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25 August 2010

Excellency,

I have the honour to refer to the examination of the sixth and seventh periodic report of Canada, at the forty-second session of the Committee on the Elimination of Discrimination against Women (CEDAW), held in October 2008. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/CAN/CO/7). In follow-up to those concluding observations, the Committee requested Canada to provide, within one year, written information on steps undertaken to implement the recommendations contained in paragraphs 14 and 32 of the concluding observations.

The Committee welcomes the information submitted by Canada under CEDAW's follow-up procedure on 9 February 2010 (CEDAW/C/CAN/CO/7/Add.1) but regrets the delay in its submission.

At its forty-sixth session, held in July 2010 in New York, the Committee examined the information provided and made the following observations in respect of the State party replies:

- a) With regard to the recommendation contained in paragraph 14, the Committee notes that this recommendation has been partially implemented by Canada. It takes note of the information provided in the replies that social assistance and social services are areas in which provincial governments have exclusive legislative authority and that the Federal Government provides financial support to provinces and territories for the provision of these services through the Canada Social Transfer (a block cash transfer). It also notes that the Government does not set national minimum standards for the provision of funding to social assistance programmes as a condition of such funding. While noting the statement that provinces and territories do not account to the federal Government on how they spend the funds received through the Canada Social Transfer, the Committee expresses its concern with regard to the

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implementation of social assistance and social services in some provinces and territories and that such services may not reach the women in need, in line with requirements under the Convention.

The Committee reiterates its observation concerning the overall responsibility of the federal Government, as a signatory to the Convention, for ensuring the implementation of the Convention throughout its territory. The Committee also reiterates its recommendation that the State party establish an efficient mechanism to monitor the use of funds provided for social assistance programmes to ensure that provincial and territorial governments establish legal and other measures to make sure that funding decisions meet the needs of the most vulnerable groups of women and do not result in discrimination against women. The Committee would appreciate receiving further information on progress made in the next periodic report of Canada.

b) Concerning the recommendation contained in paragraph 32 and information provided on some measures undertaken, the Committee regrets the lack of substantive progress made by the federal Government to address the reasons for the failure to investigate, at the national and provincial levels, the hundreds of cases involving Aboriginal women who have gone missing or been murdered. The Committee also regrets the lack of information on urgent and thorough investigations into these cases, the lack of an analysis to determine whether there is a racialized pattern, and the lack of measures for prevention of such cases in the future.

The Committee takes note of information provided by non-governmental sources (FAFIA/AFAI, Amnesty International and the B.C. CEDAW GROUP), highlighting 520 documented cases of missing and murdered women and that more than half of those women and girls have been murdered or gone missing since 2000, as well as police and Government failure to prevent and effectively investigate violence against these women and girls. The Committee further notes with concern that the actual number of missing and murdered Aboriginal women and girls is believed to be much higher.

The Committee reiterates its grave concern with respect to the situation of missing and murdered Aboriginal women, the failure of the police to protect these women and girls from violence and to investigate promptly and thoroughly when they are missing or murdered, and the lack of punishment of perpetrators. The Committee considers that its recommendation has not been implemented and it requests the Canadian authorities to urgently provide further information on measures undertaken to address such concerns prior to its next session, that is by 1 October 2010.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Canada on the implementation of the Convention, and, in that context, it would appreciate receiving your response to the Committee's enquiries concerning paragraph 32 by 1 October 2010 and concerning paragraph 14 in the next periodic report. A Word electronic version of the information should be sent to the Secretariat of the Committee on the Elimination of Discrimination against Women by email to cedaw@ohchr.org

Please accept, Excellency, the assurances of my highest consideration.



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