

CENTRE FOR HUMAN RIGHTS RESEARCH, UNIVERSITY OF MANITOBA
Annual report to Senate Committee on University Research
2018-19

Interdisciplinary (Type II) Research Centre
Report prepared by Helen Fallding, manager

MISSION STATEMENT

The Centre for Human Rights Research brings together people and organizations – both within and outside the University of Manitoba – to enhance interdisciplinary and collaborative research capacity, create richer training opportunities for students, and facilitate the fusion of research-driven knowledge, public policy and intellectual debate on issues related to human rights and social justice. The centre aims to facilitate research that is both academically rigorous and accessible to the public.

Objectives and functions: remain the same as when the centre was established in 2012. The centre's status was renewed by the university until Mar. 31, 2022, following a five-year review.

DIRECTOR: Prof. Karen Busby



Prof. Karen Busby's research interests include laws connected to sex, sexuality, violence and the human right to safe drinking water. Her current research is on human rights laws affecting lesbian, gay, bi-sexual and trans-identified (LGBT) people; sexual violence; surrogacy; religious freedom; and child protection. She is a co-investigator on a \$2.6-million, SSHRC-funded multi-sector partnership to investigate and develop policy and practice models to dismantle rape culture at universities. She was the principal investigator on a \$200,000 SSHRC partnership development grant on the [right to clean water in First Nations](#).

She was an active participant in litigation and law reform efforts on sexual assault, recognition of same-sex relationships, bawdy houses/indecency, age of consent and gender identity. Prof. Busby appeared as counsel in the Supreme Court of Canada in the *Little Sisters* case about the discriminatory treatment of LGBT bookstores by Canada Customs. She teaches constitutional law, administrative law, gender and the law, and a multi-disciplinary graduate-level [seminar course](#) on a current human rights topic.

Busby was a member the Women's Legal Education and Action Fund (LEAF) national legal committee from 1992-1997. She also served on the board of Egale Canada (2003-08), a national organization representing LGBT folks. Prof. Busby was on the review panel established under Manitoba's Vulnerable Persons Living with a Mental Disability Act from 2001-12. She served on the board of governors of the Winnipeg Art Gallery from 2000-2009. Busby delivers seminars to new administrative board members on fair procedures and is a member of Research Manitoba's research advisory committee.

Prof. Busby has received numerous awards recognizing her human rights work, including a YWCA Women of Distinction award, and awards from the Manitoba and Canadian bar associations. She was inducted into the [Q \(Queer\) Hall of Fame](#) in 2011, was awarded the University of Manitoba's [top teaching award](#) in 2015 and received a Senate 150th Anniversary Medal in 2017.

PERSONNEL involved in work related to CHRR this year:

Faculty members¹ 43 UM (from 10 faculties) and 9 other

- 10 on [advisory board](#)
- 24 other UM profs and 6 from other universities involved in NSERC-funded H2O project
- one other UM prof and one from another university continuing right-to-water research
- three more profs helping implement Master of Human Rights program
- helped two other profs with human rights research dissemination
- one UM prof (Urquia) working with director on child brides
- another prof from another university presented during seminar series
- helped another prof organize international conference
- provided research assistant for another professor's refugee board project
- one prof in India collaborating on sex work research



Dr. Marcelo Urquia

Postdoctoral fellows 3

PhD students 11 UM and 3 others

- 9 UM and 3 from other universities through H2O program
- One handling CHRR social media
- CHRR director on one dissertation committee

Master's students 9 UM and 5 other

- 7 UM and 5 from other universities through H2O program
- CHRR director supervising one thesis and on one other thesis committee

JD students 14 UM and 5 other

- two Speakers Bureau co-ordinators plus 2 other occasional presenters
- four [student interns](#): placed with Canadian Human Rights Commission and UM Legal Services
- one podcast critical conversations series
- four paid UM research assistants and five at other universities, including through UN Declaration contract
- one worked on assisted human reproduction submission and joint paper with the director on criminalizing HIV non-disclosure

Undergraduate students 11 UM and 4 other

- 10 UM and 4 at other universities through H2O program
- one work-study assistant

Administrative, Secretarial 3

- manager (full-time)

¹ The range of involvement varies widely, with major engagement by Busby (50% of her workload), Agriculture's Farenhorst (15%), and Arts professors Muller (15%), Desmarais (10%). Note that the professors listed above as involved with CHRR this year are not all formal members and some formal members were not active this year.

