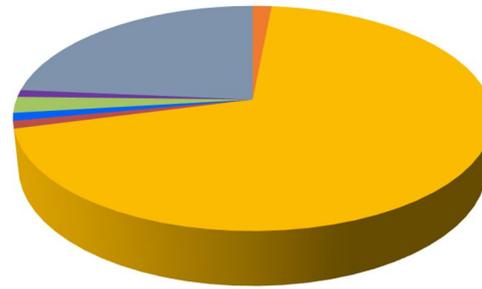


CANADA



	Buddhist (1.5%)
	Christian (69.4%) Catholic: 42% Protestant: 27% Other: 0.4%
	Hindu (1.1%)
	Jewish (1.1%)
	Muslim (2.3%)
	Sikh (1.0%)
	Other (23.6%) ¹

Area: 9,984,700 km ²	Population²: 35,851,800	Political system: Democracy ³	Major Language(s): English, French ⁴
---	--	--	---

Legal Framework of Religion and actual application

The constitution and law guarantee freedom of conscience and religion, thought, belief, opinion, expression, and the right to equal protection and equal benefit of the law without discrimination based on religion. Federal and provincial laws prohibit discrimination on the grounds of religion and provide remedies for complaints.⁵

There is no legal requirement for religious groups to register with the government, but to receive tax-exempt status religious groups must register as non-profit organisations with the Charities Directorate of the Canada Revenue Agency (CRA). To gain and retain tax-exempt status, groups must be non-political, file annual returns, and undergo periodic CRA audits.⁶ Non-profit status provides tax reductions, rebates, and exemptions. Additionally this charitable status grants clergy of the group various federal benefits, including a clergy housing deduction under the tax code and expedited processing through the immigration system.⁷

During the period under review, the government operated an Office of Religious Freedom within the Department of Foreign Affairs “to protect and advocate on behalf of religious minorities under threat around the world, oppose religious hatred and intolerance, and promote pluralism and tolerance abroad”.⁸ The government abolished the Office in end of March.⁹

Education

The constitution guarantees right of Protestant and Catholic minorities to publicly funded “denominational schools”. Constitutional amendments repealed this guarantee in Quebec, Newfoundland and Labrador, which abolished their publicly funded Catholic and Protestant schools and replaced them with a secular public education system. Constitutionally protected public funding for Catholic schools remains in Ontario, Alberta and Saskatchewan. Federal law protects publicly funded Catholic and Protestant minority education in the Northwest Territories, Yukon and Nunavut.

Constitutional or federal statutory protection for public funding of religious education does not extend to schools of other religious groups. The law permits parents to home school their children and to enrol them in private schools for religious reasons. As education is a provincial responsibility, government practices vary across Canada. However, six of the 10 provinces provided at least partial funding to some religious schools. Ontario was the only province that provided public funding for Catholic schools while providing no funding for other religious schools.¹⁰

Incidents

With respect to reports of anti-Semitism and anti-Muslim activity, it should be noted that because ethnicity and religion are often closely linked, it might be difficult to determine whether an incident is motivated by racism or by religious intolerance.

Related to Islam

The government had required citizenship candidates to remove religious clothing that covered the face when swearing the public oath of citizenship. A female Muslim, who stated the policy violated her constitutional right to freedom of religion, caused her to withdraw from her citizenship ceremony, and prevented her from becoming a citizen, challenged the law. In February 2015, the Federal Court of Canada found the ban illegal. In October 2015, the woman took the oath of citizenship while wearing a niqab. The Conservative Prime Minister filed an appeal with the Supreme Court, but in November 2015, the newly-elected government withdrew the appeal.¹¹

In September 2014, a Calgary imam, and founder of the Islamic Supreme Council of Canada, was hit by a car while on his way to lead prayers. As he walked through a parking lot, a woman reportedly drove at him and nearly struck him with her car. The woman shouted at him, calling him a terrorist and a threat to Canada. The woman then struck him from behind with her car and drove away when he called the police.¹²

The National Council of Canadian Muslims (NCCM) reported four physical assaults, 13 incidents of vandalism, and three incidents involving threats from July 2014 to the end of the year. In Ontario in September 2014, six Muslim students were assaulted with a baseball bat by a group of four individuals who yelled racial and religious slurs. The police apprehended and charged the perpetrators. In October 2014, in the wake of two attacks on Canadian soldiers, the British Columbia Muslim Association received multiple messages threatening the general Muslim populace of the province. In October a rock was thrown through the window of an Ottawa mosque. In November, a mosque in Ontario was vandalised, as were four mosques in Quebec. The vandalism included signs saying "Islam out of my country" and a rock thrown through a window. Additionally, a bomb threat was phoned in to a mosque in Quebec.¹³

