



Canada

International Religious Freedom Report 2007

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 respected this right in practice.

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

There were some reports of societal abuses or discrimination based on religious belief or practice, and prominent societal leaders took positive steps to promote religious freedom.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 3,855,101 square miles and a population of 33 million. According to a 2001 census, approximately 77.1 percent of the population belonged to Christian denominations or claimed Christianity as its religion. Roman Catholics (44 percent of the population) constituted the largest denomination, followed by Protestant denominations (29 percent). United Church, Anglican, Presbyterian, Lutheran, Baptist, and Pentecostal were the largest Protestant groups. The Muslim population stood at 2 percent, and approximately 1.1 percent of the population was Jewish. Other religious groups included 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 accounted for less than 1 percent. A total of 17 percent claimed no religious affiliation, an increase from 12 percent in the 1996 census.

Approximately two-thirds of the country's net population growth is due to immigration. Most of these immigrants were born in Asia and generally practice different religions than the majority native-born citizens. The majority of immigrants settle in urban areas.

An April 2006 Ipsos Reid Survey of Christian religious attitudes indicated that, while Christian beliefs had remained largely unchanged since 1996, fewer persons (17 percent) attended church on a weekly basis. A 2002 Pew Research Center poll on religious attitudes found that approximately 21 percent of the population attended 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 respected this right in practice. The Government at all levels sought to protect this right in full and did not tolerate its abuse, either by governmental or private actors.

The following Christian holy days are national holidays: Good Friday, Easter Monday, and Christmas Day.

Religious groups are not required to register with the Government. The Government grants tax-exempt status to religious institutions through the Charities Directorate of the tax authority, Revenue Canada. This status provides religious institutions with certain federal and provincial sales tax reductions, rebates, and exemptions, and it requires them to be nonpolitical, send donations only to approved overseas recipients, and undergo periodic audits. Through this same government-approved charitable status, clergy receive various federal benefits, including a clergy housing deduction under

the tax code and fast-tracking through the immigration system. Individual Canadians who donate to religious tax-exempt institutions receive a federal tax receipt entitling them to deductions for federal income tax purposes.

The Constitution and the Charter of Rights and Freedoms protect the rights or privileges possessed by religious minorities in their public, but denominational, schools at the time of national union in 1867. In practice this protection has meant that some provinces have funded Catholic school education, and some provinces (such as Quebec) have funded Protestant education but under the category of "public," not "private," education. Education falls under the purview of the provinces, not the Federal Government. As such, levels of direct funding and indirect tax benefits for all schools, public as well as private, religious and nonreligious, ranged across the country from 0 to 75 percent.

On November 2, 2005, the U.N. Human Rights Committee reiterated its 1999 ruling that called on the Federal Government to "adopt steps in order to eliminate discrimination on the basis of religion in the funding of schools in Ontario." The ruling, which resulted from a 1996 complaint filed under article 28 of the International Covenant on Civil and Political Rights on behalf of an Ontario Jewish parent who was sending his child to a Jewish private school, concluded that Ontario's policy of full and direct public funding for only Catholic but not other religious schools was discriminatory. While the issue of public funding for non-Catholic religious schools in Ontario has been the subject of domestic litigation since 1978, a 1996 Supreme Court ruling confirmed the constitutionality of funding for Catholic separate schools. Some school boards across Ontario have passed resolutions calling for the elimination of the public Catholic school system, but the provincial government has not officially reconsidered its dual system.

There was no official government council for interfaith dialogue, but the Government provided 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 2007 the Jehovah's Witness parents of sextuplets born prematurely in January filed suit against the British Columbia government for seizing their children in order to give them blood transfusions. The parents claimed the procedure violated their religious beliefs, while the Government claimed it was medically necessary. The parents, however, in turn claimed that their constitutional rights were violated when the Government authorized the transfusions. The surviving children were returned to their parents' custody after the procedure.

In April 2007 a Sikh law student and the Canadian Human Rights Commission reached a settlement with the national rail carrier that permits Sikhs to wear kirpans (ceremonial daggers) on trains. The student was twice prohibited in September and October 2005 from riding on national rail carrier trains with a kirpan. Railway company officials, responding to another passenger's complaint and referring to its baggage policy that bans weapons, required that the Sikh passenger disembark, enforcing a company policy that makes no exceptions for religious symbols. A spokesperson stated that under the new policy, kirpans may only be worn by Sikhs, cannot be visible to other passengers, and must be sheathed at all times.

In March 2007 Quebec election officials ruled that voters in the provincial elections would be required to show their faces to polling workers before casting votes. Some critics opposed the measure and threatened to wear masks to the polling places in protest. Muslim community leaders maintained that they never asked for special treatment for Muslim women who wear niqab (veils that cover a woman's entire face) in public and that women routinely show their faces as necessary and appropriate. An official from the Council on American-Islamic Relations Canada alleged that the controversy was indicative of a growing hostility toward Muslims in the province.

In 2006 the police concluded their investigation of the polygamous community of the Fundamentalist Church of Jesus Christ of Latter Day Saints (FLDS), as a result of allegations of child abuse and statutory rape. The report's findings, however, had not been released by the end of the reporting period. The FLDS openly practices polygamy, a criminal offense according to the criminal code. British Columbia attorneys have generally declared that the statute violates the Charter of Freedoms and is unenforceable as a restriction on the practice of religion. At the end of the period covered by this report, a complaint by former FLDS members alleging denial of human rights was pending before the British Columbia Human Rights Tribunal. The Government issued deportation orders for three foreign women, allegedly married to a former FLDS bishop, on the grounds of illegal extended residence in the country. The women alleged that the Government's refusal to grant residency based on their claimed marriage to a Canadian citizen constituted religious persecution. Citizenship and Immigration Canada denied their petition for humanitarian and compassionate parole, and the women filed appeals in court, still pending at the end of the reporting period.

