



Convention on the Elimination  
of all Forms of Discrimination  
Against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Ninth session

SUMMARY RECORD OF THE 167th MEETING

Held at Headquarters, New York,  
on Thursday, 1 February 1990, at 10 a.m.

Chairperson: Ms. EVATT

later: Ms. GUAN Mingqian

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Convention (continued)

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE  
CONVENTION (continued)

Second periodic report of Canada (CEDAW/C/13/Add.11/Parts 1 and 2)

1. At the invitation of the Chairperson, Mr. Fortier (Canada) and Ms. Stanley (Canada) took a place at the Committee table.
2. Mr. FORTIER (Canada) said it was important to recall that Canada was a federal State comprising 10 provinces and two territories. As responsibility for such matters as employment and social services was shared by the federal, provincial and territorial governments, the report and his statement covered measures taken at all three levels. Canada also had an extensive network of non-governmental organizations, many of which focused on a broad range of women's interests - that was particularly important in view of the country's cultural, social and geographic diversity.
3. Canada's commitment to the Convention reflected the priority accorded to all aspects of gender equality. Accordingly, the Government had made special efforts to promote that instrument.
4. He wished to inform the Committee of a number of important measures taken in Canada since January 1987 to promote women's equality. As noted in Canada's initial report, the Canadian Charter of Rights and Freedoms was one of the main sources of protection against discrimination in his country. Section 15 of the Charter, which had entered into force in 1985, guaranteed every individual equality under the law, without discrimination on the basis of a number of grounds, including gender. Any individual in Canada could challenge legislation, policies and practices of the federal or provincial governments that were perceived to be discriminatory. In addition, section 28 stated that all rights and freedoms guaranteed under that instrument were guaranteed equally to men and women. Approximately 50 cases involving gender discrimination had been initiated on the basis of the Charter's equality provisions. The resulting decisions had significantly enhanced the status of women, and a general interpretation had established that section 15 precluded systemic as well as intentional or direct discrimination. Recent rulings of the Supreme Court had also emphasized the relevance of international agreements, including the Convention, to the Charter's interpretation.
5. The Canadian Government had established a national Court Challenges Programme which made funds available to non-profit groups and individuals so that they could bring test cases before the courts to clarify and promote the rights pertaining to equality and language which were guaranteed in the Constitution. Funding had been provided under the Programme to immigrant, native, psychiatrically disabled and imprisoned women, and the Programme enjoyed wide support.

(Mr. Fortier, Canada)

6. A review had been undertaken of federal, provincial and territorial legislation to ensure its compliance with the Canadian Charter of Rights and Freedoms, and measures had been taken to correct any instances of failure to do so. Yet it was clear that the elimination of systemic discrimination would take time. Canada remained confident, however, that the provisions of the Charter would make a major contribution to promoting women's equality in Canada.

7. In recent years, the Supreme Court of Canada had taken the position that anti-discrimination legislation must be interpreted broadly and liberally if individual equality and dignity were to be promoted. In that light, the Court had determined that the prohibition of discrimination on the basis of gender extended to sexual harassment and to discrimination on the basis of pregnancy. Specific measures were also being taken by the Government to promote the equality of Indian and Aboriginal women in Canada.

8. The percentage of working women in Canada had risen significantly since 1970; however, the Government was concerned at the high concentration of women in certain sectors of the labour force and the persistent disparities between women's and men's wages. The report provided information about a number of special measures undertaken to redress such inequalities, including the Employment Equity Act, initiatives at all levels of government to implement the principle of equal pay for work of equal value, and the development at the federal and provincial levels of the Framework for Training for Women, which focused on the need to change stereotyped attitudes about women's role in the work place through public education and increased access for women to educational and training programmes. All levels of government regularly reported on the progress being made in those key areas.

9. As women's participation in the labour force increased, there was a clear need for the Government to be more responsive to the changing relationship between work and family responsibilities, and efforts were currently under way to develop comprehensive strategies in that regard. Measures taken thus far included the implementation of provisions relating to maternity and parental leave and benefits; the enhancement of family support services; and flexible working arrangements for government employees. Child care was generally recognized as a priority, and received financial support from the federal and provincial governments. In December 1987, increased tax relief had been made available to families with young children and a Child Care Initiatives Fund had been established to encourage the development of innovative solutions to child-care issues, with special priority given to the needs of Aboriginal, disabled, rural and minority children.

