



Canadian Human Rights Commission

Submission to the Committee on the Elimination of Discrimination against Women on the occasion of Canada's 10th Periodic Review

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1. THE CANADIAN HUMAN RIGHTS COMMISSION

The Canadian Human Rights Commission (CHRC) is Canada's national human rights institution. It has been accredited "A-status" by the Global Alliance of National Human Rights Institutions, first in 1999 and again in 2006, 2011, 2016 and 2023.

The CHRC was established by Parliament through the Canadian Human Rights Act (CHRA) in 1977.¹ It has a broad mandate to promote and protect human rights.

The CHRC's efforts to promote and protect human rights include screening and, where possible, mediating discrimination complaints, representing the public interest in the litigation of complaints, developing policy, conducting research in consultation with rights holders and stakeholders, issuing public statements, tabling special reports in Parliament, and monitoring Canada's implementation of its international human rights obligations. The CHRC has additional responsibilities under the Employment Equity Act, the Accessible Canada Act, the Pay Equity Act, and the National Housing Strategy Act.

¹ Available at: laws-lois.justice.gc.ca/PDF/H-6.pdf.

2. INTERSECTIONAL, INCLUSIVE FEMINISM

The CHRC aims to be inclusive and intersectional in its discussion of issues impacting women² and other people facing gender- and sex-based discrimination. The CHRC is concerned about the appropriation of the language of feminism and human rights in anti-trans activities and agendas. Feminism must recognize the complex and intersecting ways in which 2SLGBTQQIA+ people³ are marginalized based on their diverse gender identities, gender expressions and sex characteristics. The CHRC supports trans-inclusive feminism and efforts to ensure diverse voices and experiences are reflected in feminist research and agendas.⁴

Recommendation #1: That Canada ensures that strategies intended to advance the rights of women recognize intersectionality and include trans women, non-binary and gender diverse populations.

² The CHRC includes trans women when referencing women, unless otherwise specified.

³ This acronym refers to people who are Two-Spirit, lesbian, gay, bisexual, trans, queer, questioning, intersex, asexual, and others of diverse gender and sexual identities. As explained in a recent report by Native Women's Association of Canada: "Two-Spirit is a term that incorporates Indigenous views of gender and sexual diversity and encompasses sexual, gender, cultural and spiritual identity. The term was coined in 1990 by Myra Lamee at a gathering of Native American and Indigenous LGBTQIA+ people in Manitoba. The term is a translation of the Anishinaabemowin term *niizh manidoowag*, "two spirits." It may be used among some Indigenous communities/peoples, rather than, or in addition to identifying as LGBTQIA+, although not all sexual and gender diverse Indigenous people consider themselves to be Two-Spirit. Though suppressed through the process of colonization, a Two-Spirit person may have specific roles containing cultural knowledge and governance structures. These roles may vary and are specific to each individual community. Due to cultural and spiritual context, the term Two-Spirit should only be used for Indigenous people." See: Native Women's Association of Canada. (2024). *Final Report: Adequate housing for Indigenous Two-Spirit, transgender, non-binary, and gender-diverse people*. https://nwac-afac.ca/assets-documents/Final_Report_Adequate_Housing_for_Indigenous_People.pdf.

⁴ See: <https://www.actioncanadashr.org/news/2021-05-04-our-feminism-trans-inclusive>.

3. HOUSING

The 2019 National Housing Strategy Act⁵ enshrined the human right to adequate housing in domestic law and established the Federal Housing Advocate.⁶ As mandated by the Act, Canada's National Housing Strategy (NHS)⁷ must improve housing outcomes for disadvantaged groups⁸ and people experiencing homelessness and inadequate housing. The NHS aims to dedicate 25% of funding toward meeting the housing needs of women and their children.

3.1 Systemic housing issues

Despite Canada's human rights commitments, women, Two-Spirit, trans, and gender diverse people continue to face disproportionate violations of their right to housing.

Women and gender diverse people in Canada are more likely to be in unaffordable housing⁹ and core housing need,¹⁰ and to face discrimination¹¹ in the housing market.

⁵ The Housing Policy Declaration (s.4) of the National Housing Strategy Act commits Canada to "further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social, and Cultural Rights." <https://laws-lois.justice.gc.ca/eng/acts/n-11.2/FullText.html>

⁶ Appointed in 2022, Marie Josée Houle is Canada's first Federal Housing Advocate. The Act mandates the Advocate to monitor the national housing strategy, engage with rights holders and civil society, receive submissions from individuals and organizations, and produce reports with recommendations on systemic housing issues to the federal minister responsible for housing. The Advocate does not have enforcement powers and is not an individual recourse mechanism. The Office of the Federal Housing Advocate (OFHA) is located in the Canadian Human Rights Commission.

⁷ The Act requires Canada to develop and maintain a national housing strategy that is focused on improving housing outcomes for persons in greatest need. The National Housing Strategy launched in 2017 <https://www.placetocallhome.ca/> has since been expanded with new funds, programs, and policies, including Canada's Housing Plan announced in early 2024 <https://housing-infrastructure.canada.ca/housing-logement/housing-plan-logement-eng.html>.

⁸ Priority groups listed in the National Housing Strategy include Indigenous peoples; adults and children fleeing domestic violence; seniors; people who identify as 2SLGBTQI+; people with disabilities; people with mental health or addiction disabilities; veterans; young adults; racialized groups; newcomers, especially refugees and refugee claimants; and others.

⁹ As discussed below in the section on pay equity, women are more likely to have lower waged and precarious employment, which affects their ability to access adequate and affordable housing. Income benefits for people without employment are below the poverty line across Canada, disproportionately affecting lone parent mothers and women with disabilities. <https://maytree.com/media-releases/welfare-incomes-keep-almost-all-households-living-below-the-poverty-line-latest-welfare-in-canada-report/>

¹⁰ A household is said to be in core housing need if their dwelling falls below at least one of the affordability, suitability, or condition of dwelling standards, and would have to spend 30% or more of their total before-tax income to pay the median rent of alternative local housing that is acceptable (meets all three housing standards). Data from Statistics Canada demonstrate that compared to men, women were more likely to live in unaffordable housing and be in core housing need. Gender diverse individuals were more likely to live in a dwelling requiring major repairs. <https://www150.statcan.gc.ca/n1/pub/46-28-0001/2021001/article/00001-eng.htm>

¹¹ Housing discrimination is particularly acute for trans and gender-diverse people: a report by Trans PULSE Canada found that 26% of gender-diverse people have lost their housing due to discrimination and/or harassment, and 43% reported experiencing discrimination from landlords and/or property managers because of who they are. <https://transpulsecanada.ca/results/responsive-report-housing-barriers-among-trans-and-non-binary-adults-in-canada>.

