



# Federal Election Resource 2019

Election day in Canada is October 21. KAIROS encourages Canadian citizens to learn about the issues, read the party platforms, and exercise their democratic right to vote.

To assist you, KAIROS is offering background information on ecological justice, gender justice, Indigenous rights, and migrant justice, as well as questions for candidates.

Many of the questions ask candidates to make personal commitments and encourage a deeper review and investment in a policy. Be sure to follow up with the candidate on your request, if you are able. This is a great opportunity to educate candidates on these critical issues.



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**KAIROS: Canadian Ecumenical Justice Initiatives** is a faith-based social justice organization of ten Canadian churches and religious organizations. We focus on Indigenous rights, international human rights, and ecological and gender justice. We deliberate on issues of common concern, advocate for social change and join with people of faith and goodwill in action for social transformation.

KAIROS acknowledges that the Toronto office is on the traditional territory of the Huron-Wendat, Seneca and Mississaugas of the Credit Indigenous Peoples. The Ottawa office is on the unceded traditional territory of the Algonquin Peoples.

# ECOLOGICAL JUSTICE

## ***Climate Emergency***

At the United Nations Framework Convention on Climate Change in 2015, Canada and 193 other nations endorsed the goal of “holding the increase in global temperatures to well below 2°C above pre-industrial levels while pursuing efforts to limit the temperature increase to 1.5°C.” These goals have become known as the ‘Paris Agreement’. Canada’s blueprint for meeting these targets is outlined in the [Pan-Canadian Framework on Clean Growth and Climate Change](#) (PCF). Even if Canada fulfils the PCF, the 2030 emissions target of 513 megatonnes (MT) of carbon dioxide equivalent [will be missed](#).

### **QUESTIONS FOR CANDIDATES:**

- What will your party do to ensure that Canada meets its current 2030 emissions reduction targets?
- Will you commit to ending all fossil fuel subsidies and to speaking out against development projects such as the Trans Mountain Pipeline?
- Will you commit to re-training fossil fuel workers and to ensuring that green energy education is available for all?
- Will you commit to annually increasing the carbon price from this year to 2030 to help ensure that Canada meets the goals of the 2015 Paris Agreement, and that warming does not go beyond 1.5°C?

### **BACKGROUND:**

Canada is on track to miss its carbon emissions reduction target of 30 percent below 2005 levels by 2030, a target that is weak to begin with. According to the think-tank [Climate Action Tracker](#), Canada’s emissions reduction target should be **60 percent** below 2005 levels for Canada to do its fair share to stabilize a global temperature rise at 1.5°C as [recommended by the Intergovernmental Panel on Climate Change](#).

At the North American Leaders Summit in June 2016, the federal government made joint commitments with the United States and Mexico to phase out fossil fuel subsidies by 2025. These subsidies need to be cut more rapidly to meet the deadline, and the impact of fossil fuel subsidies needs to be reconciled with Canada’s commitment to tackle climate change and limit global warming to 1.5°C. The federal government will need to stop investing in an energy source with no future. Projects such as the Trans Mountain Pipeline Expansion go directly against this commitment and the 2015 Paris Agreement targets.

As our economy shifts from fossil fuels to clean energy alternatives, we need to ensure that workers can transition as well. That means investing in re-training opportunities and ensuring that those who are traditionally excluded from well-paying and stable employment are included in the emerging economy. Organizations such as [Iron & Earth](#) are leading the way.

Carbon pricing is at the centre of the PCF. A national carbon pricing scheme came into effect in April 2019 for provinces and territories that do not meet the federal regulatory standards (New Brunswick, Ontario, Manitoba, Saskatchewan). In these provinces, 70 percent of households will [get more in rebate payments](#) than they pay into the carbon pricing program. The excess emissions charged for each tonne of carbon dioxide equivalent emissions exceeding the limit is set at \$20 per ton for 2019. The price will rise by \$10 every year, reaching \$50 per ton in 2022.

However, to meet the PCF targets, the annually rising fee on carbon must extend beyond 2022 to 2030. The Office of the Parliamentary Budget Officer reported that in addition to the set \$50 per tonne, households would need to pay another \$102 per tonne by 2030 to meet the 2015 Paris Agreement goals.