10. The number of women Members of Parliament had risen from 16 in 1982 to 40 at present; six women had been appointed to the Federal Cabinet and in 1989 the first woman to lead a national political party had been elected. Three women served on the Supreme Court and increasing numbers of women were being appointed to the lower courts.

(Mr. Fortier, Canada)

11. In the area of health, the most complex and contentious issues were those of abortion and reproductive health. In January 1988, the Supreme Court had struck down Canada's existing law governing therapeutic abortions, holding that its provisions were a breach of the right to security of the person as set out in the Canadian Charter of Rights and Freedoms. New abortion legislation had recently been tabled in Parliament, under which abortion would be considered a medical decision to be made by a woman and her doctor on the basis of broadly defined health grounds. The Canadian Government was exploring issues related to reproductive technology through the Royal Commission of Inquiry into New Reproductive Technologies, which was mandated to recommend relevant policies and safeguards.

12. One of the most widely discussed and troubling issues facing Canada was the tragic and continuing problem of violence against women and children. In June 1988, the Federal Government had announced new measures to combat family violence in both the immediate and long terms. Between 1988 and 1992, \$Can 40 million was to be allocated for prevention and protection mechanisms, and the federal Government was working with provincial and territorial governments and the non-governmental sector to develop a comprehensive national strategy, to be completed during the current year. In conclusion, the questions raised in connection with Canada's second periodic report by the pre-session working group would be taken up in detail by Ms. Kay Stanley, the Co-ordinator for Status of Women Canada.

13. Ms. Guan Minqian, Vice-Chairperson, took the Chair.

14. Ms. STANLEY (Canada) drew attention to the questions contained in annex I to document CEDAW/C/CRP.12. Under the heading "General questions", more information had been sought about the work of a number of Canadian agencies. The Office of the Prevention of Family Violence in Alberta existed to provide support and leadership in developing an effective approach to the problem of family violence in that province. To that end, the Office had co-ordinated a number of initiatives in recent years, including a public awareness campaign on abuse of children and the elderly, the production in various foreign languages of a brochure for immigrant women on wife abuse and the funding of shelters for battered women, as well as conferences, research projects and treatment programmes.

15. The Advisory Committee on Women's Education Issues, established by the New Brunswick Department of Education, was designed to encourage women teachers to work towards the New Brunswick principal's certificate and had offered seminars to encourage women to seek career advancement in the field of education. Composed of individuals from the field of education, the Advisory Committee had succeeded in attracting a large number of members-at-large from among New Brunswick women. The Advisory Committee's policy on "all-inclusive language" had become standard for all government departments in New Brunswick.

16. The Nova Scotia Family Life Task Force, appointed in 1984, had developed a curriculum appropriate for students in grades 7-9 (ages 12-15). The programme,



(Ms. Stanley, Canada)

taught in a co-educational setting, would become compulsory for all students by September 1990 and dealt with stereotyping, prejudice and discrimination, sexual attitudes, exploitation, career and life-style exploration and family conflict. Parental involvement and feedback were important components of the programme, which had received a positive response thus far from all concerned.

17. Information about the reproductive health programme in Manitoba was contained in paragraph 298 of the report. Lastly, the Task Force on Day Care for Children in Quebec, established by the Quebec Council of Ministers on 3 December 1986, had formulated a policy statement on child-care services that had led to the establishment of a Parliamentary Commission on the subject. As a result of the Task Force's efforts, child-care legislation had been modified and budgetary allocations had been earmarked for staff training.

18. The updated statistics requested by the Committee would appear in Canada's third periodic report, to be submitted to the Committee in 1991.

19. The Canadian Government had taken note of the request to have information grouped by articles of the Convention, as in the initial report, rather than by province, as in the current report.

20. All levels of government in Canada were in constant contact with non-governmental organizations, whose views were thus taken into consideration in the preparation of reports. Moreover, non-governmental organizations were an integral part of Canada's national machinery for the advancement of women and maintained an active dialogue with all levels of government on the implementation of the Convention.

21. The Committee had asked whether steps had been taken to publicize the Convention in Canada. The text of the Convention had first been printed and widely disseminated in 1980 and had subsequently been reprinted for ongoing distribution. The text of the Convention was appended to Canada's report to the Committee, which was also extensively distributed throughout the country. A copy of the Convention had been included in a community development kit prepared in connection with the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, and references were frequently made to the Convention in fact sheets issued as a follow up to the Conference. The text of the Convention had also been made available to women's organizations throughout the country, and government funding was available for projects by women's groups which included studies and public education regarding the Convention. Lastly, in December 1989, the Federal Minister Responsible for the Status of Women had spoken in the House of Commons to mark the tenth anniversary of the adoption of the Convention, and copies of materials on women prepared by the United Nations Secretariat had been distributed.