Financialization worsens the affordability, security of tenure, and conditions of rental housing for women, and is associated with higher rates of morbidity and mortality in long-term care.¹²

The combined impacts of poverty and gender-based violence result in homelessness for women and their families.¹³ Women often experience “hidden homelessness” not captured in municipal homeless counts, such as staying temporarily with friends, or in abusive situations.¹⁴

Underinvestment in gender-specific shelters leaves women and gender-diverse people without safe options.¹⁵ The Advocate’s review of homeless encampments demonstrated that women may reside in encampments because there are no gender-specific shelters in their community.¹⁶ Many have experienced harassment or violence in co-ed shelters, especially trans women.¹⁷

Research demonstrates that the NHS is failing to fulfill the Act’s requirements to reduce inadequate housing and homelessness for women and disadvantaged groups.¹⁸

¹² Canada’s housing system is more than 95% privatized, with only 4% of housing in the non-market sector (public, non-profit, cooperative, or Indigenous). Research on financialization of housing conducted for OFHA estimates that about one-third of all seniors’ housing in Canada has been financialized, along with 20-30 percent of purpose-built rental buildings: <https://homelesshub.ca/book/office-of-the-federal-housing-advocate/the-financialization-of-housing-in-canada/>. The Women’s National Housing and Homelessness Network contends that women are disproportionately impacted by financialization: <https://womenshomelessness.ca/wp-content/uploads/Submission-to-the-NHC-Review-Panel-NRHN-WNHHN-31-March-2023-FINAL.pdf>

¹³ The Ontario Human Rights Commission reports: “Poverty is directly connected to increased rates of gender-based violence. On any given night in Canada, there are over 6 000 women and children sleeping in shelters due to unsafe living conditions at home and a lack of access to other adequate housing options.” [OHRC engagement on poverty and systemic discrimination in the areas of accessible, adequate and affordable housing, mental health and addiction disabilities](#)

¹⁴ British Columbia’s Office of the Human Rights Commissioner reports that hidden homelessness is at least five times more common than visible homelessness (such as staying in a shelter or on the street), and disproportionately affects women.

¹⁵ A report for OFHA found that the vast majority of shelter beds in Canada are either designated for men or are co-ed (68 percent), with only 13 percent dedicated specifically for women. Women’s National Housing and Homelessness Network: Implementation of the right to housing for women, girls, and gender-diverse people in Canada. https://womenshomelessness.ca/wp-content/uploads/EN_CHRC_13-1.pdf

¹⁶ See the Interim report of the Advocate’s review of homeless encampments: https://www.chrc-ccdp.gc.ca/sites/default/files/documents/ofha_-_interim_report_on_encampments_-_en_-_october_2023_0.pdf.

¹⁷ During the Advocate’s review of encampments, roundtable participants lamented the lack of emergency resources specifically for women and 2SLGBTQIA+ people.

¹⁸ For example, the National Housing Council found that fewer than 5% of new units funded by the largest capital programs of the NHS were affordable to lone-mother-led families: <https://assets.cmhc-schl.gc.ca/sites/place-to-call-home/pdfs/analysis-affordable-housing-supply-created-unilateral-nhs-programs-en.pdf>. A report by the Auditor General of Canada concluded that Canada did not know whether chronic homelessness and homelessness had decreased as a result of federal homelessness programs, and that rental housing units built by NHS programs were often unaffordable for low-income households. https://www.oag-bvg.gc.ca/internet/english/parl_oag_202211_05_e_44151.html

3.2 Disadvantaged groups

Women who are Indigenous¹⁹ and members of disadvantaged groups experience disproportionate rates of inadequate housing.²⁰ Indigenous women are vastly over-represented in homelessness and inadequate housing.²¹

Trans people are over-represented in almost all aspects of poverty, housing insecurity, and homelessness.²² Many gender-diverse persons have experienced significant violence and trauma before, during, and after experiences of housing precarity or homelessness.²³

Women with disabilities face barriers in every area of housing, including higher rates of unaffordable housing, core housing need, and homelessness.²⁴

In Fall 2024, a Review Panel will hold a hearing into the failure to prevent and eliminate homelessness among women and gender-diverse people, especially those who are Indigenous.²⁵

Recommendation #2: That Canada takes urgent action to improve women's housing outcomes, meaningfully engage in the upcoming Review Panel on women's homelessness, and dedicate resources to fully implement its recommendations.

¹⁹ The term "Indigenous" or "Indigenous peoples" is used throughout this submission to refer to First Nations, Inuit and Métis peoples in Canada.

²⁰ For more detail on rates of inadequate housing among women from disadvantaged groups, see the Housing Experiences in Canada fact sheets developed by OFHA with Statistics Canada: <https://www150.statcan.gc.ca/n1/pub/46-28-0001/462800012021001-eng.htm>

²¹ Systemic housing disadvantage is one facet of the pressing human rights issues discussed below in Section 7 on Indigenous women and girls. For more information on Indigenous women's experiences of homelessness and inadequate housing, see: National Indigenous Feminist Housing Working Group (2022) Homeless on homelands: Upholding housing as a human right for Indigenous women, girls, Two-Spirit, and gender-diverse people. Submission to the Federal Housing Advocate: <https://womenshomelessness.ca/wp-content/uploads/Indigenous-Housing-Claim-June-15-2022.pdf>

²² Research conducted for OFHA highlights the intersecting barriers to adequate housing encountered by trans and gender-diverse people: <https://www.chrc-ccdp.gc.ca/resources/newsroom/joint-statement-trans-visibility-starts-upholding-trans-human-rights>.

²³ A majority of gender-diverse participants identified as being a survivor of trauma and abuse (84%), and 21% identified as having been involved in sex trafficking (double that of cisgender women (10%)): <https://womenshomelessness.ca/wp-content/uploads/Research-Brief-on-Housing-Need-Homelessness-amongst-Gender-Diverse-Persons.pdf>.

