



FASHION VICTIMS

The National Eating Disorder Information Centre challenged the fashion industry in the spring to chub up its models (a.k.a.

role models) in an effort to stem eating disorders among girls and women. The Toronto organization sent greeting cards to fashion magazines' editors that read, "Thanks for helping to make me such a successful anorexic."

Fashion advertisers, meanwhile, received black little T-shirts with six-inch waists and a note urging them to "try this on to experience how your ads make us feel."

Best of all, the campaign urged magazine consumers to toss fashion magazines into a bin.

—For more information check out NEDIC at www.nedic.ca.

STOPPING TRAFFIC

South Africa has proposed a human trafficking law that would make any trafficking offence punishable by life in prison. The law would also include provisions to punish those liable for "providing premises for traffickers, transporting victims and failing to report suspected cases," according to the Associated Press.



MOTHERS' TREATMENT RANKED

In Save the Children's annual

ranking of the health and well-being of mothers and babies worldwide, Norway, Australia and Sweden have been ranked the world's best countries to live.

In compiling its 11th Mothers' Index, the charity analyzed such factors as access to health care, education and economic opportunities. Countries where women are well paid, have good access to contraception and are entitled to government-mandated generous maternity leave were generally those with the highest rankings. Canada ranked 24th, a designation that has caused health officials to demand better birthing policies.

The United States ranked number 28, below Estonia, Latvia and Croatia, dragged down by high rates of maternal mortality (one in 4,800) and infant mortality (eight per 1,000), low pre-school

SHARON McIVOR'S FIGHT FOR EQUALITY

BY SHELAGH DAY AND JOYCE GREEN



Sharon McIvor, left, with Danielle Guay, won her case of discrimination in the Indian Act only to see a Conservative bill introduced that won't remedy the problem.

(OTTAWA) Its intent may be to promote gender equity in Indian registration, but Bill C-3 does not ensure that women and their descendants will be treated the same as men and their descendants for the purposes of determining Indian status.

Witnesses told Parliament's standing committee on Aboriginal affairs in spring that the Conservative government's bill to address sex discrimination is a remedy they cannot support. The bill is Ottawa's response to *McIvor v. Canada*, a 2009 B.C. Court of Appeal ruling that found that section 6 of the Indian Act violates section 15 of the Charter. The court gave Ottawa a year to fix the legislation.

Indian status, defined in the Indian Act, determines which persons of Aboriginal descent are eligible to be treated as Indians by the federal government. Status

determines eligibility for certain federal programs. In some instances, status is also linked to entitlement to live on reserves and participate in the political and community life of reserves. Although some bands choose to have members who do not have Indian status, most bands make status a precondition of band membership.

The act has a long history of discriminating against women. Until recently, the Indian Act defined an Indian as "a male Indian, the wife of a male Indian or the child of a male Indian." Indian women who married non-Indians were stripped of their status and could not pass Indian status on to their children. Indian men who married non-Indians passed on their status and band membership to their wives and children, and thus to their grandchildren.

In the early '70s, Jeanette Corbiere Lavell

and Yvonne Bedard challenged section 12(1)(b) of the Indian Act for violating the 1960 Canadian Bill of Rights' guarantee of sex equality. They lost at the Supreme Court of Canada in 1973, but Sandra Lovelace went on to challenge Canada for violating the International Covenant on Civil and Political Rights, and won. The UN Human Rights Committee found that Canada's status provisions deprived women and their children of the fundamental right to enjoy their culture in their communities.

When Canada's new equality guarantees in the Canadian Charter of Rights and Freedoms came into force 25 years ago, the Mulroney Progressive Conservative government moved to amend the status provisions of the Indian Act with Bill C-31. But that fix was incomplete. Bill C-31 retained full Indian status for Indian men, their wives and children, but it put women and children who had lost status because of sex discrimination in a second-class category, rather than giving them full status.

As a result, Indians who never lost their status may confer status to their children and grandchildren, while reinstated Indians have a diminished status—one that stipulates that they can confer status to their children, but not to their grandchildren.

