**Speaker biographies and abstracts**

**International Women's Day Conference, 2017**

**Feminist Legal Studies Queen's**

**Mar. 10-11, 2017**

**Sharry Aiken**



Bio:

Sharry Aiken is an Associate Professor at Queen’s Law with a cross appointment to Cultural Studies. Sharry has spent a great deal of her career advocating for human rights and social justice. She launched and managed an innovative legal literacy project in Northern Ontario, worked as a staff lawyer with South Etobicoke Community Legal Services as well with the Refugee Law Office. She is a past president of the Canadian Council for Refugees (CCR), a former member of the Equality Rights Panel of the Court Challenges Programme of Canada, and the former Editor-in-Chief of the journal Refuge. Currently she is Co-Chair of the Board of Directors of the Canadian Centre for International Justice and an active member of the CCR’s Legal Affairs Committee.

Abstract:

‘A GBA+ Analysis of Trump’s Immigration Orders: Implications for Canada’

During his first week in office, President Trump issued three Executive Orders on immigration which generated alarm on both sides of the border. After highlighting the implications of these executive orders for refugee women and their children, a GBA+ analysis will consider what the Executive Orders mean for Canada’s refugee and border policies. In light of recent developments, should Canada suspend its Safe Third Country Agreement with the US? Should Canada increase its targets for refugee resettlement for 2017 and beyond?

**Bita Amani**



Bio:

Bita Amani, B.A. (York University, with Distinction), LL.B. (Osgoode), S.J.D. (UofT), Co-Director of Feminist Legal Studies Queen's, is Associate Professor, Faculty of Law, Queen's University in Kingston, and Adjunct faculty at Osgoode Hall Law School, in Toronto. She teaches courses in intellectual property, information privacy, and feminist legal studies (workshop). She has also taught courses on international aspects of intellectual property governance, and torts. Professor Amani has published broadly in the area of intellectual property, including two books: State Agency and the Patenting of Life in International Law: Merchants and Missionaries in a Global Society (Aldershott: Ashgate Publishing Company, 2009) and Trademarks and Unfair Competition - Cases and Commentary on Canadian and International Law Second Edition (Toronto: Carswell, 2014, with Carys Craig). She has been a Distinguished Visiting Scholar at Osgoode Hall, Institute for Feminist Studies, Visiting Scholar, Researcher, and Guest Lecturer at the Intellectual Property Research Centre, Oxford University, and at the Centre for International Governance, Leeds University School of Law. She has also been a Research Fellow in Residence at the Brocher Foundation, Geneva Switzerland (2008). Dr. Amani has served as policy consultant to the provincial government on gene patenting for the Ontario Advisory Committee on Predictive Genetic Technologies and on the e-Laws project for the Ministry of the Attorney General, Office of the Legislative Counsel (OLC) in Ontario, and was co-investigatory on a policy research report for the federal government on the implications for women and children of recognizing foreign polygamous marriages in Canada funded by the Status of Women Canada and the Department of Justice. She has served briefly as a legislative drafter and is called to the Bar of Ontario.

Abstract:

‘Indigenous Women’s Traditional Knowledge Rights in Canada’

The Convention on Biological Diversity (CBD) characterizes plant genetic resources as state property; it also imposes a duty to “respect, preserve, and maintain” Indigenous traditional knowledge, innovations, and practices “relevant for the conservation and sustainable use of biological diversity.” The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits was adopted in 2010 and provides a scheme to advance the third objective of the CBD for access and benefit sharing. Who has the authority within these regimes to provide access, secure benefits, and set out the conditions for mutually agreed to terms? What are the safeguards for ensuring the representation and inclusion of women in community decision-making, and their equitable share of benefits? Though both international agreements address traditional knowledge, whether to value TK and PGRs through legal (proprietary) protection remains a contested area within national intellectual property, and international trade and human rights discourses. Within these debates, the role of women and the need for gender-based analysis (GBA) of legal norms and public policies as they pertain to Indigenous women’s traditional knowledge rights has not attracted the attention it demands. An intersectional lens will bring our values into focus when discussing Indigenous women’s traditional knowledge rights by highlighting the relevance of gender, and reinforces the need long identified by the Native Women’s Association of Canada for “culturally sensitive gender based analysis” in consultation and its mechanisms. It also alerts us to the greater safeguards needed against the perpetuation and entrenchment of gendered violence that hierarchies of power (and property) continue to exert on women as labourers and knowledge producers; hierarchies attendant on the classification of group identity along a single factor of indigeneity, and so transplanted into Indigenous women’s political lives and communities by the very mechanisms that demand “consultation” for reparation and remedy.

Critical questions remain: Consultation with whom? Consultation on what? This paper will consider the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) requirement of “free, prior, and informed consent”, and the constitutionalized duty of the state to consult in relation to natural resources and land use affecting indigenous communities recognized by the Supreme Court of Canada to argue that the Convention on the Elimination of All Forms of Discrimination Against Women, and the Beijing Platform for Action (adopted in 1995), demand that the constitutionalized duty to consult formally include Indigenous women. Independent of any other claim for gender equality that the Constitution may give rise to, section 35 of the Canadian Constitution demands GBA to be carried out on how to give effect to this duty, any proposals arising thereunder, and any consent requirements to be met, in a manner that reflects such consultation and agreement as meaningful, representative, and constitutive of gender equality.