- H2O project co-ordinator (full-time)
- office assistant (20 hours/week)

Community partners

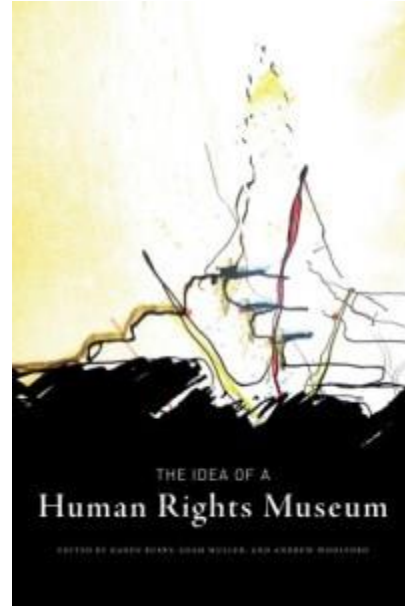
Active partners included about 20 First Nations in Manitoba, Ontario and Saskatchewan; the Office of the Children’s Advocate; the Canadian Human Rights Commission and the International Institute for Sustainable Development.

ACADEMIC CONTRIBUTIONS

Books

Karen Busby, Adam Muller and Andrew Woolford, eds., *The Idea of a Human Rights Museum* (University of Manitoba Press, 2015). Refereed.

Andrew Woolford, Jeff Benvenuto and Alexander Hinton, eds., *Colonial Genocide in Indigenous North America* (Durham, NC: Duke University Press, 2014). Refereed



Chapters in refereed books

Karen Busby and Pamela White, “Desperately Seeking Surrogates: Thoughts on Canada’s Emergence as an International Surrogacy Destination,” in *Surrogacy in Canada: Critical Perspectives in Law and Policy* (Irwin Law, 2018).

Jerome Cranston, “Refugee Camp Schools beneath a Setting Sun” in *Beyond the Classroom Walls: Teaching in Challenging Social Contexts* (Lanham, MD: Lexington, 2018)

Aimée Craft, “Giving and Receiving Life from Anishinaabe Nibi Inaakonigewin (Our Water Law) Research” in *Methodological Challenges in Nature-Culture and Environmental History Research* (Routledge, 2017).

Karen Busby, “All manner of wickedness abounds: reconciling queer rights and religious rights,” in *Human Rights: Current Issues and Controversies*, ed. Gordon DiGiacomo (Toronto: University of Toronto Press, 2016).

Karen Busby, ‘Sex Was in the Air:’ Pernicious Myths and Other Problems with Sexual Violence Prosecutions” in *Locating Law: Race/Class/Gender/Sexuality Connections*, 3rd edition, ed. Elizabeth Comack (Halifax and Winnipeg: Fernwood Publishing, 2014).

Other chapters

Adele Perry, “Drinking Dispossession: Shoal Lake 40, Winnipeg, and the Making of Canada” in *Surviving Canada: Indigenous Peoples Celebrate 150 Years of Betrayal*, eds. Kiera Ladner and Myra Tait (Winnipeg: ARP Books, 2017).

Karen Busby, “Legislated Ministerial Pre-Enactment Review for Fundamental Rights Compliance” in *Canada and the Rule of Law: 150 Years after Confederation*, (Ottawa: International Commission of Jurists Canada, 2017)

Karen Busby, “The Politics of Religious Diversity: Can Legal Principles Advance Cooperation?” in *Global Cooperation through Cultural Diversity: Remaking Democracy?* ed. Jan Aart Scholte (Duisburg: Centre for Global Cooperation Research, 2015)

Karen Busby, “Canada: Halalt First Nation,” in *The Human Rights to Water and Sanitation in Courts Worldwide*, (WaterLex and WASH United, 2014)

Refereed papers

Ruidong Mi, Rakesh Patidar, Annemieke Farenhorst, Zhangbin Cai, Shadi Sepehri, Ehsan Khafipour, & Ayush Kumar, “Detection of fecal bacteria and antibiotic resistance genes in drinking water collected from three First Nations communities in Manitoba, Canada,” *FEMS Microbiology Letters* (2019).

Mofizul Islam and Qiuyan Yuan, “First Nations wastewater treatment systems in Canada: Challenges and opportunities,” *Cogent Environmental Science* 4(1) (2018).

Katelin Neufeld, Danielle Gaucher, Katherine Starzyk and Gregory Boese, “How feeling connected to one’s own community can increase support for addressing injustice impacting outgroup communities,” *Group Processes and Intergroup Relations*, (2018): 1-19.



Katelin Neufeld

Melanie O’Gorman and Stephen Penner, “Water infrastructure and well-being among First Nations, Métis and Inuit individuals in Canada: what does the data tell us?” *S. Environ Sci Pollut Res* (2018): 1-18.

Ahmed Oyegunle and Shirley Thompson, “Wasting Indigenous Communities: A Case Study with Garden Hill and Wasagamack First Nations in Northern Manitoba, Canada,” *Journal of Solid Waste Technology and Management*, 44(3), 232-247 (2018).

Annemieke Farenhorst, Ru Li, Musarrat Jahan, Hein Min Tun, Ruidong Mi, Inoka Amarakoon, Ayush Kumar and Ehsan Khafipour, “Bacteria in drinking water sources of a First Nation reserve in Canada,” *Science of the Total Environment* 575 (1) (2017): 813–819.

Karen Busby, “Troubling Waters: Recent Developments in Canada on International Law and the Right to Water and Sanitation,” *Canadian Journal of Human Rights* 5(1) (2016): 1-26.

