

CANADA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom, and in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year.

There were some reports of societal abuse or discrimination based on religious affiliation, belief, or practice, including acts of anti-Semitism.

The U.S. government worked collaboratively with the Canadian federal government to promote religious freedom. The U.S. embassy and consulates supported religious freedom through visits to places of worship, outreach to religious groups, and grants for U.S. speaker and visitor programs to promote religious tolerance, leadership, and interfaith dialogue. An embassy grant to the Jewish Youth Library in Ottawa supported outreach to approximately 450 non-U.S. citizens through seven different programs in the local community. Embassy and consulate representatives attended interfaith prayer services and public celebrations of religious festivals. The embassy and consulates supported the May visit of the U.S. special envoy to monitor and combat anti-Semitism, during which she spoke to the Canadian Institute for the Study of Anti-Semitism and addressed multi-faith audiences in a digital video conference to promote religious freedom.

Section I. Religious Demography

The government statistical agency estimates the population is 35 million. According to the 2001 census, the most recent to ask about religious affiliation, approximately 77 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 and the Anglican, Presbyterian, Lutheran, Baptist, and Pentecostal churches are the largest Protestant groups. Approximately 2 percent of the population is Muslim and 1 percent is Jewish. Groups constituting 1 percent or less of the population include Buddhists, Hindus, Sikhs, Scientologists, Bahais, and adherents of Shintoism and Taoism.

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.

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Most recent immigrants are of Asian origin and generally adhere to 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, with 96 percent residing in major metropolitan areas across the country.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution, the 1982 Charter of Rights and Freedoms, and other laws and policies protect religious freedom. Citizens have the right to sue the government for constitutional violations of religious freedom.

A December Supreme Court ruling permits individuals to wear religious face coverings while testifying in court on a case-by-case basis. The ruling requires trial judges to balance the constitutional protection for freedom of religion and conscience against the constitutional right to a fair trial. It sets out a framework directing judges to consider a witness or complainant’s “sincerity of belief” in covering the face, the risk to trial fairness, alternative methods of accommodation, and whether permitting veiled testimony outweighs the harm to society of discouraging victims who wear face coverings from accessing the justice system. The Supreme Court returned the 2008 case of a female Muslim complainant in a sexual assault trial, prompting a preliminary hearing at the provincial court level to assess whether the complainant might testify wearing a face covering.

The federal government requires candidates for Canadian citizenship to uncover the face when swearing the oath of citizenship to verify that each candidate recites the oath and to underscore societal values of equality and openness.

The law does not require religious groups to register with the government. The government grants tax-exempt status to religious groups through the Charities Directorate of the tax authority, the Canada Revenue Agency. This status provides religious groups with federal and provincial sales tax reductions, rebates, and exemptions. These groups must be nonpolitical, send overseas donations only to approved 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 expedited processing through the immigration system. Individual citizens who donate to tax-exempt religious groups receive a federal tax receipt entitling them to federal income tax deductions.

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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. Consequently, some provinces 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 provide at least partial funding to some religious schools.

Ontario is the only province that funds 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 litigation since 1978.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

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

Government Practices

There were no reports of abuses of religious freedom. Issues involving the exercise of religious freedom at the federal and provincial levels included limits on religious expression and teaching.

In September 2011 the government adopted The Ottawa Protocol to Combat Anti-Semitism, an action plan developed during the July 2010 second annual conference of the Inter-Parliamentary Coalition for Combating Anti-Semitism, which took place in Ottawa. Foreign Minister Baird said, "Signing the Ottawa Protocol signals our continued commitment to leading a coordinated global effort to fight anti-Semitism...we also plan to take our commitment to parliamentarians around the world and suggest that they join us in signing the Protocol." In December Member of Parliament Irwin Cotler called on other countries to sign the Protocol.

In September the Ontario government enacted an anti-bullying law to promote teaching of diversity and inclusivity in the province's school system. Some parents demanded that school boards provide advance notification of classroom discussions of topics that contradicted their religious beliefs, including human sexuality, birth control, and evolution. Parents also demanded the right to exempt

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their children from these discussions. At least one parent filed a lawsuit alleging that a local school board denied his request for religious accommodation on the basis that his request impeded inclusivity of other students. The suit remained pending at year's end.

In February the Supreme Court upheld the right of the Quebec government to require schools in the province to teach a mandatory world religions course. The court ruled the claim of some Quebec parents that the course infringed on their religious freedom insufficient, arguing that litigants must provide tangible proof of harm. Introduced at the elementary and high school level in 2008, the course replaced religion classes with a curriculum covering the major faiths found in Quebec culture, including Catholic, Protestant, Jewish, and aboriginal beliefs.

A 2011 appeal filed before the Supreme Court regarding a Saskatchewan law prohibiting hate speech remained pending at year's end. The appeal concerned whether an individual's right to freedom of speech and religion allowed for distributing flyers denouncing homosexuality on religious grounds or whether doing so contravened laws against "hate speech."