**Kuukuwa Andam**



Bio:

Kuukuwa Andam is a lawyer, human rights activist and avid blogger. She is admitted to the legal profession in Ghana and she holds an LL.M degree from Cornell University, as well as an LL.B from Kwame Nkrumah University of Science and Technology. Kuukuwa has had a diverse professional experience, which has included clerking with the Chief Justice of Ghana (the head of Ghana’s Judiciary), working as a Public Defender at the Government of Ghana’s Legal Aid Agency, and providing legal advice to indigent persons through Bay Area Legal Aid in San Francisco, USA. She is a director on the board of Center for Popular Education and Human Rights Ghana (CEPHERG), a human rights organization which conducts advocacy behalf of Ghanaian sexual minorities. Enrolled in the Ph.D. program at the Faculty of Law, Queen's University (abd), her current research focuses on the rights of female sexual minorities (including lesbians, bisexual women, and transwomen) in Ghana. In this regard, she examines the extent to which Ghanaian law criminalizes sexual minorities, as well as the human rights abuses that female sexual minorities encounter.

Abstract:

‘Giving the Chicken Water: Eradicating Mob Attacks of Women in Ghana’

The feminist movement in Ghana has made several impressive strides toward equality. Evidence of this can be found in diverse aspects of the Ghanaian society. An increase in female education, Supreme Court rulings solidifying the property rights of women, the launching of a Women’s manifesto, and the visibility of women in key leadership positions are all tangible markers of the progress that has been made in Ghana so far as women’s rights are concerned.

Nevertheless, mob attacks against women, particularly vulnerable women, are common occurrences. Women accused of being lesbians, women who are intersex, women accused of witchcraft and women accused of stealing are a few of the vulnerable groups of women who have been subjected to sexual and physical assaults by mobs sometimes leading to death. In recent times, these mob actions have sometimes been recorded with video cameras. However, despite abundance of such evidence of illegal mob actions, they are rarely prosecuted by the police and when they are prosecuted, no one is convicted.

This presentation will examine the factors driving these mob actions and consider possible solutions to eradicating them. It will consider legal strategies as well as ancient Ghanaian customs relating to natural justice, which can be used to address this issue. One such custom demands that chicken be allowed to drink water before they are slaughtered. This ritual is said to have originated from a traditional belief in Ghana akin to the audi alteram partem rule- a belief in treating persons suspected of a crime humanely and giving them the opportunity to defend themselves.

**Vallie Stearns Anderson**



Bio:

Vallie Stearns Anderson worked for a dozen or so years in the women’s movement against male violence, starting as a Women’s Studies student, then as a crisis line volunteer, and later as a Community Liaison Worker to reduce barriers to women’s sexual abuse support services created by racialized, ableist, and heterocentric oppression. This was followed by work in the women’s shelter movement in Ottawa as a front-line worker, where she got her first introduction to pay equity legislation from a worker’s perspective. After completing her LLB, Vallie transitioned into the labour movement. She has worked for the past dozen years as a CUPE representative in the Maritimes Region, and most recently in a research position. Women’s rights has remained a central motivator in her work as well as related intersecting equity issues, which led her to volunteer in the community with the Coalition for Pay Equity to achieve pay equity legislation in New Brunswick. She currently lives in Sackville, NB with her husband and two cats.

Abstract:

‘Fits and Starts: The Journey toward Pay Equity for the Caregiving Sector in New Brunswick‘

After eight years of struggle for women activists, The NB Pay Equity Act, 2009, was a tremendous achievement for workers in the public sector. Eight years later, and the first pay equity adjustments are beginning to roll out for certain workers, such as educational assistants and court stenographers, with many more groups still waiting in the wings. However, the PEA 2009 only covers the public sector, which is limited to schools, hospitals, the civil service and crown corporations Significant portions of the caregiving sector such as child care, nursing homes, special care homes, group homes, transition houses, home support lie in the private sector where women make up 90-95% of the work force and where wages are slightly above the minimum wage. Extra-legal measures were adopted by the province for four of these groups with crippling results due to methodological flaws and lack of political will. This presentation explores the strengths and limitations of both the PEA 2009 and the “voluntary measures” adopted by the provincial government to date as it affects the caregiving sector.

**Beth Atcheson**



Bio:

Beth Atcheson has championed women’s equality rights throughout her career. With the Ontario Committee on the Status of Women, she helped implement the recommendations of the Royal Commission on the Status of Women (RCSW). She coauthored the study *Women and Legal Action*, which led to the formation of the Women's Legal Education and Action Fund Foundation (LEAF), where she served as the organization's founding Vice-Chair and, later, as Chair. She was a key organizer of the Charter of Rights Educational Fund, the National Symposium on Equality Rights, and the women's response to the November 1981 Constitutional Accord; she is co-founder of [*www.section15.ca*](http://www.section15.ca) and the Feminist History Society, and professionally, has been at the leading edge of the effort to implement gender-based analysis and gender budgeting in Canada. In 2014, she received the Governor General’s Award in Commemoration of the Persons Case in recognition of the significance of her many contributions to gender equality.

Abstract:

‘GBA for Canada – Time for this to Happen, and Here is How – Q&A with Senator Nancy Ruth’

Ever since Canada agreed to the Beijing Platform for Action in in 1995, women equality advocates have sought to convince governments in Canada to take meaningful steps to implement gender mainstreaming though gender-based analysis and gender budgeting. This session is devoted to overviewing the preparatory work that has gone on over the last two decades in Canada as the speakers worked at all levels of government, with diverse equality advocacy and litigation groups, and with parliamentary groups in Canada and around the world, to define, implement, and obtain audits of gender impact analysis. This paper outlines the foundation of the work done to date and how the pathway to the now imminent implementation of gender-based analysis in federal laws and budgets also informs the critical and advocacy work that now needs to be done by civil society, academics, lawyers, and elected representatives to catch up with the many countries that are already carrying on gender mainstreaming as an essential strategy for securing sex equality.