## **Environmental Racism**

Environmental racism is a type of systematic discrimination that links race and socio-economic status with increased environmental risk. Ecological justice cannot be separated from race in Canada; exposure to hazardous waste and environmental pollution, and prejudiced zoning decisions directly impact quality of life and the health of marginalized communities in this country.

### **QUESTIONS FOR CANDIDATES:**

- Will you commit to continuing and increasing federal investment in First Nations communities' access to safe drinking water?
- Will you commit to supporting a federal Environmental Bill of Rights as outlined in Bill C-438?

### **BACKGROUND:**

Water is a human right. However, marginalized – especially Indigenous - communities in Canada are too often deprived of access to clean drinking water. The Canadian government is trying to change this through a plan to eliminate [all drinking advisories](#) that are longer than 12 months by March 2021; however, [progress is not linear](#). Even when Indigenous communities end their long-term water advisories, clean water is not guaranteed. In fact, 32 of the 79 long-term advisories that were lifted have [been reinstated](#). The 2019 federal budget responded to these concerns with an investment of \$739 million over five years, in addition to the previously allocated \$2 billion to support efforts to end long-term advisories. While this new cash infusion is welcome, it remains to be seen if it will lead to sustained improvements in water management on reserves.

Canada's Environmental Protection Act (1999) aims to "contribute to sustainable development through pollution prevention and to protect the environment, human life and health from the risks associated with toxic substances." Equal opportunity for protection needs to be enshrined on a federal level.

Various provinces have regulations (including environmental bills of rights) to ensure protections, but marginalized communities still slip through the cracks. [Bill C-438](#), essentially a federal Environmental Bill of Rights, ensures that the right to a healthy and ecologically balanced environment is included in the Canadian Bill of Rights, while allowing more public engagement with the federal government. An Environmental Bill of Rights would give traditionally excluded communities (Indigenous peoples, new Canadians, Canadians of colour) a chance to access information and the ability to shape their local environmental conditions. Indigenous communities especially have struggled to obtain the necessary information to make informed health decisions due to jurisdictional confusion between provincial and federal governments. The [Mikisew Cree had to go to the United Nations Educational, Scientific and Cultural Organization \(UNESCO\)](#) to get information on the impacts of the Site C dam, the Bennett dam, and the oils sands operations on the Peace-Athabasca Delta – a world heritage site. A federally implemented Environmental Bill of Rights would streamline the right to information.

For additional resources, visit KAIROS' Climate Action Month webpage: [kairoscanada.org/climateactionmonth](https://kairoscanada.org/climateactionmonth)

# GENDER JUSTICE

## ***Bringing Women to the Peace Table in the 2019 Federal Election***

Women-led grassroots organizations are laying the foundations for sustainable peace in the world's most volatile regions. Despite being victimized many times over in conflict and post-conflict situations as a strategy of war situations, women and women's organizations play key roles in conflict prevention and resolution, as well as in building and sustaining an inclusive and just peace.

This critical role of women in peacebuilding has been recognized by the United Nations, and more recently in Canadian policy.

KAIROS wants to ensure that efforts to support women's participation in peacebuilding efforts, especially at the grassroots level, are sustainable and fully funded as part of a robust international assistance policy.

### **QUESTIONS FOR CANDIDATES:**

- Will your party commit to increasing Canada's Official Development Assistance to 0.7 percent of its Gross National Income, in adherence with international guidelines?
- Will you commit to ensuring that Canada supports grassroots women's peacebuilding efforts around the world as a core component to the next government's foreign policy?

### **BACKGROUND:**

The Women, Peace and Security Agenda has emerged from a series of United Nations Security Council Resolutions, including United Nations Security Council Resolution (UNSCR) 1325 (created in 2000), which protect women from sexual and gender-based violence in times of war, and recognize the important contributions they make in building and sustaining an inclusive and just peace. Peace agreements have a 35 percent greater chance of lasting at least 15 years when women help draft them, according to [Inclusive Security and Peaceful Societies](#). And yet, only five percent of international funds dedicated to peace and security are allocated to creating equality between women and men or to the empowerment of women.

