

CANADA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of conscience, religion, thought, belief, opinion, expression, and the right to equal protection and benefit of the law without discrimination based on religion. The government does not require religious groups to register, but those that do receive tax-exempt status. In January the prime minister publicly condemned a January 29 attack against the Islamic Cultural Centre of Quebec, in which a gunman entered the facility and opened fire on worshippers, killing six and injuring several others, as a “terrorist attack on Muslims.” Police charged the gunman with six counts of first-degree murder and five counts of attempted murder. A group of Christian physicians in Ontario continued its legal complaint against the province, stating that provincial regulations requiring doctors to refer patients seeking assisted death, abortion, or contraception to another practitioner, rather than to a registry of licensed physicians that perform such procedures, constituted facilitation and violated constitutional guarantees of freedom of conscience and religion. In October the Quebec National Assembly enacted a law to ban individuals from wearing religious face coverings when providing or receiving provincial government services. The government said the law would foster adherence to state religious neutrality, while critics said it discriminated against Muslim women. The law entered into force on October 18, but it allowed Quebeckers to apply for exemptions, in accordance with guidelines the government expected to release in 2018. On December 2, a Quebec Superior Court justice issued a temporary stay of the implementation of the law until the government issued guidelines for religious accommodations.

There were reports of anti-Muslim and anti-Semitic activity, including incidents of violence, hate speech, harassment, discrimination, and vandalism, including the January 29 attack in Quebec. In September police charged two men with arson for allegedly setting on fire on August 6, a car owned by the head of the same Islamic Cultural Centre of Quebec targeted in the January violent assault. The vandalism occurred 36 hours after the city of Quebec announced it would sell land to the center to create an Islamic cemetery. In a separate incident, unidentified individuals flung excrement at the front door of the building. In February unknown individuals posted notes with the words “No Jews” placed above a swastika on the doors of a condominium building in North York, Ontario.

The Charge d’Affaires, embassy and consulate officers, and other U.S. government officials raised respect for religious freedom and diversity with the national and provincial governments. Embassy officials discussed strategies to combat religious intolerance through engagement with religious leaders, nongovernmental organizations (NGOs), and religious minority groups. The embassy sponsored and participated in public programs and events encouraging interfaith dialogue and freedom of religion. In February the Charge visited the leaders of the mosque in Quebec City targeted in the January 29 terrorist attack. In October the Consul General in Quebec City planted a tree outside the mosque and donated a plaque to commemorate the victims. In September the Charge attended a public ceremony to remember the victims and honor the survivors of the Holocaust at the inauguration of the country’s National Holocaust Monument. The embassy amplified these activities through social media.

Section I. Religious Demography

The U.S. government estimates the total population at 35.6 million (July 2017 estimate). According to the 2011 census (the most recent data available), approximately 67 percent of the population self-identify as Christian. Roman Catholics constitute the largest group (38 percent of the total population), followed by the United Church of Canada (6 percent), Anglican (5 percent), Baptist (1.9 percent), and Christian Orthodox (1.7 percent). Presbyterian, Lutheran, and Pentecostal groups each constitute less than 2 percent of the population. Approximately 3 percent of the population is Muslim and 1 percent is Jewish. Buddhists, Hindus, Sikhs, Scientologists, Bahais, and adherents of Shintoism, Taoism, and aboriginal spirituality together constitute less than 4 percent of the population. Approximately 24 percent of the population claims no religious affiliation.

According to the 2011 census, 56 percent of immigrants who arrived in the country from 2006 to 2011 were of Asian origin and 12 percent were of African origin; these groups generally adhere to religious beliefs that differ from the majority of native-born citizens. According to the 2011 census, non-Caucasian, nonindigenous ethnic minorities constitute 19.1 percent of the overall population and adhere to a diverse range of religious practices.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of conscience, religion, thought, belief, opinion, and expression. Every individual is equal under the law and has the right to equal protection and benefit of the law without discrimination based on religion. The law imposes “reasonable limits” on the exercise of these religious rights only where such restrictions can be “demonstrably justified in a free and democratic society.” The law permits individuals to sue the government for violations of religious freedom. Federal and provincial human rights laws prohibit discrimination on the grounds of religion. Civil remedies include compensation and/or changes to the policy or practice responsible for the discrimination.

