

Canadian Group  
Inter-Parliamentary Union



Groupe canadien  
Union interparlementaire

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**Report of the Canadian Parliamentary Delegation respecting  
its participation at the 60th Session of the United Nations  
Commission on the Status of Women**

**Canadian Group of the Inter-Parliamentary Union (IPU)**

**New York, New York, United States of America  
March 15, 2016**

# Report

## Introduction

A Canadian delegation participated in the Inter-Parliamentary Union's (IPU) parliamentary event on 15 March 2016 that was organized with the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and held during the 60th Session of the United Nations Commission on the Status of Women (UN CSW) at the UN Headquarters in New York City. The IPU's parliamentary event was attended by parliamentarians from national and regional parliaments, as well as government officials and representatives of international organizations.

## Agenda<sup>1</sup>

The theme of the IPU event was *The Power of Legislation for Women's Empowerment and Sustainable Development*, which complemented the UN CSW's priority theme for the 60th Session, *Women's Empowerment and its Link to Sustainable Development*. The IPU event focused on three key areas: (1) The status of discriminatory laws worldwide; (2) The power of parliaments to end discriminatory laws; and (3) Challenges of implementation, enforcement and oversight. The event provided Canadian parliamentarians with the opportunity to expand their knowledge of the discriminatory legislation that persists globally, and learn about the efforts of other countries, as well as UN Women and the IPU, to address such discrimination and to use legislation to empower women.

## The Canadian Delegation

The Canadian delegation included the following parliamentarians:

- The Honourable Yonah Martin, Senator
- Ms. Pamela Damoff, Member of Parliament
- Ms. Sheila Malcolmson, Member of Parliament

The delegation was accompanied by Ms. Laura Munn-Rivard, Analyst, Legal and Social Affairs Division, Library of Parliament.

## Opening Session

**Ms. M. Mensah-Williams, Chairperson of the National Council of Namibia and the President of the IPU Coordinating Committee of Women Parliamentarians** opened the session. Ms. Mensah-Williams welcomed the participants and recognized the ongoing collaboration between the IPU and UN Women. Ms. Mensah-Williams acknowledged that parliamentarians have a challenge in harnessing the power of

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<sup>1</sup> Agenda and other documents related to the event are available at the IPU's parliamentary event website, [The Power of Legislation for Women's Empowerment and Sustainable Development](#).

legislation to empower women. According to Ms. Mensah-Williams over 150 countries in the world have at least one piece of legislation that discriminates against women. She shared four key ideas on the importance of addressing discriminatory legislation: 1) Parliaments are accountable for women's rights; 2) Fair legislation must be accompanied by strategies to promote equality and empowerment of women in wider society; 3) Gender equality is the responsibility of both men and women; and 4) Achieving gender equality is a prerequisite for ending other forms of inequality.

**Mr. Y. Glemarec, the United Nations Assistant Secretary-General and Deputy Executive Director for Policy and Programme at UN Women**, acknowledged the importance of legislation in empowering women globally. He applauded the inclusion of a specific goal for gender equality in the new UN *2030 Agenda for Sustainable Development*, as well as the fact that gender equality is incorporated in the other 16 goals. Mr. Glemarec explained that a sustainable future would be achievable only if discrimination and violence against women and girls is eliminated and there is equal opportunity in all aspects of life. In order to achieve this goal, he recommended that parliamentarians reach out to women's organizations in civil society, ensure the collection of gender-disaggregated data, and mainstream gender concerns in budgets and legislation. Mr. Glemarec concluded his remarks by reminding the event's participants that parliamentarians can act as the key drivers of change.

The remainder of the event was chaired by Ms. M. Mensah-Williams, and Ms. J. Taylor Kennedy of Carnegie Council for Ethics in International Affairs acted as the moderator.

### **Session 1: The Status of Discriminatory Laws Worldwide**

The theme for the first session was *The status of discriminatory laws worldwide*, which focused on discriminatory legal frameworks that act as a major impediment to the achievement of equality, hurt development efforts, and limit the well-being of all individuals – men and women.

**Ms. Y. Hayashi, Chairperson of the Committee on the Elimination of Discrimination against Women**, spoke of the challenges in getting states to sign on and ratify the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), an international treaty for women's rights adopted in 1979 at the United Nations General Assembly. She explained that ratification of the convention must be preceded by societal changes with respect to gender equality within the country, and that the UN and the international community can empower local movements to create this change. With the adoption of the UN *2030 Agenda for Sustainable Development*, in particular the goal for gender equality, there is momentum to address women's inequality in society. As such, Ms. Hayashi encouraged parliamentarians to join efforts to promote CEDAW.