²⁴ OFHA and CHRC have developed a framework for monitoring the right to adequate housing for people with disabilities in Canada. The framework uses publicly available data to track Canada's compliance with its human rights obligations under the National Housing Strategy Act, the Convention on the Rights of Persons with Disabilities, and the International Covenant on Economic, Social, and Cultural Rights. Early results show that women with disabilities are 4 times more likely to experience homelessness. Of women with disabilities who have been homeless, 63% report that it was caused by violence. See our report on monitoring the right to housing for people with disabilities: <https://www.chrc-ccdp.gc.ca/resources/publications/monitoring-the-right-housing-people-disabilities>.

²⁵ Review Panels are a participatory human rights accountability mechanism established by the National Housing Strategy Act. Under the Act, the Advocate can request that the National Housing Council form a Review Panel to hold a hearing into a systemic housing issue identified in a submission. See the Advocate's request: <https://www.chrc-ccdp.gc.ca/resources/newsroom/federal-housing-advocate-requests-review-failure-eliminate-homelessness-amongst>.

Recommendation #3: That Canada includes intersectional gender targets in all housing plans and strategies, and ensure programs are designed to meet those targets.

4. PAY EQUITY

In 2023, the average hourly gender wage ratio between women and men in Canada employed in both full and part-time work was 0.87. This means that on average, for every \$1.00 a man earned, a woman earned 87 cents.²⁶

The gender pay gap is even more pronounced for Indigenous and other racialized women in Canada,²⁷ for women with disabilities²⁸ and individuals who identify as trans,²⁹ and has been exacerbated due to the COVID-19³⁰ crisis.

On August 31, 2021, the Pay Equity Act (PEA) came into force. The PEA is proactive and requires federally-regulated employers with an average of 10 or more employees to conduct a structured pay equity analysis to ensure equal pay for work of equal value. As it now exists, the analysis accounts for a comparison of job classes that are identified as either male or female predominant. This approach is not wholly inclusive of non-binary people and fails to adequately capture their experiences.

While Canada has made significant efforts in collecting data concerning the gender wage gap, the current approach is not able to:

²⁶ Statistics Canada. Table 14-10-0417-01. Employee wages by occupation, annual. DOI: <https://doi.org/10.25318/1410041701-eng>

²⁷ See, for example: “The Facts about the Gender Wage Gap in Canada.” Canadian Women’s Foundation. Published May 1, 2019. <https://www.canadianwomen.org/the-facts/the-wage-gap/>; Sheila Block and Grace-Edward Galabuzi. “Canada’s Colour Coded Labour Market: The Gap for Racialized Workers.” Canadian Centre for Policy Alternatives. Published March 21, 2011, available at: <https://www.policyalternatives.ca/publications/reports/canadas-colour-coded-labour-market>; “Intersectional Perspective on the Canadian Gender Wage Gap” Statistics Canada. Published September 21, 2023. <https://www150.statcan.gc.ca/n1/en/pub/45-20-0002/452000022023002-eng.pdf?st=nsbfmFg6>.

²⁸ Statistics Canada, Table 11-10-0091-01 “Average and median market, total and after-tax income of individuals by selected demographic characteristics” Statistics Canada, April 26, 2024. Retrieved from: <https://www150.statcan.gc.ca/t1/tbl1/en/cv.action?pid=1110009101>; Carrly McDiarmid, “Earnings Pay Gap among Persons with and without Disabilities, 2019,” Statistics Canada, June 27, 2023; “Canadian Survey on Disability Reports.” *Statistics Canada*. Published November 28, 2018. <https://www150.statcan.gc.ca/n1/pub/89-654-x/89-654-x2018002-eng.htm>.

²⁹ See for example: BC Ministry of Labour and BC Ministry of Finance, “[Developing Pay Transparency Legislation](#)”, Discussion Paper, Government of British Columbia, June 2022; Ontario Pay Equity Office, “The Gender Wage Gap: It’s More Than You Think”, Ontario Pay Equity Office, accessed December 2022.

³⁰ See for example: Canadian Labour Congress (2020) “Lessons of the pandemic must lead to change for frontline workers” Available from: <https://canadianlabour.ca/lessons-of-the-pandemic-must-lead-to-change-for-frontline-workers/>; Shirma L and Smith J (2021) “[Women in a COVID-19 recession: Employment, job loss and wage inequality in Canada, Gender and COVID-19 Evidence Download](#)”; Keskin, E., Appau, A., Luig, T., Ayis, D. and Parker, N. (2022) “Discussion Paper: Reversing the Gendered Impact of COVID-19 on Labour Force Participation in Alberta.” Edmonton: PolicyWise for Children & Families. PolicyWise for Children & Families. Retrieved from: [Discussion Paper Reversing the Gendered Impact of Covid-19.pdf \(policywise.blob.core.windows.net\)](#)

- Take into account differences that are due to the varying application of policies and legislation³¹, resulting in statistics that do not reveal federal, provincial or territorial distinctions. For example, in some instances, there are variances due to the application of pay equity to only the public sector.
- Provide insights into the root causes³² and intersectional complexities of the gender wage gap experienced by diverse groups of people.
- Conduct a pay equity analysis that enables a comparison of job classes that are identified beyond the binary of male or female.

Recommendation #4: That Canada continues its work with Statistics Canada, academia and the social sector in advancing research to develop pay equity analysis that is inclusive of individuals who identify as non-binary, and to improve national data collection on the gender wage gap to permit the analysis of the differences between federally, provincially and territorially regulated workplaces.

Recommendation #5: That Canada continues to take an intersectional approach to address the root causes and negative impacts of the gender wage gap.

Although the right to equal compensation for men and women has been protected in law under the CHRA since 1977, the PEA does not apply to territorial governments³³ or to Indigenous governing bodies.

Recommendation #6: That Canada takes steps to ensure that the PEA applies in all jurisdictions, and that it continues to advance efforts to engage Indigenous partners and rights holders on whether adaptations to the pay equity framework could make its application feasible for Indigenous governing bodies that are employers.

³¹ For example, non-legislative and legislative measures that address: pay equity, pay transparency, employment equity, labour standards, affordable childcare, affordable post-secondary education and specialized certification programs, and gendered stereotypes.