For the year 2015, the Council reported seven physical attacks, 23 verbal incidents, 13 instances of vandalism, and 11 threat incidents. In February, two windows were punctured by bullet holes at a Muslim high school in Quebec; in March, a Winnipeg substitute teacher pulled off the hijabs of two 10-year old girls; in April, a Quebec woman was physically attacked on the metro by a woman who said "You veiled women, what are you doing here, go back to where you came from!"; in June, a Calgary kabob restaurant was vandalised with spray paint with the vulgar message "F*** Islam"; an Islamic institution in Edmonton was vandalised with graffiti reading "F*** Islam" and "Bomb Mecca!" in June; in November, a woman wearing a hijab was assaulted and insulted for her religion; and a Calgary transit station was vandalised in December with graffiti reading, among other things, "Kill Muslims".¹⁴

In 2016 until February, the Council reported one physical attack and three verbal incidents. In January, an anonymous caller left a message at the NCCM office saying, "Muslims should pay for their sins" and "raping Muslim girls is God's word."¹⁵

Many of the incidents included in NCCM's report could be characterised as intolerance on the basis of ethnicity or perceived country of origin, rather than specifically anti-Muslim intolerance. NCCM has said that a spike in anti-Muslim incidents may be due to violence in the Middle East,¹⁶ the attacks in Paris,¹⁷ and the killing of two Canadian soldiers by Islamic State sympathisers.¹⁸

Related to Judaism

The B'nai Brith Canada's League for Human Rights received 1,627 incident reports in 2014, the most recent year for which data was available. This was the highest number of incidents recorded by B'nai Brith in 30 years and was a 28 percent increase over the 1,274 incidents in 2013.¹⁹ The reports included 19 cases of violence, 238 cases of vandalism, and 1,370 cases of harassment (nearly 500 more incidents than 2013's 872).

2014 violent incidents included a June arson in Montreal; a Chassidic²⁰ woman slapped by an Arab man in a Montreal park in August, and in September, a Montreal man was ambushed by several men and beaten unconscious.²¹

According to B'nai Brith Canada, "the most common form of anti-Semitic vandalism ... contains some form of Nazi imagery. Often, this was combined with anti-Israel messages."²²

June incidents of vandalism included "I hate Jews" graffiti on a Calgary business; a swastika on Na'amat Canada in Toronto; and in Montreal three men were arrested while drawing graffiti on synagogue. In Calgary during August, swastikas were drawn with chalk on the ground outside a Jewish person's home and four homes were defaced with swastikas and in Montreal two homes with mezuzahs were found vandalized and egged. September incidents included graffiti with swastikas and anti-Semitic words spray-painted on a school in Sackville; dog faeces rubbed on a door of a synagogue in Toronto; and in Montreal, three businesses were fire bombed on Rosh Hashanah, one belonging to a Jew. In October, a home used as Chassidic school was vandalized in Boisbriand and the outside of the Hamilton Jewish Community Centre was vandalized with graffiti. In December, a Ste-Agathe home was broken into and swastikas were spray-painted on the walls.²³ In March 2015, a community gymnasium in Alberta was trashed and vandalized with swastikas and anti-Semitic graffiti.²⁴

"Harassment is the most prevalent form of anti-Semitism" according to B'nai Brith Canada.²⁵ Examples include: in February, an employee of a Montreal pharmacy was harassed for wearing a kippah at work. In June, a Toronto woman going through Orthodox conversion was accused by co-workers of 'bringing her religion to work'. A woman wearing a Chai symbol on a necklace was harassed by a woman at a Winnipeg bus stop, who yelled, "all Jews are useless". In September, members of the Boisbriand Chassidic community were harassed by men driving cars around the neighbourhood, yelling slurs and threats and in Montreal, a woman writing school entrance exams was refused accommodation for a test which fell on Yom Kippur. In November, in Montreal, Chassidic children playing in a schoolyard were threatened and harassed by a man carrying a metal object.²⁶

