

on the inadequate protection and realization of economic and social rights and its proposal for the inclusion of those rights in human rights legislation; and the high percentage of women attending university and their increasing access to the liberal professions traditionally dominated by men.

In terms of factors hindering implementation of the Covenant, the Committee referred to: cuts in social spending since 1994 as part of the effort to remedy budget deficits, and the adverse consequences of these cuts on the realization of economic, social and cultural rights; the complexities inherent in the federal system, and the fact that unless a right under the Covenant is implicitly or explicitly protected by the Charter through federal-provincial agreements, or incorporated directly into provincial law, there is no legal redress available in cases where provinces have failed to implement the Covenant; and the absence of an official poverty line.

The principal subjects of concern identified by the Committee included, *inter alia*: information indicating that provincial courts have routinely opted for an interpretation which excludes protection of the right to an adequate standard of living and other Covenant rights; the inadequate legal protection of women's rights, such as the absence of laws requiring employers to pay equal remuneration for work of equal value in some provinces and territories, restricted access to civil legal aid, inadequate protection from gender discrimination, and the inadequate enforcement of those human rights laws; the lack of progress in the alleviation of social and economic deprivation among Aboriginal peoples; the direct connection between Aboriginal economic marginalization and the ongoing dispossession of Aboriginal peoples from their lands; the failure of the government(s) to implement fully the recommendations of the RCAP; the adverse consequence for disadvantaged groups from the replacement of the Canada Assistance Plan (CAP) by the Canada Health and Social Transfer (CHST); the newly-introduced successive restrictions to unemployment insurance benefits resulting in a dramatic drop in the proportion of unemployed workers receiving benefits; cuts in social assistance in some provinces causing increases in already high levels of homelessness and hunger; the repeal of CAP, resulting in cuts to social assistance rates, social services and programmes that have had a particularly harsh impact on women, in particular single mothers; and insufficient action to address the problem of homelessness and inadequate housing, noting that the mayors of the ten largest cities have declared homelessness a national disaster.

Concern was also raised with regard to: the significant reductions in provincial social assistance programmes, the unavailability of affordable and appropriate housing and widespread discrimination with respect to housing which create obstacles to women escaping domestic violence; the fact that Aboriginal women living on reserves do not realize the same rights as women living off reserves to an equal share of matrimonial property at the time of marriage breakdown; adoption by at least six

provinces of "workfare" programmes that either submit the right to social assistance to compulsory employment schemes or reduce the benefit of social assistance when recipients assert their right to choose freely what type of work they wish to do; adoption by the Ontario legislature of Bill 22, entitled "An Act to Prevent Unionization", which denies to workfare participants the rights to join a trade union, to bargain collectively and to strike; the minimum wage, which is not sufficient for a worker to have an adequate standard of living; information indicating that the number of foodbanks has almost doubled between 1989 and 1997; significant cuts to services on which people with disabilities rely; inadequacies in programmes for people who have been discharged from psychiatric institutions; the situation of thousands of "Convention refugees" who cannot be given permanent resident status for a number of reasons; the fact that 20 per cent of the adult population is functionally illiterate; loan programmes for post-secondary education which are not available to recognized refugees and asylum seekers; increases in tuition fees for university education and the significant increase in the average student debt on graduation.

The Committee recommended that the government(s), *inter alia*:

- ♦ consider re-establishing a national programme with designated cash transfers for social assistance and social services, specifying a legally enforceable right to adequate assistance for all persons in need, a right to freely chosen work, a right to appeal, and a right to move freely from one job to another;
- ♦ establish officially a poverty line and social assistance at levels which ensure the realization of an adequate standard of living for all;
- ♦ act urgently with respect to the recommendations of the RCAP and take concrete and urgent steps to ensure respect for Aboriginal economic, land and resource-based rights so as to achieve sustainable Aboriginal economies and cultures;
- ♦ amend the National Child Benefit Scheme so as to prohibit provinces from deducting the benefit from social assistance entitlements;
- ♦ reform the Employment Insurance Programme so as to provide adequate coverage for all unemployed workers, in a benefit amount and for a duration of time, which fully implements their right to social security;
- ♦ address homelessness and inadequate housing as a national emergency; reinstate or increase social housing programmes for those in need; improve and properly enforce anti-discrimination legislation in housing; provide adequate support services for persons with disabilities; implement a national strategy for the reduction of homelessness and poverty;
- ♦ develop and expand programmes to address the financial obstacles to post-secondary education for