³² See for example: “The gender wage gap” (2019) Gender and the economy. Retrieved from: <https://www.gendereconomy.org/the-gender-wage-gap/>; Nicole M. Fortin. (21 April 2019) “Increasing earnings inequality and the gender pay gap in Canada: Prospects for convergence”. Canadian Journal of Economics; Aneta Bonikowska, Marie Drolet, and Nicole M. Fortin. (March 7, 2019) “Earnings inequality and the gender pay gap in Canada: The role of women’s under-representation among top earners”. Statistics Canada. Retrieved from: https://epe.lac-bac.gc.ca/100/201/301/weekly_acquisitions_list-ef/2019/19-10/publications.gc.ca/collections/collection_2019/statcan/11-626-x/11-626-x2019002-eng.pdf ; Neeru Gupata, Paramdeep Singh and Sarah Ann Balcom. (25 July 2022) “When pay equity policy is not enough: Persistence of the gender wage gap among health, education, and STEM professionals in Canada, 2006-2016. Canadian Studies in Population. Retrieved from: <https://link.springer.com/article/10.1007/s42650-022-00069-z>.

³³ The Governments of Northwest Territories, Yukon and Nunavut.

5. SEXUAL HARASSMENT AND VIOLENCE

Gender-based violence, including sexual harassment, sexual violence, and intimate partner violence,³⁴ is largely underreported in Canada. In 2023, the number of complaints accepted by the CHRC citing sex represented 19% of all complaints accepted and 45% of these complaints alleged harassment. Women with disabilities, Indigenous women, single women, unemployed women, women with low incomes, and younger women are the groups most likely to experience sexual harassment and assault.³⁵ Black women and girls often experience adultification³⁶ and hypersexualization,³⁷ contributing to exploitation and violence. In 2020, within the workplace, 25% of women employees reported being personally targeted with sexual behaviours.³⁸

The CHRC is concerned about growing backlash against women's rights and the rise of online misogyny, threats, sexual harassment and violence, which causes severe harms to women and society, and has a chilling effect on democracy in Canada.³⁹ Sexually explicit material⁴⁰ is overwhelmingly aimed at women, with little legal recourse.

³⁴ See: Hrymak, H., and Hawkins, K. (2021). Why Can't Everyone Just Get Along?: How BC's Family Law System Puts Survivors in Danger. Rise Women's Legal Centre. <https://static1.squarespace.com/static/64220f300321233050a209ec/t/65de3b22be93725ee19fa396/1709062949128/Why+can%27t+everyone+just+get+along.pdf>. p. 40.

³⁵ See: Canadian Women's Foundation. (November 22, 2022). "The Facts About Sexual Assault and Harassment." <https://www.canadianwomen.org/the-facts/sexual-assault-harassment/>.

³⁶ Adultification bias refers to a specific form of racism that leads Black girls to be perceived as older or more mature than their counterparts. Black girls may be held to a higher standard than their peers, given more responsibility, disciplined more harshly, or generally not deemed needful or deserving of protections generally afforded to children. See: Huncar, A. (January 6, 2023). "Adultification bias robbing Black girls of childhood, researchers say." CBC News. <https://www.cbc.ca/news/canada/edmonton/adultification-bias-edmonton-black-girls-1.6704953>.

³⁷ Hypersexualization refers to a form of racism that applies assumptions about someone's sexuality or sexual consent based on their race. This can have real and lasting effects. Canada has a history of denying humanity and victimhood to Black survivors of gender-based violence, ultimately resulting in increased barriers to safety and justice. See: Souffrant, Kharoll-Ann and the GBV Learning Network. (January 2024). Sexual Violence Against Black Women and Girls in a #MeToo Era. <https://gbvlearningnetwork.ca/our-work/backgrounders/SV-Against-Black-Women-Girls-MeToo/index.html>.

³⁸ This included: verbal and non-verbal communication (jokes, attention, comments, discussion about sex life), exposure to and publication of sexually explicit materials, and unwanted and/or inappropriate physical contact, as well as sexual assault. See: Burczycka, M., Canadian Centre for Justice and Community Safety Statistics. (August 12, 2021). "Workers' experiences of inappropriate sexualized behaviours, sexual assault and gender-based discrimination in the Canadian provinces, 2020." <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00015-eng.htm>.

³⁹ See: Women's Legal Education & Action Fund. LEAF's Technology-Facilitated Violence (TFV) Project. <https://www.leaf.ca/project/tfv/>. See also: CBC News. (November 1, 2020). "Trolled out of office: UBC report examines role of online abuse against politicians and democracy." CBC News. <https://www.cbc.ca/news/canada/british-columbia/ubc-report-online-abuse-politicians-1.5782975>.

⁴⁰ This includes material such as revenge porn (which includes sexually explicit material shared without the consent of the subject) and deepfakes (which are digitally-created representations of an individual without their consent, sometimes sexually explicit, and sometimes indistinguishable from images of the individual themselves). While revenge porn is illegal according to Canada's Criminal Code, there is no similar legislation criminalizing deepfakes.

Islamophobia, antisemitism,⁴¹ misogynoir,⁴² and other forms of hate continue to impact women online. The CHRC is encouraged by the introduction of legislation⁴³ that could address online harms.

Recommendation #7: That Canada implements rights-based protections against online hate, misogyny and sexual harassment and violence, and provide legal recourse and accountability for the harms caused.

5.1 Women in the military

A 2022 report⁴⁴ by former Supreme Court of Canada Justice Louise Arbour found that the Canadian Armed Forces (CAF) has long supported a harmful military culture that normalizes the exclusion, harassment, humiliation, abuse and assault of women. It found that the CAF ignored or minimized complaints and allowed retaliation against survivors. Reports of sexual assault within the military has more than doubled between 2018 and 2022.⁴⁵

The CHRC supports the recommendations made in the Arbour report, including removing the processing of these complaints from the military chain of command and providing victims with appropriate support and remedies. In response, the Government of Canada increased access to the CHRC complaints system. The CHRC now deals with these military complaints, which require a complex and sensitive response. The CHRC remains concerned that agencies tasked with improving access to justice and responding to complaints of sexual misconduct and discrimination must be adequately resourced, and echoes the report's recommendation to remove the outdated and inadequate cap on damages for CHRA remedies.

Recommendation #8: That Canada fully implements Justice Arbour's recommendations.

⁴¹ This rise is partially contributed to by a lack of regulation regarding social networks and other online forums, as algorithms reward and amplify incendiary, and often hateful, content. See: Chaarani, J. (November 27, 2023). "Social media algorithms to blame for antisemitic, Islamophobic content online, Waterloo expert says." CBC News. <https://www.cbc.ca/news/canada/kitchener-waterloo/twitter-x-tiktok-university-of-waterloo-hate-1.7037526>.

