

Resolutions for 2018
3 from National
1 from Provincial

Resolution 1: Fair and Non-Discriminatory Management of Refugees and Asylum Seekers.

Proposed by: The Canadian Federation of University Women Perth and District

Whereas, in accordance with the Universal Declaration of Human Rights, Article 14. Everyone has the right to seek and to enjoy in other countries asylum from persecution,

Whereas, the Canadian federal government adopted the 1951 Refugee Convention, and

Whereas, the current situation of refugees desperately seeking safe haven is critical and therefore be it,

RESOLVED, that the Canadian Federation of University Women urges the federal government of Canada to move expeditiously to protect the world's most vulnerable by reviewing and increasing the number of refugees accepted into the country in 2018 and onward;

RESOLVED, that the Canadian Federation of University Women urges the federal government to provide the resources and infrastructure to the impacted municipal, provincial, territorial, and federal entities involved in processing refugees so as to ensure an efficient and effective refugee claims system; and

RESOLVED, that the Canadian Federation of University Women urges the federal government to immediately repeal the Canada/US Safe Third Country Agreement.

1) Background

Emergency Resolution: This resolution was initially submitted as an emergency resolution at the 2017 AGM. Insufficient time for discussion and approval precipitated this resolution's resubmission in an increasingly dire refugee and asylum seeker situation.

International Refugee Convention: The 1951 Refugee Convention, ratified by 145 State Parties, is the key legal document defining and governing refugee rights as well as legal obligations of States to protect them. The Convention's cornerstone is the principle of *non-refoulement* (Article 33) which states that (with some exceptions) a refugee should not be returned to a country where s/he faces serious threats to her/his life or freedom. This is now considered a rule of customary international law.

Canada's Obligations, Policies and Laws: Canada signed the United Nations (UN) adopted Convention related to the Status of Refugees 18 years after its inception. According to Canadian Government sites outlining its obligations to refugees, "Our compassion and fairness are a source of great pride for Canadians. These values are at the core of our domestic refugee protection system and our Resettlement Assistance Program." Both programs have long been praised by the UN Refugee Agency. "Refugees are people who have fled their countries because of a well-founded fear of persecution, and who are therefore unable to return home. Many refugees come from war-torn countries and have seen or experienced unthinkable

horrors. A refugee is different from an immigrant, in that an immigrant is a person who chooses to settle permanently in another country. Refugees are forced to flee. Canada resettles refugees to save lives and to provide stability to those fleeing persecution who have no hope of relief. Canada's resettlement programs are respected internationally because they provide permanent residence as a long term solution."

Objectives of the Immigration and Refugee Protection Act (Canada, November 2001) were to recognize that the refugee program is about saving lives and offering protection to the displaced and persecuted; to fulfill Canada's international legal obligations with respect to refugees and affirm Canada's commitment to international efforts to provide assistance to those in need of resettlement; to grant, as a fundamental expression of Canada's humanitarian ideals, fair consideration to those who come to Canada claiming persecution; to offer safe haven to persons with a well-founded fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group, as well as those at risk of torture or cruel and unusual treatment or punishment; and to establish fair and efficient procedures that will maintain the integrity of the Canadian refugee protection system, while upholding Canada's respect for the human rights and fundamental freedoms of all human beings. Protecting Canada's Immigration System Act (2012) amended both the above named Act and the *Balanced Refugee Reform Act* to provide expeditious processing of refugee protection claims.

Canada-US Safe Third Country Agreement: The Safe Third Country Agreement between Canada and the US (effective December 29, 2004) is part of the US-Canada Smart Border Action Plan requiring claimants to request refugee protection in the first safe country they arrive in (some exceptions accepted).

To date, the US is the only country designated as a safe third country by Canada under the *Immigration and Refugee Protection Act* but requires that it meet four conditions. The US Presidential Executive Order (EO) 13769 (27 January 2017) voids Factor 3 of the Agreement (see below): The United States meets a high standard with respect to the protection of human rights. It is an open democracy with independent courts, separation of powers and constitutional guarantees of essential human rights and fundamental freedoms.

Mandate Letter of the Minister of Immigration, Refugees and Citizenship (Honourable Ahmed Hussen, Feb. 2017): states that his "overarching goal will be to continue welcoming those who want to contribute to our country's success. Canadians are open, accepting, and generous – qualities that should be reflected in Canada's immigration policies and in our approach to welcoming those seeking refuge from conflict and war. Our communities are strengthened when we come together to welcome newcomers who want to build a better Canada and to help those in need."

US Executive Orders: The signing of EO 13769 denied US entry to citizens of seven Muslim-majority countries for 90 days, 120 days for refugees and indefinitely for Syrian refugees. The presidency of the US (and supporters) created a clear message that the US no longer wishes to build a nation dedicated to religious freedom, diversity, tolerance and acceptance. This action places those applying for refugee status in the US at further risk of persecution. Thus, the US has negated its position as a safe haven for refugees since the actions and attitudes of its highest office actively promote discrimination based on religion and country of origin.

Despite the US Federal courts declaring EO 13769 unconstitutional, another EO (March 2017) banned entry to the US for 90 days for six Muslim-majority countries. Although there were minor concessions, the new EO is still entitled 'Protecting The Nation From Foreign Terrorist Entry Into The United States'. It is clear that nothing has changed. The promises made during the election, executive orders already signed, extreme vetting of refugee and immigrant applications proposed and other planned human rights restrictions will create a toxic atmosphere. This is especially worrisome as most people negatively impacted are those fleeing from persecution under oppressive, and often war torn regimes, where humane law has been suspended.