**Beverley Baines**



Bio:

Bev Baines is a Professor in the Faculty of Law, Queen’s University, where she teaches Public Law, Constitutional Law, and Equality Rights and the Charter. She coedited two collections on gender and constitutional law: *The Gender of Constitutional Jurisprudence,* with Ruth Rubio-Marin (CUP, 2005), and *Feminist Constitutionalism: Global Perspectives,* with Daphne Barak-Erez and Tsvi Kahana (CUP, 2012). Her scholarship on equality rights helped shape the current provisions of section 15 of the Charter of Rights, and her critical commentaries on contemporary issues have helped expand awareness of the depth and range of feminist issues.

Abstract:

‘A Gender-based Analysis of Canada’s Constitution’

Is there any reason to immunize constitutions, and more specifically the Canadian Constitution, from gender based analysis (Lahey, 2010)? Finding none, I propose to adopt as an ordering device a feminist constitutional agenda (Baines & Rubio-Marin, 2005) to facilitate applying a gender based analysis to the Canadian Constitution. At a minimum, a feminist constitutional agenda addresses the position of women with respect to: (i) constitutional agency; (ii) constitutional rights; (iii) constitutionally structured diversity; (iv) constitutional equality; and gives special attention to (v) women’s reproductive rights and sexual autonomy; (vi) women’s rights within the family; and (vii) women’s socioeconomic development and democratic rights. My objective is to compare the results of a gender-based analysis of these seven themes as they manifest in Canada’s Constitution with selected illustrations of best practices globally. I conclude as I began, with a question: do we also need a gender based analysis of strategies to change constitutions, particularly Canada’s Constitution?

**Angela Cameron**



Bio:

Angela Cameron is Associate Professor at the Faculty of Law, University of Ottawa, and currently holds the Greenberg Chair in women and the legal profession. She is the Chair of the Steering Committee of FAFIA, and a member of the board of Canadian Association of Law Teachers and the Canadian Journal of Women and the Law. Her research is on social justice generally with a special focus on women's equality interests.

Abstract:

‘CEDAW Treaty Engagement and Domestic Implementation (presented with Lara Koerner Yeo)

In October 2016, Canada was reviewed by the United Nations Committee on the Elimination of Discrimination against Women. The Committee monitors state parties' compliance with the Convention on the Elimination of All Forms of Discrimination against Women; this includes issuing Concluding Observations that track gaps in state parties' implementation of the Convention in domestic law and policy. The Canadian Feminist Alliance for International Action (FAFIA) participated in all stages of Canada's 2016 review by the Committee. FAFIA has since launched the Step Up for Women's Equality campaign as a public platform to work toward the domestic implementation of the Committee's 2016 Concluding Observations of Canada. Our discussion will briefly highlight the treaty review process, key Concluding Observations, and our current strategies to effectively implement the Concluding Observations.

**Farah Chowdhury**



Bio:

Farah Deeba Chowdhury is a Scholar in Residence at the Global Labour Research Centre, York University. She has served as an Associate Professor in the Department of Political Science at the University of Rajshahi, Bangladesh, and has also held a SSHRC Postdoctoral Fellowship in the Department of Gender Studies at Queen’s University. She specializes in the areas of Islam, gender, and law; gender and work; gender and politics; and gender and development. She received her Ph.D. in 2012 from Osgoode Hall Law School, York University. Her doctoral dissertation is a study of the interrelationship between law, culture, patriarchy, and religion in the context of contemporary Bangladesh. A revised version of her dissertation has been published in 2017 by Routledge in their ICLARS Series on Law and Religion. Titled *Islam and Women’s Income: Dowry and Law* in Bangladesh, the book takes a socio-legal approach to analyze the changing nature of the dowry practice and its relation to women’s increasing paid labour force activity. Farah’s work has appeared in the International Journal of Law, Policy and the Family; African and Asian Studies; The Round Table: The Commonwealth Journal of International Affairs; Asian Journal of Social Science; and International Journal of Social Welfare. Currently, she is focused on conducting research on globalization and its impact on women workers in both the Canadian and Bangladeshi garment industries.

Abstract:

‘Islam, Gender Equality, and Dowry in Bangladesh’

Dowry refers to ‘the transmission of large sums of money, jewelry, cash and other goods from the bride’s family to the groom’s family’ and in Bangladesh the dowry system increases the vulnerability of girls and women, turning them into liabilities for their families. It indicates the superiority of the man and is a way to establish patriarchal norms of superiority within families and the larger society. Formally, Bangladeshi law has abolished the practice of dowry. However, despite the anti-dowry legislation, dowry-related violence has been increasing in Bangladesh. It has continued and shifted as a result of women’s increasing paid labour force activities. The general perception in Bangladesh is that women’s power increases when they earn money. In reality, however, many Bangladeshi women cannot control their own income and in most cases husbands or in-laws control and appropriate women’s income. Husbands consider their wives’ income a source of their own wealth accumulation. I argue that wives’ income, whether appropriated or controlled, should be considered dowry and therefore the practice of appropriating or controlling it should be a criminal offence, because of the presence of Islamic dower and maintenance laws in Bangladesh. I use an Islamic approach to equality between men and women in addressing and analyzing this issue.