(Ms. Stanley, Canada)

Article 2

22. Regarding the principal decisions of the Supreme Court under the Canadian Charter of Rights and Freedoms which were relevant to discrimination against women and the interpretation of the Convention, she referred to the general remarks made on the subject by Mr. Fortier. It should be noted in addition, however, that the Supreme Court had held that the scope of section 15 of the Charter was not confined to the grounds expressly enumerated therein, such as gender but, by analogy, could be extended to other personal characteristics, especially where those were associated with the situation of disadvantage. In several cases in the lower courts, it had been decided that marital and family status fell within the scope of section 15, even though they were not expressly enumerated therein. That position ensured the implementation of article 1 of the Convention, which prohibited discrimination against women on the basis of their marital status.

23. However, it was not only section 15 of the Charter that upheld women's interests. Section 7 guaranteed the right to life, liberty and security of the person, and had been used by the Supreme Court in striking down the therapeutic abortion privileges of the Criminal Code. In the Court's views, delays in obtaining abortions and unequal access to abortions resulting from those provisions constituted a breach of that section of the Charter.

24. As indicated in the report, international conventions ratified by Canada did not automatically become part of national law; nevertheless, the Supreme Court had recently held that such instruments were relevant to the interpretation of the Charter and that provisions of the Charter should not be interpreted more narrowly than analogous provisions in human rights instruments ratified by Canada.

25. The Committee had asked whether laws regarding human rights and equal opportunities applied equally to immigrant women, Indians and Eskimos, the last of whom were currently referred to in Canada as Inuit persons. While certain rights specified in the Canadian Charter of Rights and Freedoms were guaranteed only to Canadian citizens, most rights were guaranteed to all persons in Canada. The Canadian Human Rights Act, which prohibited discrimination on many grounds including race, national or ethnic origin and colour, served as a basis for the protection of Indian, Inuit and immigrant women against discrimination.

26. The Committee had also asked for more information about Bill C-15, which had in fact entered into force on 1 January 1988. In addition, a special adviser on child sexual abuse had conducted extensive consultations with provincial and municipal governments and with the private sector and non-governmental organizations, and would be submitting a report on that subject to the Minister of Health and Welfare.

27. The Statute Law (Canadian Charter of Rights and Freedoms) Amendment Act required the Federal Minister of Justice to examine all legislation to ensure that it was consistent with the Charter, and to report any inconsistencies to the House of Commons. Since the Charter was an important means of implementing the Convention in Canada, that requirement helped to ensure that legislation was consistent with that instrument as well.

(Ms. Stanley, Canada)

28. The amendments to the Criminal Code concerning abortion had been designed to balance the State's interest in protecting the foetus and women's constitutional right to an abortion. The proposed legislation prohibited abortion unless performed by or under the direction of a medical practitioner. The Government believed that the criminalization of abortions that did not meet those conditions was not a violation of article 2 (g) of the Convention.

### Article 3

29. The Aboriginal Women's Programme of the Native Citizens Directorate, with a 1989-1990 budget of over \$2 million, was mandated to enhance, promote and foster the social, cultural, economic and political well-being of Aboriginal women. A number of activities designed to promote opportunities for Indian women were being implemented. Among them were: conferences on the economic and social development of Native women; employment and training programmes; special educational opportunities for Native students; funding for Native women's organizations; and support for Native women to set up small businesses.

30. Aboriginal women were not fully involved in the economic and political life of the country. However, they were becoming increasingly active in political organizations which represented their interests at the local, territorial and national levels. Aboriginal women were represented on negotiating teams for land claims and on advisory committees concerned with economic development strategies. At the territorial level, a number of Aboriginal women had held or currently held ministerial positions. There was one Aboriginal female Member of the House of Commons.

31. With regard to the immigration policy guidelines referred to in paragraph 158 of the report, there was a popular misconception that immigrant women were subject to automatic deportation if they left their sponsoring spouse, even in situations of violence and abuse. Leaving a spouse was never sufficient grounds for deportation. Immigrants had the same protection as Canadian citizens under the Charter of Rights and Freedoms and the Criminal Code.