A letter to the Canadian Prime Minister and Minister of Immigration, Refugees and Citizenship from 200 Canadian law professors dated 31 January 2017 also raises serious concerns about Executive Order 13769 and statements. "We condemn these actions and statements in the strongest possible terms. They reflect the very bigotry, xenophobia and nativist fear-mongering that the international refugee regime was designed to counteract. We also note that they are inconsistent with the 1951 Refugee Convention, the Convention Against Torture, the UN Declaration of Human Rights, the International Covenant on Civil and Political Rights, and many other international human rights instruments."

US Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) Implications: The US enacted TPS as a measure to assist those suffering from armed conflict in Central America (1980-1992), for natural disasters or other emergencies. DACA is a US immigration policy which applies to people who meet specific eligibility regulations (in school, high school graduate or military veteran and who entered the country as minors). The current US administration has adopted a stricter approach in continuing with TPS and DACA, reviewing those currently with the status and winding down the programs or determining a grace period. Thus, in addition to the current numbers of individuals seeking refugee status in Canada by irregular border crossings, more could attempt entry depending upon the outcome of these policies (a considerable spike was seen in the number of Haitians irregularly crossing the border after it was announced that their TPS would end). According to US Citizenship and Immigration Services, there are over 420,000 immigrants in the US with TPS. Up to 30,000 undocumented people a month covered by DACA would lose their protected status.

Seeking Refuge in Canada: Intake under one of Canada's two refugee systems does not impact on the other. The Refugee and Humanitarian Resettlement Program accepts applicants from outside the country, i.e. people who are generally determined by the UN to be displaced. These people, such as Syrian refugees, cannot travel here on their own, rather they must be screened abroad, thus having refugee protection upon arrival. Border crossers, on the other hand, fall under the In-Canada Asylum Program. Predominantly individuals who are not part of a larger group, they still face dangers in their home country. Technically, they are not refugees until they are approved in an Immigration and Refugee Board hearing. In 2017, Canada was forecast to accept 25,000 in the Resettlement Program and up to 15,000 in the Asylum Program.

According to the Canada-US Safe Third Country Agreement, a refugee is to apply for refuge in the first country of arrival in North America. Accordingly, if a refugee arrives in the US and is denied refugee status, s/he cannot then apply for refugee status in Canada nor can s/he attempt to cross official border crossings between

Canada and the US. However, a refugee may attempt to cross at an unstaffed border crossing. Although detained for a short period of time upon entry into Canada, these refugees are given assistance and may commence refugee status proceedings albeit without guarantee that they will be granted such status.

Canada has been experiencing backlogs in processing refugee claims. Additional resources and special measures were enacted in 2016 for an exceptional and time-limited situation which allowed higher numbers of refugees to be accepted. However, the 2017 Resettled Refugee targets were significantly reduced. And yet the refugee claims processing backlog remains.

Resettled Refugees	2016 Target (All)	2016 Actual (Syrian)	2017 Target (All)
Total	44,800	39,671	25,000

In the 2013-2014 fiscal year, 68 asylum seekers illegally crossed the US-Canada border near the small Manitoba community of Emerson to claim refugee status (Canada Border Services Agency figures). The most recent numbers for fiscal year 2016-2017 showed 410 asylum seekers made the journey between April and December 2016. Seven hundred twenty-eight (728) people crossed into Canada by foot at unstaffed border crossings during the period 01 January to 21 February 2016. This more than doubled (1698) during the same period in 2017. Warm weather results in even more irregular border crossings as confirmed by the figures shown below.

Irregular border crossers (Immigration and Refugee Board statistics)

National 2017	Referred	Finalized					
		Accepted	Rejected	Abandoned	Withdrawn & Other	Total Finalized	Pending
Feb/Mar*	439	0	0	0	0	0	439
April/May	1,405	73	11	6	4	94	1,750
June/July	1,635	314	66	2	13	395	2,990
Aug/Sept	7,753	305	141	38	94	578	10,165
Oct/Nov	5,290	513	377	163	78	1,131	14,324
Total	16,522	1,205	595	209	189	2,198	

*partial data for Feb/ Mar

Impact of the Canada-US Safe Third Country Agreement: Status quo regarding the Canada/US Safe Third Country Agreement results in a drain on monitoring resources, a safety and security issue for Canada and is a life and death issue for those who choose to enter at unofficial border crossings. To date, it has been reported that two men lost most of their fingers due to severe frostbite. A woman from Ghana lost her life. A Winnipeg immigration lawyer stated: "The Canada-US Safe Third Countries Agreement, which took effect Dec. 29, 2004 ... sealed her fate. I think Canadian law is to be held responsible ... for that innocent woman's death."

The report *Bordering on Failure Canada – US Border Policy and the Politics of Refugee Exclusion* (Harvard Law Society, 2013) becomes even more pertinent to the current political and refugee situation. Its three conclusions were: 1) Canada is systematically closing its borders to asylum seekers and avoiding its refugee protection obligations under domestic and international law; 2) Through the Safe Third Country Agreement, Canada jeopardizes asylum seekers' ability to obtain

fundamental legal protections by returning them to the United States despite clear deficiencies in the U.S. asylum system; and 3) The Safe Third Country Agreement has prompted a rise in human smuggling across the Canada U.S. border, making the border more dangerous and disorderly, and raising security concerns for Canada and the United States.