**Kerri Froc**



Bio:

Kerri A. Froc is an Adjunct Research Professor and Postdoctoral Fellow at Carleton University, as well as a Trudeau and Vanier Scholar. The focus of her postdoctoral research is the history and philosophical underpinnings of the right to equality under section 15 of the Canadian Charter of Rights and Freedoms. She is also writing a book, arising out of her doctoral research, on gender equality and reviving Canada’s “equal rights amendment,” Charter section 28. She will join the University of New Brunswick Faculty of Law as Assistant Professor in July 2017.

Dr. Froc received her Ph.D. from Queen’s University (2016), her Master of Laws from the University of Ottawa (2009); her Bachelor of Laws from Osgoode Hall Law School, York University (1996); and her Bachelor of Arts from the University of Regina (1993, with distinction). Her research has appeared in publications such as the Canadian Bar Review, the Review of Constitutional Studies, the Canadian Journal of Parliamentary and Political Law, and in the anthologies Feminist Constitutionalism and Advancing Social Rights in Canada. Her research interests include theories of constitutional interpretation (including originalism), access to justice, reproductive rights, rights of political representation, and complex rights violations experienced by working women, poor women and racialized and Indigenous women.

Before completing her Ph.D., Dr. Froc spent 18 years as a lawyer, first as a civil litigator in Regina, Saskatchewan; as a staff lawyer for the Women’s Legal Education and Action Fund (LEAF); and then as a staff lawyer in the areas of law reform and equality at the Canadian Bar Association (CBA). She is a member of the bars of Ontario (2005) and Saskatchewan (1997).

Abstract:

‘Taxation of Licensed Day Cares in Regina: Gender-based Analysis in Practice’ (with Colleen Schmidt)

Saskatchewan ranks last in Canada for the number of per capita licensed child care spaces, with obvious, negative consequences for gender equality in this province. In 2015, the City of Regina reassessed licensed, non-profit child care centres operating out of former houses in Regina as commercial properties under municipal taxation legislation, meaning that their annual tax assessment will nearly double and may cause the closure of some of these centres. At the same time, the City has interpreted the legislation to permit licensed child care centres in schools to operate on a tax-exempt basis. The in-house child care centres are challenging their assessment through the Saskatchewan courts on the basis that it created an “inequity” and therefore conflicts with s. 165(3) of the Cities Act. They argue for a contextualized understanding of equity that considers fair treatment in relation to similar properties, as well as the social implications of unjust taxation. The City argues that “equity” is simply a matter of mathematical calculation based on the individual property’s assessed value. In tandem with their action before the courts, in-house child care centres have also advocated for legislative and policy changes so that all centres are tax exempt; however, each level of government blames the other for the current taxation situation.

To what extent can a gender based analysis encourage a principled and generous interpretation of “equity” in municipal taxation legislation, as well as assist in advocacy for the amendment of municipal tax legislation and policy concerning child care centres? In our presentation, we will outline the social context of child care in Saskatchewan and in Canada in relation to women’s equality, the political context surrounding municipal taxation of child care (including the lead presenter’s experience in attempting to achieve a political resolution in Saskatchewan), the legal arguments in the case currently before the Saskatchewan Court of Appeal (application for leave to appeal from the Saskatchewan Municipal Board pending), and the use of gender equality as a Charter value in statutory interpretation. The presentation will be in an interactive format, designed to obtain feedback from participants that will inform future legal arguments and political advocacy in the case. Prior to the conference, we will provide a brief paper that will provide the background context and legal argument in the case.

**Jessica Gosselin**



Bio:

Jessica Gosselin is about to undertake doctoral studies in law at McGill University in Montreal. She works on the implementation of the right to equality and is concerned by the systemic reproduction of discrimination through governance processes. She holds the first and master’s law degrees from Université Laval (LL.B. and LL.M.). Her L.L.M. thesis focuses on gender mainstreaming and the Quebec Great North Plan. She has also held several positions in women's rights advocacy organizations.

Abstract:

‘Gender Mainstreaming and the Quebec Great North Development Project’

The Québec “Great North” Plan, which is designed to develop the economic, environmental, and human potential of Québec’s northern territory, has been the object of wide media coverage since it was launched in 2008. However, its impact on gender equality has been addressed only in a very superficial way. The provincial government did not examine the gender impact of this project as it was being developed, and has not yet carried out gender-based analysis (GBA) of how it might affect women as compared with men. This omission does not respect legal obligations to undertake GBA of all laws, policies, and practices as they are being considered. This chapter examines the nature of these legal obligations and their breach, challenges the Québec Provincial Government’s legal position toward gender equality in the creation and evaluation of the Plan, and concludes that as a crucial mechanism for the attainment of sex equality, GBA should be constitutionally mandated.

**Olena Hankivsky**



Bio:

Dr. Olena Hankivsky (Professor, Public Policy, Simon Fraser University) specializes in public policy and political theory and has a particular interest in gender, intersectionality, and social and health policy. She is the Founder and Director of the Institute for Intersectionality Research and Policy at Simon Fraser University in Vancouver Canada. From 2009-2014, Dr. Hankivsky held a Research Chair in New Perspectives in Gender and Health funded by the Canadian Institutes of Health Research and a Senior Scholar Career Award in Population Health by the Michael Smith Foundation for Health Research. She has held visiting professor positions at both Columbia University and London School of Hygiene and Tropical Medicine. Most recently (2015), she established the first public health school in Ukraine – The Lviv School of Public Health, and has been appointed its first Director. She is an internationally recognized expert in gender mainstreaming and intersectionality-based analysis. Among her numerous publications are *Women’s Health in Canada: Critical Perspective on Theory and Policy* (University of Toronto Press, 2007; 2nd edition forthcoming 2017), *Health Inequities in Canada: Intersectional Frameworks and Practices* (University of British Columbia Press, 2011) and Gender, Politics and Society in Ukraine (University of Toronto Press, 2012), and *Intersectionality Based Policy Analysis* (Institute for Intersectionality Research and Policy 2012). She is currently completing an edited volume with Julia Jordan-Zachery (Providence College) on intersectionality and public policy.

