

POLICIES ADOPTED 1990

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EMERGENCY RESOLUTIONS (Wording taken from the 1991 Yearbook)

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90.1 Unequal Treatment of Women in the Canadian Court System

- Whereas,** Section 15 of the Charter of Rights and Freedoms states the “Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination...”; and,
- Whereas,** Paragraph 76 of the Nairobi Forward Looking Strategies, accepted by the Government of Canada in 1985, calls for action to address the special needs of women as victims of violence and degrading crimes; and,
- Whereas,** The Nairobi Forward Looking Strategies also stressed the need for training of enforcement personnel to ensure sensitive and sensible treatment of victims and that such training be enforced through legislation; and,
- Whereas,** Biases and inequality with respect to women still exist in Canadian courts where judges are responsible for making decisions that impact on the lives and future of women who are victims or who have come into conflict with the law and as such are a primary target of concern; and,
- Whereas,** Education is the best way to ensure that bias and attitudes do not drive the Canadian justice system; therefore be it,

- RESOLVED,** That The National Council of Women of Canada urge the Government of Canada and the Ministry of Justice to:
1. Ensure that all judges, legal counsel and police under federal jurisdiction receive education which focuses on:
 - a. The context of women’s lives and the impact of violence in homes across Canada;
 - b. The various aspects of sexual assault including the nature of the crime of sexual assault, the psychology of abuse, the prevalence and seriousness of sexual assault by acquaintances, the long-term psychic injury to sexual assault survivors and the difference between vigorous cross-examination that protects the defendant’s rights and questioning that includes improper sex stereotyping and harassment of the victim;
 - c. Gender, class, and race differences in order that they better understand and deal with the crime in the context within which it is committed;
 2. Include in the criteria for the selection/appointment of judges for all federally appointed courts, a demonstrated understanding of equality issues; and be it further,

- RESOLVED,** That The National Council of Women of Canada urge its Provincial Councils of Women to urge their respective Provincial Governments to take action at the provincial level of jurisdiction to ensure women receive just and equal treatment by making sure those working the legal system are educated so that they are able to understand the issues.

90.2 Gender Equality in the Courts

- Whereas,** The report of the National Association of Women and the Law entitled ‘Gender Equality in the Courts’ identifies gender inequalities within the Canadian legal system; and,

Whereas, The courts often fail to recognize the disadvantaged economic position of women when ruling on Spousal Maintenance, Child Custody, Access and Support, Marital Property Division and Personal Injury Awards; and,

Whereas, Women in the legal profession face discrimination in their day to day work with regards to job placement, university tenure, sexual harassment, lower pay scales, and lack of reasonable accommodation in working conditions during child bearing years; and,

Whereas, The appointment of qualified women to the judiciary, government boards and committees would demonstrate gender equality in practice; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to appoint a national task force to:

1. Investigate the extent to which gender discrimination exists in the Canadian legal system;
2. Make recommendations to eliminate any gender discrimination found in that system; and further,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to urge the provinces and territories to promote the status of Canadian women in the legal system and the legal profession by providing education on gender equality for judges, law students, law professors and lawyers; and further,

RESOLVED, That The National Council of Women of Canada reiterate its 1980 Resolution to appoint women in proportionate numbers to Federal decision-making bodies.

90.3 Pesticide Residue on Imported Fruits and Vegetables

Whereas, Pesticide residues may cross all points of entry on any shipment of fruits and vegetables that enter Canada; and,

Whereas, The checks for such harmful residues on all imported fresh fruits and vegetables are few and far between; and,

Whereas, Few studies have been done on the cumulative effects of such toxins reaching the Canadian consumer; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to act on the suggestion contained in the Auditor General's Report of December, 1988 to quadruple (border) checking for harmful pesticide residue on imported fruits and vegetables.
(Note: the word 'toxin' and consider using an alternative if possible.)

90.4 Government Clawback of Old Age Security Pensions/Family Allowances

Whereas, The principle of universality of benefits is basic to the Canadian social welfare system; and,

Whereas, The clawback plan is discriminatory in that it targets specific sources of income instead of increasing the rate of the general surtax; and,

Whereas, Senior citizens have already contributed towards their OAS pension, originally through a special tax levy and since 1972 through general taxes, and have counted on the OAP as part of their retirement package; and,

Whereas, An increasing number of Canadians will be subject to the clawback if the formula for indexing the rise in the recovery threshold is maintained indefinitely; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to:

1. Withdraw the plan to clawback OAS and Family Allowance benefits; and,
2. Secure the needed extra revenue by reforming the tax system to ensure that income is taxed equitably and progressively according to income level, no matter what its source.