**Mr. A. Lopez-Claros, Director, Global Indicators Group, Development Economics, World Bank Group**, began his remarks by highlighting the positive impact that legislation can have in improving women's equality; he noted that women's life expectancy is higher in countries with legal protection against domestic violence, and yet 46 countries have no such legislation.

Mr. Lopez-Claros spoke to the importance of having women in decision-making positions. While Mr. Lopez-Claros acknowledged that quotas are controversial, he stated that parliaments with quotas for women also tend to have higher labour participation of women and a better allocation of resources to socially depressed areas. As well, evidence indicates that corporate boards with higher rates of female participation are less vulnerable to issues of fraud and mismanagement and have greater financial stability.

Mr. Lopez-Claros said that men have made a mess of the world, and it is time to empower women so they can help run the world, including the economies of the world. He concluded by recommending that when donors offer financial aid to other countries, that the aid be conditional on gender equality in legislation.

**Ms. Y. Hassan, Global Executive Director of Equality Now**, indicated that her organization's has outlined four types of legislation that discriminate against women, including legislation related to economic status (inheritance, property ownership); personal status (right to travel, vote, give evidence); marital status (right to enter and exit marriage, wife obedience, custody); and violence against women (laws that do not criminalize wife killing, beating wives, marital rape). Ms. Hassan noted that these discriminatory laws can have great repercussions; as an example, she told the story of a Lebanese woman living in Lebanon who could not obtain Lebanese citizenship for her Egyptian husband and their daughter because of a nationality law that discriminates against women, and as a result, her family lived in poverty as she was the sole breadwinner and her daughter was married at a young age.

In order to address discriminatory legislation, Ms. Hassan said that parliamentarians must work with civil society to create change within a country, especially as culture and tradition are often used to oppress women. When governments create legislation that empowers women, the legislation must be accompanied by awareness campaigns launched by civil society.

In conclusion, Ms. Hassan explained that peace is correlated with gender equality, and that in response to the dangerous world of today, parliamentarians should focus on promoting gender equality.

**Ms. B. Duncan, Justice and Constitutional Advisor, Leadership and Governance, at UN Women**, spoke of the UN Women's global gender equality constitutional database, which collects all gender equality legislative provisions globally. She said this database will eventually include the evolution of constitutions over time, enabling researchers to see revisions and amendments.

While 192 out of 194 constitutions have provisions on gender equality and non-discrimination, Ms. Duncan said that these commitments are not respected and do not lead to substantive equality. She suggested that the family law is the most difficult to change as it is rooted in religion and culture.

Following these presentations, delegates participated in an open debate on the issue.

**Ms. Sheila Malcolmson, Member of Parliament**, acknowledged that, compared to many countries, women's equality in Canada is generally upheld by Canadian

legislation. However, she shared some of the challenges that some Canadian women face in achieving full gender equality in Canada.

Ms. Malcolmson explained that Canadian women at times have had to bring discriminatory legislation to court to guarantee change. For example, Ms. Malcolmson pointed to a nearly 30-year court challenge against Canada Post to establish pay equity for women, for which the court sided with female employees. Ms. Malcolmson also provided an example of legislation that discriminated against some Indigenous women and their children, by removing their right to Indigenous status in Canada; this discriminatory provision was overturned by the courts.

## **Session 2: The Power of Parliaments to End Discriminatory Laws**

The theme for the second session was *The power of parliaments to end discriminatory laws*, which examined parliamentarians' power to develop, change and repeal laws or institutional practices in matters of gender-equality and non-discrimination. The session looked at the ways that the recently adopted United Nations 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 5 on achieving gender equality, could support parliamentarians as they seek to empower women.

**Ms. N. Skalli, Member of the House of Representatives of Morocco, and former Minister of Social Development, Family and Solidarity**, spoke of the recent improvements in gender equality in Morocco, highlighting that women now hold over 65 seats in Parliament, compared to only a handful of seats in 2002. She explained that there was deep antagonism between parliamentarians who wanted to improve women's status by amending discriminatory legislation and parliamentarians who insisted that legislation was inspired by religion, and thus unalterable. Ms. Skalli stated that in 2003, historic legislation was introduced which granted women greater rights, and that this legislation opened the door to other reforms promoting gender equality. There is now greater collaboration between civil society, particularly women's groups, and parliamentarians. Ms. Skalli indicated that some of these changes include the establishment of a National Day of Moroccan Women, on 10 October; efforts to mainstream gender in public policy development and in the budgetary process; and the adoption of a violence against women strategy.

