

# Taking Them at Their Word


## Canadian Government's Accountability for Women's Equality

by Barbara Roberts

*L'auteure examine les traités internationaux qui promulguent l'égalité des femmes ratifiés par le gouvernement canadien et leur mise en vigueur.*

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*In the last fifteen years, Canada has adopted three international agreements and made solemn public commitments to implement profound and thorough changes in order to bring about equality, development, and peace for women.*



Many Canadian women assume that the United Nations has nothing to do with them, and that international issues and international agreements are about other countries, not very interesting and certainly irrelevant to the problems that we face everyday in Canada. Nothing could be further from the truth. Canada has made a series of commitments at the UN that all levels of government will undertake sweeping changes, to bring about empowerment and equality for Canadian women. In reality, the changes have been less than sweeping at any level of government. Most provincial governments have done a poor job of carrying out their part of the bargain. Nowadays, some are trying to weasel out altogether. How can they get away with this? If we do not even know what they have promised to do, let alone make a fuss when they try to renege, who else is going to stop them?

Did you know that in September 1995, Canada adopted a UN agreement—the Beijing Platform for Action (PFA)—that included the promise to use economic policies and development strategies in Canada that address the needs of women in poverty? Change laws and policies to ensure women have equal rights and access to economic resources? Give women access to savings and credit mechanisms and institutions? Develop gender-based methodologies and do research to address the feminization of poverty?

Did you know that in July 1985, Canada adopted a similar agreement—the Nairobi Forward-Looking Strategies (FLS)—that promised, among other things, to bring about in Canada the full participation of poor women in decision-making processes? Ensure that economic and financial policies do not adversely affect poor women? Eradicate poverty by promoting equitable distribution of national income, enabling women's access to equal eco-

conomic opportunities, and assuring old age income security for elderly women? Provide affordable and accessible housing, especially to single-parent mothers? Address social, economic, health, well-being, education, employment, and other disparities for Aboriginal women resulting from their position as Indigenous people?

Did you know that in 1981, Canada ratified a binding international treaty—the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)—which requires the total elimination in Canada of all forms of discrimination against women, public and private, direct and systemic, by institutions or individuals?

These are but a few examples of the hundreds of steps Canada has promised, in writing, to take to change the existing social and economic order for the majority of Canadians: women. In the last fifteen years, Canada has adopted three international agreements and made solemn public commitments to implement profound and thorough changes in most areas of Canadian life, in order to bring about equality, development, and peace for women. Indeed, Canada has been a leader in the development and promotion of these agreements at the United Nations, and deserves much credit for this leadership role.

Despite the fact that these commitments are in many respects identical to the agenda that women have been striving to achieve, few women's groups in Canada have informed themselves of the existence, contents, and potential of these agreements, or made use of them in their planning and activities. Not coincidentally, these commitments have not been at the centre of planning and activities of our federal, provincial, and territorial governments. But these agreements should be at the centre of planning; that was one of the commitments.

If we want this situation to change, we'd better get moving. The first step is to inform ourselves about who has promised what. The second step is to monitor what they have done and compare it to what they promised to do. The third step is to make sure this information becomes general knowledge, in the same way that most Canadians know about the existence and provisions of the Charter of Rights and Freedoms. No good making a fuss in the media if nobody knows what we're talking about. But when the terms of a deal are well known, there's nothing like the spotlight of publicity and constant scrutiny and comment, to assure probity. Finally, we have to make it less costly for our governments to keep their word than to break it.


### Getting specific: the agreements

The first agreement Canada signed was a binding

international treaty called the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), adopted at the UN in 1979, ratified by Canada in 1981, which took effect here in 1982. CEDAW requires signatories to take the necessary steps to eliminate *all* forms of discrimination against women, not only in law, but in policy, regulation, tradition, practice, custom; not only in public spheres of life, but in private life. CEDAW defines discrimination as any differential treatment that hinders women's exercise and enjoyment of their human

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rights and fundamental freedoms in all spheres of life. CEDAW's implementation is monitored by the UN Committee on the Elimination of Discrimination Against Women (also called CEDAW), which assesses mandatory reports from signatories.