The UN Committee on the Elimination of Racial Discrimination for Canada's 21st and 22nd periodic reports (September 2017) advises: "Rescind or at least suspend the Safe Third Country Agreement with the United States of America to ensure that all individuals who attempt to enter the State party through a land border are provided with equal access to asylum proceedings".

Canada has not always been accepting of refugees. From enacting the Chinese Head Tax, to the 1914 refusal to allow the 376 passengers of the *Komogata Maru* to disembark (for which an apology was recently made in the House of Commons), to the refusal to accept the over 900 primarily Jewish passengers of the SS St Louis to seek asylum in Canada, our government policy has not always been accepting of refugees. In the current international political climate of ultra nationalism, closing and reinforcing borders, it is even more important for Canada to take a more reasonable approach. Ultimately, Canada has the opportunity to be a role model for meeting our international responsibilities with respect to the acceptance of refugees and asylum seekers.

Notwithstanding, Canada must continue to review all refugee claims with the attention needed to ensure that our country is safe from terror, criminality or health risks. It is imperative that Canadian border and police authorities carefully record all details of those illegally crossing the border into Canada. Furthermore, all refugee claims must continue to be thoroughly scrutinized by the Immigration and Refugee Board of Canada. Most importantly, however, Canada must remove itself from any agreements, rhetoric or suppositions that suggests the US shares our values regarding refugee claims.

Conclusions

To have an open, compassionate, equal and inclusive country, we must continue to be a beacon for refugee resettlement. The Prime Minister's statements: "To those fleeing persecution, terror & war, Canadians will welcome you, regardless of your faith. Diversity is our strength" and "In 2018, let's continue to celebrate the values that unite us: openness, compassion, equality and inclusion. Let's move forward together, put those values into practice, and work to build a better future for all of us" set the stage for Canada to be a beacon for refugee resettlement.

Malala Yousafzai, on being named an honorary Canadian and addressing the House of Commons (12 April 2017) said: "Welcome to Canada is more than a headline or a hashtag. It is the spirit of humanity that every single one of us would yearn for, if our family was in crisis. I pray that you continue to open your homes and your hearts to the world's most defenceless children and families. And I hope your neighbours will follow your example."

Having a fair and non-discriminatory refugee and asylum seeker system and repealing the Canada/US Safe Third Country Agreement is supported by the CFUW vision of furthering the advancement of the status of women, protecting human rights and promoting common good locally, nationally and internationally.

2) Implementation Strategy

CFUW members must write to their Members of Parliament requesting they promote and support increasing the targets for refugees, providing the necessary resources for expeditious refugee claim processing, and above all, repealing the Canada/US Safe Third Country Agreement.

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Resolution 2: Ending Youth Homelessness.

Proposed by: CFUW BC Council, Ruth Mellor, President

Whereas: Homelessness is a major problem for youth especially those aging out of care, indigenous youth, youth with mental health issues and LGBTQ2S youth

Whereas: Youth homelessness can result in a number of long-term consequences including increased risk of exploitation, greater involvement with the police, disengagement from school, mental health problems and addictions, and difficulty exiting the streets.

RESOLVED, That Canadian Federation of University Women (CFUW) urges the Federal government to reinstate funding previously in place to combat youth homelessness specifically targeting those aging out of government care, indigenous youth, youth with mental health issues and LGBTQ youth.

RESOLVED, That CFUW urges the Federal government to work in cooperation with Provincial, Territorial, and Municipal governments to develop strategies and support

programmes, both long and short term, to attack the root causes of youth homelessness.

1) Background

According to the Canadian definition of Youth Homelessness, “youth homelessness refers to the situation and experience of young people between the ages of 13 and 24 who are living independently of parents and/or caregivers but do not have the means or ability to acquire a stable, safe or consistent residence.” (Gaetz et al 2016) A Way Home, the National Coalition dedicated to preventing and ending youth homelessness in Canada, states on their website, “All young people have the right, both fundamental and legal, to live free from homelessness and with access to safe, affordable, adequate housing. These rights are upheld by international human rights ratified by the Canadian government.”

A 2016 report, co-authored by Stephen Gaetz, director of the Canadian Observatory on Homelessness, “urges the federal government to focus on youth homelessness – particularly among indigenous youth – and provinces and territories to focus on “after care” meaning support beyond the age where government funding is now cut off usually age 19, leaving these youth with no housing, physical or mental support, or money to get on with their lives (Press 2017). It is suggested this would mean providing support as needed until age 25. “The study, based on a survey of 1,103 young people who were experiencing homelessness in 42 different communities in nine provinces and Nunavut, offers the first national portrait of Canada’s population of homeless youth.” This study has formed the basis for research and priority papers focussing on various aspects of youth homelessness, particularly the mental health aspects.

Aged 13 to 24, homeless youth make up about one-fifth of Canada’s homeless population. That means there are about 6,500 people in that age group experiencing homelessness on any given night (Press 2017).

The national Youth Homelessness Survey (Gaetz et al 2016) revealed that 85% of homeless youth were experiencing mental health crisis, 42% reported at least one suicide attempt, and 35% reported having at least one drug overdose requiring hospitalization. Not surprisingly, youth experiencing the most severe mental health challenges include LGBTQ2S youth, indigenous youth, but also young women.