⁴² Misogynoir, a term coined by Dr. Moya Bailey, refers to the unique form of discrimination faced by people who experience anti-Black racism and sexism (notably Black women and gender diverse individuals). This form of hate is prevalent in online spaces. See: Canadian Women's Foundation, "Misogynoir in Digital Spaces With Yamikani Msosa." <https://canadianwomen.org/blog/misogynoir-in-digital-spaces-with-yamikani-msosa/>.

⁴³ Bill C-63, also known as the Online Harms Act, was introduced in Parliament in February 2024. See: <https://www.parl.ca/LegisInfo/en/bill/44-1/c-63>.

⁴⁴ See the Report of the Independent External Comprehensive Review of the Department of National Defence and the CAF: <https://www.canada.ca/en/department-national-defence/corporate/reports-publications/report-of-the-independent-external-comprehensive-review.html>

⁴⁵ A successful class action lawsuit against the CAF currently has over 25000 claimants. More details available at: www.caf-dndsexualmisconductclassaction.ca/. See also: Cotter, A., & Burczyk, M. (December 5, 2023). "Sexual misconduct in the Canadian Armed Forces, 2022." Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-603-x/85-603-x2023001-eng.htm>.

6. PERSONS DEPRIVED OF THEIR LIBERTY

Indigenous women continue to be the fastest growing population in Canadian prisons. They are vastly over-represented within the federal correctional system, particularly among maximum security populations.⁴⁶ The continuing effects of colonization and the legacy of the residential school system and associated traumas⁴⁷ are of significance in any discussion of Indigenous women in prison.⁴⁸

Indigenous women in prisons are also disproportionately denied necessary supports and services. In 2023, the Office of the Correctional Investigator reported that coordinated efforts to address the mental health needs of Indigenous individuals are “non-existent”,⁴⁹ and that community-run Healing Lodges, intended to provide a traditional healing path under sections 81 and 84 of the Corrections and Conditional Release Act (CCRA)⁵⁰, are grossly under resourced and largely unavailable to Indigenous women outside the Prairies region.⁵¹

Recommendation #9: That Canada brings effect to the intent of sections 81 and 84 of the CCRA to support decarceration and access to culturally responsive community-based services.

Despite recent policy improvements to protect the rights of trans, non-binary and gender diverse prisoners⁵², Correctional Service of Canada (CSC) practices remain concerning, especially the use of segregation to ensure trans prisoners’ safety.⁵³ It is necessary to ensure that these individuals are not unnecessarily prevented from being placed in facilities that accord with their gender identity, to ensure regular staff training on preventing and addressing harassment and violence, and to improve public reporting.

⁴⁶ Office of the Correctional Investigator. (November 1, 2023). “Ten Years since Spirit Matters: A Roadmap for the Reform of Indigenous Corrections in Canada.” <https://oci-bec.gc.ca/en/content/ten-years-spirit-matters-roadmap-reform-indigenous-corrections-canada#s4>.

⁴⁷ Most Indigenous women in Canadian prisons have firsthand experience of substance use disorders, have had contact with the child welfare system and/or have experienced trauma related to sexual and/or physical abuse. See: Office of the Correctional Investigator. (June 30, 2016). Annual Report of the Office of the Correctional Investigator 2015-2016. <https://oci-bec.gc.ca/en/content/annual-report-office-correctional-investigator-2015-2016>. p. 43.

⁴⁸ Over half have attended, or have a relative who has attended, residential school.

⁴⁹ *supra* note 50.

⁵⁰ Text of the CCRA available at: <https://laws-lois.justice.gc.ca/eng/acts/c-44.6/>.

⁵¹ *supra* note 50. See also: Standing Senate Committee on Human Rights. (June 2021). Human Rights of Federally Sentenced Persons. https://sencanada.ca/content/sen/committee/432/RIDR/reports/2021-06-16_FederallySentenced_e.pdf. This report raised deep and systemic concerns regarding the classification and treatment of women and Indigenous prisoners.

⁵² See: Correctional Service Canada. (May 9, 2022). Commissioner’s directive 100: Gender diverse offenders. www.canada.ca/en/correctional-service/corporate/acts-regulations-policy/commissioners-directives/100.html.

⁵³ See: Office of the Correctional Investigator. (June 30, 2023). Annual Report of the Office of the Correctional Investigator 2022-2023. <https://oci-bec.gc.ca/sites/default/files/2023-10/Annual%20Report%20EN%20%C3%94%C3%87%C3%B4%20Web.pdf>. p. 40.

Recommendation #10: That Canada takes steps to protect, ensure, monitor, and publicly report on the rights and treatment of trans, non-binary and gender diverse prisoners.

The CHRC remains deeply concerned by reports of sexual coercion and violence in federal prisons, which disproportionately affects women and 2SLGBTQIA+ people. Incidents go largely unreported because of a “culture of silence”.⁵⁴ In 2022, the CSC announced a zero-tolerance policy regarding sexual coercion and violence.⁵⁵ The policy does not address barriers to disclosure, such as fear of retaliation, which could impact reporting.

Recommendation #11: That Canada takes steps to address the issue of sexual coercion and violence in prisons, and review existing policies and procedures to ensure that they are trauma-informed and address barriers to disclosure.

Beyond the prison system, women with disabilities are often inappropriately institutionalized due to lack of access to services and supports and denied their right to live independently and with dignity in their communities.⁵⁶ The lack of comprehensive data on institutionalization and forcible treatment of people with disabilities is especially concerning given the lack of independent monitoring and oversight of institutions in Canada.

To align Canada with international standards on independent oversight of places of deprivation of liberty, the CHRC continues to call on Canada to ratify the Optional Protocol to the Convention against Torture (OPCAT). The OPCAT could offer a framework for more consistent and proactive human rights protections for people who are detained across all jurisdictions.⁵⁷ Despite Canada’s commitment to prioritize the ratification of OPCAT during its most recent Universal Periodic Review, further developments have yet to be provided.

Recommendation #12: That Canada signs, ratifies and implements the OPCAT without delay, including by designating an appropriate National Preventive Mechanism to ensure ongoing and enhanced independent oversight, monitoring and reporting in all places of detention.

