

CANADA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

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. The law provides remedies for complaints of discrimination on the basis of religion. Issues involving religious freedom at the federal and provincial levels included limits on religious expression, such as requirements to remove religious face coverings when swearing the oath of citizenship or testifying in court if a judge determined that covering the face prejudiced the right of a defendant to a fair trial.

There were reports of anti-Semitism and anti-Muslim activity. Incidents of vandalism included swastikas and racist graffiti painted on synagogues, mosques, cultural centers, and private residences. There were also incidents of property damage to religious facilities, and individuals were targets of harassment and slurs based on ethnicity and religion. Authorities investigated cases, including potential hate crimes, in a timely manner and brought charges.

U.S. embassy and consular officials discussed religious freedom issues with the government. They conducted regular outreach to religious leaders, nongovernmental organizations (NGOs), and religious groups. They also used public programs encouraging dialogue and interfaith communication. They attended public events to highlight issues of religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 34.8 million (July 2014 estimate). According to the 2011 census, approximately 67 percent of the population is Christian. Roman Catholics constitute the largest group, followed by Protestant denominations. The United, Anglican, Presbyterian, Lutheran, Baptist, and Pentecostal Churches are the largest Protestant groups. Approximately 3 percent of the population is Muslim and 1 percent Jewish. Groups that together constitute less than 4 percent of the population include Buddhists, Hindus, Sikhs, Scientologists, Bahais, and adherents of Shintoism, Taoism, and aboriginal spirituality. Approximately 24 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 census, “visible minorities” constitute 19.1 percent of the overall population and adhere to a diverse range of religious practices, with a majority residing in major metropolitan areas across the country.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of conscience, religion, thought, belief, opinion, and expression. It guarantees equality under the law and the right to equal protection and equal benefit of the law without discrimination based on religion. Citizens have the right to sue the government for violations of religious freedom. Federal and provincial human rights laws prohibit discrimination on 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 with the government. The government grants tax-exempt status to religious groups that choose to register as nonprofit organizations with the Charities Directorate of the tax authority, the Canada Revenue Agency. Nonprofit status provides federal and provincial sales tax reductions, rebates, and exemptions. To gain and retain tax-exempt status, groups must be nonpolitical and undergo periodic audits. 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. Individual citizens who donate to tax-exempt religious groups receive a federal tax receipt entitling them to federal income tax deductions.

The constitution guarantees the rights and privileges that existed at the time of national union in 1867, or at the date when a province entered the confederation, and the right of Protestant and Catholic minorities to publicly funded denominational education. The guarantee does not extend to provinces that did not have preexisting publicly funded denominational schools. Constitutional amendments repealed the guarantee for the provinces of Quebec and Newfoundland and Labrador, which abolished their publicly funded Catholic and Protestant school systems and replaced them with a secular public education system. Constitutionally protected public funding for denominational schools remains only for members of the Catholic Church in Ontario, Alberta, and

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Saskatchewan. Federal statutory protection for Catholic and Protestant publicly funded minority education exists in the Northwest Territories, Yukon, and Nunavut, 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. The law permits parents to home school their children and to enroll them in private schools for religious reasons.

Government Practices

The government required candidates for citizenship to remove religious clothing that covered the face when swearing the oath of citizenship in order to verify that each candidate recited the oath. In October an Ontario court heard a legal challenge by a female Muslim in Mississauga, 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. The case remained ongoing.

In January the Quebec legislative assembly generated national discussion on issues of religious freedom when it opened hearings on draft legislation that sought to entrench the concept of religious neutrality in the provincial Quebec Charter of Rights and Freedoms; create a charter of secular values that would prohibit the wearing of conspicuous religious symbols, including religious clothing, by public employees in the workplace; and make it mandatory to uncover the face while providing or receiving a provincial service. The debate over religious freedom was suspended when the government that had sponsored the draft legislation was defeated in an election in April and left office, and the incoming government did not revive the charter.