The law does not require religious groups to register, but the government grants tax-exempt status to religious groups that register as nonprofit organizations with the Charities Directorate of the Canada Revenue Agency. Nonprofit status provides federal and provincial sales tax reductions, rebates, and exemptions. To gain and retain tax-exempt status, a group must be nonpolitical and undergo periodic audits. Charitable status also grants clergy various federal benefits, including a housing deduction under the tax code and expedited processing through the immigration system. The term “clergy” includes persons whose communities have licensed, ordained, or otherwise formally recognized them for their religious leadership and authority to perform spiritual duties and services within their religious organization. Individual citizens who donate to tax-exempt religious groups receive a federal tax receipt entitling them to federal income tax deductions.

The criminal code prohibits the practice of polygamy, which is an indictable offense subject to imprisonment of up to five years.

Government policy and practices with respect to education, including religious schools, fall under the purview of the provincial, rather than federal, governments. Six of the 10 provinces provide full or partial funding to some religious schools.

Catholic schools in Ontario, Alberta, and Saskatchewan retain the constitutionally protected provincial funding they had when those provinces joined the federation. Federal statutory protection for Catholic and Protestant publicly funded minority education exists in the Yukon, Nunavut, and Northwest Territories, which do not have provincial status. Constitutional or federal statutory protection for public funding of religious education does not extend to schools of other religious groups, although British Columbia (B.C.), Alberta, Saskatchewan, Manitoba, and Quebec offer partial funding to religious schools of any faith that meet provincial scholastic criteria. The law permits parents to homeschool their children and to enroll them in private schools for religious reasons.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

In January the prime minister publicly condemned the January 29 attack against the Islamic Cultural Centre of Quebec, in which a gunman killed six worshippers and injured several others, as a “terrorist attack on Muslims.” The premier of Quebec and the mayor of Quebec City also publicly denounced the attack and expressed solidarity with the Muslim community. The premier pledged to increase security at Quebec mosques. The federal government extended a deadline for communities at risk of hate-motivated crime to apply for public funds to upgrade security at their facilities.

In July a court found two elders of a fundamentalist Mormon sect in Bountiful, B.C., guilty of practicing polygamy. The elders filed an appeal, stating the ruling violated their constitutional right to freedom of religion and other rights. The province originally dropped polygamy charges against the men in 2009 after a provincial court ruled the method for choosing a prosecutor was inappropriate. The provincial government asked the B.C. Supreme Court to issue an advisory opinion on the constitutionality of the polygamy ban. In 2011, the court found that the harm polygamy represented outweighed the right to religious freedom. Authorities reinstated the charges in 2014, which led to the conviction.

In November the federal Supreme Court declined to extend constitutional protection for religious freedom to objects of worship or territory of spiritual significance. In 2012, the indigenous Ktunaxa Nation sought judicial review of a B.C. government decision to approve the construction of a ski resort in an area the Ktunaxa said was the habitat of Grizzly Bear Spirit, which is central to their faith. The Ktunaxa claimed the development would drive away the spirit, irrevocably impair their religious beliefs and practices, and violate their religious freedom. The court ruled the constitution protects the right to hold and to practice religious beliefs, but such protection does not extend to “the object of beliefs or the spiritual focal point of worship.”

In October the Quebec assembly enacted a law banning individuals from wearing religious face coverings when providing or receiving government services. The government stated the law fostered adherence to state religious neutrality and boosted social cohesion while providing a framework for religious accommodation requests in certain governmental bodies; however, critics said it would discriminate

against Muslim women. The law went into effect on October 18 and allows for exemptions, although the law did not specify how these would be applied and how the law would be enforced pending the publication of explanatory regulations in 2018. The National Council of Canadian Muslims and the Canadian Civil Liberties Association filed a legal challenge to the legislation, stating the law infringed on the religious and equality rights of Muslim women. On November 12, NGOs in Quebec held a peaceful street march in Montreal to protest the law and to speak out against racism and extremism. Approximately 160 organizations cosigned a declaration in support of tolerance and inclusivity. On December 2, a Quebec Superior Court justice issued a temporary stay against implementation of the law until the government issued guidelines for religious accommodations.