Federal Investment in Canada: While the Homelessness Partnering Strategy currently provides program funding to communities to address youth homelessness, there is no targeted strategy or funding stream. During the first three years of the National Homelessness Initiative (1999-2003), the government allocated \$59 million targeted for youth homelessness or almost \$20 million annually. This component was delivered through the existing HRDC Youth Employment Strategy (YES) and was discontinued in 2003.

Fortunately, the 2017 federal budget included the expansion and extension of the Homelessness partnering Strategy (CHRA 2017). Canada now has a unique opportunity to make real progress on youth homelessness and address the mental health needs of young Canadians who are homeless. The federal government should use this opportunity to implement a youth homelessness strategy with a special focus on mental health and wellness. In partnership with the Government of Canada, provincial/territorial governments should implement targeted provincial/territorial strategies to prevent and end youth homelessness. Working in

collaboration with all levels of government, there is a real opportunity for the Government of Canada to lead and make a difference.

Prevention and early intervention strategies that help young people avert or exit homelessness as quickly as possible are essential in avoiding lifelong consequences, including chronic adult homelessness (A Way Home). Up until recently, prevention has not really figured in how we respond to homelessness in Canada beyond words and rhetoric.

Raising the Roof organizations have developed several recommendations to end youth homelessness (Evenson and Barr 2009). They recommend that “each Province/Territory depending on the extent of the homelessness crisis in their area, develop 3, 5, or 10-year Plans to End Homelessness. While allowing for local variation, there should be some consistency in what these plans are required to include. Significantly, it is important that Provincial/Territorial Plans align with any federal strategies that are developed.”

There are currently many programs or projects aimed at ending youth homelessness. It seems that a true solution to obtain this goal relies on federal targeted funding and leadership along with provincial/territorial funding and leadership to enable municipalities along with local agencies to work on prevention programs. Several Provinces have begun this process. CFUW now has an opportunity to learn about the issues and encourage governments at all levels to look seriously at prevention of youth homelessness so that there will be less need for emergency services for youth.

2) Implementation Strategy

Clubs are urged to identify programs and projects that are in place in their communities to help youth avoid homelessness. The first step would be to identify the issues and services around youth homelessness in where they live. Using this information, clubs can determine the needs of the youth in the community and work with other organizations to encourage new strategies and policies. As well from a national and provincial perspective lobbying can be done to federal government and from provincial councils to urge governments to shift their focus from emergency services to preventative strategies and to fund them adequately.

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Resolution 3: Education to serve as a vehicle for social justice for vulnerable children living in closed religious communities.

Proposed by: CFUW Nelson & District

Whereas: The United Nation's Committee on Economic, Social, and Cultural Rights (CESCR) recognized the role education can play in combating practices that are harmful to women and children, stating that "In order for education to challenge harmful stereotypes and practices, it is imperative that education be equally accessible to boy and girl children and not be used as a social instrument to reinforce traditional gender roles" (Article 13, 1999, para. 1.). As well, "The Women's Convention calls for 'the elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education'" (Cook & Kelly, 2006, Citizenship para 4).

Whereas: The Council of Ministers of Education, Canada who are responsible for education in the provinces and territories come together to take action on matters that directly contribute to the fulfillment of Canada's international treaty obligations with regard to equal access to education, and to discuss Canada's priorities for elementary and secondary education with a view to ensuring that all children can access learning opportunities that are inclusive and provided with world class skills. Council of Ministers "recognizes the direct link between a well-educated population and (1) a vibrant knowledge-based economy in the 21st Century, (2) a socially progressive, sustainable society, and (3) enhanced personal growth opportunities for all Canadians" (Learn Canada, 2020, para 2).

Whereas: There are examples across Canada such as the polygamous community of Bountiful, B.C., Hasidic Jewish communities in Quebec, and "Twelve Tribes" communities of Manitoba, B.C. and Ontario where children, including those who are home schooled do not receive a basic education or learn about their basic human rights. In these vulnerable contexts social practices also reinforce prejudices and harmful gender stereotypes and this is in direct violation of International Human Rights Instruments such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Universal Declaration of Human Rights (1949).

Whereas: Home schooling programs across Canada are inconsistent and the laws vary from province/territory to province/territory. Parents have a prior right to choose the kind of education that shall be given to their children (art. 26 (3), UDHR, 1949). However, Article 30 of the UDHR assumes that "nothing in this Declaration may be interpreted as implying for any State, group or person any rights to engage in any activity or to perform any act aimed at the destruction of the rights and freedoms set forth herein." Therefore, in closed religious communities such as Bountiful, B.C., Tash, Quebec, and those of the "Twelve Tribes", their social customs and practices are subject to the unequal and discriminatory standards in education.

RESOLVED, That the Canadian Federation of University Women (CFUW) urge federal, provincial and territorial governments of Canada to collaborate and create consistent policies with effective oversight for education, including home schooling programs across Provincial Ministries of Education.

RESOLVED, That the Canadian Federation of University Women (CFUW) urge provincial ministries to work together through the Council of Ministers of Education, Canada to develop consistent policies and oversights to ensure that children who receive an education, including those who are home schooled, in vulnerable settings are provided gender rights, social justice, and basic education.