The KAIROS *Women of Courage* program empowers women human rights defenders and women's rights organizations to participate effectively in peacebuilding, reconciliation and human rights processes at all levels in Colombia, the Democratic Republic of the Congo, the Philippines, South Sudan and the West Bank.

Canada has taken important steps towards becoming a global leader in supporting gender equality and women's effective participation in peace-building through its *Feminist International Assistance Policy* and *National Action Plan on Women, Peace and Security*. The *Feminist International Assistance Policy* promotes gender equality across our development projects around the world. Canada's *National Action Plan on Women, Peace and Security* seeks the full participation of women in peacekeeping and peacebuilding in Canada and abroad.

Yet, Canada is a long way from fully funding and implementing its *Feminist International Assistance Policy*. Moreover, its official development assistance accounts for only 0.26 percent of the country's gross national income, well below the 0.7 target set by the Organisation for Economic Cooperation and Development in 1970 and reaffirmed more recently by the United Nations General Assembly.

## ***Corporate Accountability and Women Human Rights Defenders***

After more than a decade of grassroots efforts on the part of civil society, labour unions, and religious groups—including KAIROS and its members—the Government of Canada announced the creation of the Canadian Ombudsperson for Responsible Business Enterprise (CORE) and the Multi-Stakeholder Advisory Body on Responsible Business Conduct Abroad (Advisory Board) in January 2018. The office of the CORE was to be independent and empowered to investigate allegations of human rights abuses connected to Canadian companies operating abroad; the Advisory Board’s purpose was to, among other things, advise the Government on corporate social responsibility and human [rights](#).

This past April, the Government announced the appointment of the Ombudsperson and revealed that the CORE would have no investigatory powers, effectively breaking its promise. In July, all 14 civil society and labour union representatives of the government’s Advisory Board tendered their resignations. The unanimous decision to resign was due to the erosion of trust and confidence in the government’s commitment to international corporate accountability.

This lack of corporate accountability is particularly concerning in a context where Canada’s global involvement in the extractive sector is frequently accompanied by human rights and environmental violations, often on or near Indigenous communities, where resource extraction projects are typically found.

### **QUESTIONS FOR CANDIDATES:**

- Will you commit to creating an independent corporate watchdog with the power to investigate and report on human rights and environmental abuse allegations linked to Canadian corporations operating abroad?
- Will you commit to making the implementation of *Voices at Risk: Canada’s Guidelines on Supporting Human Rights Defenders* mandatory at Canada’s foreign missions?
- Will you support the Government of Canada’s adoption of all the recommendations in *Raising her Voice: Confronting the Unique Challenges Facing Women Human Rights Defenders*?
- Will you commit to passing legislation that requires Canadian agencies and crown corporations to undertake due diligence in a manner that is transparent and does not obscure outcomes? Will you ensure that these agencies and corporations not finance, insure, or support companies that have been found to be involved in environmental and human rights abuses in their business operations?

### **BACKGROUND:**

KAIROS continues to advocate for an independent Ombudsperson with the power to investigate allegations of human rights and environmental abuses overseas to address corporate misconduct in the extractive sector. Furthermore, KAIROS calls on the Government of Canada to actively work towards legislation and regulation to hold the Canadian private sector accountable when it does not abide by local, national, and international human rights and environmental laws when operating abroad, either directly or through subsidiaries.

Concurrently, KAIROS urges the Government of Canada to implement additional initiatives and adopt recommendations to improve the safety and well-being of human rights defenders, especially women who are frequently at the forefront in the defense of land and water.

According to the federal government, Canada serves as the headquarters to more than half of the global extractive [sector](#). Tax incentives and federal regulations make Canada an enticing locale for corporations seeking to establish mining operations, both nationally and internationally.

Unfortunately, Canada's global involvement in the extractive sector is frequently accompanied by human rights and environmental violations, often on or near Indigenous communities, where resource extraction projects are typically found. Too often, extractive projects provoke spills, contamination of fresh water sources, and destruction of habitats. Indigenous communities have the right to be involved in decision-making spaces regarding megaprojects but are often criminalized, harassed, or physically attacked when they seek to be consulted, reject a project through democratic processes, or call attention to the negative impacts of resource extraction. Local law enforcement and private security personnel linked to Canadian companies are routinely hired to diffuse conflicts over land and water.