In conclusion, Ms. Skalli stated that women need to replace rivalry with solidarity and support of other women in order to change the balance of power.

**Ms. M.O. Emaase, Member of the National Assembly of Kenya**, shared with the audience her experience as a member of the Women's Parliamentary Caucus in Kenya. Established in 2011, Ms. Emaase said it has members from all political parties and that the caucus has played a role in ensuring that women are well represented in parliament. Following the 2010 adoption of a new constitution, a number of reforms were made to legislation in order to remove discrimination and empower women. As an example, Ms. Emaase pointed to Kenya's marriage act, which had allowed underage marriage with custodial consent, but now sets the age of marriage at 18 years.

Ms. Emaase indicated that women are heading committees and acting as deputy speaker, and that holding these senior positions empowers them to lobby colleagues on legislation. As well, male colleagues are more willing to sponsor legislation that

empowers women, which leads to greater support among all parliamentarians. Ms. Emaase reminded delegates of the importance of involving male colleagues in the development of gender equality legislation, so that they understand the implications and the benefits.

**Mr. C. Chauvel, Team Leader, Inclusive Political Processes, Bureau for Policy and Programme Support of the *United Nations Development Programme (UNDP)*,** explained that UNDP depends on collaboration and knowledge exchanges with parliamentarians, and that this practice was an effective manner to address ongoing challenges to gender equality across countries.

As a former New Zealand member of parliament, Mr. Chauvel also spoke of the remaining challenges to achieving gender equality in his home country. He said that New Zealand needs to focus its efforts on: 1) addressing domestic violence against women; 2) establishing pay equity; 3) improving women's representation in decision-making positions; 4) monitoring the status of disabled women; 5) analysing the impact of laws on women; 6) creating and monitoring benchmarks and targets for achievement of gender equality; 7) raising awareness of CEDAW; and 8) considering the effects of natural disasters on women's welfare.

Mr. Chauvel explained that in order to address the challenges to achieving gender equality, parliamentarians and stakeholders require improved collection of disaggregated data. He stated that the collection of statistics can be seen as a feminist issue. According to Mr. Chauvel, parliamentarians need to take an interest in their countries' statistical agencies, and ensure that they have the resources to conduct the collection of national data that is disaggregated based on identity factors.

Following these presentations, delegates participated in an open debate on the issue.

**Ms. Pamela Damoff, Member of Parliament,** stressed that the participation of men is critical to achieving gender equality. She indicated that in Canada, the Prime Minister calls himself a feminist and has selected a gender-balanced Cabinet. In response to Mr. Chauvel's statement that statistics are a feminist issue, Ms. Damoff indicated that Canada had just restored the long-form census, and that this could be interpreted as a feminist initiative. Gender disaggregated data can and should inform the development of policy and legislation.

Ms. Damoff also told her colleagues that small changes can have a big impact. As an example, she shared the story of a young Canadian girl that she had met at the airport; the girl had heard of the recent Canadian initiative to put a woman on banknotes, and as a result, had established a group with her friends to learn more about famous female Canadian leaders. Ms. Damoff reminded colleagues that even small decisions made by parliaments and governments can have an important impact on young women and girls.

Ms. Damoff concluded by asking panellists for input on how to ensure government departments are implementing gender-based analysis when developing policy.

In response to Ms. Damoff's intervention, Mr. Chauvel explained that New Zealand requires cabinet papers examining how women would be affected by certain legislative proposals. He suggested an effective tool to ensure implementation of gender-based

analysis is the establishment and support of an Auditor General who could provide analysis of legislation and policies through a gender lens.

### **Session 3: Challenges of Implementation, Enforcement and Oversight**

The theme for the third session was *Challenges of implementation, enforcement and oversight*, which focused on the role that parliamentarians play in enacting legislation that empowers women and overseeing its implementation and enforcement.

**Ms. S. Markham, Senior Coordinator for Gender Equality and Women's Empowerment at USAID**, said that parliamentarians must engage with stakeholders, civil society and media to address women's inequality. By building this collaborative relationship, parliamentarians can monitor implementation of equality legislation and determine where progress is still needed.

Ms. Markham also spoke of the challenges in implementing and enforcing quota laws at the national level. She explained that a significant weakness of some quota laws is that they are not properly incorporated within the existing political system or that they contain significant loopholes with no enforcement mechanism.