### Article 4

32. Paragraphs 88 and 89 of the report provided detailed information on affirmative action programmes, which had been implemented through the Employment Equity Act and the Federal Contractors' Programme. The achievements of those programmes included: an increase in the representation of designated groups in several occupational categories; an increase in promotions for women; and increases in each designated group in the number of persons hired for full-time employment. In addition, more than 1,200 employers had signed a certificate of commitment to implement employment equity.

33. The Women's Career Counselling and Referral Bureau of the Public Service had had a positive impact on the mobility of women within the Public Service and had made progress in achieving its goals. Despite an overall decrease in the number of Public Service employees, there had been an increase in the percentage of women. The Bureau's mandate had been extended until 1993.

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(Ms. Stanley, Canada)

Article 5

34. With respect to Bill C-114, the Minister of Justice had introduced a similar bill, Bill C-54, in the House of Commons in 1987. Like Bill C-114, the proposed bill would replace current obscenity laws with new provisions prohibiting all pornography involving children or containing violent or degrading material. In addition, the proposed legislation would place tighter controls on other forms of sexually explicit material, would add sex to the list of identifiable groups against which hate propaganda was prohibited, and would distinguish between "erotica" and "pornography". Although the bill was no longer before the House of Commons, the Minister of Justice had announced his intention to re-introduce it.

35. Canada was still striving to eliminate stereotypical attitudes that continued to hinder the advancement of women. Such obstacles included the assumptions that women should have primary responsibility for child care and homemaking and that there were certain types of employment which were not open to women. Furthermore, the sexual role of women continued to be over-emphasized.

Article 6

36. With respect to paragraph 103 of the report, Bill C-15, dealing with juvenile prostitutes, had entered into force on 1 January 1988.

Article 7

37. Since the initial report, there had been a slow but steady increase in the percentage of women in Parliament, in the Government, in public office and in the judicial system. The percentage of women in the House of Commons had increased from 5.7 per cent in 1983 to 13.2 per cent in 1990. In the judiciary, women had held 6.3 per cent of federal appointments in 1986 as compared with 8.5 per cent in 1989. The number of women appointed to positions as ambassadors, high commissioners and consuls-general had increased from 2 to 11 over the past five years.

38. There were no plans to introduce a quota system to ensure a minimum number of places for women in the legislature. The main political parties in Canada had taken steps to ensure that women were well represented at party conferences, conventions and at the executive level. Delegate selection procedures ensured that 50 per cent of the delegates to major political conventions were female. Since political candidates were selected at the constituency level, it was difficult for political parties to influence candidate selection. Women's political action was therefore focused on local constituencies in order to support female candidates during the selection process.

39. The National Organization of Immigrant and Visible Minority Women represented the first united voice on issues such as language training, immigration policy, social services and race relations. It had served as a catalyst for immigration, minority and women's groups to work together in presenting briefs to the federal Government. It also worked with public and private agencies to develop effective strategies.

(Ms. Stanley, Canada)

40. In order to involve women in the political process, mainstream political parties had instituted special programmes, including political skills training, candidates' schools, mentorship programmes and parliamentary interns programmes. The parties had taken special measures to ensure that females were represented on executive, campaign and convention committees. At the national level, political fund-raising was targeted to the particular needs of women candidates.

#### Article 8

41. With a view to ensuring better representation of women in international organizations, her country utilized a co-ordinated federal government approach by which qualified candidates were matched to vacancies in international organizations. Whenever appropriate, formal government endorsement was given to chosen candidates and, for senior-level appointments, the Government might carry out an active international campaign in support of a candidate. Canada had been a persistent advocate of increased recruitment of women throughout the United Nations system. Recent achievements included the appointment of senior Canadian women to head the United Nations Department of Information and UNIFEM.

#### Article 10

42. Although the main legislative authority for education had been delegated to the provinces and territories, the federal Government too had been involved in a number of activities to encourage equality in education. The provinces and territories had undertaken several initiatives, including public awareness activities, role modelling programmes, conferences, curriculum changes, and the monitoring of educational materials for gender stereotypes. Government at all levels had taken measures to increase the participation of females in such fields as science and mathematics and to encourage women to enter non-traditional fields. Of particular note was the Canada Scholarship Programme, which offered scholarships in the natural sciences and engineering; 50 per cent of those scholarships were for women.