At the same time, there has been an alarming global rise in the number of human rights defenders killed. More than 300 defenders were killed across the globe last year; seventy-seven percent of defenders killed in 2018 were targeted for their work protecting their collective rights and the environment. Colombia, Mexico, and the Philippines, where KAIROS partners with grassroots organizations, account for about 66 percent of those reported [killings](#). Women land and water defenders are further stigmatized for their work, experiencing multiple forms of violence from their community, local governments, and actors linked to the Canadian extractive sector.

Corporate accountability is clearly needed.

KAIROS maintains that the Government of Canada must require all Canadian foreign missions to implement the recently updated version of [Voices at Risk: Canada's Guidelines on Supporting Human Rights Defenders](#). These guidelines provide missions with a basic framework on how to best support human rights defenders. Without their promotion and compulsory implementation at foreign missions, however, the guidelines will do nothing to bolster the security of the people and communities defending human rights in the context of resource extraction or otherwise.

Simultaneously, KAIROS strongly favours the Government of Canada's adoption of all the recommendations brought forth by the Subcommittee on International Human Rights of the House of Commons Standing Committee on Foreign Affairs and International Development in [Raising her Voice: Confronting the Unique Challenges Facing Women Human Rights Defenders](#). The report concludes that the Government can and must do more to support women across the globe, including land and water defenders, who are targeted for defending and protecting human rights and the environment.

KAIROS believes that the measures outlined and recommended in *Voices at Risk* and *Raising her Voice* are not to be understood as substitutes for an Ombudsperson, but that they be carried out in conjunction with legislation and an autonomous investigatory body that addresses Canadian corporate accountability abroad.

KAIROS asserts that the Government of Canada must actively work towards legislation and regulation to hold the Canadian private sector accountable. To accomplish this, the Government of Canada must legislatively require Canadian agencies and crown corporations to undertake due diligence in a manner that is transparent and does not obscure outcomes. Companies found to be involved in environmental and human rights abuses in their business operations should not be financed, insured, or supported.

# INDIGENOUS RIGHTS

In April 2016, Romeo Saganash, MP for Abitibi-Baie-James-Nunavik-Eeyou, introduced Bill C-262, an Act to ensure that the laws of Canada are in harmony with the *United Nations Declaration on the Rights of Indigenous Peoples*. On May 31, 2018, Bill C-262 passed third reading in the House of Commons. Unfortunately, the bill died on the Order Paper in the Senate due to delay tactics by a few senators during the Spring of 2019. Legislation based on the *UN Declaration* is critical for reconciliation in Canada.

## QUESTIONS FOR CANDIDATES:

- Will you commit to the implementation of the *UN Declaration of the Rights of Indigenous Peoples* in Canada by supporting a government bill as strong as Bill C-262?
- How do you plan to support local First Nation, Métis or Inuit communities?
- How will you create positive change for Indigenous communities?
- How do you plan to empower Indigenous peoples in Canada?

## BACKGROUND:

Few people are in greater need of human rights protection than Indigenous peoples. Globally, about 370 million Indigenous people face widespread systemic discrimination, impoverishment, ill health, and dispossession of their lands and resources. Although governments have a duty and responsibility to ensure the welfare and safety of all their citizens, Indigenous peoples are often subject to policies that erode or suppress their rights and distinct cultural identities. Canada is no exception.

Indigenous peoples are protected by existing international human rights instruments, in particular the *United Nations Declaration on the Rights of Indigenous Peoples*. Adopted by the UN General Assembly on September 13, 2007 after more than two decades of negotiations, the *UN Declaration* affirms the inherent or pre-existing collective human rights of Indigenous peoples, as well as the individual human rights of Indigenous women, men and children. It provides a framework for justice and reconciliation, applying existing human rights standards to the specific historical, cultural and social circumstances of Indigenous peoples.

In its preamble, the *UN Declaration* is described as “a standard of achievement to be pursued in a spirit of partnership and respect.” In Canada, it reinforces the Treaty relationships that exist between Indigenous peoples and the Crown and which form “the basis for a strengthened partnership...” The rights outlined in the *UN Declaration* “constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world” (Article 43).

