



[Home](#) » [Under Secretary for Democracy and Global Affairs](#) » [Bureau of Democracy, Human Rights, and Labor](#) » [Releases](#) » [International Religious Freedom](#) » [2010 Report on International Religious Freedom](#) » [Western Hemisphere](#) » [Canada](#)

Canada

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution, specifically the Charter of Rights and Freedoms (1982), provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

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

The U.S. government discusses religious freedom with government officials at the federal, provincial, and municipal levels 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 33.9 million. According to the most recent census with questions about religious affiliation (2001), approximately 77.1 percent of the population is Christian. Roman Catholics (44 percent of the population) constitute the largest group, followed by Protestant denominations (29 percent). The United Church, Anglican, Presbyterian, Lutheran, Baptist, and Pentecostal churches are the largest Protestant groups. The Muslim population stands at 2 percent, and approximately 1.1 percent of the population is Jewish.

Other religious groups include Buddhists, Hindus, and Sikhs, each with an estimated 1 percent of the population. Several other religions, such as Scientology, the Baha'i Faith, Shintoism, and Taoism, each account for less than 1 percent. According to the 2001 census, 0.1 percent of the population identifies itself as followers of "aboriginal spirituality." Approximately 16 percent of the population claims no religious affiliation.

Approximately two-thirds of the population growth is due to immigration. Most recent immigrants were born in Asia and generally practice religious beliefs different from the majority of native-born citizens. According to the 2006 census, "visible minorities" constitute 16.2 percent of the overall population. Ninety-six percent of these minorities live in urban areas, with the metropolitan areas of Toronto, Montreal, and Vancouver accounting for more than two-thirds of the national total of "visible minority" residents.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution, specifically the Charter of Rights and Freedoms (1982), provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. Citizens have the right to sue the government for constitutional violations of religious freedom.

The government observes the following religious holidays as national holidays: Good Friday, Easter Monday, and Christmas Day.

In March 2010 the Quebec provincial assembly introduced legislation establishing guidelines for granting requests for accommodation, including on religious grounds, when providing or accessing provincial government services. The proposed legislation requires those providing and receiving services to show their faces to facilitate security, communication, and identification, and would effectively deny services to women wearing the niqab (face-covering) and burqa (full length body and head veil) if they refused to remove such face coverings. The government asserted that the bill, which explicitly reaffirms provisions in Quebec's human rights charter of gender equality and the religious neutrality of the state, fully complies with the Quebec Charter of Rights and Freedoms and the constitutional protection for religious freedom in the federal Charter of Rights and Freedoms. Public hearings on the bill continued at the end of the reporting period.

Religious groups were not required to register with the government. The government granted tax-exempt status to religious institutions through the Charities Directorate of the tax authority, the Canada Revenue Agency. This status provided religious institutions with federal and provincial sales tax reductions, rebates, and exemptions; it required them to be nonpolitical, send overseas donations only to approved recipients, and undergo periodic audits. Through this same government-approved charitable status, clergy received various federal benefits, including a clergy housing deduction under the tax code and expedited processing through the immigration system. Individual citizens who donated to religious tax-exempt institutions received a federal tax receipt entitling them to federal income tax deductions.

The constitution protects the rights and privileges possessed by religious minorities in their public, but denominational, schools at the time of national union in 1867. In practice this protection means that some provinces (such as Ontario) fund Catholic school education under the category of public, not private, education. The law permits parents to homeschool their children and to enroll them in private schools for religious reasons. Education falls under the purview of the provinces, not the federal government. Six of the 10 provinces provided at least partial funding to some religious schools. Levels of direct funding for accredited private faith-based schools ranged across the country from 0 to 70 percent of the base instruction rate for per capita student grants and associated operating grants combined.

Ontario is the only province that funded Catholic religious education while providing no funding for other religious schools. The issue of extending public funding to non-Catholic religious schools in the province has been the subject of domestic litigation since 1978.

There was no official government council for interfaith dialogue; however, the government provided funding for individual projects. In March 2009, citing a "zero tolerance approach toward anti-Semitism," the federal government launched a review of its public service grants to remove government support for groups that advocated hatred or expressed support for terrorism. The review was ongoing at the end of the reporting period.

Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

The C
Affair
the U
Exter
const
polici

Civil liberties organizations, the media, and some members of parliament criticized federal and provincial human rights commissions and tribunals for their application of hate speech restrictions included in federal and provincial human rights acts, claiming that the commissions and tribunals at times limited free speech, free expression, and religious rights. The commissions were required by law to process all complaints they received.