#### Article 11

43. Several provinces in Canada had adopted new Pay Equity Acts. Using a pro-action rather than a complaints-based approach, all of those acts had been drafted after Canada's ratification of the Convention and following adoption of the standards of equal pay for work of equal value outlined in it. Under the guidelines for establishing pay equity recommended by the Canadian Human Rights Commission, the assessment of equal value was based on a composite of skill, effort, responsibility and working conditions. Comparisons could be made among all employees who were subject to common personnel and wage policies. The undertaking of gender-neutral evaluations of jobs dominated by one sex was an important goal which required continuing refinement.

44. In Canada, the wage discrepancy between men and women was a matter of continuing concern. The federal Government had established employment equity and pay equity policies and programmes within the Public Service. For other employers,



(Ms. Stanley, Canada)

the Government took pay equity cases into consideration on a complaint basis. The provincial and territorial governments had implemented employment equity measures to ensure women equal access to opportunities in the workplace. The Canadian Labour Congress (CLC) and its provincial labour federations had adopted comprehensive affirmative action policies and had encouraged CLC affiliates to negotiate provisions to close the wage gap.

45. Child-care places were subsidized through the Canada Assistance Plan, under which the federal Government shared the cost with provincial and territorial governments on a 50-50 basis. Since 1985, full-time day-care places across Canada had increased almost threefold. Provinces and territories had ultimate jurisdictional responsibility for the provision, design and administration of their own child-care systems. Preliminary information suggested that the need for child care and the extent to which those needs were being met varied greatly, depending upon the age range of the children.

46. The wages and working conditions of child-care workers varied across the country. In the light of the responsibilities involved, wages were low. Furthermore, current pay equity legislation did not cover child-care workers. The current situation was cause for concern, and more details would be provided in the next report.

47. A general review of the labour standards provisions of part II of the Canada Labour Code was under way. Under the current policy, about 70 to 75 per cent of part-time workers were eligible for unemployment insurance benefits. Expansion of coverage to other groups, such as students and occasional workers, did not have broad support. Some provincial jurisdictions had implemented legislative and regulatory changes to ensure equal treatment for part-time and full-time employees.

48. The pension system in Canada included both public and private provisions in addition to the Old Age Security Programme, which was universal and non-contributory. The public pension plan, to which contributions were mandatory, covered virtually all employed and self-employed women and men between 18 and 70 years of age. Only 37 per cent of employed females, as compared with 52.3 per cent of employed males, were covered by employer-sponsored plans, a ratio that had improved over the past decade as employers had begun to provide a fuller range of benefits. Canada also offered plans that encouraged saving for retirement through tax breaks; approximately 19 per cent of all individuals filing tax returns contributed to those plans.

49. The principle of equal pay for work of equal value was being applied in the federal Public Service. A detailed study of jobs within the Public Service had been carried out to determine whether any of the female-dominated categories had been underpaid by comparison with male-dominated categories. In January 1990, equal pay adjustments had been announced which would affect some 68,000 public servants, most of them women.

(Ms. Stanley, Canada)

Article 12

50. In November 1989, Bill C-43 on abortion had been introduced in the House of Commons. It was currently before a legislative committee and had not yet become law. The bill established that the decision to have an abortion was a medical decision to be made between a woman and her doctor. It affirmed a woman's entitlement to abortion on health grounds, understood as including physical, mental and psychological health.

51. In January 1988, the Supreme Court of Canada had struck down the Criminal Code provisions concerning abortion. No significant change in the abortion rate had been observed between January and May 1988. Some Canadian women did travel out of the country for abortions. According to the most recent data, in 1986 approximately 2,612 Canadian women had received abortions in the United States.

52. With respect to maternal mortality rates, the following statistics were available: in 1983, the death rate had been 5.35 maternal deaths per 100,000 live births and in 1987 the rate had been 2.97 deaths per 100,000 live births.

53. As of January 1990, 189 adult female AIDS cases had been reported, representing 5.6 per cent of the total adult AIDS cases in Canada. A designated officer within the Information and Education Bureau of the Federal Centre for AIDS would be developing AIDS education programmes for women. Within the provinces with high rates of AIDS, programmes included a task force on women and AIDS; care-giving for women with AIDS; and support groups for women with AIDS.

54. The National Health Research and Development Programme of Health and Welfare Canada had to date committed over \$3 million in funding for research on women and AIDS. At a 1988 ministerial-level conference, it had been agreed that human rights officials should stay informed about the human rights implications of medical/legal issues, including AIDS testing and medical research involving human beings.