Abstract:

‘Advancing Equity in Canadian Public Policy: Taking Stock of GBA+’ (with Linda Mussell)

In the last decade, much debate has occurred at the international level regarding the innovation of Gender Mainstreaming (GM), its efficacy, and future utility (Bacchi and Eveline 2009; Crespi 2009; Hankivsky 2013; Kantola 2010; Walby 2011; Zalewski 2010). Similar discussions have taken place in Canada where GM has predominantly been operationalized in the form of Gender-Based Analysis (GBA). In all jurisdictions, including Canada, there is a push to learn from early GM efforts and a renewed focus on creating mainstreaming strategies that are more responsive to the needs of differently situated individuals and diverse groups of women and men. This presentation examines and takes stock of a second generation of mainstreaming approaches (Gender Based Analysis Plus, or GBA+) to advance equity in the context of public policy in Canada. It seeks to analyze the rationale and processes for the development of the second generation mainstreaming, assess the strengths and limitations of gender (and equalities) mainstreaming in the context of Canada, and constructively critique contemporary approaches to gendered policy development. Informing this discussion is a review of the literature on this topic in Canada, and thematic analysis of interviews with forty-four experts in Canadian government, academia, and the voluntary sector. Key emergent themes from analysis include success stories in the Canadian context, the integration of intersectional principles in gendered work, and strategies to overcome resistance to gendered innovations in government. This research is the newest addition to a larger comparative project examining GM strategies in the UK, Sweden, and Canada.

**Emanuela Heyninck**



Bio:

Emanuela Heyninck is currently serving her third term as head of the Pay Equity Commission for Ontario, an independent agency of the Ministry of Labour. The Commission enforces the Ontario Pay Equity Act, which aims to redress systemic gender compensation issues. In addition to its enforcement and education mandate, the Commission has the authority to research and make recommendations to the Minister of Labour on issues related to pay equity, gender wage gaps and women and work. In April of 2015, Ms. Heyninck was one of four individuals appointed by the government to the Gender Wage Gap Strategy Steering Committee. The Committee conducted research and held public consultations to seek solutions to close the gender wage gap in Ontario. The Committee’s recommendations were submitted to the Minister of Labour in May of 2016. Since 2010, Ms. Heyninck has also served as a part-time adjudicator for the Health Professions and Health Services Appeal and Review Boards. HPARB reviews decisions of the complaints committees of the various regulated health professions. HSARB hears appeals from decisions made by OHIP regarding health insurance coverage.

Ms. Heyninck is immediate Past President of the Society of Adjudicators and Regulators and has served on several of SOAR’s committees and on the Board of Director and Executive. She is a member of several Advisory Councils, including Conestoga College and the University of Western Ontario Student Law Clinic and is a mentor at Brescia College. She holds an Hon. B.A. in Italian and French from McMaster University and a Bachelor of Laws from the University of Windsor. Before her appointment she practiced civil, family and administrative law in London, Ontario for 25 years. Her past community involvement has included several terms on the Executives of the London Chamber of Commerce, the London Business and Professional Women’s Club, the Middlesex Family Lawyers Association, the Middlesex as well as the Ontario Collaborative Law Group, Hospice of London, and Investing in Children.

Abstract:

‘The Proxy Comparison Method: Ontario’s Experience in Valuing the Care Sector’

This paper outlines the gender roles, traditions, and social norms that produce the gender wage gap in contemporary Ontario, the basic structure and nature of pay equity laws, and the specific gender-based methods used to carry out male/female job comparisons: the job to job or direct method; the proportional or indirect method, and the proxy or borrowed data method. Using case studies from Ontario, she examines the challenges in achieving pay equity in relation to the care sector, and how gender-based analysis can be used to improve these methods in this area of growing concern.

**Stéfanie von Hlatky**



Bio:

Stéfanie von Hlatky is an Assistant Professor, Politicial Studies, Queen’s University, and Director of the Queen’s Centre for International and Defence Policy (CIDP). She received her Ph.D. in Political Science from the Université de Montréal in 2010, where she was also Executive Director for the Centre for International Peace and Security Studies. She has held positions at Georgetown University’s Center for Peace and Security Studies, the Woodrow Wilson International Center for Scholars, Dartmouth College’s Dickey Center for International Understanding, the Centre for Security Studies at ETH Zurich, and was a Fulbright Visiting Research Chair at the University of Southern California’s Centre for Public Diplomacy. She has published in the Canadian Journal of Political Science, the Canadian Foreign Policy Journal, International Journal, European Security, Asian Security, as well as the Journal of Transatlantic Studies and has a book with Oxford University Press entitled American Allies in Times of War: The Great Asymmetry (2013). She has also published two edited volumes: *The Future of US Extended Deterrence* (coedited with Andreas Wenger, Georgetown University Press, 2015), and *Going to War? Trends in Military Interventions* (coedited with H. Christian Breede, McGill-Queen’s University Press, 2016). Dr. von Hlatky is the founder of Women in International Security-Canada and current Chair of the Board. She also serves on the Senate of the Princess of Wales’ Own Regiment. She has received grants and awards from NATO, the Canadian Department of National Defence, the Social Sciences and Humanities Research Council of Canada, Public Safety, the Government of Ontario’s Ministry of Research and Innovation, and Fulbright Canada. She was recently featured in the Queen’s Gazette, which provides an overview of her research <http://www.queensu.ca/gazette/stories/leading-voice-gender-training>.