In May Saskatchewan Premier Brad Wall invoked a Canadian legal procedure to temporarily defer application of a ruling by a Saskatchewan judge ordering the province to cease public funding of non-Catholic students who attend Catholic schools. The judge ruled that providing funding for non-Catholic students discriminated against secular schools and those of other religious groups in favor of Catholic education. Critics of the ruling said some Catholic schools could close if enrollment of non-Catholic students fell.

In June the Ontario Catholic School Trustees' Association (OCSTA) reached an out-of-court settlement with a former non-Catholic student. She alleged her high school administrators had punished her after she sought an exemption from religious studies classes at her Catholic high school and filed a complaint at the provincial human rights tribunal. OCSTA agreed to review its procedures to ensure that schools did not impose barriers to granting exemptions.

In June the Ontario government amended provincial law to add a child's gender identity and gender expression as factors provincial child welfare authorities should consider in matters of child protection, adoption, and foster care. The law also eliminated consideration of the religious faith in which the parents were raising a child when deciding where and whether to place a child in care. Some NGOs stated the change could discriminate against parents, adoptive couples, or foster parents with religious beliefs that only recognize marriage between individuals of opposite sexes. They also stated the change could allow child protection services to remove LGBTI-identifying children from the custody of biological parents whose religious beliefs do not support LGBTI persons. Government officials said this was not the intent of the law.

In November the Justice Centre for Constitutional Freedoms filed an application on behalf of an evangelical Christian couple for judicial review of an Alberta Child and Family Services decision to deny them the ability to adopt a child because of their religious beliefs. Child welfare authorities allegedly told the couple their religious beliefs regarding heterosexual marriage and sexuality appeared to “reject” children who identify as LGBTI, which made them ineligible as adoptive parents under provincial government policy. The application for judicial review argued the decision was unreasonable and arbitrary, and violated the couple’s right to religious freedom under the constitution and the Alberta Human Rights Act. The case remained pending at the end of the year.

In December the Supreme Court heard concurrent appeals of provincial court decisions on accreditation for future graduates of Trinity Western University (TWU) Law School, a Christian university in B.C. The court reserved its decision in the case, which remained pending at the end of the year. In June 2016 an Ontario appeals court found the Ontario law society’s decision to bar future TWU graduates from receiving provincial legal accreditation was reasonable. The law society argued that TWU’s requirement that students sign a “Christian covenant” pledging to abstain from sexual relations outside heterosexual marriage discriminated against homosexuals and violated same-sex equality laws. In contrast, the B.C. Court of Appeal found unlawful the B.C. law society’s decision to deny accreditation on the same grounds. In 2016 a Nova Scotia appeals court ruled that province’s law society exceeded its jurisdiction in denying accreditation to future TWU graduates because TWU was located in B.C. and therefore outside the jurisdiction of the Nova Scotia Human Rights Act.

In June the Ontario Superior Court heard arguments from a coalition of Christian medical organizations and several individual physicians on their application for judicial review of the province’s requirement that physicians who oppose assisted death on moral grounds make an “effective [active] referral” to another medical provider for patients who seek the service. The group of plaintiffs included the Christian Medical and Dental Society of Canada, the Canadian Federation of Catholic Physicians’ Societies, and Canadian Physicians for Life in Ontario. Under Ontario’s regulations, physicians who fail to make such referrals could face sanctions up to and including the loss of their medical license. Federal law permits assisted death but specifies that doctors have the right to freedom of conscience and the right not to perform or assist in providing the procedure. Ontario is the only province requiring referral to another physician rather than to a registry of licensed physicians that perform such procedures or some other mechanism. The plaintiffs argued that the referral to another practitioner, rather than to a registry,

constituted facilitation and violated constitutional guarantees of freedom of conscience and religion. The court's decision remained pending at the end of the year.