In June 2010 a Muslim female complainant appealed to the Ontario Court of Appeal to set aside the order of a judge at a preliminary hearing in a sexual assault case to remove her religious face covering while testifying so that defense counsel could assess her demeanor and facial expressions. The appeal followed a 2009 Ontario Superior Court ruling that the pretrial judge had failed to follow proper procedure for assessing evidence when ordering the complainant to remove her veil. However, the court did not deliver a substantive ruling on the right to wear a religious face covering while testifying. The appeal remained pending at the end of the reporting period.

In May 2010 an Ontario court ruled on an appeal of a 2008 Ontario Human Rights Tribunal decision that denied the evangelical group "Christian Horizons" a religious exemption from the provincial human rights code prohibiting discrimination in hiring employees on the basis of religious faith. The tribunal had found that Christian Horizons discriminated against an employee when it fired her from a residential facility it operated for disabled persons after she entered into a lesbian relationship. The court upheld the right of religious organizations to establish and enforce faith-based employee codes of conduct but agreed the organization was wrong to fire the complainant as her duties as a caregiver were not explicitly religious, served persons of all faiths, and were not impaired by her sexual orientation.

In May 2010 the Saskatchewan Court of Appeal heard submissions on proposed provincial legislation that would allow marriage commissioners to refuse to conduct same-sex ceremonies that are contrary to their religious beliefs. The Saskatchewan provincial government asked the court to rule on the constitutionality of two versions of its proposed law: one would exempt all marriage commissioners in the province from conducting same-sex ceremonies against their conscience, and the other would exempt only those who were commissioners when the country enacted same-sex marriage legislation in 2004. The court's ruling remained pending at the end of the reporting period. An appeal by a Saskatchewan marriage commissioner of a 2009 court ruling upholding a fine imposed by the provincial human rights commission in 2008 for refusing to conduct a same-sex ceremony contrary to his religious beliefs remained pending at the end of the reporting period.

In April 2010 a group of Quebec parents sought permission from the Supreme Court to appeal a September 2009 Quebec Superior Court ruling that denied an exemption for their children from a mandatory ethics and religions course in the provincial education curriculum that provided an overview of world religions from a secular perspective. The parents, whose children were enrolled in the public school system, alleged that the course contravened their charter right to freedom of religion and conscience, as well as their choice of education for their children. The case remained pending at the end of the reporting period. In a separate legal challenge in June 2010, the Quebec Superior Court granted a private Catholic school in Montreal an exemption from the same course, permitting it to teach the course from a religious perspective and criticizing the province's insistence on a neutral approach to the material as "totalitarian." The Quebec provincial government confirmed that it would appeal the ruling.

In March 2010 the Quebec health insurance board ended a practice of allowing women wearing religious face coverings to request female clerks when photographed for health cards. The board had sought an opinion from the Quebec Human Rights Commission, which determined that the board had no duty to accommodate such religious beliefs and that a woman would only have to expose her face for purposes of identification, the interaction would take place in a neutral

setting, and the brief exchange was not a significant breach of her religious rights. The commission ruled that religious beliefs could not trump gender equality.

In March 2010 the Quebec Human Rights Commission upheld the right of a Quebec health insurance board government employee to wear the hijab (woman's headscarf) while serving the public. The commission ruled that the garment had no bearing on the delivery of services.

In March 2010 a woman wearing a religious face covering lodged a complaint with the Quebec Human Rights Commission after officials from the provincial immigration ministry expelled her from government-sponsored French language classes for immigrants at a Montreal college after she refused to remove her face covering during language instruction. The college maintained that it tried to accommodate the student, but her requests were unreasonable and compromised the learning environment. A spokesperson for the provincial immigration minister insisted that the government would not compromise its pedagogical objectives, and the college had already made efforts to "reasonably accommodate" the student. In November 2009 the woman terminated her language studies at another Montreal college rather than remove the face covering at the request of college authorities and after complaints from other students over her requests for accommodation. Some teachers' unions applauded the decision to set limits to accommodation by public institutions. Muslim groups were divided over the case.

In March 2010 officials from the Quebec provincial immigration ministry expelled a second woman from government-sponsored French language classes at an immigrant integration center in Montreal after she refused to remove her face covering, which officials described as an obstacle to learning a language.

In December 2009 an Alberta provincial court overturned a 2008 order by the Alberta Human Rights and Citizenship Commission that had sanctioned and fined Reverend Stephen Boissoin for violating the province's human rights code in a letter critical of homosexual conduct that he wrote for a newspaper.