1) Background

The CFUW Nelson and District Club met with a group of survivors from a BC polygamous community called, "*SafetyNet in the Kootenays*" (SNK) and learned about the inequities regarding their lack of access to quality education. When our club met with members of SNK in October 2017, we asked them how we may help. They said "education is the key" for those children who are living in Bountiful and are home schooled. Within the context of the community, once married the women are limited to seek careers pertaining to nursing, midwifery and teaching, which creates a more insular community. Their educational pursuits are to follow traditional stereotypical gender roles. SNK members acknowledge the harms that are a result of a polygamous culture, and that social injustices toward the women and children have been profound. They earnestly believe that quality education (i.e., regulated and monitored) will allow the children of the community to have choice and freedoms to participate in a democratic society.

In her article, *B.C. teachers blame government for failing Bountiful's children*, Bramham (2011) reported on the closing arguments in the reference case to determine whether the current law prohibiting polygamy is valid. Bramham quoted Robin Trask, lawyer for B.C. Teachers Federation, who said that, "the government has failed in its duty to ensure that the children in the polygamous community of Bountiful are getting a proper education" (2011, para. 2). Likewise, following the court case, Cheryl Milne of the Canadian Coalition for the Rights of Children and the David Asper Centre for Constitutional Rights "accused the B.C. government of six decades of "acquiescence" when it comes to Bountiful. She said it has violated the UN Convention on the Rights of the Child by failing to protect them from sexual exploitation, abuse, trafficking and by failing to provide them with educational opportunities they are entitled to" (Bramham, 2011, para. 3 - 4).

In Manitoba, Ontario, and British Columbia there are closed religious communities called the Twelve Tribes. CBC journalist, Welch (2014) reported that, "these communities subscribe to a fatalistic view that the apocalyptic events of the Revelations and the book of Daniel will take place in the near future. According to prophecy, as they see it, the Tribes' children are expected to do battle with the forces of the 'Evil One'" ("Insular Community," para. 6). A former leader interviewed by Carreiro (2015), commented, ". . . what people don't understand is that this group does not properly educate their children and that's a big deal. That's a huge deal. That's the main reason I left" (para. 12). He then made recommendations for the government: "As for authorities in Winnipeg still monitoring the community, the biggest favour they can do is to make sure the kids get access to education. 'That's one of the things the government should be investigating, is their education, because

I looked at all my friends who had older children, who were so bitter at their parents for not providing them with an education,' he said. 'So here you got this burden on society because these kids are not educated'" (Carreiro, 2015, para. 20 - 22).

Currently, a former Hasidic man is taking the Quebec government to court for being deprived of a secular education ("Deprived of a secular education, former Hasidic man takes Quebec government to court", Radio-Canada, 2017; Enright, 2017). When Yohanan Lowen finished school at the age of 18, he claimed he could barely read or write in English or French. He said "we never learned the rules of a language. We never had literature" (Enright, 2017, para. 4). He grew up in Tash, a secluded ultra-orthodox Hasidic community tucked away in Boisbriand, Quebec. He and his wife, Shifra, accused the province of ignoring its legal obligation to ensure all children receive a proper education. This case will be heard in the fall of 2018 and its outcome could have profound effect on schools run by religious communities in Quebec (Radio-Canada, 2017). Yohanan and Shifra Lowen are seeking a declaratory judgement which, if they win, would force the province to take steps to ensure children in religious communities be taught the provincial curricula (Radio-Canada, 2017). The Tash, Quebec case outlines another example where in a closed religious community no oversight of children's education is provided.

Every parent in Canada has the option of (i) home-schooling their children, (ii) enrolling their children in a private school at their expense, or (iii) enrolling their children in publicly funded secular school system. Provincial Education Acts vary with regard to requirements and standards for home schooling (for example, British Columbia Ministry of Education, 1996; Manitoba Ministry of Education, n.d.; Ontario Ministry of Education, 2002); it is crucial for the Council of Ministers of Education to begin to discuss, collaborate, and develop policies to protect children who live in vulnerable situations where home schooling is the vehicle of parental choice to educate. Andrew Parkin, the former director general of the Council of Ministers of Education, Canada, commented that the federal government can play a role in education if it focuses on "the deepening of inequities across society and the federation" (Parkin, 2015, p. 6). It is the deepening of inequities that threatens to erode education within Canada.

"An estimated 100,000 Canadian children from 6 to 16 years of age are being educated outside of the system in a variety of home education settings" (Bennett, 2013, para. 4). The Nova Scotia Auditor General's report in November 2012 proposed tighter regulation and more rigorous supervision of home schooling (Lapointe, 2012, Ch. 2). The Nova Scotia report is an example of one province/territory that points to a need for federal framework for provincial oversight.

In these examples of closed religious communities, the harmful stereotypes are reinforced and practiced. It would be in violation of international treaties for the Ministers of Education to not research the need to provide more consistent and rigorous supervision for children living in vulnerable situations. Children living in closed religious communities who are home schooled lack learning opportunities related to gender and human rights education. The insular communities do not provide them with the skills to function in the mainstream society. "The major objections to homeschooling are that it aggravates social inequality, perpetuates counterculture movements, and can interfere with the well-being and interests of children"(Bosetti & Van Pelt, 2016, p. 45). It is noted that many home education supporters maintain that parents are in a better position to educate their children. However, in closed religious communities, it can be argued that a form of restriction

and supervision is necessary to ensure the best interests of the children are being met.