Abstract:

‘Gender Mainstreaming in the Military and NATO’

Militaries around the world are undergoing profound transformations, challenged by changes such as the repeal of Don’t Ask Don’t Tell in the United States or Norway’s universal military service. In today’s democracies, the fighting force is diversifying. In this presentation, it is argued that the military’s organizational culture is conforming to civilian expectations of gender equality because outside actors, primarily courts, governments, and international organizations, did not expect armed forces to change from within. For example, benchmarking through multinational bodies such as NATO and the United Nations have encouraged greater oversight and review of their member states’ militaries when it comes to integrating women and members of the LGBTQ community. As the debate evolves on why and how gender is relevant throughout the military career, more evidence-based research is needed to understand assumptions and practices within the profession of arms. This project thus tests long-held beliefs about physical strength, military effectiveness, and gender relations in the armed forces by sifting through evidence across fields and drawing comparisons between the civilian and military worlds, from NATO to national armed forces.

**Lara Koerner Yeo**



Bio:

Lara Koerner Yeo is a Steering Committee member of FAFIA, where she was deeply involved in preparing FAFIA’s submissions to the United Nations CEDAW in relation to its periodic reports of Canada’s progress in complying with the CEDAW. She is in her final year of law school at the University of Toronto Faculty of Law, where she cochairs the Feminist Law Students' Association and the Aboriginal Law Club, is a member of the Indigenous Law Journal Senior Editorial Board, and a recipient of the Dean's Leadership Award. Lara has a bachelor's with honours in political science and a master's with honours in international human rights law. She has worked with human rights organizations in Canada and the United States, including Justice for Girls, Human Rights Watch, and West Coast LEAF.

Abstract:

‘CEDAW Treaty Engagement and Domestic Implementation (with Angela Cameron)

In October 2016, Canada was reviewed by the United Nations Committee on the Elimination of Discrimination against Women. The Committee monitors state parties' compliance with the Convention on the Elimination of All Forms of Discrimination against Women; this includes issuing Concluding Observations that track gaps in state parties' implementation of the Convention in domestic law and policy. The Canadian Feminist Alliance for International Action (FAFIA) participated in all stages of Canada's 2016 review by the Committee. FAFIA has since launched the Step Up for Women's Equality campaign as a public platform to work towards the domestic implementation of the Committee's 2016 Concluding Observations of Canada. Our discussion will briefly highlight the treaty review process, key Concluding Observations, and our current strategies to effectively implement the Concluding Observations.

**Rachel Kohut**



Bio:

A third-year law at McGill University, Rachel Kohut previously completed a Masters in Public Health at Memorial University, where she honed her interest in sexual, reproductive, and maternal health governance and policy, particularly in remote, rural, and northern communities. She has held positions with the Canadian HIV/AIDS Legal Network, the HIV, Health, and Development Team of the United Nations Development Program (Istanbul Regional Hub), the Public Health Agency of Canada, the International Development Research Centre, the Assembly of First Nations, and the Carleton Centre for Community Innovation. Rachel is currently doing research on the right to adequate housing and a healthy environment in Nunatsiavut with Jill Baumgartner, Mylène Riva, and Scott Weichenthal at the McGill Institute for Health and Social Policy. She also leads the now coast to coast to coast #LawNeedsFeminismBecause initiative. She is looking forward to spending her last semester of law school at the University of Melbourne this fall, and continuing pursuing work in sexual and reproductive health law and policy upon graduation from law school in January 2018.

Abstract:

‘Gender-Based Analysis: Why is it not so evident in Maternal Health Care Policy?’

In drafting a paper on maternal health policy in northern Canadian communities, it might seem obvious that it should be written in an interdisciplinary manner—incorporating not just the perspectives of different disciplines, but also the array of people involved in such decision-making. How can we not analyze such policies without attempting to prioritize the vantage point of the women, families and communities they touch?

The crux of my paper was that neoliberal policies that centralized health care services did not consider how this adversely impacted women and their families. In turn, I argued that even if these policies were put forward to save money by flying women out of their communities to give birth, midwifery offered up an even more interesting solution for maternal health care in these communities. Relying on midwifery to provide maternal health care in remote and northern communities has the potential to be less taxing than flying out women, and not just financially—socially and culturally as well. Midwifery can provide care that is more mindful of the woman giving birth and the surrounding community, however small or remote, while also providing more comprehensive pre- and post-natal care that is culturally attune.

Rather than viewing birth as another item in a healthcare budget line, it is crucial to view the issue more holistically, as there might be opportunities right before us that provide a more comprehensive, creative and sustainable solution. If we can find the funds to support midwifery abroad, we should be more mindful that there are also regions in Canada that are equally in need of this monetary governmental support. It is crucial to underscore that it is not just funds that stand in the way for implementing such policies: legislation must not longer leave midwifery in a legal limbo in certain corners of our country. But for this shift to occur, we might have to begin with unpacking the cultural and societal perceptions of motherhood that continue to underpin Canadian maternal care policy.