Article 13

55. A number of child benefits were available to all parents, based on their income. Assistance for low-income families focused primarily on such basic needs as shelter, utilities, food and clothing. Provincial governments were responsible for providing and delivering social assistance, for which the federal Government shared 50 per cent of the cost. In September 1985, ministers responsible for social services and labour market matters had agreed on a seven-point strategy to help social assistance recipients (SAR) achieve greater self-sufficiency. The programme provided training allowances and dependant care allowances, the latter being particularly beneficial for single-parent mothers. Single mothers received tax assistance in the form of an increased tax credit for one child and tax exemptions for unreimbursed child-care expenses incurred during periods of employment, occupational training or grant-supported research.

(Ms. Stanley, Canada)

56. With respect to the minimum age for marriage, provisional laws governing the age at which marriage licences could be issued generally treated men and women on an equal basis.

Article 14

57. With a view to the enforcement of child support provisions, the federal Government had enacted in 1984 the Garnishment, Attachment and Pension Diversion Act, which allowed federal employees' salaries to be garnished. In 1985, the federal Government had provided over \$1 million in assistance to the provinces and territories to assist in establishing or enhancing their automatic enforcement agencies. The following year, the federal Government had adopted the Family Orders and Agreements Enforcement Assistance Act to assist provincial enforcement agencies in tracing delinquent debtors and to permit federal monies to be garnished. The enforcement of maintenance and child support payments was exclusively within provincial jurisdiction.

58. Garnishment proceedings were applicable to all persons through normal court proceedings. Garnishing of wages for maintenance payments was not restricted to public servants. Public servants had in the past been protected against garnishment proceedings, and the law referred to in paragraph 155 of the report had been enacted in order to do away with that protection.

59. According to reports submitted in 1984 and 1986 by the Intergovernmental Working Group on Wife Battering, progress had clearly been made in addressing family violence. In June 1988, the Federal Minister of Health and Welfare and the Minister Responsible for the Status of Women had announced a \$40 million family violence initiative.

60. A recent Canadian study on violence against women had shown the following: each year, 1 million Canadian women were abused by their husbands or live-in partners; 15 per cent of homicides were committed against women by their husbands, as compared with 6 per cent of homicides committed against men by their wives; and 56 per cent of urban women felt unsafe walking alone in their neighbourhoods after dark. A study recently published in the province of Ontario had stated that 8 out of 10 Indian and Metis women had suffered some form of abuse, mainly by their spouses. Those disturbing statistics lent support to the Government's plan for continuing comprehensive action on that problem and also reflected improved methods of reporting on those conditions.

61. Some provincial governments had embarked on extensive public awareness campaigns on the issue of wife battering. In co-operation with universities and the private and voluntary sectors, the British Columbia Institute on Family Violence had been established to develop a co-ordinated approach to the investigation and treatment of family violence. The networks of shelters and safehouses for victims of violence had continued to grow, with the assistance of government funding and support from the private and voluntary sectors.

62. Ms. Evatt, Chairperson, resumed the Chair.

63. The CHAIRPERSON, in her personal capacity, said that, since ratifying the Convention, Canada had made considerable improvements in the status of women. The size of the Canadian delegation, in addition to the comprehensive responses to the Committee's questions, demonstrated clearly Canada's strong commitment to implementing the provisions of the Convention. Naturally, much work remained to be done.

64. In its recent presentation, the United Kingdom delegation had drawn attention to the fact that its report incorporated comments and observations made during seminars held with non-governmental organizations concerned with women's issues. Further meetings of that type were planned in order to present the results of the Committee's consideration of that country's report to women in the United Kingdom. She wondered whether the Canadian Government would consider holding similar seminars.

65. Ms. BERNARD said that she was heartened by Canada's second periodic report. The national Court Challenges Programme was particularly noteworthy. As pointed out in the introductory statement to the report, the key to implementing the Convention was the ability of individuals to bring matters to court. It was also encouraging that the Canadian Supreme Court was taking a more liberal approach to human rights issues, a trend which was being seen in many countries.

66. Since its initial report, Canada had witnessed an increase in the number of women in its labour force. She was certain that efforts were being made to encourage women to move into non-traditional professions. The enactment of the Employment Equity Act was commendable, since it seemed to be correcting the inequalities between men and women.

