



Canada

International Religious Freedom Report 2005

Released by the Bureau of Democracy, Human Rights, and Labor

The Charter of Rights and Freedoms (1982) provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses with the Government ways to promote religious freedom and other human rights throughout the world.

Section I. Religious Demography

The country has an area of 3,855,101 square miles, and its population is approximately 33 million. While there is no state or dominant religion, an estimated 74.6 percent of the population belongs to Christian denominations or claims Christianity as its religion. Roman Catholics (43 percent of the population) constitute the largest denomination, followed by Protestant denominations (29 percent). United Church, Anglican, Presbyterian, Lutheran, Baptist, and Pentecostal are the largest Protestant groups. Approximately 1.1 percent of the population is Jewish. According to a 2001 government census, the Muslim population increased to 2 percent, double the number recorded 10 years ago. Other religious groups include Buddhists, Hindus, and Sikhs, each with approximately 1 percent of the population. Several other religions, such as Scientology, Baha'i, Shinto, Taoism, and aboriginal spirituality, each account for less than 1 percent. Sixteen percent claimed no religious affiliation, an increase from 12 percent in the 1996 census.

A 2002 poll on religious attitudes by the Pew Research Center found that approximately 21 percent of the population attends church on a weekly basis.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Charter of Rights and Freedoms provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

Religious groups are not required to register with the Government.

The Constitution and the Charter of Rights and Freedoms protect the rights or privileges possessed by denominational schools at the time of national union in 1867. In practice, this protection has meant that some provinces have funded and continue to fund Catholic school education, and some provinces (such as Quebec) have funded Protestant education.

In May 2005, the Quebec provincial government announced that it would eliminate religious instruction in schools in 2008, replacing Protestant and Catholic teaching with academic instruction on ethical, religious, and cultural matters.

In January 2005, the Quebec government briefly considered an initiative for funding private Jewish schools in the province but discontinued the proposal after strong negative reaction from the media and public. Although it was generally agreed that opposition to the proposal was not based on anti-Semitism, there were some isolated anti-Semitic statements attributed to persons who had opposed the proposal.

On June 11, 2005, the Ontario provincial government announced that it had indefinitely postponed a decision on whether an Islamic Court of Civil Justice could operate in the province. The proposed court, composed of religious scholars, would arbitrate civil cases in accordance with Shari'a. Private arbitration has been permitted in Ontario since 1991 by the Ontario Arbitration Act, and various religious groups have used private arbitration to resolve civil matters. The decision being considered by the Ontario provincial government was whether to bring the current system of private arbitration under the authority of the Ontario Family Law Act, which would give the provincial government greater oversight on these proceedings.

On May 26, 2005, the Quebec provincial legislature gave unanimous support to a motion blocking the use of Shari'a in Quebec. Some Muslim groups in Quebec stated they wanted the right to apply Shari'a to settle family disputes.

The Government has designated certain Christian holy days as national holidays: Good Friday, Easter Monday, and Christmas Day.

There is no official government council for interfaith dialogue, but the Government provides funding for individual ecumenical projects on a case-by-case basis.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

In April 2005, a court in British Columbia ordered a 14-year-old girl, who was a member of the Jehovah's Witnesses, to undergo a blood transfusion as part of her treatment for cancer, despite the girl's protest that her religious beliefs did not allow for blood transfusions.

Also in April 2005, lawyers for a 15-year-old Sikh student argued before the Supreme Court that the student's fidelity to the Sikh religion would be broken if the Government forced him to remove a ceremonial dagger concealed beneath his clothes at school. Prosecutors contended that the issue was not one of religious freedom, but rather school violence, and that the dagger could be used to harm other students. At the end of the period covered by this report, the Court had not issued a ruling.

The Alberta Human Rights Commission was considering two complaints of discrimination against homosexuals by the Catholic bishop of Calgary after he publicly declared his opposition to proposed same-sex marriage legislation by the federal Government. The bishop contended that his religious and free speech rights were violated, arguing that he was accused of human rights violations simply for espousing the teachings of his faith.

On June 15, 2005, the Quebec Human Rights Commission ruled that private schools in the province had the same obligation as public schools in the province to make reasonable accommodation for their students' religious beliefs. The decision was in response to a 2003 case, when a private school refused to allow a Muslim girl to wear her hijab (headscarf) at school. Public schools in Quebec had already been required to allow students to wear them.