CEDAW is a brief, easy to understand document consisting of 30 paragraphs or articles, 12 of which discuss particular areas such as nationality, employment, health, law, marriage and family life, and economic and social benefits. Initially, Canada focused on reviewing laws and changing those that violated CEDAW (for example, the Indian Act provisions about women losing their status—nationality—by marrying out, largely corrected in 1985), but that was only a baby step. Obviously, much more remains to be done for Canada to be in full compliance. CEDAW is implemented by federal, provincial, and territorial governments through legislation and policy, according to their jurisdictions, for example, through the Charter and through legislation on human rights or the various specific topics included in CEDAW. The Continuing Federal-Provincial-Territorial Committee of Officials Responsible for Human Rights, which was set up in 1975 to oversee the implementation in Canada of international human rights treaties, produced a useful reference document in 1985 that explains some of the implications of CEDAW obligations. Although CEDAW is international, and not a domestic, law, much of our domestic law is shaped by and reflects CEDAW and other international treaties. For example, the Charter contains many sections that draw upon the provisions of international treaties, and Canadian government officials have claimed repeatedly in written reports and oral presentations, at the UN and in Canada, that domestic law is the means by which international treaties such as CEDAW are represented and imple-

mented in Canada. (For more on this see Bayefsky.)

There are numerous sources of information on Canada's CEDAW compliance. Canada must submit regular reports to the CEDAW committee. Although federal, provincial, and territorial governments are equally required to be in compliance with CEDAW, it is the federal government that compiles the information from all levels, and prepares and submits the reports. These official reports present a rosy picture of Canadian compliance. They are valuable sources of information about what governments are doing, but they do not report actions that violate CEDAW, nor failures to take required action. Additional information concerning CEDAW implementation comes from statements by Canada's representatives at the UN; these can be obtained from UN records of the CEDAW committee meetings. These too are useful tools. If this is what our governments are claiming credit for, we need to take them at their word and hold them to it. Given Canada's good reputation at the UN, the potential for embarrassment is always there. Although the National Action Committee on the Status of Women (NAC) has on occasion issued critical alternative reports, by and large we have failed to make use of this potential.

Official reports on CEDAW (and the FLS and PFA agreements) are also important as 1) evidence that all levels of government admit that they all are supposed to be implementing these agreements (not just the feds); 2) evidence that Canada continues to insist publicly that our governments do not intend to renege on their commitments, that they are still carrying them out. If Canada insists at the UN that the commitment is there, why should we refuse to believe them? We'll take them at their word and hold them to it.

The second agreement adopted by Canada is the Forward-Looking Strategies for the Advancement of Women by the Year 2000 (FLS), which came out of the UN's Third World Conference on Women held at Nairobi in July 1985. Previous conferences during International Women's Year (1975) and the UN Decade for Women (1976-1985) produced action plans; FLS was the culmination of earlier work. The 372-paragraph FLS was intended to be a blueprint for action on equality, development, and peace for women between 1985 and 2000. These three terms are very broadly defined, and action statements on nearly every issue raised by Canadian women's groups can be found in FLS.


A glance at FLS will show that we have a long way to go to reach full implementation. For example, a fundamental commitment is that women are to participate fully in all forms of decision-making on all issues at all levels. In the area of education, to take a more specific example, Canada agreed to 1) ensure and provide support for women's access to all levels and types of education and training; 2) change education and training systems at all levels to reflect women's experiences and perspectives in all their diversity; 3) eliminate gender stereotyping and promote gender equality in all curricula; 4) transform the educa-

tional system and its environment to prevent discrimination against girls and women and promote shared responsibility by all persons (including training boys to share in child care and housework); and 5) use the education and training systems to promote social transformation for gender equality.

Canada is required to submit regular reports to the UN outlining steps taken to implement FLS commitments. Status of Women Canada (SWC), the federal government department responsible for overseeing implementation,

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compiles the reports from information sent by the provinces and territories and various other sources. In addition to the formal UN reports, SWC also periodically publishes an informal document called "Women's Equality in Canada" (formerly "Fact Sheets") and a newsletter called "Perspectives." These reports focus on the positive and gloss over or omit negative information. Nonetheless, they are useful, for reasons outlined above in the CEDAW discussion.

