

THE AD HOC COMMITTEE OF CANADIAN WOMEN

CONFERENCE ON

CANADIAN WOMEN AND THE CONSTITUTION

FEBRUARY 14 and 15, 1981

RESOLUTIONS ADOPTED AT THE CONFERENCE ON CANADIAN WOMEN AND THE CONSTITUTION

I. RESOLUTIONS PASSED ON THE CHARTER OF RIGHTS AND FREEDOMS.

REQUIRED AMENDMENTS:

Clause 1 a statement of purpose should be added providing that the rights and freedoms under the Charter are guaranteed equally to men and women with no limitations

any limitation to clause (1) should follow the format and content of Article 4 of U.N. International Covenant on Civil and Political Rights

the word "person" should be used throughout the Charter, in lieu of any other word denoting human being

Clause 7 that clause 7 be amended to include the right to reproductive freedom

that clause 7 be amended to include the right to equality of economic opportunity

Clause 15 that the list of prohibited grounds of discrimination in clause (1) 15(1) be amended to include: (1) marital status (2) sexual orientation (3) political belief

that clause 15 contain a two-tiered test recognizing that there shall be no discrimination on the basis of sex, race, religion, colour, national or ethnic origin, mental or physical disability, age, marital status, sexual orientation, and political belief, and that there be a compelling reason for any distinction on the basis of sex, race, religion, colour, or national or ethnic origin, sexual orientation or political belief

Clause 15 affirmative action programs under clause 15(2) should apply (2) only to disadvantaged groups as listed under clause 15(1) and not to individuals. (Explanatory note: it is our opinion that individuals who are members of disadvantaged groups benefit under the programs listed above.)

Clause 27 clause 27 on multiculturalism be dealt with in the preamble (Explanatory note: The purpose of this is to ensure that this right is subject to the other rights and freedoms of the Charter.)

Clause 31 the three-year moratorium for the implementation of clause 15 (2) be deleted from the Charter

RESOLUTIONS PASSED ON THE CHARTER OF RIGHTS AND FREEDOMS.

BE IT RESOLVED:

that this Conference endorse in principle the concept of an entrenched Charter of Rights as per the recommendations passed February 14, 1981 and that unless the Charter reflects the amendments made here today, that it not be included in the submission to the British Government in order to provide time to incorporate these amendments,

II. RESOLUTION PASSED ON THE CONSTITUTION

BE IT RESOLVED:

that the women of this Conference support bringing home the Constitution with an amending formula. (Explanatory note: With an entrenched Charter of Rights if and only if that Charter contains all the amendments listed above.)

that failing the full adoption of our amendments, incorporation of a Charter of Rights be accomplished by a constituent assembly of 50% women.

III. PROCESS OF CREATING THE CONSTITUTION

Whereas the process of creating our Constitution has been done in great haste and does not adequately reflect the needs of women,

BE IT RESOLVED:

that the Women's Conference on the Constitution insist on a full and fair debate in Parliament on the Constitutional package before it, and oppose any use of closure on that debate.

IV. OTHER RESOLUTIONS

ACCESS TO SOCIAL SERVICES

Whereas the proposed Constitutional resolution discriminates against Canadians who may require public social services by its inclusion of Section 6(3)b which allows governments to restrict access to social services solely on the basis of the length of time a person has lived in a particular province; and whereas this appears to invalidate the portability requirements of the Canada Assistance Plan, the Hospital and Diagnostic Services Act, and the Medical Care Act, through which many services to women are funded; therefore, BE IT RESOLVED that we, women and peoples of Canada, demand the deletion of Section 6(3)b from the proposed Constitutional resolution.

REPRESENTATION OF WOMEN

Be it resolved that this meeting approve the principle of equitable representation of women throughout the political system. In the case of appointments to the Upper House, boards, commissions and the Bench, women should have equal access to all positions and should hold at least half the positions at all levels.

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RECOMMENDATIONS ARISING FROM DISCUSSIONS SUNDAY FEBRUARY 15, 1981
ON THE CANADIAN ADVISORY COUNCIL ON THE STATUS OF WOMEN

Recommended:

1. that there is a valid role for a publicly funded federal advisory council on the status of women,
2. that a review to determine this role of the CACSW be conducted to report to Parliament by July 1, 1981,
3. that the members of this review group be themselves nominated by women's groups outside government,
4. that the review group be empowered to establish its own terms of reference and that in so doing, it should consider questions such as:
 - review methodology (i.e. acceptance of briefs, presentations, and/or research)
 - the role and responsibility of the Minister Responsible for the status of women
 - the role and responsibility of the CACSW including, for example, legal status, mandate, independence, style, focus, access to information, structure, staffing, remuneration, accountability, budget, operating methods, relations with women's groups, appointment process, etc.,
5. that the CACSW as restructured be embodied in a Statute, and not by an Order in Council,
6. that the CACSW report to Parliament directly, and not to a Minister,
7. that all appointees to CACSW be women of expertise and authority with a record of commitment to women's concerns and include representatives of all economic and ethnic groups, unions, professions, native and immigrant women,
8. that in order to restore the credibility of the CACSW, the three incumbent vice-presidents be required to resign,
9. that Lloyd Axworthy be required to resign his portfolio as Minister responsible for the Status of Women.