In July the prosecution in a sexual assault case withdrew all charges, citing no realistic possibility of obtaining a conviction after the complainant, who was Muslim, refused to remove her face covering to testify against her alleged abusers in court, despite the judge's ruling that she must do so consistent with the defendant's right to a fair trial. In 2012, the Supreme Court had ruled that, in response to her earlier appeal of an order to remove her face covering at a preliminary hearing in the same case, presiding trial judges should determine whether individuals could wear religious face coverings while testifying in court on a case-by-case basis.

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In August authorities in British Columbia charged two members of a fundamentalist branch of the Church of Jesus Christ of Latter-day Saints (Mormons) with practicing polygamy. The accused faced similar charges in 2009, but a court dismissed the charges on technical grounds related to the province's choice of a special prosecutor in the case. Provincial authorities had hesitated to file charges due to legal uncertainty about whether the criminal code prohibition of polygamy violated constitutional guarantees of freedom of religion. The province sought an advisory opinion on the constitutionality of the law from the British Columbia Supreme Court which, in 2011, upheld the law on the basis that the harm posed by polygamy outweighed the right to religious freedom.

Government practices with respect to education, including religious education, fell under the purview of the provincial, rather than federal, governments. Six of the 10 provinces provided at least partial funding to some religious schools. Ontario was the only province that provided constitutionally protected funding for 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.

In December the British Columbia government revoked its support for Trinity Western University's (TWU) planned law school, which was due to admit its first students in 2016, following a petition challenging its approval. TWU, a private Christian institution, announced legal action against the province and, in separate actions, against the law societies of Nova Scotia and Ontario, to overturn separate bans by these societies on the admission of TWU law graduates to their provincial bar associations. The two law societies each said that TWU's requirement that its students abstain from sexual relations outside heterosexual marriage was discriminatory toward homosexuals. TWU stated the bans violated students' rights of freedom of religion, expression, and association. On December 16 and 17, the Nova Scotia Court Supreme Court held a judicial review of the ban on future TWU law graduates.

The government operated an Office of Religious Freedom within the Department of Foreign Affairs, Trade, and Development headed by an official of ambassadorial rank 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.

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The government was a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

There were reports of anti-Semitic and anti-Muslim incidents. Because ethnicity and religion are often closely linked, it is difficult to categorize many incidents specifically as ethnic or religious intolerance.

In September a prominent Calgary imam and founder of the Islamic Supreme Council of Canada and the group Muslims Against Terrorism was reportedly hit by a car while on his way to lead prayers. The imam stated the driver struck him twice with the vehicle and shouted the imam was a terrorist and a threat to Canada. The driver left the scene when the imam called 911. A police investigation was ongoing.

In May police arrested a man attempting to throw a Molotov cocktail through the window of a mosque and community center in east Montreal, Quebec, the fifth in a series of attacks on the same mosque, including attacks in April and May. Previous incidents included breaking of a window and door, and receipt of notes threatening death and violence. Police increased patrols in the neighborhood and surveillance of the facility. The center's director stated that he was pleased with police collaboration.

In July unknown vandals spray painted racially motivated hate messages on the sidewalk in front of a Thornhill, Ontario, mosque and Islamic community center while worshippers attended Ramadan events inside the building. Police investigated the incident as a hate crime.

The Bnai Brith Canada League for Human Rights received 1,274 reports of anti-Semitic incidents in 2013, the most recent year for which data was available, down 5.3 percent from 1,345 in 2012. More than half of such reports (714) came from Ontario. The reports included 872 cases of harassment, 388 cases of vandalism, and 14 cases of violence. There were 25 cases involving attacks on synagogues, 155 involving private homes, and 57 involving community centers. Jewish students reported 89 cases of anti-Semitic incidents on university campuses, compared with 79 in 2012; another 59 involved primary and secondary school settings, compared with 79 in 2012. Bnai Brith also received 434 reports of web-based hate activity, compared with 521 in 2012.