90.5 Goods and Service Tax and Debt Reduction

Whereas, Canada's national debt is now high enough to threaten the economic health of the country, particularly the well being of the middle and lower income Canadians, already facing hardship due to higher levels of income tax; and,

Whereas, The revenue generated by the GST is estimated to exceed the Manufacturer's Sales Tax by \$7 billion or more; therefore be it,

RESOLVED, That NCWC urge the Government of Canada to limit the rate on GST to the revenue needed to replace the Manufacturer's Sales Tax and direct its attention to assuring cost effective government as being one of the best means available of addressing the problem of the National debt.

90.6 Implications for Voluntary Organizations of the Goods & Service Tax

Whereas, The Federal Budget of April 26th, 1989, confirmed that the services offered by voluntary organizations had special characteristics and agreed to consult the voluntary sector on details of application of the tax; and,

Whereas, The Federal Government has stated that there will be a 50% rebate on Goods & Service Tax paid by charitable organizations and non-profit organizations on purchases of goods and services used in pursuing their objectives; and,

Whereas, The Goods & Services Tax will still significantly increase the costs of operations of all charitable organizations and non-profit organizations; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to:

1. Ensure that Canada's charitable organizations and non-profit organizations be classified in such a manner under the Goods and Services Tax in order to be eligible for 100% rebate on tax paid on supplies;
2. Agree to make revisions as needed following a meeting with the voluntary and/or charitable organizations after the GST has been in operation for one year; and further,

RESOLVED, That The NCWC membership adopt a policy of support for NGO's insofar as the GST affects them adversely.

90.7 Improving Human Rights Commissions

Whereas, Human Rights Commissions are perceived to be not as effective as they were intended to be; and,

Whereas, The length of time required by the Human Rights Commission to process a case makes it expensive and discouraging to the client; and,

Whereas, Each case must work through the same process regardless of the outcome of a similar, preceding case; therefore be it,

RESOLVED, That The National Council of Women of Canada urge the Government of Canada to:

1. Appoint persons to the Canadian Human Rights Commission through an open procedure with clear selection criteria, who have expertise and competence in the human rights area and who are perceived to be committed to Human Rights;
2. Provide the human and fiscal resources to speed up the process of complaint resolution;
3. Ensure that the Canadian Human Rights Commission plays a more pro-active role in laying complaints and pursuing cases as they have the authority to do;
4. Ensure that the settlement of a human rights complaint addresses the overall issue of systems discrimination against a category of persons; and be it further,

RESOLVED, That The National Council of Women of Canada urge the Provincial Councils of Women to press for similar improvements in the Human Rights Commission in their province.

EMERGENCY RESOLUTIONS (Wording taken from the 1991 Yearbook)

90.8EM Reading Material, the GST and Illiteracy

[Whereas,] Rationale:

[This resolution was first proposed during 1990, the International Year of Literacy.]

Illiteracy and functional illiteracy continue to prevent a significant number of Canadians from participating fully in Canadian life. In the computer age in which we find ourselves, the ability to read is more important than ever before. NCWC is concerned that raising the cost of books and other educational reading materials through the GST may have a detrimental effect on literacy programs as well as the publishing industry.

[RESOLVED,] NCWC urges the Government of Canada to:

- 1) Further encourage and promote programs to eliminate or combat the problems of illiteracy;
- 2) Ensure that the purchase cost of books and other educational reading materials are not increased through the implementation of taxation via the GST.

Comment: NCWC notes that the GST has, since January 1991, raised the cost of reading materials. It would like to know whether any research has been done to show the effects on literacy or on the publishing industry, and whether the government plans to reconsider the GST as applied to books in light of such research. It is interested in any initiatives to decrease illiteracy which the government may have taken since 1990.

90.9EM International Agreements on Environmental Costs in Pricing of Products

[Whereas,] Rationale:

NCWC supports the concept of sustainable development which was developed in the Brundtland Commission Report, Our Common Heritage. The Summit on the Environment in 1992 will offer further documentation about global environmental realities, which include threats to the world's ozone layer, the disappearance of forests, and changes in the global climate from the Greenhouse Effect endanger humanity's future. NCWC opposes the exploitation of the environment for immediate economic gain at the expense of a sustainable future.