As “education is the key” to empowerment, and CFUW’s vision is to improve the status of women and children, it is our moral obligation and responsibility to advocate on behalf of those children who live in vulnerable closed religious communities. CFUW seeks to strengthen equitable access to education, and we must advocate on behalf of those children who are living within vulnerable contexts. We have identified three cases; it is three cases too many. There is need for the federal government to collaborate with provinces and territories to ensure that every Canadian child acquires the basic skills and knowledge to make his or her own choices and to participate in a democratic society. In a socially just society, access to quality education is paramount.

Equity issues constitute a major challenge in education across Canada particularly for those children who are being educated in closed religious communities and home schooled. In 2011, the B.C. Supreme Court looked at how freedom of religion might be balanced against gender equality rights. Part 2 of the ruling stated, “Canadian jurisprudence has identified three possible bases for limiting the right to freely espouse and freely practice a religion: a) where the right otherwise conflicts with another right (i.e. equality), b) where a religious practice may harm an individual or pose a threat to public order, and c) where the state can demonstrate a significant societal interest in limiting the right” (Supreme Court of British Columbia, 2011). This ruling by Chief Justice Bauman basically stated that religious freedoms do not trump the basic human rights of women and children living in polygamous communities (McKay-Panos, 2012). It is a logical assumption that closed religious communities such as the Twelve Tribes and the Hasidic Jewish of Tash insulate children from their right to a basic education, which is then viewed as harmful and a violation of their rights to basic education. It is worth noting that there may be other sects within Canada that have not been reported to date. There is little to no research to substantiate whether schooling in closed religious communities follows provincial curricula.

As provinces and territories have jurisdiction over education, it is the federal states’ purview to collaborate with the intergovernmental body of the Council of Ministers of Education Canada (n.d.) to discuss policy issues and to contribute to the fulfillment of Canada’s international treaty obligations. “Education and social justice are interrelated in a number of important ways – in addition to being an expression of social justice, education can also lead to a better understanding of, and thus serve, social justice.” (Froese-Germaine, B. 2014, para. 3).

2) Implementation Strategy

Clubs to write to provinces/territory Ministers of Education to collaborate within the Council to research best practices related to policies to administer home schooling programs that will ensure children who are home schooled are not subject to social injustices with regard to access to provincial curricula.

Clubs to lobby education ministries within provincial governments to adopt best practices for home schooling based on a review of current programs across Canada and other jurisdictions.

Clubs to urge respective educational institutions to begin a rigorous and systematic study of the outcomes for home schooled children.

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Provincial Resolution

CFUW Ontario Council Resolution

Submitted by Sheila Lacroix, on behalf the Legislation Standing Committee
January 15, 2018

Housing for all through sustainable and mixed urban development in Ontario

RESOLVED that the Ontario Council of the Canadian Federation of University Women (CFUW OC) urge the Government of Ontario and municipal governments to cooperate through laws, bylaws and policies to guarantee that plans for redevelopment and new development for housing ensure that mixed income housing, including social housing, be included in urban communities.

RESOLVED that the Ontario Council of the Canadian Federation of University Women (CFUW OC) urge the Government of Ontario and municipal governments, in cooperation with First Nations, to ensure that as urban areas expand beyond current boundaries, urban growth is sustainable, protecting parks, crown land, First Nation communities, river basins and wetlands, farm lands and designated green space, such as Ontario's Greenbelt.

Purpose

The purpose of this resolution is to enable CFUW Ontario Council and Ontario Clubs to advocate on a broad variety of issues relating to housing and urban development. To meet the needs of the growing urban population, Ontario and municipal governments must work together to ensure that, as our urban areas are renewed or expand, a full range of housing options is offered, meeting the need for: healthy communities with accessible services; controlled development through regulated land use; and respectful consideration of the environment.

Related policies do exist:

Affordable Housing, 1992, CFUW National, offers policy to urge the Government of Canada to reinstate and finance non-profit, co-operative and affordable housing programs, and all levels of government to co-operate in establishing comprehensive plans for land use, which will guarantee affordable housing within community developments.

Preservation of Wetlands, 1991, CFUW OC (There is also National Policy). Relating to sustainability, Clause 2 involves evaluations when proposed development affects wetlands.

It is time to review, update and integrate existing policy. The Ontario government has been rolling out policy and legislative changes affecting both Ontario and municipal strategies, which will be addressed in this backgrounder. In municipalities, higher density housing options are replacing older residential communities and former industrial sites. It is important that development or redevelopment is community oriented, offering mixed housing, preserving or offering green space and providing housing for economically disadvantaged residents who relied on shelters and social or low cost housing. The knowledge and acceptance of environmental impacts have grown; for example, the significance of smaller, local wetlands has been recognized through research at the University of Waterloo as reported in *Waterloo News* (2015). The calls to action of the TRC (Truth and Reconciliation Commission) report have increased awareness of land claims and our relationship with First Nations with whom we share our province. The changing landscape justifies a review and update.

