the century in order to avoid catastrophic climate destabilization. See for instance: Hansen, James, Pushker Kharecha, Makiko Sato, Valerie Masson-Delmotte, Frank Ackerman, David J. Beerling, Paul J. Hearty et al. "Assessing "dangerous climate change": required reduction of carbon emissions to protect young people, future generations and nature." *PloS one* 8, no. 12 (2013): e81648.