Like other international human rights declarations, the *UN Declaration* provides an authoritative source of guidance for all societal institutions, including legislators and government departments, courts, human rights bodies, and public institutions such as universities. Unlike other declarations, however, the *UN Declaration* addresses collective rights to a degree unprecedented in international human rights law.

While Canada consistently ranks as one of the world's top countries in which to live, according to the United Nations Human Development Index, when the same criteria is applied to Indigenous peoples in Canada, their rank drops to sixtieth or below – far, far behind their Canadian neighbours.

Canada's Indigenous policy has been repeatedly criticized both internationally and nationally for violating Indigenous peoples' rights. The federal 1986 Comprehensive Claims Policy, for example, is premised on the assimilation of Indigenous peoples through the extinguishment of their title and rights. This policy has been criticized by the United Nations, discredited by the landmark *Royal Commission on Aboriginal Peoples*, and cast aside by the Supreme Court of Canada in its 1997 *Delgamuukw* decision, which recognized the

collective rights of Indigenous peoples. Yet the policy continues to influence land rights negotiations, and Canadian governments continue to disregard, limit, and terminate Indigenous rights, including land and Treaty rights.

The Government of Canada's past and current dismissive and discriminatory approach toward Indigenous peoples was evident in its position on the *UN Declaration*. After opposing and campaigning against it for more than four years following its adoption by the UN General Assembly, the Canadian federal government finally and quietly issued an official, qualified statement of endorsement on November 2010, albeit with many reservations, ultimately calling it an "aspirational document." The government's main objections to the *UN Declaration* included provisions dealing with lands, territories and resources, and free, prior and informed consent.

In 2015, the Truth and Reconciliation Commission of Canada released its 94 Calls to Action. Number 43 calls upon calls "...federal, provincial, territorial and municipal governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework of reconciliation."

In November 2015, in his [mandate letters](#) to ministers, Prime Minister Justin Trudeau asked the Minister of Indigenous and Northern Affairs, the Minister of Justice, and others to implement the *UN Declaration* in order to renew a nation-to-nation relationship between Canada and Indigenous peoples, "based on recognition, rights, respect, co-operation, and partnership." In May 2016, the Minister of Indigenous and Northern Affairs [announced](#) Canada would remove its objector status to the UN Declaration and be a full supporter, without qualification. In November 2017, the Justice Minister [announced](#) that the Government of Canada would support Bill C-262, the private members bill, when it came up for second reading in the House of Commons. The government was criticized for waiting for a private member to introduce the bill, and not introducing it itself, which would have given the bill more clout.

In terms of consultation, the federal government committed \$12.8 million in 2019-20 to Natural Resources Canada to "maintain capacity to conduct meaningful consultations" with Indigenous communities on major energy projects, while supporting economic participation. The government said that Indigenous voices must be included in project development, but did not include any funding in the budget to support their engagement in these consultations. A deeper investment is necessary to change the structures of consultation to ensure free, prior, and informed consent.

See the Ecological Justice section of this document for information on environmental racism.

# MIGRANT JUSTICE

For decades, Canada's Temporary Foreign Worker Program (TFWP) has made it difficult for caregivers – and impossible for other foreign workers - to become permanent residents. This approach has manifested in consistent and widespread complaints and well-documented cases of exploitation and abuse at the hands of employers and recruiters.

In June 2019, rights for caregivers took a leap forward when the Government of Canada [announced](#) that it will replace its problematic Caregiver Pilot Program with two five-year pilot programs that will strengthen migrant caregivers' pathway to permanent residency and the flexibility to change jobs quickly and easily. Under these pilots, family members will be able to accompany caregivers through work and study permits. The government is also looking to amend the TFWP to allow occupation-specific permits instead of employer-specific permits. Such a change will allow all foreign workers to move between jobs within the same occupational classification.

In the same month, the Government of Canada announced regulatory a change in the Immigration and Refugee Protection Act allowing immigration officers to issue open work permits to vulnerable migrant workers who are victims or at risk of being abused and exploited. This regulatory change will enable migrant workers to leave abusive work environments without fear of losing their status.