⁵⁴ See: Office of the Correctional Investigator. (June 26, 2020). Annual Report of the Office of the Correctional Investigator 2019-2020. <https://oci-bec.gc.ca/sites/default/files/2023-06/annrpt20192020-eng.pdf>. p. 21. Also, in 2022, the CHRC joined the Canadian Association of Elizabeth Fry Societies’ call for an independent public inquiry into the issue of sexual coercion and violence against prisoners in facilities designated for women. See: <https://www.chrc-ccdp.gc.ca/resources/newsroom/urgent-action-needed-stop-sexual-coercion-and-violence-federal-prisons>.

⁵⁵ See: Correctional Service Canada. (May 9, 2022). Commissioner’s directive 574: Sexual coercion and violence. <https://www.canada.ca/en/correctional-service/corporate/acts-regulations-policy/commissioners-directives/574.html>.

⁵⁶ People with disabilities may be institutionalized in facilities such as hospitals, nursing/seniors’ homes and other long-term care facilities.

⁵⁷ For a more fulsome understanding of the CHRC’s call to ratify the OPCAT, please see our joint open letter with the Office of the Correctional Investigator, (November 1, 2023). <https://www.chrc-ccdp.gc.ca/resources/newsroom/chrc-and-oci-open-letter-calling-canadas-ratification-opcat>.

7. INDIGENOUS WOMEN AND GIRLS

The CHRC views the situation of Indigenous peoples as one of the most pressing human rights issues facing Canada today. First Nations, Inuit and Métis peoples in Canada, including women and girls, continue to be significantly disadvantaged in terms of education, employment and access to basic needs such as water, food security and housing.

7.1 Equitable and adequate services

The chronic underfunding of housing and essential services and the many health disparities facing Indigenous communities can be attributed to the legacy of colonialism and the intergenerational effects of trauma and genocide.⁵⁸ The CHRC has received many complaints concerning service delivery, most notably concerning child and family services.⁵⁹

Recommendation #13: That Canada ensures that services for Indigenous women, girls and 2SLGBTQQIA+ people are equitable, adequate and culturally appropriate

7.2 Discrimination in the Indian Act

Sexist and discriminatory registration provisions in the Indian Act continue to perpetuate gender-based inequities that prevent Indigenous women and their descendants from seeking reaffiliation with their natal band as a result of a male relative's choice to enfranchise.^{60 61} In 2022, Bill C-38, An Act to amend the Indian Act (new registration

⁵⁸ See: Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. (June 2019). <https://www.mmiwg-ffada.ca/final-report/>. See Volume 1a, Chapter 6: Confronting Oppression – Right to Health, for the health-related aspects of the report.

⁵⁹ A landmark 2016 Canadian Human Rights Tribunal decision on a complaint filed by the First Nations Child and Family Caring Society and the Assembly of First Nations found that Canada was discriminating against First Nations children and families in the provision of services. See all Canadian Human Rights Tribunal rulings related to this complaint: <https://fncaringsociety.com/i-am-witness/chrt-orders>.

⁶⁰ In 1981, the UN Human Rights Committee found aspects of the registration provisions were contrary to international human rights law. Canada has amended the registration provisions of the Indian Act several times since 1985 in response to court judgments, but inequities remain, as detailed in a report published by the Standing Senate Committee on Indigenous Peoples in June 2022. See: Senate of Canada. (June 2022). Make it Stop! Ending the Remaining Discrimination in Indian Registration. https://senCanada.ca/content/sen/committee/441/APPA/Reports/2022-06-27_APPA_S-3_Report_e_FINAL.pdf.

⁶¹ Enfranchisement was a legal process for terminating a person's Indian status and conferring full Canadian citizenship rights which were not necessarily available to "Status Indians" before 1960. Enfranchisement was a key feature of the Canadian government's assimilation policies regarding Indigenous peoples.

entitlements)⁶² was introduced to address this issue, as per the 2022 recommendation of this Committee.⁶³ However, at present, passage of the legislation is stalled.⁶⁴

Recommendation #14: That Canada enacts the legislation reforms necessary to eliminate discrimination in the Indian Act without delay.

7.3 Coerced sterilization

Historically, policies of sterilization in Canada existed under the guise of public health, where sterilization was a condition of release from mental health institutions. These policies disproportionately affected Indigenous women labeled as “feeble-minded” or “mentally defective”.⁶⁵ Other groups disproportionately affected include Black and racialized women, people with disabilities, intersex children and institutionalized people.⁶⁶ Survivors of coerced sterilization have been found to suffer from associated ailments, and may avoid preventive healthcare services due to profound mistrust of the healthcare system and its authorities.⁶⁷

A 2022 report from the Standing Senate Committee on Human Rights recommended that Canada take legislative and policy measures to prevent forced or coerced sterilization, including by taking steps to address racism, ableism and other forms of discrimination in health care settings, and providing support to people seeking recourse and care.⁶⁸

Recommendation #15: That Canada implements the recommendations of the Standing Senate Committee on Human Rights to end forced or coerced sterilization and ensure redress, support and justice for survivors.

7.4 Trafficking, exploitation and violence

Indigenous women, girls, Two-Spirit, and gender diverse people continue to go missing and are murdered in an ongoing epidemic of violence.⁶⁹ Indigenous women and girls face significantly higher rates of sexual violence compared to any other group in

⁶² See: Parliament of Canada. (December 14, 2022). <https://www.parl.ca/legisinfo/en/bill/44-1/c-38>.

⁶³ See: Matson v Canada UN-CEDAW decision CEDAW/C/81/D/68/2014. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2f81%2fD%2f68%2f2014&Lang=en.

⁶⁴ The delay has prompted First Nations families to resume legal challenges to the legislation, for fear that the issue will not be resolved before the next federal election, expected in 2025. See: Stefanovich, O. (July 28, 2024). Court battle against Ottawa restarts over Indian Act gender discrimination. CBC News. <https://www.cbc.ca/news/politics/families-reactivate-enfranchisement-litigation-1.7273638>.

⁶⁵ supra note 63.

⁶⁶ See: Report of the Standing Senate Committee on Human Rights. (July 2022). The Scars that We Carry: Forced and Coerced Sterilization of Persons in Canada – Part II. https://sencanada.ca/content/sen/committee/441/RIDR/reports/RIDR_ForcedSterilization_E.pdf.