In June 2004, the Supreme Court ruled on two cases brought by groups in Quebec who claimed that their right to freedom of religion had been restricted unduly by condominium contracts and municipal bylaws. In one case, the Court declared that a condominium association in Montreal could not bar a group of Orthodox Jewish families from constructing temporary sukkah huts on their balconies to celebrate the fall festival of Sukkot. In the second case, the Court ruled that a local municipality could not refuse to rezone land upon which a group of Jehovah's Witnesses wished to build a church hall.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom. However, tensions continued between some members of the Jewish and Islamic communities. The number of anti-Semitic incidents increased during the period covered by this report.

In June 2004, the Government released a pilot survey of hate crime incidents compiled from 12 major Canadian police forces.

The survey revealed that of 928 hate crime incidents during 2001 and 2002, religion was the second most common (43 percent) motivation for hate crime, after race or ethnicity (57 percent). Overall, Jews were the number one target of hate crimes, with 25 percent of the incidents, while Muslims ranked third, with 11 percent. The survey also found that 15 percent of all hate crimes during the 2001-02 period were associated by police with the events of September 11, 2001, with 30 percent of that subset involving actions directed against Muslims and 27 percent against Jews.

The B'nai Brith Canada League for Human Rights received 857 reports of anti-Semitic incidents in 2004, a 46.7 percent increase compared to 2003. Incidents were reported throughout the country, including for the first time in Nunavut territory. The highest number of reports came from Ontario Province (530 incidents, 405 of which took place in the Greater Toronto area), followed by Quebec Province (204 incidents, 187 of which took place in Montreal); the majority of Jews reside in these two provinces. B'nai Brith also reported significant increases in reports received in Alberta and in the Maritime Provinces, as well as in the cities of Winnipeg and Ottawa. The 857 reports included 457 cases of harassment, 369 cases of vandalism, 31 cases of violence, and 191 cases involving attacks on synagogues or Jewish homes. Jewish students reported 47 cases of anti-Semitic incidents that occurred on campus, including desecration of Jewish symbols, anti-Semitic graffiti, and intimidation of and physical assaults against Jewish students. The B'nai Brith League also noted a marked increase in the number of workers complaining that they were refused time off (whether paid or unpaid) to observe the religious requirements of the Jewish high holidays.

In March 2005, two teachers at an Islamic school in Ottawa were suspended for praising an essay written by a student about avenging the death of one of the founders of the Hamas militant movement. One teacher wrote positively about martyrdom and killing Israeli soldiers, and the other teacher helped with the artwork in the essay. An investigation by the Ontario Province Education Minister concluded that it was an isolated incident and did not reflect the curriculum at the school.

In February 2005, a young male pleaded guilty to the 2002 murder of an Orthodox Jew in Toronto and was sentenced to life imprisonment, without chance of parole for at least 15 years. Although he yelled anti-Semitic obscenities as he committed the murder, the police subsequently determined that the crime was not hate related.

In December 2004, a 19-year-old man pleaded guilty to arson in the April 2004 firebombing of the library of a Jewish elementary school in Montreal.

There were expressions of anti-Muslim sentiment, according to the Canadian chapter of the Council on American Islamic Relations (CAIR-CAN). In June 2005, the organization released a survey supporting its contention that Muslims were being subjected to questionable interrogation practices in national security interviews. CAIR-CAN alleged that young Arab males were being disproportionately targeted for security interviews by the Government and that security officials were using troubling tactics, including discouraging Muslims who were interviewed from having legal representation present.

In May 2005, two charges of promotion of hatred were made against a young male accused of spray-painting "Die Muslim Die" at Ryerson University in Toronto. The incident was one of many reported during the summer and fall of 2004 targeting Muslims, Arabs, and Jews at the school. In addition to the spray-painting incident, other incidents at the school included the distribution of pamphlets threatening the president of the Muslim association, the posting of notices on bulletin boards urging the public to "kill these Islamic infidels," and a letter placed under the door of the Arab and Muslim student offices that said, "Those who follow Islam need to be killed in the worst possible way imaginable."

Section IV. U.S. Government Policy

The U.S. Government discusses with the Government ways to promote religious freedom and other human rights throughout the world.

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