The same court heard arguments in June from Ontario-based physician faith groups in a suit filed in 2015 against the province's medical regulator. The suit challenged a provincial policy requiring doctors who decline to provide access to contraception or decline to perform abortions on religious or moral grounds to refer the patient to another physician. The court's decision remained pending at the end of the year.

In November the federal Supreme Court heard the appeal of an Alberta congregation of Jehovah's Witnesses of an Alberta Court of Appeal ruling that courts could exercise jurisdiction in matters of religious edicts. The Supreme Court reserved its decision, which remained pending at the end of the year. In 2016, the Alberta court allowed a Calgary man's appeal of his "shunning" by a community of Jehovah's Witnesses to proceed in a lower provincial court. The plaintiff successfully argued his "disfellowship" was procedurally unfair and adversely affected his civil and property rights as a real estate agent whose clientele was largely composed of members of his former religious community.

In March the House of Commons passed a motion condemning Islamophobia and all forms of systemic racism and religious discrimination. The nonbinding measure also called for a parliamentary committee to study and report by year's end on how the government could reduce or eliminate racism and religious discrimination, and collect data to inform the reporting of hate crime. The measure's passage prompted online criticism and a brief period of protests. Opponents stated the motion singled out Islamophobia and violated freedom of speech. Media outlets reported Liberal Member of Parliament (MP) Iqra Khalid, who introduced the motion, received more than 50,000 mostly hostile emails on the topic, including some with death threats. Police offered the MP extra protection and investigated the threatening messages.

In July a Quebec judge issued an arrest warrant for a Jordanian imam for the willful promotion of hatred – a criminal offense. In a December 2016 sermon at a Montreal mosque, circulated online, the imam allegedly called for the killing of Jews. The imam was not a Canadian resident, but the warrant would apply if he tried to reenter the country.

In July police in Montreal apologized to a Jewish couple for initially refusing to investigate anti-Semitic graffiti daubed on their car and suggested the couple remove the graffiti themselves. Police investigated the incident but had no suspects at year's end.

In November Toronto police arrested and charged the editor and publisher of the Toronto-based newspaper *Your Ward News* on two counts of “promoting willful hatred against women and Jews.” The charges stemmed from the newspaper's summer 2017 issue, in which one of the accused allegedly incited readers to “bludgeon to death” a couple who had filed a civil suit against the newspaper. *Your Ward News* faced numerous civil complaints in recent years for its depictions of women, Jews, Muslims, and LGBTI persons. In 2016, the federal government banned it from using Canada Post for distribution, although it appealed that ruling.

On May 8, Prime Minister Justin Trudeau served as keynote speaker at the national Holocaust Remembrance Day ceremony and reiterated the government's commitment to fighting anti-Semitism, racism, and all forms of discrimination. Leaders of major federal political parties also attended. In January Foreign Minister Chrystia Freeland issued a statement on International Holocaust Remembrance Day in which she stated the importance of the country's standing against anti-Semitism and increasing Holocaust awareness and knowledge.

In September Prime Minister Trudeau and other officials participated in the unveiling of the National Holocaust Monument in Ottawa. After Jewish groups, opposition politicians, and rights advocates criticized the government for omitting the mention of Jews and anti-Semitism on a plaque at the monument's entrance, the government removed it and pledged to correct and replace it.

The government is a member of the International Holocaust Remembrance Alliance (IHRA). The government supported, both domestically and abroad, Holocaust education, remembrance, and research, and it recommended continued participation in the IHRA.

Section III. Status of Societal Respect for Religious Freedom

There were reports of various incidents directed against religious groups, in particular anti-Semitic and anti-Muslim incidents including physical violence, destruction of places of worship, vandalism, hate speech, violence, and harassment. On January 29, a gunman entered the Islamic Cultural Centre of Quebec and opened fire on worshippers, killing six men, critically injuring five,

and wounding approximately 12 others. On January 30, police charged the gunman with six counts of first-degree murder and five counts of attempted murder. On August 6, individuals set fire to a car owned by the head of the same Islamic Cultural Centre targeted in January. In September police arrested and charged two men with arson. In a separate incident, unidentified individuals flung excrement at the front door of the building. Unknown attackers also targeted the mosque several times in 2016, including an incident in which an unidentified vandal left a pig's head on the building's doorstep and distributed racist tracts in the mosque's neighborhood. Police did not identify any suspects.