⁶⁷ Boyer, Y., & Bartlett, J., Saskatoon Regional Health Authority. (July 11, 2017). External Review: Tubal Ligation in the Saskatoon Health Region: The Lived Experience of Aboriginal Women, 2017, available at: <https://senatorboyer.ca/wp-content/uploads/2021/09/Tubal-Ligation-in-the-Saskatoon-Health-Region-the-Lived-Experience-of-Aboriginal-Women-Boyer-and-Bartlett-July-11-2017.pdf>. See also: supra note 71.

⁶⁸ supra note 66.

⁶⁹ supra note 63.

Canada,⁷⁰ along with people with disabilities,⁷¹ are among the populations most vulnerable to trafficking and sexual exploitation.⁷²

A history of mistreatment and discrimination throughout the policing and justice systems, where calls for justice are often fruitless and disregarded,⁷³ contributes to a relationship of distrust with these systems. This can negatively impact victims' access to justice. Survivors of violence and exploitation may also face unique compounded barriers to justice depending upon their lived experience, the resources available to them, and the combination of factors of oppression that they may face. The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls made a number of recommendations⁷⁴ to address these barriers that have not been fully implemented to date.

In 2023, Canada appointed a Ministerial Special Representative who provided comprehensive recommendations on the creation of an Indigenous and Human Rights Ombudsperson to the Government in a June 2024 report.⁷⁵ The CHRC fully supports the creation of specific human rights mechanisms for Indigenous peoples in Canada.⁷⁶

⁷⁰ supra note 63.

⁷¹ Stigma and marginalization, negative attitudes about the value of people with disabilities, inability of victims to self-advocate and self-identify, and a lack of education and awareness about trafficking and exploitation contribute to the increased risk of sexual exploitation for people with disabilities. See: DisAble Women's Network of Canada. (June 15, 2018). Canadian Women and Girls with Disabilities and Human Trafficking: A Brief Prepared for the Standing Committee on Justice and Human Rights for their study on Human Trafficking in Canada. https://dawnCanada.net/wp-content/uploads/2024/10/dawn_brief_on_human_trafficking_and_women_with_disabilities_june_15_2018.pdf. See also: DisAble Women's Network of Canada. (May 11, 2023). Parliamentary Brief on Human Trafficking. <https://dawnCanada.net/wp-content/uploads/2024/10/Human-Trafficking.pdf>.

⁷² Women, Two Spirit and gender-diverse people experiencing homelessness also face extremely high rates of sexual exploitation and violence. See: Women's National Housing and Homelessness Network. (2022). The crisis ends with us: Request for a review into the systemic denial of the equal right to housing of women and gender-diverse people in Canada. <https://womenshomelessness.ca/wp-content/uploads/WNHHN-Claim-15-June-2022.pdf>.

⁷³ For example: The bodies of three women murdered in Winnipeg were disposed of in a nearby landfill in spring 2022. To date, a search of the landfill to recover the murdered women has not been conducted, despite outcry from the families and communities across Canada. See: Baxter, D. (June 10, 2024). DO YOUR JOB WAB: Protesters demand landfill search immediately. Winnipeg Sun. <https://winnipegsun.com/news/local-news/do-your-job-wab-protesters-demand-landfill-search-immediately#:~:text=And%20with%20chants%20of%20%E2%80%9Cdo,headlines%2C%20breaking%20news%20and%20columns>.

⁷⁴ Some of these recommendations included: supporting community-based first response, supporting Indigenous-led responses to violence, better protecting Indigenous women and girls involved in sex work or being trafficked, and providing culturally appropriate and equitable judicial processes and supports.

⁷⁵ This action was taken in response to Call for Justice 1.7 in the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. The Ministerial Special Representative's final report and recommendations is available at: <https://www.rcaanc-cimac.gc.ca/eng/1717103903695/1717103981609>.

⁷⁶ See: <https://www.chrc-ccdp.gc.ca/resources/newsroom/independent-indigenous-human-rights-system-overdue>.

Recommendation #16: That Canada fully implements the recommendations of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Recommendation #17: That Canada implements the recommendations made by the Ministerial Special Representative without delay.

8. WOMEN WITH DISABILITIES

The prevalence of disability in Canada is higher for women compared to men (30% versus 24%).⁷⁷ Women with disabilities experience systemic barriers and socio-economic disadvantage that negatively impacts their well-being.

They have a pronounced income gap and higher rates of poverty compared to other groups due to barriers in education and employment. During an engagement event with the CHRC in 2022, women with disabilities shared that they often feel financially and legally disempowered, which limits their independence, security and autonomy.⁷⁸ For example, they risk having their income supports reduced if they choose to live with their partners. Conversely, they may have difficulty leaving abusive relationships if they are financially dependent on their partners. Women with disabilities also face barriers in the legal system, such as communication barriers and ableist assumptions about their capacity. These factors increase their vulnerability to violence and exploitation, including trafficking. These risks are heightened for people experiencing intersectional forms of oppression.⁷⁹

Recommendation #18: That Canada ensures women with disabilities have adequate financial supports that are not impacted by their relationship status or living arrangements.

Recommendation #19: That Canada removes barriers in the legal system and support the legal and financial empowerment of women with disabilities.

⁷⁷ Statistics Canada. (December 1, 2023). Canadian Survey on Disability.

<https://www150.statcan.gc.ca/n1/daily-quotidien/231201/dq231201b-eng.htm>.

⁷⁸ See the CHRC's engagement report: <https://www.chrc-ccdp.gc.ca/resources/publications/what-we-learned-housing-people-disabilities>.

⁷⁹ Among people who had been in an intimate partnership, 55% of women with disabilities reported having experienced a form of intimate partner violence. Factors contributing to violence include: poverty; lack of access to sexual health education and resources; lack of access to justice; lack of support in exercising independence and autonomy; and systemic ableism in the justice and health care systems. See: Savage, L. (April 26, 2021). Intimate partner violence: Experiences of women with disabilities in Canada, 2018. www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00006-eng.htm. See also: DisAble Women's Network of Canada. (May 11, 2023). Parliamentary Brief on Human Trafficking. <https://dawnCanada.net/wp-content/uploads/2024/10/Human-Trafficking.pdf>.

9. DISCRIMINATION BASED ON GENDER IDENTITY AND EXPRESSION

The CHRC remains deeply concerned about discrimination, harassment and violence faced by trans, non-binary and gender diverse persons, especially those who face intersectional barriers to their full equality in Canada.