[RESOLVED,] NCWC urges the Government of Canada to participate in establishing international agreements which will ensure that environmental costs are reflected in product prices.

Comment: NCWC submitted a resolution on this issue to the International Council of Women's Triennial Meeting in Bangkok, Thailand, September 23 - Oct 2, 1991, where it was adopted. Many other national councils will be approaching their governments as well.

90.10EM Boycott of War Toys

[Whereas,] Rationale:

War toys – all playthings which are used to solve conflict, gain power, or win through violence, and which aim to wound or kill* – teach children to accept a militarized world. The belief that war and killing are acceptable ways of dealing with difficulties is reinforced through their play. Might is right is the message implicit in war toys.

We live in a world with a common destiny which can be wiped out by nuclear war. We know that future human survival depends on cooperation, conciliation, and consideration of the views of others. NCWC believes that the elimination of war toys for children will contribute to more peaceful attitudes and the development of improved non-violent problem solving skills.

(*Definition of the Swedish Play Council, which was quoted in a brief on war toys presented to the Government of Canada several years ago by the Canadian Council on Children and Youth.)

[RESOLVED,] NCWC urges the Government of Canada to boycott war toys.

Comment: NCWC took its resolution on boycotting war toys to the International Council of Women's Triennial Meeting in Bangkok, Thailand, September 23 - Oct. 1, 1991, where it was approved. Many other national councils will be approaching their governments on this issue.

90.11EM Ozone Depletion

[Whereas,] Rationale:

NCWC is concerned about the mounting evidence of a significant thinning of the ozone layer above the Antarctic Circle, and to a lesser degree about the Arctic Circle. We know that this reduction of the ozone layer allows for increased ultra violet radiation in the lower atmosphere, which causes increased incidence of skin cancer and cataracts, lower crop yields and the destruction of plankton. We realize that most of the chlorofluorocarbons, the major contributor to the destruction of the ozone layer are produced and used by developed countries.

[RESOLVED,] While this NCWC resolution was addressed to the International Council of Women which met in Bangkok, Thailand, September 23 - October 1, 1991, we wish to inform you of our concern that the United Nations Environmental Program accelerate its review of appropriate science and control measures called for in the Montreal Protocol. We encourage Canada's leadership within the United Nations in this matter. ICW's concern about ozone depletion will be taken to the United Nations.

90.12EM Young Offenders Act

[Whereas,] Rationale:

NCWC is deeply concerned that amendment to Bill C-58 appear to be based on public outrage against a perceived increase of violence in society, rather than on accurate information and research. It felt that the proposed amendments do not address the causes of that violence. NCWC believes that the long-term protection of society is best secured by the rehabilitation and treatment of young offenders, and by dealing with the underlying problems related to crime, such as drugs, poverty, housing, unemployment, and other social problems.

[RESOLVED,] [Our 1990 emergency resolution urged] the Government of Canada to place a moratorium on any amendments to the Young Offenders Act until:

1. A thorough national examination of the Act and of the root causes of youth violence have been completed

in order that informed decisions may be made;

2. Consultation has taken place with those organizations and persons concerned with youth in conflict with the justice system, such consultations to include young people;
3. Public hearings are held across Canada (witness funds to be available).

Comment: The concerns expressed in the emergency resolution were conveyed to you in 1990. The ratification process has allowed our grassroots constituency to examine the resolution carefully before its adoption as official policy.

90.13EM Global Warming

[Whereas,] Rationale:

Recent evidence indicates that there may be a quickening of the global warming process, with carbon dioxide levels increasing and global temperatures rising through a shorter than previously experienced time frame. The rise of the earth's average temperature from 1.5 to 4.5 degrees centigrade will seriously affect agriculture, forestry and fishing. It will result in increased climatic variability, droughts and rising sea levels. Energy efficiency and conservation, forest care and renewal are some of the most effective ways to reduce emissions of carbon dioxide.

[RESOLVED,] NCWC urges the Government of Canada to:

1. Become a signatory of the Hague Declaration, and to further work through the United Nations to develop international agreements supported by protocols to protect the atmosphere and to reduce quantities of gases that cause the greenhouse effect, especially carbon dioxide;
2. Work towards international cooperation:
 - a) to preserve rainforests and other forests;
 - b) to increase energy efficiency;
 - c) to reduce the use of fossil fuels;
 - d) to assist less developed countries through scientific aid and the financing of energy efficient technologies.