Under section 15 of the Charter, Sharon McIvor challenged the sex-based hierarchy in the status registration sections of the Indian Act, not just for treating men and women who married out differently, but for giving preferred treatment to men as transmitters of Indian status, and to descendants of male Indians. McIvor won in the B.C. Supreme Court and the B.C. Court of Appeal and, as a result, the federal government was required to amend the Indian Act.

The Conservative government maintains Bill C-3 would provide Indian status to 45,000 descendants of Aboriginal women who were previously ineligible. However, McIvor, the Native Women's Association of Canada and other witnesses at the committee hearings say it will still give women and their descendants an inferior form of Indian status than it offers to men and their descendants. Known as the second generation cut-off, it would apply to descendants of women one generation earlier than it applies to male lineage descendants.

In addition, Bill C-3 will still leave out some Aboriginal women and their descendants. For example, grandchildren who trace their Aboriginal descent through the maternal line will continue to be denied status if they were born prior to Septem-

ber 4, 1951. And yet grandchildren who trace their Aboriginal descent through the male line will not be denied.

Further, by proposing only to correct sex discrimination against the grandchildren of women who lost status by "marrying out," Bill C-3 would continue to exclude grandchildren who are descended from status Indian women who had children with non-status men in common-law unions. It would also continue the exclusion of female children and grandchildren of status Indian men who partnered with non-status women in common-law unions. Male children and grandchildren of status Indian fathers who co-parented with non-status women in common-law unions will have status.

After hearing the witnesses, opposition party members on the standing committee amended to the bill to remove sex discrimination from the status registration provisions. By some estimates, the amendments would include about 200,000 people who have been wrongfully excluded from having Indian status because of sex discrimination.

The amendments were adopted by the committee but on May 11 the Speaker of the House ruled that the amendments were out of order.

In protest, a group of women in Quebec, lead by Michele Audette and Viviane Michel, set out on a 500 kilometre walk from Wendake, Quebec, to Parliament Hill. Their walk was scheduled to end June 1 on Parliament Hill. The AMUN march, which translates to Great Gathering, is a show of support for McIvor's call for the removal of all gender discrimination from the Indian Act.

The ball is in the Conservatives' court. Are they willing to end discrimination against all Aboriginal women and their descendants by replacing Bill C-3 with legislation that does the job right? If not, the opposition parties should vote this flawed bill down, and force the Conservatives back to the drawing board.

If the opposition parties support Bill C-3, Aboriginal women will be forced to spend the next 20 years litigating, once again to prove that the Indian Act violates the Charter. ❀

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enrolment (61 percent) and one of the least generous maternity-leave policies.

Afghanistan, ranked last. The report calls for the hiring of 300,000 midwives as well as other health care professionals worldwide to drastically reduce the estimated 350,000 women who die annually during and after childbirth.

—Read the whole report at www.savethechildren.org.



IRISH EYES SMILING

A new fund dedicated to improving the lives of women was launched in Dublin by Irish President

Mary McAlees. The Women's Fund for Ireland will tackle problems including poverty, violence and improving access to health care and education. It will also support grassroots projects in areas such as the arts, literacy and training.

Tina Roche, chief executive of Philanthropy Ireland and the Community Foundation for Ireland, which matches donors with charities or community groups, pledged 100,000 British pounds (about \$171,000 Cdn) to begin the fund, which organizers hope will increase tenfold. Roche noted that there are at least 200 women's funds worldwide.



CLIMB TO THE TOP

In April, Oh Eun-sun of South Korea became the first woman to climb the world's 14 highest mountains. South Koreans have named her a

national hero, reports *The New York Times*.

HORRAY FOR BOSSY WOMEN

The percentage of female executives in Canada's public service is approaching the 50 percent mark, according to the government's latest demographic snapshot.

Today, 43 percent of federal public service executives are women. In Ottawa, 12 of 29 deputy ministers—about 40 percent—are women. Among the *Financial Post's* top 500 companies, however, just 18 CEOs are women, while women make up about 17 percent of board appointees in corporate Canada.

In 1983, women held less than five percent of executive jobs in the federal public service. One explanation is that more