Gender affirming health care for these groups is recognized as medically necessary by leading medical organizations in Canada and around the world.⁸⁰ The CHRC is concerned by unequal access to care and treatments that are only partially covered through public funds, remaining unobtainable and negatively impacting physical and mental health for certain groups including trans women⁸¹ and non-binary persons.⁸²

The CHRC also remains alarmed about intersex, trans, and gender diverse persons subjected to cruel and harmful non-consensual medical interventions, such as coerced examinations, unnecessary surgeries or conversion therapies. The CHRC supports the development of policies and programs that specifically support the health and rights of these groups.⁸³

Recommendation #20: That Canada recognizes and normalizes variations of sex characteristics and gender diversity, and ensure that intersex, non-binary, trans and gender diverse people have access to appropriate care and supports.

10. RACIALIZED WOMEN

Racialized women in Canada continue to face cultural and systemic racism that precludes them from the full enjoyment of their economic, social and cultural rights. Indigenous, Black, and other racialized women are overrepresented in precarious and low-income employment, resulting in a lack of economic security and increasing their vulnerability to violence and exploitation.⁸⁴ Racialized mothers in precarious employment face added challenges due to a lack of flexibility in working arrangements.

⁸⁰ See: Women's Legal Education and Action Fund. (November 16, 2021). Open letter: Gender Affirming Health Care Advisory Committee Act. [20211116-Gender-Affirming-Health-Care-Advisory-Committee-Act.pdf \(leaf.ca\)](https://leaf.ca/2021/11/16/Gender-Affirming-Health-Care-Advisory-Committee-Act.pdf). See also: World Professional Association for Transgender Health. (2022). Standards of Care Version 8. www.wpath.org/soc8.

⁸¹ Trans and gender diverse individuals are among groups more likely to experience poverty, impeding their access to private funding for health services. See: Statistics Canada. (November 9, 2022). Census in Brief: Disaggregated trends in poverty from the 2021 Census of Population. <https://www12.statcan.gc.ca/census-recensement/2021/as-sa/98-200-x/2021009/98-200-x2021009-eng.pdf>.

⁸² Navarro, J., et al. (July 6, 2021). Health and Well-Being Among Non-Binary People. Trans PULSE Canada. <https://transpulsecanada.ca/results/report-health-and-well-being-among-non-binary-people/>. p. 9

⁸³ *ibid* p. 10

⁸⁴ Barriers to secure employment may cause economic precarity or poverty and can also increase reliance on others such as domestic partners to fill basic needs, especially for women with children. This results in vulnerability to dangers such as trafficking and intimate partner violence. See: Miners, J., Mackenzie, U., Landers, A., Isaac, A., and Achev. (2022). Addressing Barriers to Employment for Immigrant and Racialized Women and Youth. <https://achev.ca/wp-content/uploads/2022/11/What-We-Heard-report-Advancing-Equity-for-Women-and-Girls.pdf>. See also: Chellapermal, P. and WomenACT.

In 2023, the Employment Equity Act Review Task Force released a report with recommendations to strengthen and modernize the Employment Equity Act. The Government of Canada broadly accepted the recommendations, including adding a designated group for Black people, recognizing the barriers that Black women face in the workplace. In light of historical and ongoing anti-Black racism that has reinforced barriers to employment experienced by Black public servants and other workers in the federal employment sector, the CHRC is encouraged by this commitment and the adoption of an intersectional approach to implementation.

In Quebec, the Act respecting the laicity of the State (Bill 21), was adopted by the Quebec National Assembly in 2019 and was upheld by the Quebec Court of Appeal in 2024.⁸⁵ The law bans provincial public sector workers in positions of authority – such as teachers, police officers, and judges – from wearing religious symbols while at work, such as a hijab, turban or kippah. The CHRC shares widespread concerns⁸⁶ regarding the disproportionate adverse impacts on racialized Muslim women⁸⁷ who wear the hijab,⁸⁸ and effectively amounts to government-imposed workplace discrimination, during a period of rising religious intolerance across Canada.⁸⁹

Recommendation #21: That Canada takes renewed steps to ensure that employment of racialized women is equitable and non-discriminatory.

(2022). Intersections Between Employment and Safety among Racialized Women.

https://womanact.ca/wp-content/uploads/2022/11/WomanACT_Intersections-between-employment-and-safety-among-racialized-women.pdf.

⁸⁵ Since the legislation has been upheld by the Quebec Court of Appeal, parties have sought leave to file an appeal to the Supreme Court of Canada. A decision on leave to appeal has yet to be granted.

⁸⁶ The CHRC intervened in the case at all levels of court.

⁸⁷ Reports show that it is primarily Muslim women whose employment is affected by the enforcement of Bill 21. Civil society groups have expressed concerns that the unique position of Muslim women in hijab and their experiences at the intersection of race, religion and gender, contributes to a lack of power and privilege and other unique challenges. See: Rukavina, S. (November 8, 2022). Muslim women most affected by Quebec's secularism law, Court of Appeal hears. CBC News.

<https://www.cbc.ca/news/canada/montreal/muslim-women-most-affected-by-quebec-s-secularism-law-court-of-appeal-hears-1.6644377>. See also: Syed, S. (May 18, 2022). Muslim women wearing hijab at work face heightened scrutiny, professional consequences. The Globe and Mail.

<https://www.theglobeandmail.com/business/article-muslim-women-wearing-hijab-at-work-face-heightened-scrutiny/>.

⁸⁸ While it is not only racialized women who wear the hijab, the hijab is a physical identifier of a religion that has been widely racialized throughout the West. This places women and girls in hijab firmly at the intersection of cultural, structural and institutional oppression that is gendered Islamophobia and anti-Muslim racism. White and “white-passing” hijabi women and girls have expressed how they feel that their whiteness is malleable and precarious, and dependent on the racialization of their religious expression. See: Bakali, N., (August 17, 2021), Hijab, Gendered Islamophobia, and the Lived Experiences of Muslim Women. Yaqeen Institute. <https://yaqeeninstitute.ca/read/paper/hijab-gendered-islamophobia-and-the-lived-experiences-of-muslim-women>. See also: Karaman, N. & Christian, M. (2020). “My Hijab Is Like My Skin Color”: Muslim Women Students, Racialization, and Intersectionality. *Sociology of Race and Ethnicity*, 6(4). <https://doi.org/10.1177/2332649220903740>.

⁸⁹ See: <https://www.chrc-ccdp.gc.ca/resources/newsroom/banning-religious-symbols-puts-everyones-rights-risk>.