Many of the incidents reported by B'nai Brith Canada could be characterized as anti-Semitism related to political anti-Israel sentiments. It noted "dramatic spikes in anti-Semitic activity" when Israel is in a state of conflict, mirroring what has occurred in previous years.²⁷

Related to Christianity

In February 2015, the Supreme Court of Canada held that a prohibition on physician-assisted death violated the Canadian Charter of Rights, and ordered the Parliament to enact legislation consistent with its decision. In response, a Parliamentary Committee was formed and in February 2016 presented a report containing 21 recommendations to help the government draft euthanasia legislation.²⁸ Of concern to Christians are the following recommendations: that physicians with

conscientious objections be compelled to provide a referral to the patient and that all publicly funded facilities, including faith-based institutions, must provide euthanasia and assisted suicide.²⁹ This is contrary to recommendations of the Canadian Medical Association which state that physicians should not be compelled to refer patients if they have a conscientious objection.³⁰ The question of conscientious objection for other medical staff, including nurses and pharmacists, is not addressed. While no legislation has been passed, religious freedom for all medical professionals as well as faith-based institutions could be at great risk if the Committee's recommendations are followed.

In March 2015, the Supreme Court of Canada ruled that the province of Quebec had infringed on the religious freedom of a Catholic high school by denying an exemption from teaching the secular "Ethics and Religious Culture" program. The law requires all schools to teach religions from a secular, cultural and morally neutral perspective, but also permits schools to apply for an exemption to teach an alternative course so long as the minister of education approves it and the "teachers steer clear of injecting their own religious beliefs." The Jesuit Loyola High School proposed to teach the same curriculum from a Catholic perspective. The education minister denied the exemption; a trial court found in favour of the school; on appeal the trial court's decision was reversed. Finally, the Supreme Court of Canada overturned the appellate court's decision, saying Loyola's exemption "cannot be withheld on the basis that [it] must teach Catholicism and Catholic ethics from a neutral perspective."³¹

In 2015, the law school of an evangelical university launched legal challenges against law societies – the licensing bodies for attorneys - in several provinces. Trinity Western University School of Law located in British Columbia, which has not yet opened, would require its students to sign a Christian covenant that states that sexual intimacy is to be confined to heterosexual marriage. The law societies of British Columbia, Ontario, and Nova Scotia refused to accredit future graduates of the school, claiming that the covenant was discriminatory to homosexuals. The University argued that the societies violated students' rights of freedom of religion and that the bans excluded Christian students from the legal profession. In December 2015, a British Columbia Supreme Court judge overturned the Society's denial of accreditation. Earlier in the year, a court overturned the Nova Scotia society's action, while the Ontario society's decision was upheld. Other provinces have put accreditation decisions on hold. The case is expected to go to the Supreme Court of Canada. The law school, which was scheduled to open in the fall of 2016, has said it "would not open its doors before all barriers to its graduates had been removed."³²

In October 2015, the City of Toronto denied a Christian group, Voices of the Nations, the right to use a city square for its annual musical performance, citing the city's policy against "proselytizing". The manager of events said: "it doesn't matter if it's speaking or singing. Either way if you're praising Jesus or praise the Lord and there's no God like Jehovah, that type of thing? That's proselytizing." The group was forced to hire legal counsel and in February 2016, the city granted the permit.³³

In May 2015, a Muslim man, Iqbal Hessian, was arrested for committing a series of offenses against the St Catherine of Siena Church in Mississauga, including spray painting graffiti on the interior and exterior walls, twice defacing and damaging the statue of Jesus, and breaking in to the church to steal a \$2,000 amplifier. When he was arrested, Hessian told police that he was thinking of hurting or killing a priest when he broke into the church. Because of this, police and prosecutors contemplated pursuing hate crime charges which would enhance any penalty after conviction for the underlying crimes. Because Hessian had a schizophrenia diagnosis, officials ultimately chose not to proceed with hate crime charges.³⁴ A Toronto area mosque raised funds to help repair the extensive damage to the church.³⁵

In August 2014, criminal charges were filed against members of the Fundamentalist Church of Jesus Christ of Latter-Day Saints (FLDS). Two members were charged with practising polygamy, which is a tenet of FLDS. Previous charges had been dismissed and authorities requested a judicial opinion as to whether Canada's ban on polygamy violated constitutional guarantees of

freedom of religion. In 2011, the British Columbia Supreme Court upheld that the law on the grounds that the harm posed by polygamy outweighed the right to religious freedom. The criminal cases are still pending.