Introduction

The United Nations (UN) Sustainable Development Goal 11 is: "Make cities and human settlements inclusive, safe, resilient and sustainable". In his article about the UN's 2016 Habitat III international conference on housing and sustainable urban development, Dennis Carr (2017) reports that by 2050, 70% of the world's population will be living in urban centres. The conference's output, the *New Urban Agenda*, available on the Habitat III website, provides direction to reverse the 20th century legacy of uncontrolled sprawl and urban poverty. Ontario has witnessed both. Canadian delegates included MPs, municipal leaders and NGO advocates. Canada's national report to Habitat III (Employment and Social Development Canada, 2016) is worth reading to gain a national perspective. According to the 2016 Canadian Census, 37% of Canadians live in the largest municipalities.

In the Ontario Ministry of Finance (2017) report, *Ontario Population Projections Update*, based on the 2011 Census, and taking into consideration projected migration to Ontario, the Greater Toronto Area (GTA) is predicted to be the fastest growing region, passing the 50% (of the Ontario population) mark in 2025. Population is predicted to increase from 6.7 million to 9.6 million by 2041. The census regions of Simcoe and Dufferin north of the GTA will experience more than average growth. In Eastern Ontario, Ottawa will grow fastest, by 35.7%. In Southwestern Ontario, Middlesex and Oxford will be the fastest growing districts. Northern Ontario will remain stable. This report also provides age structure by region which is important in planning for housing needs.

The Greater Golden Horseshoe Region, indicates this region is home to 9 million, and is predicted to increase to 13.5 million by 2041. It is one of North America's fastest growing regions; in addition to being important to the Canadian economy it also encompasses productive farmland, the Niagara Escarpment, the Green Belt and the Oak Ridges

Moraine (Ministry of Municipal Affairs and Housing). The map provided indicates the urban growth centres. Planning now for the next 20 years is essential.

In terms of poverty and homelessness, the Campaign 2000 (2016) Ontario report card indicates that many families across Ontario are in core housing need, particularly in the case of renter households where at least 30% of the rental units are unaffordable, require major repair or are overcrowded. The Homeless Hub is a good resource for data on homelessness.

Government Strategies

Being aware of federal policy is essential. The 2017 federal budget proposed investing more than \$11.2 billion over 11 years towards housing needs, and has developed the first National Housing Strategy through the Canadian Mortgage and Housing Corporation (CMHC) which reports to Parliament through the Minister of Families, Children and Social Development. The strategy was released November 2017 and information can be found on the CMHC website. For an analysis from the policy consultation process, refer to **Let's Talk Housing** (Conference Board of Canada, 2017). Although the funding and news of the strategy has been well received, there is concern that much of the funding is delayed until after the next election. According to Dennis Carr (2017), as of summer 2017, the Liberal government had not committed to the goals of Habitat III. So, although there is a greater expectation for support at the federal level, Carr points out that "the real power of Habitat III is the recognition of the role that provincial and municipal leaders, as well as civil society, will play in reshaping urban policy." The Federation of Canadian Municipalities (FCM) Big City Mayors' Caucus (BCMC) also emphasizes the value of local expertise in its recommendations to the National Housing Strategy, (FMC BCMC , 2017). Including local governments in local decision making is one of the ten principles the BCMC put forward.

In Ontario, the Ministry of Municipal Affairs and Housing (MAH) now has two ministers, the Minister of Housing, also responsible for the Poverty Reduction Strategy, and the Minister of Municipal Affairs. In 2016, Ontario committed \$178 million over three years to the housing system and updated the 2010 housing strategy. **Ontario's Long-Term Affordable Housing Strategy: Update** (MAH, 2016) provides a report card of accomplishments since 2010. Some highlights include funding for: a portable housing benefit for survivors of domestic violence; new supportive housing units; additional funding for the community homeless prevention initiative; development of an Indigenous housing strategy focusing on off reserve Indigenous families. Also proposed was legislation for inclusionary zoning, to enable municipalities to mandate the inclusion of affordable housing in new development projects. Also flagged is support for non profit and co-operative housing, as well as enhanced land use planning and municipal finance tools to support municipalities and private developers in developing affordable housing.

Ontario. Promoting Affordable Housing Act

Resulting from the strategy, this act, passed late 2016, amends existing legislation, including the **Planning Act**, aiming to increase affordable housing and modernize the social housing system. It introduced Inclusionary Zoning (IZ), a mechanism whereby municipalities can require that private developers reserve a portion of units to be rented at below market rates. Its aim is to increase the supply of affordable housing, create integrated and inclusive communities and provide tools for municipalities to meet their targets around housing and homelessness. To date, regulations of the Act relating to IZ have not been passed, but the Act does require that municipalities and private developers

enter an agreement and be accountable. Currently, municipalities can impose IZ at their discretion. Clayton and Schwartz (2015) offer a research based paper on IZ. It was written before the legislation was updated, but offers background information, including a literature review, recommendations and a non government perspective. The authors conclude that the **Planning Act** should be sufficient to achieve the same results.

Ontario's Fair Housing Plan

Introduced in 2017 as a result of sky rocketing rental and housing costs, it includes measures spearheaded by different ministries to address this crisis; some have been included in this review. Refer to the Ministry of Finance (2017) backgrounder in its April 20, 2017 news release. One outcome was the establishment of the **Ontario Housing Forum**, a range of experts working together to determine how to make housing more affordable. The second meeting focused on the "missing middle" in the Ontario housing market; (Ministry of Housing, 2017). Another was the Development Approval Roundtable which released its **Action Plan**, (Development Approval Roundtable, 2017) to streamline the approval process to bring more housing to market, in particular for low and middle income households.