In November the national statistical agency released police data identifying Jews as the religious group most frequently targeted for hate crimes in 2016, followed by Catholics and Muslims. Jews were targets of 221 incidents, up from 178 in 2015. The number of hate crimes recorded by police against Catholics fell from 55 in 2015 to 27 in 2016 and from 159 incidents against Muslims in 2015 to 139 incidents in 2016.

According to an October poll conducted by the Angus Reid Institute, a public opinion research foundation, in partnership with faith-based think tank Cardus, 55 percent of respondents stated religious freedom made Canada a better country, while 44 percent said religious diversity had both positive and negative impacts on the country. Forty-six percent of respondents said Islam was damaging to the country, the highest negative score of all the faiths included in the survey, followed by Sikhism at 22 percent. Catholicism, evangelical Christianity, and Judaism had overall positive ratings. Quebec respondents were the most likely to identify increasing religious diversity as an adverse impact on the country, listed at 31 percent compared with 23 percent nationally.

In June Husky Energy agreed to investigate allegations by three Muslim women in Edmonton, Alberta, who stated that their employer, a contracting company affiliated with Husky Energy, dismissed them after they complained a non-Muslim coworker had told them to remove their hijabs. The three women filed a complaint with the Alberta Human Rights Commission, which remained pending at the end of the year. Husky Energy announced in December it had completed a review of the incident and found the women's employer, a subcontractor, was not related to the women's complaint and occurred as part of a scheduled downsizing as the contractor's maintenance contract with Husky Energy expired. Husky Energy dismissed the allegations as part of its internal investigation. Both Husky Energy and the contractor underscored their commitment to a diverse workforce and pledged to cooperate fully with the Human Rights Commission investigation.

In February a B.C. carpentry school rejected an application from a prospective Israeli student on the stated grounds of his nationality and “non-inclusive” policies pursued by the Israeli government. According to a press report, the school’s executive director subsequently issued a written apology to the student, reversed the school’s decision, and rescinded restrictions on admission of students from Israel.

On August 4, the mayor of Quebec City announced the municipality had conditionally accepted an offer from the Quebec Islamic Cultural Centre to purchase city-owned land for an Islamic cemetery. The agreement followed a July 16 referendum in Saint-Apollinaire, a town near Quebec City, in which voters rejected the center’s bid to build an Islamic cemetery in the town. Although the Saint-Apollinaire city council had unanimously approved the center’s application, the cemetery required a zoning change, necessitating a referendum under Quebec law. Only residents living adjacent to the proposed site were eligible to vote, and of 49 eligible voters, 36 cast ballots. Debate spread beyond the community and engendered messages directed against the mosque. In July the mosque received a mailed package containing a defaced copy of the Quran and a note expressing hatred toward Muslims. Police opened a hate crime investigation but did not identify suspects. Prime Minister Trudeau condemned the incident as inconsistent with Quebec or Canadian values; he later praised the municipal government’s decision to sell the land for the cemetery.

The B’nai Brith Canada League for Human Rights said it received 1,728 reports of anti-Semitic incidents in 2016, a 26 percent increase from 2015. The greatest number of reports (490) came from Ontario. Reported incidents in 2016 included violence against persons (11 incidents); harassment (1,559 incidents); vandalism, including graffiti; and attacks on synagogues, private homes, community centers, and desecration of cemeteries (158 incidents).

Independent Arabic language newspaper *Al Saraha*, based in London, Ontario, agreed to publish a front-page apology for reprinting an article in its June-July 2016 edition. The article alleged Jews had inflated the number of Holocaust victims from 100,000-600,000 to six million and blamed them for Germany’s economic collapse in the 1920s. *Al Saraha* had reprinted the article from an Egyptian newspaper. The publication is distributed online and through Middle Eastern restaurants and grocery stores throughout the greater London, Ontario area.