Prospects for Freedom of Religion

While it appears that there were no significant increased governmental restrictions on religious freedom during the period under review, depending on the outcome of pending court cases and political initiatives, there is a risk of increased governmental intolerance or discrimination against both majority and minority religions. There appears to be an increased risk also of societal intolerance against both majority and minority religions, some of which may be a backlash to global terrorism or geopolitical conflicts attributed to religious groups. Further, 25,000 Syrian refugees are expected in Canada by March 2016,³⁶ which may increase the risk of anti-Muslim incidents.

¹ http://www.thearda.com/internationalData/countries/Country_41_2.asp

² <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/demo02a-eng.htm>

³ Political System: Parliamentary democracy, a federation, and a constitutional monarchy
<https://www.cia.gov/library/publications/the-world-factbook/geos/ca.html>

⁴ <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/demo11b-eng.htm>

⁵ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

⁶ <http://www.cra-arc.gc.ca/chrts-gvng/chrts/prtng/menu-eng.html> and <http://www.cra-arc.gc.ca/chrts-gvng/chrts/cmmnctn/pltcl-ctvts/rcntchns-eng.html>

⁷ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

⁸ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

⁹ http://quebec.huffingtonpost.ca/2016/03/30/bureau-liberte-religion-fin-mandat_n_9574360.html

¹⁰ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

¹¹ <http://www.theglobeandmail.com/news/politics/liberals-drop-controversial-supreme-court-of-canada-niqab-appeal/article27280846/>

¹² <http://globalnews.ca/news/1567343/police-investigating-anti-muslim-hate-crimes-in-fort-saskatchewan/>

¹³ <http://www.nccm.ca/map-of-anti-muslim-incidents-reported-across-canada/#>

¹⁴ <http://www.nccm.ca/map-of-anti-muslim-incidents-reported-across-canada/#>

¹⁵ <http://www.nccm.ca/map-of-anti-muslim-incidents-reported-across-canada/#>

¹⁶ <http://www.nccm.ca/nccm-denounces-anti-muslim-incidents/>

¹⁷ <http://www.nccm.ca/canadian-muslims-worried-about-backlash-after-paris-attacks/>

¹⁸ <http://www.nccm.ca/anti-muslim-bullying-on-rise-after-canada-attacks/>

¹⁹ <http://www.bnaibrithaudit.ca/>

²⁰ Spelling used by B'nai Brith Canada

²¹ <http://www.bnaibrithaudit.ca/violence>

²² <http://www.bnaibrithaudit.ca/vandalism>

²³ <http://www.bnaibrithaudit.ca/vandalism>

²⁴ http://www.huffingtonpost.ca/2015/03/31/ponoka-gym-vandals-swastikas_n_6976260.html

²⁵ <http://www.bnaibrithaudit.ca/harassment>

²⁶ <http://www.bnaibrithaudit.ca/harassment>

²⁷ http://www.bnaibrithaudit.ca/statistical_overview

²⁸ <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=8120006&Language=E&Mode=1&Parl=42&Ses=1&File=5>

²⁹ <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=8120006&Language=E&Mode=1&Parl=42&Ses=1&File=5>

³⁰ <http://consciencelaws.org/background/procedures/assist014-002.aspx#cma>

³¹ <http://www.cbc.ca/news/canada/montreal/supreme-court-rules-quebec-infringed-on-loyola-high-school-s-religious-freedom-1.3000724>

³² <http://www.theglobeandmail.com/news/british-columbia/bc-supreme-court-rules-in-favour-of-christian-law-school/article27698871/> and <http://www.theglobeandmail.com/news/british-columbia/trinity-western-fights-bc-law-societys-refusal-to-accredit-law-grads/article26074702/>

³³ <http://www.torontosun.com/2016/02/05/thank-god-for-the-voices-of-the-nations>

³⁴ <http://www.mississauga.com/news-story/5707758-video-police-crown-not-pursuing-hate-crime-charges-against-suspect-accused-of-targeting-catholic-c/>

³⁵ <http://iqra.ca/2015/toronto-mosque-raise-funds-to-help-repair-vandalized-church/>

³⁶ <http://www.independent.co.uk/news/world/americas/canada-pm-trudeau-welcomes-syrian-refugees-as-us-muslims-warn-against-hate-speech-a6770321.html>