Ontario Bill 139, *Building Better Communities and Preserving Watersheds Act*

This Bill, which received Royal Assent Dec.12, 2017, will affect many laws, including **The Planning Act**. Once proclaimed, it repeals the **Ontario Municipal Board Act**, creating Local Planning Appeal Tribunals, giving more power to local councils and planning authorities. This will enhance our ability to act locally when concerned about development in our communities. Concerns have been expressed that this will cause NIMBYism (not in my back yard), but it also enables us to advocate to a local appeal body for housing that meets the criteria of mixed, affordable and sustainable.

Sustainable Development

This is widely known as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". Another guiding principle is from the wisdom of Indigenous peoples: the Seventh Generation Principle: decisions made today should consider impacts seven generations ahead. These principles should drive today's planning for growth beyond current urban areas.

The four main land use plans in southern Ontario to curb growth and protect the natural environment and farmlands are: the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Growth Plan for the Greater Golden Horseshoe. They are interconnected and available on the MAH website. All were updated effective, 2017, and municipalities must update their plans to conform. However, concern remains. The Grow Our Greenbelt movement promotes yet a bigger, stronger Greenbelt. The building industry remains a constant threat to green belt preservation. Some powerful developers claim that lack of land for development is driving up house prices. Groups such as the Ontario Green Belt Alliance counteract such arguments; for example, there is currently sufficient land for development to accommodate population growth and increased housing options will reduce the demand for single family detached homes. The Neptis Foundation (2017) has concerns about rural settlements being a focus for growth. The 'Crombie Report' (Advisory Panel on the Coordinated Review of the Growth Plan, 2015) offers detailed justification for the plans.

Ontario has vast regions of crown land; 95% of Northern Ontario is crown land. Approximately 10% is held in provincial parks and conservation reserves. Most is

managed by the Ministry of Natural Resources and Forestry. The most recent strategic directions for the management of crown lands (Ministry of Natural Resources, 1993) is very general with regards to disposition of lands. The Objectives do offer balance. The first is to promote environmental protection whereas another (number 6) is to support development. Another objective supports the resolution of Indigenous issues. Obviously this ministry is an important player when it comes to development that could encroach on crown lands.

Considering First Nations, it is important to be aware of current land claims in your region which could impact development. The largest land claim under current negotiation is the Algonquin Land Claim which will transfer crown land to Algonquin ownership. Another ongoing claim, sparked by development, is that of the Six Nations of the Grand River in the Caledonia area. An example of partnerships to enhance urban green space in Indigenous traditional territory is the Trillium Park and William G. Davis Trail Toronto waterfront park designed in collaboration with the Mississaugas of the New Credit First Nation on whose traditional lands the GTA has spread.

While Indigenous rights were recognized and confirmed in the Constitution Act of 1982, it was the Supreme Court decision of 2004 (Taku River Tlingit First Nation v. British Columbia) that established the legal need to consult Indigenous communities. As stated by the Ontario Ministries of Municipal Affairs and Housing in **Municipal-Aboriginal Relationships: Case Studies**, one of the first of these responsibilities is land-use planning and development. (Ontario, 2009)

Additional Selected Non Government Organizations (NGOs) to Monitor

The Ontario Non-Profit Housing Association (ONPHA) has a membership of over over 760 non-profit organizations providing housing in 220 communities across Ontario. It tracks and analyzes the housing situation and works with governments. Wigwamen is the oldest Indigenous non profit housing provider in Ontario. It provides housing units in both Toronto and Ottawa. It has partnered with YWCA Toronto and two other local partners to build the YWCA Elm Centre to house 50 Indigenous families. The Wellesley Institute focuses on advancing urban health and offers research and policy on housing. Evergreen's mission is to make cities flourish. Through its Mid Sized Cities Program, it works across the province with municipal leaders to consult regarding sustainable and inclusive development.

Conclusion

As our urban centres grow, advocating to ensure there is housing to meet all needs in healthy communities through sustainable development requires awareness of current policy and legislation at all government levels as well as data and resources from government and relevant NGOs. This resolution will provide policy to enable us to: advocate locally for specific housing needs and projects; advocate at the provincial and local level to ensure compliance with law, policy and funding targets; and to speak out if the progressive legislation and policy currently underway is compromised.

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<https://uwaterloo.ca/news/news/rethinking-wetland-restoration-smaller-wetlands-more>

Websites to Consult

Canadian Mortgage and Housing Corporation - <https://www.cmhc-schl.gc.ca/en/>

Note: for information on the National Housing Strategy, use the search engine.

Centre for Urban Research and Land Development. Ryerson University -

<http://www.ryerson.ca/cur/>

Evergreen - <http://www.evergreen.ca>

Grow Our Greenbelt - <http://www.growourgreenbelt.ca/>

Habitat III - <http://habitat3.org/>

Homeless Hub - <http://homelesshub.ca/>

ONPHA (Ontario Non Profit Housing Assoc.) - <http://www.onpha.on.ca>

Ontario - Current Land Claims - <https://www.ontario.ca/page/current-land-claims>

Ontario Greenbelt Alliance - <http://greenbeltalliance.ca/>

Wellesley Institute - <http://www.wellesleyinstitute.com/>

Wigwamen Incorporated - <http://www.wigwamen.com/>