The Beijing Declaration and Platform for Action (PFA) were adopted at the UN Fourth World Conference on Women in September 1995. The Declaration is an introductory 38-paragraph section that explains why the PFA was developed (to empower women and speed up FLS implementation) and repeats each nation's commitment to carry out the steps outlined in the PFA. This is one example of Canada's recent public commitments to keep its promises set out in FLS and in the new PFA. The PFA identifies 12 "critical areas of concern" of inequality for women (poverty, education, health care, violence, militarization, economic structures, policies and resources, power and decision-making, mechanisms to promote women's advancement, human rights, media, environment, and the girl child). The PFA is precise and action-oriented; each issue has a set of strategic objectives, followed by a list of actions to be taken by governments. The PFA does not replace FLS.

#### **Now what?**

Canada promised, among other things, to begin by the end of 1995 the process of developing strategies and action plans (Paragraph 297) to implement the PFA. By the end of 1996, the implementation plan should be ready to roll.

The first step in this process is for "all institutions to review their objectives, programs, and operational procedures in terms of the actions called for in the Platform" (Paragraph 296). That means that every level of government should have begun reviewing everything it does, to bring their activities into line with a coherent plan to implement the PFA. This process should involve the "highest levels of authority" and the

implementation strategies should be comprehensive, have time-bound targets and benchmarks for monitoring, and include proposals for allocating or reallocating resources for implementation. (Paragraph 297)

Our federal, provincial, and territorial governments should have been in touch with women's organizations late last year, to encourage us "to contribute to the design and implementation of these strategies or national plans of action" (Paragraph 298). In February 1996, I phoned the Alberta government's women's secretariat to ask what the government was doing about these paragraphs. (The government has announced its plan to abolish the secretariat; this is a clear violation of several paragraphs in FLS and the PFA.) The head of the secretariat told me that international agreements were a federal responsibility and that Alberta did not plan to take any action with reference to these paragraphs. Later that month I emailed SWC to ask what plans were being made to coordinate federal-provincial-territorial strategic planning with reference to these paragraphs, and whether the May 1996 meeting of ministers responsible for the status of women would have this question on their agenda. (Manitoba had offered to host a planning meeting.) By early June 1996 I had received no answer.

How can this happen? There are several likely explanations. First, these agreements are often seen by the inner circles of government as limited to "women's issues" and not something that should inform overall priorities and planning. Of course this is not true. It suggests that most ministers and their deputy ministers, and most members of parliament and legislatures, and their assistants, do not know of the existence of the agreements, or if they do, they have not read them. Second, ministers for the status of women are generally marginalized, so even the excellent ones, who understand the implications of the agreements, have relatively little clout in cabinet and other settings where decisions are taken, and are not listened to when they try to explain the facts. (Unfortunately, some ministers for the status of women are not familiar with the agreements or do not understand them.) But why should we expect these agreements to be treated as central and fundamental, rather than marginal add-ons when resources permit? First, because they promised to carry out particular actions to bring about comprehensive changes, as fundamental matters, not options. Second, because women are the majority in Canada. By definition, issues traditionally of interest to women are now issues of the

majority. Even if the agreements were as limited in scope as apparently presumed, they would still represent the majority interests. But they are not limited, as a skim will show. In all the uproar about cuts to the social safety net, to education, health, in the current debt fetishism, how much discussion is there about violations to these agreements? And why is this?

How can we change this? Public outcry is necessary. We are the public. Most importantly, we can take our governments at their word, and hold them to it. We begin by finding out what they promised, then we spread the word. Talk to any one who will listen: letters to the editor, articles in newsletters, presentations to groups. Briefings to the ruling and opposition political parties, to our constituency associations. Education sessions for our MPs, MPPs, MLAs, and their staff. Presentations to classes at high schools, colleges, and universities. Call-ins to talk shows. Brief the media. Or, ask someone from the Status of Women Department in our governments to speak to our groups about the agreements and how the government is implementing them.

Want more information? See the list of resources. Contact your local status of women group, or ask SWC to put you in touch with someone locally who is working on

implementation. Together we can make it happen.