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In January a Manitoba judge sentenced a teenager to 18 months of probation and 75 hours of community service after he pled guilty to setting the hair of a female Jewish classmate alight while uttering anti-Semitic slurs in 2011. Police investigated the incident as a hate crime, but the judge concluded the teen targeted the girl for bullying, not because she was Jewish. The girl was uninjured in the incident. A Bnai Brith Canada spokesperson expressed disappointment with the ruling, stating the incident was motivated by hate and calling for a review of the decision.

During the Quebec provincial election campaign in March, a candidate falsely described kosher certification as a “rip off” and a “tax” paid directly to synagogues and called for a ban on kosher practices. The remark drew public criticism and the leader of the candidate’s party stated the candidate’s views did not reflect those of the party.

In February and March unknown vandals set fires in two separate incidents at Montreal synagogues. Authorities extinguished the flames, there was minimal damage, and police opened investigations that continued at year’s end.

There were several incidents in which vandals displayed anti-Semitic graffiti and symbols. In July unknown vandals painted swastikas on a Toronto-area bus shelter in a neighborhood with a significant Jewish population and hate messages directed against Muslims on a nearby mosque. Police opened an investigation that continued at year’s end. In June unknown vandals defaced a Toronto synagogue and Jewish cultural center and the private residence of a Jewish family with swastikas in separate incidents. Police opened an investigation that continued at year’s end. In May unknown individuals scrawled swastikas, racist graffiti, and the words “no Jews” on buildings and public signs in seven locations in Victoria and Saanich, British Columbia. Police opened a hate crime investigation that continued at year’s end. On April 21, unknown vandals painted swastikas and racist graffiti on a synagogue and, in separate incidents on April 24 and 25, on four nearby schools in Calgary. Calgary police deemed the incidents hate crimes and opened an investigation that continued at year’s end. Also on April 21, firefighters extinguished a burning 10-foot-wide swastika erected by unknown individuals at an Edmonton traffic intersection. The Edmonton Police Service hate crime unit opened an investigation that continued at year’s end.

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In May unknown vandals damaged headstones at Hebrew Sick Benefit Cemetery in Winnipeg. Winnipeg police opened an investigation that continued at year's end.

Section IV. U.S. Government Policy

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

In late February the Embassy in Ottawa and the Consulate General in Toronto sponsored a speaking tour by the editor-in-chief of a U.S.-based Muslim magazine. The editor met with the Muslim Student's Association and the Centre for Catholic, Jewish, and Muslim Learning at King's University College, Toronto, and with university students, school groups, and women in Ottawa to discuss empowerment of Muslim women, respect for diversity, and societal attitudes toward religious clothing.

In March the Consulate General in Toronto organized an outreach program for youth from the Somali diaspora community to discuss issues related to the recruitment and radicalization of Muslim youth.

In March embassy officials conducted outreach to leaders of religious communities in Ottawa in support of religious freedom, including meetings with senior Roman Catholic, Jewish, and Muslim leaders.

In July the Consul General in Toronto visited the Bochasanwasi Shri Akshar Purushottam Swaminarayan Sanstha (BAPS) Hindu temple to meet with this religious community. He provided information to facilitate the community's travel to the United States for the dedication of a BAPS temple in New Jersey.

Also in July embassy representatives attended an annual iftar hosted by the mayor of Ottawa and the Association of Progressive Muslims of Canada (APMC). Religious leaders and members of different faith groups, elected officials, and members of the diplomatic corps were also in attendance, and speeches given discussed issues of religious freedom. Consulate general representatives also attended an iftar in Montreal that was hosted by the Institute of Intercultural Dialogue and the Spanish and Portuguese Synagogue, where they discussed religious freedom.

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In October embassy officials attended the APMC's annual Eid al-Adha dinner, where they discussed religious freedom issues. Faith groups, elected federal, provincial, and municipal officials, and members of the diplomatic corps attended.