**Ms. C.A. Thomas, Executive Director at Global Rights for Women**, applauded the recent surge in new legislation to address violence against women worldwide. She noted, however, that implementation has been a significant challenge. Ms. Thomas reminded parliamentarians that once a law is passed, the work is not finished; there needs to be an oversight process and adequate funding to build capacity of frontline government staff. In particular, legislation related to violence against women is complex, and frontline staff needs technical training in order to keep victims safe and hold perpetrators responsible. Ms. Thomas argued that violence is the most effective tool used to maintain and sustain the subjugation of women and girls at all levels.

**Ms. P. Locatelli, Member of the Chamber of Deputies of Italy**, spoke of the evolution of violence against women legislation in Italy. For decades, she explained, there was no legislation specifically addressing violence against women, because if a woman was attacked it was seen as a violation of public morality, not as a case of violence against an individual person. She praised the new parliament for passing legislation ratifying the Istanbul Convention, which is a Council of Europe convention against violence against women and domestic violence.

Ms. Locatelli indicated that there are two central problems with enforcing legislation: 1) individuals must know and understand the content of the laws; and 2) cultural norms may counteract the principles of a piece of legislation. She said that a first step is to build an alliance with the media, as they are the primary messengers of such information to the general public. Recently in Italy, Ms. Locatelli explained, a caucus of female parliamentarians was established. The caucus invited editors to a seminar to educate the media on the gender implications of language and how to refer to cases of violence against women in the media (for example, do not refer to domestic violence as a crime of passion).

**Mr. C. Chauvel, Team Leader, Inclusive Political Processes, Bureau for Policy and Programme Support of the UNDP**, listed three elements required for implementation

and oversight of legislation: 1) a strong parliamentary committee system, which enables scrutiny of the executive; 2) mandatory systematic annual reviews of legislation by parliamentary committees; and, 3) collaboration among parliamentarians, civil society, the media, and an audit authority, and in particular, an audit authority that reports regularly on the implementation of key legislation.

Mr. Chauvel insisted that all parliamentarians should be provided with gender sensitivity training. Furthermore, parliamentarians should consider conducting a thorough examination to determine if legislation that protects and empowers women is being properly implemented and enforced.

Following these presentations, delegates participated in an open debate on the issue.

**The Honourable Yonah Martin, Senator**, intervened during the debate and thanked the female legislators – and their male allies – in attendance for their valuable contributions. Senator Martin recognized that despite great diversity, the parliamentarians attending all had common strengths. She stated that parliamentarians play a critical role; there are many influential groups in society, such as law enforcement, social workers, and the media, and parliamentarians are able to converse with these key players and bring the knowledge gained from those discussions to a national level in order to create legislation.

Senator Martin also spoke of the challenge of guaranteeing women's rights in a globalized world. She provided an example of a Korean woman who is going through a divorce in Canada, where she is protected against discrimination by the law and culture, but her in-laws are encroaching on her rights as they live in a different legislative and cultural climate. She asked her colleagues to consider the challenges in implementing legislation when two – or more – cultures collide.

### **Concluding Remarks**

**Ms. M. Mensah-Williams** acknowledged that multiple forms of legal gender discrimination persist globally and that this is a major impediment to the full realization of women's rights. However, there is reason for optimism as over half of the discriminatory legislation identified in 1979 has since been repealed or changed. In conclusion, she reminded parliamentarians that when they develop legislation, they should do be certain that it aligns with the principles of CEDAW, the *1995 Beijing Declaration and Platform for Action*, and the United Nations *2030 Agenda for Sustainable Development*.

Respectfully submitted,

Nathaniel Erskine-Smith, M.P.  
President  
Canadian Group of the IPU



## **Travel Costs**

<b>ASSOCIATION</b>	Canadian Group of the Inter-Parliamentary Union (IPU)
<b>ACTIVITY</b>	60th Session of the United Nations Commission on the Status of Women
<b>DESTINATION</b>	New York, New York, United States of America
<b>DATES</b>	March 15, 2016
<b>DELEGATION</b>	
SENATE	Hon. Yonah Martin
HOUSE OF COMMONS	Ms. Pamela Damoff Ms. Sheila Malcolmson
STAFF	Ms. Laura Munn-Rivard, Analyst
<b>TRANSPORTATION</b>	\$2,472.23
<b>ACCOMMODATION</b>	\$2,644.98
<b>HOSPITALITY</b>	\$ 0.00
<b>PER DIEMS</b>	\$ 871.75
<b>OFFICIAL GIFTS</b>	\$ 0.00
<b>MISCELLANEOUS</b>	\$ 0.00
<b>TOTAL</b>	<b>\$5,988.96</b>