In October 2009 the British Columbia provincial government asked the province's Supreme Court for a legal opinion on the constitutionality of section 293 of the federal criminal code prohibiting polygamy. The provincial government took this option rather than appeal a September 2009 decision by the same court that had rejected polygamy charges on procedural grounds against leaders of the Bountiful, British Columbia Fundamentalist Church of Jesus Christ of Latter Day Saints. The province had previously declined to prosecute on the basis that the law might not withstand a challenge under the charter's protection of religious freedom. The provincial Supreme Court had not provided its legal opinion by the end of the reporting period.

In July 2009 the federal Supreme Court ruled that the province of Alberta could require members of the Hutterite religious community to provide photographs to obtain driver's licenses. The court ruled that the benefits of a universal photo requirement outweighed infringement of the Hutterites' religious beliefs.

In July 2009 a bus driver in Quebec City refused to allow a female passenger wearing a burqa to board his vehicle when she refused to lift her face covering to verify her identity against the photograph on her transit pass. The Quebec City transit commission upheld the driver's decision.

In July 2008 a homosexual rights activist filed an application before the Federal Court of Canada for judicial review of a decision of the Canadian Human Rights Commission (CHRC) to dismiss his complaint against *Catholic Insight* magazine for allegedly promoting hatred of homosexuals. The application remained 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.

Section III. Status of Societal Respect for Religious Freedom

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

In 2009 the B'nai Brith Canada League for Human Rights reported 1,264 anti-Semitic incidents, an 11.4 percent increase compared to 2008. The league noted that incidents had increased almost five-fold since 1999. The most reports came from the provinces of Ontario and Quebec (672 and 373 incidents, respectively); the vast majority of the country's Jewish population resided in these two provinces. More than one third (37.7 percent) of the incidents occurred in the first three months of the year, which B'nai Brith correlated primarily to conflict in Gaza. The 1,264 reports included 884 cases of harassment, 348 cases of vandalism, and 32 cases of violence.

The national statistical agency reported 1,036 hate crimes across the country in 2008 (an increase of 35 percent from 2007), of which 265 (26 percent) were motivated by religion. Jews were the most targeted group (165 incidents), an increase of 42 percent over 2007, followed by Catholics (30) and Muslims (26). Violence accompanied 25 percent of religiously motivated incidents.

In May 2010 vandals scrawled anti-Muslim graffiti and a swastika on a sign marking the future site of a mosque in Ottawa, Ontario.

In May 2010 an Ontario provincial court convicted an individual of hate crimes and sentenced him to six months in prison, two years of probation, and 40 hours of community service for scrawling anti-Semitic graffiti and insignia in public places in Guelph, Ontario.

In April 2010 a group of individuals in Gatineau, Quebec, struck a man on the head, yelled anti-Semitic slurs, and chased the man and his Jewish companion with a machete. Gatineau police opened an investigation that remained pending at the end of the reporting period.

On March 18, 2010, police charged a youth with mischief, damaging a place of religious worship motivated by hate, and inciting public hatred in the November 2009 spray-painting of anti-Semitic slogans on the Calgary Jewish Centre, the Holocaust War Memorial, and private residential property in Calgary, Alberta.

In March 2010 the Ontario provincial legislature passed a motion condemning Israeli Apartheid Week, an annual event on university campuses criticizing Israel's treatment of Palestinians. A Jewish member of the legislature who sponsored the motion and some members who supported it received anti-Semitic e-mail messages.

In March 2010 York University in Ontario suspended a student for posting anti-Semitic remarks and calling for genocide against Jews on Web sites. Ontario Provincial Police opened a hate crime investigation, which remained pending at the end of the reporting period.

In January 2010 vandals threw a rock and a Molotov cocktail through the window of a mosque in Hamilton, Ontario, damaging the property. Police categorized the incident as a hate crime, and the investigation remained pending at the end of the reporting period.

In December 2009 an Ontario provincial court sentenced an individual to six months in prison for criminal harassment, assault with a weapon, and possession of a concealed weapon after he uttered anti-Semitic slurs and death threats against a Jewish man and his son in September 2009.

In separate incidents in May and November 2009, unidentified arsonists broke into and set fire to a Buddhist temple in Scarborough, Ontario, associated with Toronto's Sri Lankan Sinhalese community, causing more than \$186,000 (C\$200,000) in damage. Police considered the incidents as hate crimes, and the investigations remained pending at the end of the reporting period.

In August 2009 unidentified vandals spray-painted swastikas on buildings, bus shelters, and road signs in the city of Cote Saint-Luc, a suburb of Montreal, Quebec, which has a large Jewish population.

In July 2009 unidentified arsonists destroyed a Sikh private religious school in East Vancouver, British Columbia. Police had no suspects at the end of the reporting period.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with government officials at the federal, provincial, and municipal levels as part of its overall policy to promote human rights. U.S. government representatives coordinated outreach activities to engage representatives of various religious communities.

[Back to Top](#)