67. It was also significant that three women now sat on the Canadian Supreme Court, and she hoped that that number would double by the time of the next report. Canada was to be commended for seeking solutions to the problem of violence against women through a large federal budget allocation. She appreciated the fact that attention was being focused on elderly women, who were a particularly disadvantaged group.

68. Ms. ALFONSIN DE FASAN said that the Convention should be disseminated as widely as possible in order to increase respect and tolerance between the sexes. The Nova Scotia programme was very encouraging and should be extended to the other provinces.

69. Ms. LAIOU-ANTONIOU said that Canada was extremely advanced in the struggle to promote equality between men and women, and she wondered why. Was it because of government decisions, a strong women's movement, the country's economic situation, the pressure of minorities, or all of those reasons? Was women's equality promoted together with such other human rights issues as the problems of minorities?

70. Women in Canada had a high level of participation in employment, but 72 per cent worked part time and mainly in traditionally female jobs. More women university students than men were part-time students, and they gravitated towards traditional women's subjects. Despite the existence of family planning, abortion

(Ms. Laiou-Antoniou)

was not free. She wondered why the social services for small children were so inadequate. Was it a question of money? She further noted that women were underrepresented in the judiciary, which contrasted with Europe, where the courts had become feminized.

71. Ms. DIALLO SOUMARE commended Canada for being at the forefront of women's struggle for equality and thanked it for the help it had given her own country's rural women.

72. Ms. FORDE said she would like more information on the composition of the Royal Commission on Reproductive Technologies. Was it broad-based? Were Indian women represented on it? She would appreciate a detailed description.

73. In connection with article 2 of the Convention, she wondered whether women's organizations had been consulted in formulating Canada's policy on the termination of pregnancy and whether any discrimination was involved in the policy. Since Canada was bilingual, she wondered whether Aboriginal women had to be bilingual in order to advance in society. In connection with article 16, she asked whether age equality for marriage had been established in all of Canada's provinces.

74. Ms. GUAN Mingqian was pleased that the Canadian Government was concerned about the problem of violence against women and hoped that it would be successful in combating it. She hoped that Canada's next report would also provide information about the elderly population, which had a high percentage of women with special health and other problems.

75. Ms. PILATAXI DE ARENAS asked whether there was any official system for the appointment of women to official bodies and whether there was any discrimination in that area. The number of child-care centres in Canada was very low and inadequate to the needs of working women. She welcomed the concern expressed over violence against women and asked for more information about Canada's approach to the problem of elderly women.

76. Ms. SAJOGYO noted that the participation of women in employment was very high and wondered whether any studies had been made on the distribution of labour and decision-making between husbands and wives.

77. Ms. SCHOPP-SCHILLING wondered whether women's progress in human rights had met with increasing opposition. Was there opposition to affirmative action plans, or were there accusations of reverse discrimination? What were the targets and criteria set for affirmative action plans? She would like more information about the women's bodies in government ministries. Were they advisory or decision-making? Was legislation reviewed in terms of its impact on women? What guidelines governed the handling of the problem of equal pay for equal work? She would appreciate information on which employment sectors were male-dominated and which were female-dominated.



78. Ms. BUSTELO GARCIA del REAL said she would appreciate more information concerning the distribution of family responsibilities and tasks at a time when women were achieving greater equality. She also wondered whether that increasing equality was perceived as positive by both men and women.
79. Ms. WALLA-TCHANGAI said that the minimum age for marriage in Canada was both medically and psychologically inadvisable and asked whether there were plans for it to be raised.
80. Ms. ESCOBAR asked for specific evidence of how enterprises implemented equality in the work place. In connection with article 6, she wondered whether the judicial procedures in cases of adultery were the same for men and women. She also wondered why domestic employees had low rates of pay in Newfoundland.
81. Ms. ILIĆ commended the fact that the report was used as a guide for action in Canada itself and was not just for the benefit of the Committee.
82. Ms. UKEJE commended the progress that Canadian women had made in the upper ranks of the judiciary as a result of a breakdown of sex stereotypes.
83. Ms. TALLAWY asked whether Canada had any plans to share its success in promoting the advancement of women by providing help to the least developed countries.
84. Ms. CORTI, noting that her own country had adopted legislation requiring that any aid granted to developing countries must include an element intended exclusively for women, asked whether Canada had made similar provisions.
85. The CHAIRPERSON requested further clarification of the different approaches adopted to ensure equal pay in Canada's federal and provincial governments and asked whether the recent change in the federal system represented the end of a process or required further refinement. She also wondered whether the provision of child care might be restored to the level of priority it had enjoyed prior to the most recent two-year period.
86. Mr. FORTIER (Canada), noting comments on the size of his country's delegation, said that the compilation of its report and the provision of answers to questions would have been impossible without the expert assistance of representatives of the provincial and federal governments. He himself, as Permanent Representative of his country to the United Nations, had always attached particular importance to social questions and human rights and was pleased to note the positive response to his attendance of the Committee's deliberations. As for the secret of his country's success, he felt that it was due both to the strength of its feminist movement and to the political will of its leaders, supported and assisted by individuals in many different areas of activity. His Government was conscious that imperfections persisted and that further solutions needed to be sought, but its commitment to all the objectives set forth in the Convention remained absolute.

