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Queer Ontario Sees Bill C-279 As Step in Right Direction, But Still Lacking

Queer Ontario unequivocally sees federal Bill C-279* as a step in the right direction; however, we harbour serious concerns with the dropping of ‘gender expression’ from the original bill.

Individuals need to have rights and protections not only with respect to how they identify their gender (including individuals who do not identify in terms of gender) but also how they express their gender. Indeed, we recognize that attacks on individuals based on their 'sexual orientation' or 'gender identity' are the result *not* of their sexuality or gender identity, per se, but rather, of the particular ways they express their sexuality, gender, or affections – that is: in a way that contradicts the attacker's expectations of how that individual is *supposed* to look, speak, act, dress, or show affection, based on their perception of their target's sex or gender.

We see this Bill has having the potential to extend its rights and protections to all individuals based on their gender identity and gender expression, not only those who identify as transsexual or transgender. This includes individuals who are intersex, agender, bigender, genderqueer, two-spirited, androgynous, genderfluid, and not gender-identified. This also includes individuals who are cisgender but gender non-conforming (given the non-conforming tolerances of the people in their close vicinities).

It is for these reasons that we believe the federal Conservative Government has made a serious error in calling for the removal of ‘gender expression’ from Bill C-279, inexcusably denying the bill's rights and protections to Canadians in need.

Although Queer Ontario sees Bill C-279, in its amended form, as a necessary first step, we would like to send the message that the government's protective work is far from over. We stand by the position that both ‘gender identity’ and ‘gender expression’ must be included in human rights legislation (as is the case in Ontario, Nova Scotia, and Sweden), and thus, we are committed to continue the pursuit of their inclusion in a future amendment.

* The bill to amend the Canadian Human Rights Act and the Criminal Code of Canada to include ‘gender identity’ and ‘gender expression’ as protected grounds against discrimination and hate crimes.

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Queer Ontario is a provincial network of gender and sexually diverse individuals – and their allies – who are committed to questioning, challenging, and reforming the laws, institutional practices, and social norms that regulate queer people.

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