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## References

- Bayefsky, Anne. *International Human Rights Law: Use in Canadian Charter of Rights and Freedoms Litigation*. Toronto: Butterworths, 1993.
- Bayefsky, Anne. "General Approaches to Domestic Application of Women's International Human Rights Law." *Human Rights of Women. National and International Perspectives*. Ed. Rebecca Cook. Philadelphia: University of Pennsylvania Press, 1994. 351-374.

## UNDERSTANDING THE TERMS

### **The International Monetary Fund (IMF)**

Created in 1944 at the Bretton Woods Conference to support European post-war economic recovery, the International Monetary Fund's responsibilities include: regulating the volume of international liquidity; ensuring the stability of exchange rates; promoting freedom of trade and capital transactions; coordinating the economic policies of members states; assisting members with Balance of Payments difficulties. The International Monetary Fund is not a lender to the Third World countries. However, as these countries have become indebted, the IMF has compelled these nations, country by country, to implement stabilization programs favouring creditors. These programs are creating economic disarray, hunger, disease, illiteracy, communal tensions, militarism, and an uncertain future for large parts of the world.

### **Structural Adjustment Programs (SAPs)**

These programs ensure international capital's access to national economies and resources. Using the lever of debt they force southern governments to introduce market oriented reforms including: free trade (reducing protection for local industries); privatization (reducing the state role in development); cuts in health, education, and social services (reducing the overall cost of state programs). These policies (known in the North as "restructuring") contain a powerful bias in favour of global competition and corporate enterprise.

### **World Bank (WB)**

Also created at the 1944 Bretton Woods Conference, the WB refers to the lending bodies of the International Bank for Reconstruction and Development and the International Development Assistance. They are the most significant institutions in development financing, lending for roads, dams, power plants etc. which facilitate access to natural resources and the growth of private profit in industry and mining. The precarious nature of many of the loans that were thrust on Third World countries for these purposes has left these countries deeply in debt. This has provided the IMF and WB with the opportunity to dictate policies to these countries. Since the late '70s the WB has increasingly served as a debt management institution, using structural adjustment lending to force indebted nations to prioritize debt servicing capacity over other social priorities.

### **Globalization**

Globalization is the product of, among other things, national policies, and international agreements institutionalizing free trade in labour, capital, and services as well as goods. This removes all barriers to international profit in all these areas and intensifies the dominance of the already global reach of international capital.

*Definitions compiled courtesy of Ana Isla and Angela Miles.*

## RESOURCES

### Platform for Action Documents:

The Beijing Declaration and Platform For Action (PFA), available from Status of Women Canada (SWC), or <http://www.undp.org>, or the UN Department of Public Information, (in book form, or on disk, or in a brief pamphlet) United Nations, New York, NY 10017.

*Setting the Stage for the Next Century: The Federal Plan for Gender Equality*, SWC, 1995. Plan by 24 departments and agencies. Available from SWC.

*Take Action for Equality, Development, and Peace, A Canadian Follow-up Guide to Beijing '95*. Canada Beijing Facilitating Committee, available from CRIAW, 151 Slater Street, Suite 408, Ottawa K1P 5H3 or [criaw@worldlink.ca](mailto:criaw@worldlink.ca).

### Convention on the Elimination of All Forms of Discrimination Against Women Documents:

Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), from Human Rights Directorate (HRD), Heritage Canada, 15 Eddy Street, Hull K1A 0M5, or phone (819) 994-3458 or fax (819) 994-5252.

Convention on the Elimination of all forms of Discrimination Against Women (CEDAW): Reference Document, Continuing Federal-Provincial-Territorial Committee of Officials Responsible for Human Rights November 1985. Discussion of implications of Canada's ratification of CEDAW. From HRD.

Convention on the Elimination of all forms of Discrimination Against Women: Report of Canada, 1983. Canada's first report to the UN. From Human Rights Directorate (HRD).

Convention on the Elimination of all forms of Discrimination Against Women: Second Report, 1988. From HRD.

Convention on the Elimination of all forms of Discrimination Against Women: Third Report of Canada Covering January 1, 1987 to December 31, 1990, 1990. From HRD.