However, not all migrant workers are able to take advantage of these positive changes. Many migrant workers from overseas have become and remain undocumented, making their lives more precarious. It is morally and financially beneficial for the Canadian government to regularize their status so they can regain their dignity, receive full compensation for their work, pay taxes, and contribute to Employment Insurance and the Canada Pension Plan.

Many foreign migrant workers are from countries impacted by climate change. The House of Commons recently passed a motion declaring a non-binding national climate emergency in Canada, a step forward. Missing in the motion is the impact of climate change on forced migration.

## **QUESTIONS FOR CANDIDATES:**

- Will you and your party maintain and build on the progress made to date for migrant caregivers, and extend the same privileges to all migrant workers, including the right to apply for permanent residency after meeting all requirements?
- Will you and your party commit to the regularization of undocumented and non-status foreign workers?
- Will your party take the lead globally to recognize climate refugees and migrant workers, distinguishing them from "economic migrants"?
- Will you and your party commit to advocating for the creation of a binding United Nations document that recognizes and supports the rights of climate migrants/supporters?

## **BACKGROUND:**

KAIROS, migrant caregivers, and allied advocates have for years called on the Canadian government to grant permanent residency on arrival to all foreign migrant workers and their families. While the government's announcement in June applies just to caregivers and will grant them full permanent residence status after working in Canada for two years, it is an important step in the right direction.

The new pilot programs replace the Caring for Children and Caring for People with High Medical Needs programs. By providing occupation-specific work permits, caregivers will be able to change jobs quickly

and easily when necessary. Also, by allowing open work permits for spouses and common-law partners, and study permits for dependent children, caregivers' families will be able to accompany them to Canada.

The new programs also address Canada's commitment to uphold and protect migrant women's rights through a much-needed process that enables workers to quickly change employers to escape abusive conditions without fear of deportation.

Immigration, Refugees and Citizenship Canada also announced in March 2019 the Interim Pathway for Caregivers program for three months (March-June) then on June 15, extended it for another three months (July 8- October 8). The Interim Pathway is a one-off opportunity for migrant caregivers to apply for permanent residency under minimum requirements: completion of one full year of continuous work, passing the language test and a Canadian equivalent of high school diploma.

Foreign migrant caregivers serve Canadian families by providing professional care and compassion to children, the elderly and people with high medical needs. They also help fill a vacuum; often there are not enough Canadians to fill these jobs.

Despite their value to the Canadian economy, caregivers, like all foreign migrant workers, are subject to Canada's temporary foreign worker programs, which are marred by consistent, widespread and well-documented complaints of exploitation and abuse at the hands of employers and recruiters. Also, the prolonged family separation caused by prohibiting family members from joining workers while they await permanent residency – often for years - creates stress and sometimes leads to marital breakdowns.

KAIROS applauds the Government of Canada for taking steps to alleviate the stress and concern experienced by so many caregivers. KAIROS is also pleased that the government has reduced the application backlog of approximately 30,000 migrant caregivers (as of December 2017) who applied for permanent residency by 94 percent.

Unfortunately, the 2019-20 federal budget makes no mention of the Caregivers pilot programs. While the announcement is a step in the right direction, resources are required to help all caregivers who are already in Canada transition into this new program, particularly those caught in bureaucratic red tape.

This summer, the Canadian government also proposed to amend the TFWP to allow occupation-specific permits instead of employer-specific permits. Such a change will allow foreign workers to move between jobs within the same occupational classification. Given the abuse and hardship associated with workers being tied to their employers, this change needs to happen as soon as possible.

Due to extreme weather events, prolonged temperature extremes and rising sea levels, more and more people, particularly in the Global South, are becoming climate refugees and migrating to places like Canada. For example, some foreign migrant workers in Canada left their homes because hurricanes devastated their countries. People in the Global South typically suffer the brunt of climate change despite their low carbon footprint compared with those in the Global North.

Those forced to leave their homes due to climate-induced events fall through the cracks of international refugee and immigration policy. [The UN Global Compact for Migration](#), adopted in 2018, does not grant "specific legal international protection to climate-induced migrants," [according to Louise Arbour](#), the U.N. official who led the migration compact. As the number of climate refugees and migrants increases, it is imperative that countries like Canada work with global partners to secure a binding document that defines and protects this vulnerable group.