In 2011 a group of Quebec parents filed a legal challenge to a Quebec government prohibition of religious instruction or religious activity at government-subsidized daycare centers; the challenge remained pending at year's end. The government warned it would withhold the subsidy from daycare centers violating the bar on religious teaching on the grounds that publicly subsidized facilities should reflect diversity.

Section III. Status of Societal Respect for Religious Freedom

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

In January hooligans attacked a mosque in Gatineau, Quebec, and spray-painted anti-Islamic graffiti on the building's exterior. Subsequently, hooligans broke mosque windows and attempted to set alight vehicles parked on the property. Gatineau police opened a hate crime investigation that remained pending at the end of the year. Security improvements the mosque implemented with a 2010 C\$30,000 (\$30,030) grant under the federal Security Infrastructure Program allowed it to provide police with surveillance videos of the incidents.

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In November, York regional police declined to press criminal charges against a Toronto madrassah whose online teaching materials disparaged Jews and referred to “Jewish plots and treacheries.” A police investigation concluded that the school’s curriculum “suggested intolerance,” but that there was no conclusive proof that the texts qualified as hate propaganda under the law. The madrassah removed the material from its website.

The B’nai Brith Canada League for Human Rights received 1,297 reports of anti-Semitic incidents in 2011, the most recent year for which data was available, down 1 percent from 2010. More than half of such reports came from Ontario. The reports included 916 cases of harassment, 362 cases of vandalism, and 19 cases of violence. There were 47 cases involving attacks on synagogues, 146 involving private homes, and 46 involving community centers. Jewish students reported 113 cases of anti-Semitic incidents on university campuses, compared with 86 in 2010; another 89 involved primary and secondary school settings, compared with 84 in 2010. B’nai Brith also received 528 reports of Web-based hate activity, compared with 564 in 2010.

According to an American-Israeli Cooperative Enterprise study released in October, 97 percent of U.S. and Canadian college campuses reported no anti-Israeli or anti-Semitic events. Two groups, the Muslim Students Association and Students for Justice in Palestine, were responsible for most of the recorded events. Nevertheless, a recent Institute for Jewish and Community Research survey found that 43 percent of Jewish students saw anti-Semitism as a problem.

On October 18, two masked men smashed windows and threw a fire bomb into a kosher restaurant in Montreal. It was part of a wave of attacks in the city, including burglaries in synagogues and churches, that authorities believed were linked to organized crime.

The case against a Manitoba teen who allegedly set the hair of a Jewish classmate alight while uttering anti-Semitic slurs remained pending at the end of the year.

Police investigation of the vandalism of five synagogues and a Jewish school in Montreal in 2011 continued with no known developments.

Section IV. U.S. Government Policy

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U.S. government representatives worked collaboratively with the federal government to promote religious freedom. The U.S. embassy and consulates conducted regular outreach to religious leaders, NGOs, and religious groups.

Embassy and consulate representatives visited places of worship and included religious leaders in official events. U.S. consulate representatives in Vancouver visited a Sikh temple and toured an Ismaili Center in Burnaby, where they attended several programs and met with the organization's board of directors. U.S. consulate representatives in Toronto visited a Muslim Resource Center, Quebec City consulate representatives visited the Quebec Islamic and Cultural Centre, and embassy representatives in Ottawa visited a mosque.

In August the principal officer in Vancouver attended a candlelight vigil at a gurdwara in Surrey for victims of the Wisconsin Sikh temple shooting. In September the principal officer in Winnipeg attended an interfaith healing and prayer service at the Manitoba legislature following the attack on the U.S. consulate in Benghazi, Libya. Staff of the embassy and consulates general attended community iftar and Eid dinners during the year.

In April the principal officer in Quebec City spoke to a group of students from the Ecole de l'Excellence, an Islamic school. In July the principal officer in Montreal met with representatives of the College Rabbinique de Montreal Oir Hachaim d'Tash outside Montreal.

In May the U.S. embassy and consulates in Winnipeg and Vancouver supported a visit by the U.S. special envoy to monitor and combat anti-Semitism who spoke at the Canadian Institute for the Study of Anti-Semitism. She promoted religious freedom and countered anti-Semitism in a digital video conference with audiences from various religious groups at the embassy in Ottawa and in consulates in Winnipeg and Vancouver.

In July the principal officer in Montreal hosted an Israeli academic who spoke about religious coexistence efforts within Israel. In August the ambassador hosted a reception in honor of Rabbi Schneier of the Appeal of Conscience Foundation to support its work of promoting religious freedom, human rights, and ethnic conflict resolution around the world.

In January the embassy provided a grant to the Jewish Youth Library in Ottawa which assisted interfaith outreach to approximately 450 non-U.S. citizens from a diverse range of religious groups through seven programs in the local community.

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The embassy and consulates provided grants to bring U.S. speakers to engage religious groups and developed visitor programs to promote religious tolerance and understanding, including programs to promote leadership of Muslim women and Muslim youth.