In February Ryerson University in Toronto fired teaching assistant Imam Ayman Elkasrawy for reportedly calling for purification of the al-Aqsa Mosque in Jerusalem from the “filth of the Jews” in a 2016 off-campus sermon.

In December, eight synagogues in Toronto, Montreal, Hamilton, and Edmonton received identical letters depicting a swastika inside a bleeding Star of David with the phrase “Jewry Must Perish,” in what appeared to be a coordinated mailing that coincided with Hanukkah. Police in all four cities opened hate crime investigations. Police in north Toronto, where one of the targeted synagogues was located, said his detachment would pay additional attention to synagogues and Jewish facilities in the area.

In February unknown individuals posted notes with the words “No Jews” placed above a swastika on the doors of a condominium building in North York, Ontario. Authorities did not identify any suspects.

In September a woman interrupted an event in support of then federal New Democratic Party leadership candidate Jagmeet Singh, a Sikh, by heckling and accusing him of supporting sharia and the Muslim Brotherhood organization. Singh won his party’s leadership, and some observers credited, in part, what they said was his deft handling of the interaction with the heckler for boosting his popularity.

In August police in Markham, Ontario, investigated incidents of anti-Semitic and race-related graffiti at three schools. Police treated the cases as related hate crimes; however, they did not identify any suspects.

On August 31, an Ontario judge sentenced an 18-year-old male to a year in custody, including time served, plus two years’ probation for vandalizing six religious buildings in Ottawa in 2016. The vandalism included anti-Semitic graffiti on a Jewish school, synagogue, and rabbi’s home.

Authorities did not identify any suspects following an April 2016 incident in which vandals wrote the words “Muslim terrorists” over a picture of a Muslim woman wearing a niqab at a library exhibit on the lives of Muslims in Quebec.

Numerous interfaith and ecumenical organizations at the national, provincial, and local levels continued to operate, with the stated purpose of fostering respect for religious diversity, tolerance, and equal treatment for all religious groups. The groups included participation by the Canadian Council of Churches, the United

Church of Canada, the Roman Catholic Church, The Salvation Army, other Protestant communities, as well as Jewish and Muslim associations.

Section IV. U.S. Government Policy and Engagement

Embassy and other U.S. government officials met with representatives from Global Affairs Canada's Office of Diversity and Inclusion to discuss issues of religious freedom in the country and internationally.

The Charge d'Affaires and embassy officials also conducted regular outreach to religious leaders, NGOs, and religious groups to discuss strategies for combating religious intolerance. In February the Charge visited Quebec City and met with the leadership of the mosque where six worshippers were shot and killed on January 29. In October the U.S. Consulate in Quebec City donated a tree and plaque to the mosque to commemorate the shooting victims. The embassy amplified these efforts to support the mosque and the shooting victims on social media. In December a senior embassy official hosted a lunch at her residence for clergy, faith leaders, and NGOs that support religious freedom and diversity to raise awareness of International Religious Freedom Day and the United Nations International Day for Tolerance, and to promote interfaith dialogue. In September the Charge attended a public ceremony to remember the victims and honor the survivors of the Holocaust at the inauguration of the National Holocaust Monument. The embassy amplified the Charge's attendance at the event through social media. In July the embassy hosted a gathering of religious and civil groups to view a moderated discussion via video conference on violence and discrimination targeting vulnerable groups, including Muslims. The audience identified ways to adapt best practices to their own vulnerable groups and agreed to form a working group through Ottawa City Hall to address hate crimes. In July the Consul General and consulate staff in Quebec City hosted an iftar with leaders and young representatives of Muslim, Jewish, and Christian religious communities. In her remarks, the Consul General highlighted the values of sharing, compassion, and mutual understanding. Embassy officials also met on several occasions with local faith leaders to discuss issues of religious freedom. On two occasions embassy officials met with imams in Ottawa to hear about the challenges facing their communities and about their success in building interfaith alliances.