There were no reports of religious prisoners or detainees in the country.

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.

Anti-Semitism

The B'nai Brith Canada League for Human Rights received 935 reports of anti-Semitic incidents in 2006, a 12.8 percent increase compared to 2005. The League noted that incidents had jumped more than four-fold since 1997. The highest number of reports came from Ontario Province (569 incidents, 445 of which took place in the Greater Toronto area), followed by Quebec Province (226 incidents, 215 of which took place in Montreal); approximately 80 percent of the Jewish population resided in these two provinces. A large spike in incidents occurred in July and August 2006 during the conflict between Hezbollah and Israel. The majority of synagogue attacks took place in Quebec and Manitoba. The 935 reports included 588 cases of harassment, 317 cases of vandalism, and 30 cases of violence. Of these, 167 cases involved attacks on synagogues, Jewish homes, or communal buildings. Jewish students reported 54 cases of anti-Semitic incidents that occurred on campus, and another 48 involved school settings. The B'nai Brith League also noted a continued increase in web-based hate, with 253 reports compared to 164 cases in 2005.

On June 29, 2007, for the third time in 3 months, a Jewish cemetery in Ottawa was desecrated. According to reports, grave markers were uprooted and demolished and the watering system rendered useless. In April 2007 grave markers were also knocked over and anti-Semitic graffiti was painted on a cemetery wall. Police alleged that the incidents were related.

In April 2007 Montreal authorities charged two men for arson, uttering death threats, and possessing arson materials in connection with two incidents against the Jewish community. In April and September 2006, the men exploded a small bomb in front of a Jewish Community Center and hurled a firebomb at the front door of an Orthodox Jewish School. No one was injured in either attack.

Also in April 2007 a synagogue in British Columbia was defaced with anti-Semitic graffiti on Holocaust Remembrance Day. The Royal Canadian Mounted Police and the British Columbia Hate Crimes Unit were investigating the attack as a hate crime.

In March 2007 a man wearing clothing and items representative of neo-Nazi and white supremacist groups was arrested after breaking a window at Toronto's Chabad Midtown Jewish Community Center. Authorities were treating the incident as a hate crime.

Section III. Societal Abuses and Discrimination

There were some reports of societal abuses or discrimination based on religious belief or practice and prominent societal leaders took positive steps to promote religious freedom.

The Toronto, Ontario Police Service 2006 Hate/Bias Crime Statistical Report counted 47 crimes based on religion, or 29 percent of the year's hate/bias crimes. The Jewish community comprises 4 percent of Toronto's population but was the target of 60 percent of the religious-based hate/bias crimes. Muslims comprise 7 percent of Toronto's population and were the target of 34 percent of the religious-based incidents. The Christian and Sikh communities were each the target of one crime.

On May 8, 2007, a man allegedly stabbed a young man at a mosque in Toronto because the victim refused to pray. The aggressor was charged with attempted murder.

In Quebec two separate incidents involving young girls wearing hijabs (headscarfs worn by Muslim women) at sporting events sparked a national outcry over the province's policy of reasonable accommodation. In April 2007 five Muslim girls were barred from participating in a Tae Kwon Do tournament due to a ban on head coverings for safety reasons. In February 2007 a young Muslim girl was ejected from a soccer game for wearing a hijab, which violated a Quebec Soccer Association safety rule. The referee claimed the hijab increased the risk of injury during play. In both cases the girls claimed the rules were being enforced without regard for religious considerations.

In March 2007 Toronto police investigated a probable hate crime directed against senior members of a moderate Islamic association. An unidentified caller threatened to harm the senior members of the Muslim Canadian Congress for "smearing" Islam. In the past the Muslim Canadian Congress has blamed other Muslim groups in the country of attempting to politicize Islam.

In January 2007 an elected town council in rural Quebec adopted a controversial code of conduct for immigrants. The code included provisions against the stoning or burning of women as well as provisions seemingly directed against Muslims and other immigrant groups. The code sparked a firestorm of media interest and public discourse on the subject of reasonable accommodation and was derided by some commentators as being anti-immigrant and insulting to religious minorities.

In January 2007 an Islamic school in the Montreal area was vandalized. Multiple windows were smashed and a school bus was ransacked.

In September 2006 an arsonist set fire to an Islamic school in Ottawa. No injuries were reported, but the school sustained damage to its exterior and roof. Since the perpetrator(s) did not leave behind any message or graffiti, the police undertook an arson probe rather than a hate crime investigation; the Council on American-Islamic Relations Canada urged the police to treat it as a hate crime. In Winnipeg, a mosque was spray painted with profanities and swastikas. Police were conducting an investigation.

During the reporting period, approximately 35 acts of vandalism against Christian churches and cemeteries were identified in the media. In December 2006 vandals spray painted anti-Christian slurs on the walls of a Catholic Church in London, Ontario. Also in December, vandals scattered vestments and knocked over sacred objects in a Catholic Church in Welland, Ontario.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Released on September 14, 2007

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