**Dawn Lavell-Harvard**



Bio:

Dawn Lavell-Harvard is the President of the Ontario Native Women's Association, Director of the First Peoples House of Learning, Trent University, and the former President of the Native Women’s Association of Canada. She completed her Ph.D. in Education at University of Western Ontario, was a Trudeau scholar, mentored by Trudeau mentors Diom Romeo Saganash and Judith Maxwell, and has contributed significantly to research on Indigenous mothers. She is is coauthor of "Mothers of the Nations: Indigenous Mothering as Global Resistance, Reclaiming and Recovery," and coeditor of "Until Our Hearts Are on the Ground: Aboriginal Mothering, Oppression, Resistance and Rebirth." In 2016, she was bestowed an honourary Doctorate of Education this month by Nipissing University.

Abstract:

‘Root causes of Violence against Indigenous Women and Girls, and the CEDAW Inquiry's Response’

In 2015, the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) found as the result of a confidential inquiry under the Optional Protocol to the CEDAW Convention that Canada committed a ‘grave violation’ of the rights of Aboriginal women by failing to promptly and thoroughly investigate the high levels of violence they suffer, including disappearances and murders. In this Canada Inquiry report, the UN expert committee made 38 recommendations for action. This paper examines the root causes of the violence documented in this report, and the state of the government’s response to the Inquiry report.

**Yamini Mishra**



Bio:

Yamini Mishra is the Regional Gender Responsive Budgeting (GRB) Specialist for the Regional Office for Asia Pacific for UN Women. In her current role, she serves as a Policy Specialist, providing technical support on GRB to various stakeholders in Asia Pacific including member states, regional bodies, other UN Agencies, and civil society organizations. She has been invited by the Government of India to sit on policy committees, including the Feminist Economist Committee set up by the Planning Commission of India. Before joining UN Women, Yamini was the Executive Director, Centre for Budget and Governance Accountability (CBGA), Delhi, an organisation that does cutting edge work on governance issues using budget analysis as the entry point. Prior to this, Yamini worked with the Asia Pacific Forum on Women, Law, and Development in Chiangmai, Thailand, a regional women's rights network, which is where she began to develop the strong women's human rights framework that is visible in most of her written work. In her earlier years, she worked with the Ford Foundation and Oxfam (Great Britain) on issues of social justice. She has written and published extensively on gender equality and gender budgeting methods and issues in academic journals and the popular press.

Yamini is the 2017 Principal’s Development Fund Queen’s International Scholar, Queen’s University, sponsored by Feminist Legal Studies Queen’s and the Faculty of Law.

Abstract:

‘What does Feminism have to do with Budgets?’

Budgets lend themselves reluctantly to a feminist scrutiny. However, over the years, using budgets to promote gender equality has emerged as an important strategy. Widely known as Gender Responsive Budgeting (GRB), the approach has been endorsed by more than 100 countries globally, more than a quarter from the Asia-Pacific region alone. This presentation will focus on the basics of GRB, answering the ‘what, why, and how’ questions, and then maps the strategic intervention points for GRB on the budget making cycle, drawing from the rich journey and very diverse country experiments with GRB. Further, it asks the critical questions about how effective GRB has been as a strategy.

**Linda Mussell**



Bio:

Linda Mussell is a Ph.D. Student in the Department of Political Studies at Queen's University with specialisations in gender and Canadian politics. Her Master’s degree is in Public Policy from Simon Fraser University (2016) where she focused on social policy and justice system involvement. For her Master's thesis she examined the experiences of youth with incarcerated parents in British Columbia and policy options to offer improved support. Recent research projects she has worked on include gender and diversity mainstreaming policy (with Dr. Olena Hankivsky); gender pay equity (SFU Equity Advisory Committee); global care chains, gender, and health (WHO Gender Equity Rights Unit); regional governance and planning (Dr. Meg Holden and Professor Gord Price); and gender policy machineries (Government of Alberta). Her current research interests include gender and refugee/immigration policy, justice system involvement, critical theory, and resilience.

Abstract:

‘Advancing Equity in Canadian Public Policy: Taking Stock of GBA+’ (with Olena Hankivsky)

In the last decade, much debate has occurred at the international level regarding the innovation of Gender Mainstreaming (GM), its efficacy, and future utility (Bacchi and Eveline 2009; Crespi 2009; Hankivsky 2013; Kantola 2010; Walby 2011; Zalewski 2010). Similar discussions have taken place in Canada where GM has predominantly been operationalized in the form of Gender-Based Analysis (GBA). In all jurisdictions, including Canada, there is a push to learn from early GM efforts and a renewed focus on creating mainstreaming strategies that are more responsive to the needs of differently situated individuals and diverse groups of women and men. This presentation examines and takes stock of a second generation of mainstreaming approaches (Gender Based Analysis Plus, or GBA+) to advance equity in the context of public policy in Canada. It seeks to analyze the rationale and processes for the development of the second generation mainstreaming, assess the strengths and limitations of gender (and equalities) mainstreaming in the context of Canada, and constructively critique contemporary approaches to gendered policy development. Informing this discussion is a review of the literature on this topic in Canada, and thematic analysis of interviews with forty-four experts in Canadian government, academia, and the voluntary sector. Key emergent themes from analysis include success stories in the Canadian context, the integration of intersectional principles in gendered work, and strategies to overcome resistance to gendered innovations in government. This research is the newest addition to a larger comparative project examining GM strategies in the UK, Sweden, and Canada.