87. Ms. STANLEY (Canada), replying to the more detailed questions posed by members of the Committee, said that her Government intended to distribute a report on the Committee's session and other related materials to women's organizations throughout the country, to complement the regular consultations which it held with such organizations.

88. With respect to elderly women, there was in her country a Minister of State for Seniors and a secretariat which ensured that Government policies took account of their specific needs. She noted the comment that insufficient attention had been devoted in her country's report, to the position of elderly women and would ensure that the subject was properly addressed in the future. As requested, further information on the Nova Scotia programme would also be included in the next report.

89. There were many reasons why her country had made so much progress in advancing the status of women. A well-defined machinery was in place at both the national and the provincial levels, and the Government was continuing to fund over 600 women's organizations across the country to assist in pressing for women's rights. In economic terms, business, labour and Government were all aware that a skilled work-force required inputs from both men and women. The presence of so many cultures in one country also had a catalytic effect. All those involved were well aware that collective efforts would yield the best results. The reasons for shortcomings in services for children were both economic and social. While society was only just beginning to understand the value of children, there was at the same time no consensus in the country on the role of the State in the provision of child care. It appeared, however, that a strategy would be completed before the end of the current Government's mandate. Furthermore, the figures probably failed to indicate the extent of informal child care that was also available.

90. The statistical document Women in Canada would be provided to all members of the Committee. Although the Royal Commission on Reproductive Technologies, which comprised six Canadian experts in various fields, did not include any representative of Aboriginal women, it was supposed to travel widely and receive submissions from many interested groups. With regard to legislation on abortion, no subject could be more divisive. While the majority appeared to support women's right to choose, opinion was evenly divided on the need for legislation. The Government's bill was an attempt to balance very disparate interests.

91. While it was true that Aboriginal women had to be proficient in either English or French if they were to engage in public activities, a number of programmes were in place for the purpose of maintaining native languages. The minimum age for marriage was subject to provincial legislation, but there was now a trend towards the establishment of a uniform threshold, for both men and women, around the age of 18.

92. With regard to materials concerning violence against women, her country's National Film Board had a special section for films made and produced exclusively by women, which enjoyed an excellent reputation.

(Ms. Stanley, Canada)

93. Efforts to ensure that women were well represented at the highest decision-making levels were co-ordinated by an office within the Office of the Prime Minister called the Secretariat for Appointments. Names were forwarded to the Secretariat by women's organizations, and any appointment lists without women candidates were denied consideration.

94. The division of labour in the home was a major issue in her country. According to studies, a woman with no outside employment received an average of 10 hours' family-related assistance each week from her spouse while a woman with full-time outside employment received 11 hours' such assistance. A number of women were thus doubly burdened, or triply burdened if they were raising children. It was unrealistic, in the context of her country, to expect any assistance from an extended family.

95. In terms of obstacles to the advancement of women, it was indeed difficult to change some people's attitudes and to adapt structures designed by men for men. While opposition had not increased, it had perhaps become better organized. There was, however, no opposition to affirmative action plans, which were enshrined in law. Institutional machinery to promote women's rights was of both an integrated and an advisory nature.

96. In view of the limited time available, she suggested that all remaining questions be answered in writing.

97. Mr. FORTIER (Canada) assured members of the Committee that his Government would continue its efforts to implement all the provisions of the Convention.

98. The CHAIRPERSON, noting the areas in which the delegation of Canada had promised to strive for further progress, urged that it also reiterate its recommendations for women to assume a leading role in the United Nations.

The meeting rose at 1 p.m.