Convention on the Elimination of all forms of Discrimination Against Women: Fourth Report of Canada Covering January 1, 1991 to March 31, 1994, 1995. From HRD.

Canadian Advisory Council on the Status of Women, Work in Progress: Tracking Women's Equality in Canada, June 1994.

Gurston Dacks, Joyce Green and Linda Trimble, "Road Kill: Women in Alberta's Drive Toward Deficit Elimination," in Trevor Harrison and Gordon Laxer, eds, *The Trojan Horse: Alberta and the Future of Canada*, Montreal, Black Rose Books, 1995, 270-285.

Arvonne Fraser, *The UN Decade For Women: Documents and Dialogue*, Boulder, Colorado, Westview Press, 1987.

Global Compliance Research Project, Charter of Obligations and other material available from coordinator Joan Russow, 1230 Patrick St, Victoria, BC V8S 4Y4, [jrussow@sol.uvic.ca](mailto:jrussow@sol.uvic.ca).

National Action Committee on the Status of Women, "A Decade of Deterioration on the Status of Women in Canada: A Summary Report," August 1995. Available:

[nac@web.apc.org](mailto:nac@web.apc.org) (ask for earlier NAC alternative reports).

Hilkka Pietila and Jeanne Vickers, *Making Women Matter: The Role of the United Nations*, London, Zed Books, 1990.

Overview of the UN Decade For Women 1976-1985, and the agreements.

Barbara Roberts, "Promises to Keep: FLS and Canadian Women's Issues," 1986 (revised 1995) and "More Promises to Keep: The Beijing Platform For Action and Canadian Women's Issues," 1996. What our governments have promised and how to make sure they keep their promises. Available from [barbarar@cs.athabascau.ca](mailto:barbarar@cs.athabascau.ca).

Deborah Stienstra and Barbara Roberts, *Strategies for the Year 2000: A Woman's Handbook*, Halifax, Fernwood Books, 1995. How to assess our governments' progress in fulfilling their CEDAW and FLS (and PFA) obligations. Box 949, Station A, Halifax B3K 5S3, or email [esharpe@bbs.mmcs.com](mailto:esharpe@bbs.mmcs.com).

Deborah Stienstra and Barbara Roberts, *Little But Lip Service: Assessing Canada's Implementation of its International Commitments to Women's Equality*, Background study for Canadian Advisory Council on the Status of Women, 1993. Available from [barbarar@cs.athabascau.ca](mailto:barbarar@cs.athabascau.ca).

United Nations Information Centre for Australia, New Zealand and the South Pacific, in Sydney Australia: [unic@peg.pegasus.oz.au](mailto:unic@peg.pegasus.oz.au). Excellent source for detailed reports on women's equality activities at the UN and relating to the UN agreements.

Status of Women Canada (SWC). "Perspectives" and "Women's Equality in Canada" (formerly "Fact Sheets"). All of these are available free from SWC, 360 Albert Street, Ottawa K1A 1C3, or phone (613) 995-7835, fax (613) 943-2386, or email them at [vilas@swc-cfc.gc.ca](mailto:vilas@swc-cfc.gc.ca) or [swccken@web.apc.org](mailto:swccken@web.apc.org). (Ask for other material, new publications appear regularly.)

### Forward-Looking Strategies for the Advancement of Women Documents:

Nairobi Forward-Looking Strategies for the Advancement of Women (FLS), 1985, available from SWC.

Canada's National Report to the United Nations for the Fourth World Conference on Women, Status of Women Canada, August 1994, and earlier reports.

Women's Equality in Canada: Progress in Implementing the Nairobi Forward-Looking Strategies for the Advancement of Women, January 1992 to April 1995, Status of Women Canada, May 1995, and earlier reports under the title "Fact Sheets."

International Women's Tribune Center, *It's Our Move Now: A Community Action Guide to the UN Nairobi Forward-Looking Strategies for the Advancement of Women*, 1987: available from the Center at 777 United Nations Plaza, New York, NY 10017 or email [iwtc@igc.apc.org](mailto:iwtc@igc.apc.org) (a resource centre for women's groups, ask for their publications list).