**Senator Nancy Ruth**



Bio:

The Honourable Nancy Ruth has long fought for women’s constitutional rights, and, in pursuit of that goal, has founded key women’s legal equality organizations in Canada, including the Women’s Legal Education and Action Fund (LEAF), the Canadian Women’s Foundation, the Women’s Future Fund, the Charter of Rights Coalition, and a women’s studies chair at Mount Saint Vincent University. She has won numerous prestigious national and international awards, including the South African Women for Women Friendship Award in 2004; the Government of Ontario’s Award for Outstanding Achievement in Human Rights in 1998; and Membership in the Order of Canada in 1994. She has also received several honorary doctorate degrees from esteemed institutions across Canada, and, in 2005, was appointed to the Senate in 2005. In this position, she has taken a leadership role in promoting understanding and support of gender-based analysis and gender mainstreaming, both nationally and internationally, and has worked tirelessly to achieve full implementation of Canada’s commitments to the Beijing Platform for Action since then.

Abstract:

‘GBA for Canada – Time to Make it Happen, and Here is How– Q&A with Senator Nancy Ruth’ (with Beth Atcheson)

Ever since Canada agreed to the Beijing Platform for Action in in 1995, women equality advocates have sought to convince governments in Canada to take meaningful steps to implement gender mainstreaming though gender-based analysis and gender budgeting. This session is devoted to overviewing the preparatory work that has gone on over the last two decades in Canada as the speakers worked at all levels of government, with diverse equality advocacy and litigation groups, and with parliamentary groups in Canada and around the world, to define, implement, and obtain audits of gender impact analysis. This paper outlines the foundation of the work done to date and how the pathway to the now imminent implementation of gender-based analysis in federal laws and budgets also informs the critical and advocacy work that now needs to be done by civil society, academics, lawyers, and elected representatives to catch up with the many countries that are already carrying on gender mainstreaming as an essential strategy for securing sex equality.

**Diana Sarosi**



Bio:

Diana Sarosi is a Women’s Rights Policy and Advocacy Specialist with Oxfam Canada focusing on women’s economic inequality. Previously, she worked with the Nobel Women’s Initiative as Manager of Policy and Advocacy. Diana also cofounded a human rights organization in Thailand dedicated to protecting human rights defenders and supporting families of disappeared and torture victims. She holds an MA in Conflict Resolution from the University of Bradford (UK) and a BA in Political Science from the University of Guelph.

Abstract:

‘The Role of Civil Society in Gender Budgeting’

Civil society has a critical role to play in gender budgeting. Most gender budgeting initiatives by government came about as a result of civil society pressure and engagement. Civil society, in particular women's organizations and feminist activists, provide valuable insight in terms of analysis, inclusion, intersectionality, and implementation. There have been several attempts in Canada to push for gender budgeting. Another one is taking place now. What can we learn from these experiences, and how can others get involved?

**Colleen Schmidt**



Bio:

Colleen Schmidt was born and raised in rural Saskatchewan, and received her B.A. in political science from the University of Regina and her LL.B from the Faculty of Law, University of Saskatchewan. After articling with the firm of Balfour Moss (now Miller Thompson) in Regina, she left practice to work in the non-profit sector. She returned to practice to fill the position of Saskatchewan Court Communications Officer, until leaving to become a full time stay at home parent. She acts as pro bono counsel and volunteers with a number of causes, including serving as the President of the Cathedral Area Cooperative Daycare and acting as their counsel in appealing its inequitable property tax situation, B.A., LL.B., is a member of the bar of Saskatchewan, and a Board member of the Cathedral Area Cooperative Daycare in Regina, Saskatchewan.

Abstract:

‘Taxation of Licensed Day Cares in Regina: Gender-based Analysis in Practice’ (with Kerri Froc)

Saskatchewan ranks last in Canada for the number of per capita licensed child care spaces, with obvious, negative consequences for gender equality in this province. In 2015, the City of Regina reassessed licensed, non-profit child care centres operating out of former houses in Regina as commercial properties under municipal taxation legislation, meaning that their annual tax assessment will nearly double and may cause the closure of some of these centres. At the same time, the City has interpreted the legislation to permit licensed child care centres in schools to operate on a tax-exempt basis. The in-house child care centres are challenging their assessment through the Saskatchewan courts on the basis that it created an “inequity” and therefore conflicts with s. 165(3) of the Cities Act. They argue for a contextualized understanding of equity that considers fair treatment in relation to similar properties, as well as the social implications of unjust taxation. The City argues that “equity” is simply a matter of mathematical calculation based on the individual property’s assessed value. In tandem with their action before the courts, in-house child care centres have also advocated for legislative and policy changes so that all centres are tax exempt; however, each level of government blames the other for the current taxation situation.

To what extent can a gender based analysis encourage a principled and generous interpretation of “equity” in municipal taxation legislation, as well as assist in advocacy for the amendment of municipal tax legislation and policy concerning child care centres? In our presentation, we will outline the social context of child care in Saskatchewan and in Canada in relation to women’s equality, the political context surrounding municipal taxation of child care (including the lead presenter’s experience in attempting to achieve a political resolution in Saskatchewan), the legal arguments in the case currently before the Saskatchewan Court of Appeal (application for leave to appeal from the Saskatchewan Municipal Board pending), and the use of gender equality as a Charter value in statutory interpretation. The presentation will be in an interactive format, designed to obtain feedback from participants that will inform future legal arguments and political advocacy in the case. Prior to the conference, we will provide a brief paper that will provide the background context and legal argument in the case.