Dinesh M. Fernando, Hein Min Tun, Jenna Poole, Rakesh Patidar, Ru Li, Ruidong Mi, Geethani E. A. Amarawansa, W. G. Dilantha Fernando, Ehsan Khafipour, Annemieke Farenhorst and Ayush Kumar, “Detection of Antibiotic Resistance Genes in Source and Drinking Water Samples from a First Nation Community in Canada,” *Applied and Environmental Microbiology* 82(15) (2016): 4767-4775.

Thomas Falkenberg, “Assessing Well-Being and Well-Becoming in Canadian Schools: Contributions of Children’s Rights Perspectives,” *Revue d’éducation/Education Review*, 5(1) (2016): 29-34.

Karen Busby, “‘Providing Essential Services of Reasonable Quality to All Canadians’: Understanding Section 36(1)(c) of the Constitution Act, 1982,” *Review of Constitutional Studies* 20(2) (2016): 191-212.

Joshua Shaw, “De-Recognition of Disability: Canadian Parens Patriae Jurisdiction and Sterilization,” *Windsor Review of Legal and Social Issues* 36 (2015): 147-174.

Brenda Elias, Karen Busby and Pat Martens, “One little, too little: Counting Canada’s Indigenous people for improved health reporting,” *Social Science & Medicine* 138 (2015): 179–186.

Karen Busby, “On Democracy and Dialogue at the Canadian Museum for Human Rights,” *Journal of Parliamentary and Political Law* 9, 1 (2015): 147-152.

Other papers

Aimée Craft, “Treaty words—for as long as the rivers flow,” *Prairie Fire* 39(3) (2018).

Karen Busby, “Tied Up in K/nots: The Criminalization of BDSM in Canada,” *Law Matters* 41, 2 (2016): 23-26.

Melanie Janzen and Jerome Cranston, “Exploring the Past, Present and Future Stories of Human Rights,” *Reflections* (Manitoba ASCD journal), Summer 2015.

Conference proceedings

Karen Busby, “Discussed, reformulated and enriched many times: The Supreme Court of Canada’s Equality Jurisprudence,” Canadian Bar Association conference proceedings (2014).

Reports

Vanessa Gruben, Alana Cattapan, Angela Cameron, Shirley Greenberg, Karen Busby, Davinder Singh (UM JD student) et al, joint submission to Health Canada on proposed Assisted Human Reproduction Regulations (2019)

Colin Bonnycastle, “The Right to Clean Water in First Nations: The Photovoice Project, Nisichawayasihk Cree Nation” (2015).

Karen Busby and Sara Mahboob, “Influences on Young Muslim Women in Winnipeg: Preliminary Report on Key Informant Interviews” (2014).

Aimée Craft, “Anishinaabe Nibi Inaakonigewin Report: Reflecting the Water Laws Research Gathering conducted with Anishinaabe Elders June 20-23, 2013 at Roseau River, Manitoba” (2014).

Curriculum

Ashley Edson and Cathy Rocke, “Racism: Indigenous and Non-Indigenous Relationship in Canada.” (Undergraduate curriculum, 2015)

Videos

Katherine Starzyk, *Getting Canadians to care about First Nation water issues*, 2017. (short video)

Karen Busby, *Legal frameworks for helping solve First Nation water issues*, 2017. (short video)

Cherishing Water, Claiming Health: Water as a Holistic Health Right, 2014 (30-minute video)

Directed by Dr. Warren Cariou

Edited by Andrew Eyer

Camera Operators: Mark Neufeld and Teddy Zegeye-Gebrehiwot

Plain language research summaries

Katherine Kidder, “Canada’s New Sex Work Laws: Know the Law and Stay Safe” (2018) pamphlet

Katherine Starzyk, “Is water a human right?” (2016).

Diane Dupont, Morgan Vespa, Shianne McKay, Russell Anthony, Khan Islam, Raymond Harper and Melanie O’Gorman, “Water and Sanitation in First Nations Communities: Economic Analysis” (2016).



Dr. Katherine Starzyk

Laura Funk, “How do non-Indigenous Canadians understand access to safe water in First Nations communities?” (2015).

Karen Busby and Aimée Craft, “Water and Sanitation in First Nations Communities: Legal Principles” (2015).

Newspaper columns

Helen Fallding, “Reflecting on 25 years of the struggle for queer rights in the Yukon,” *Yukon News*, 19 June 2018.

Shauna Labman and Jamie Liew, “Rhetoric on refugees only hurts border control,” *Winnipeg Free Press*, 5 May, 2018.

Aimée Craft, “Tina Fontaine’s story shows there is no real justice for Indigenous people in Canada,” *Globe and Mail*, 23 February 2018.

Helen Fallding, “Standing up to the 'moron' in the White House,” *Winnipeg Free Press*, 9 March 2017.

Karen Busby, “Winnipeg doing more for victims of sex assault,” *Winnipeg Free Press*, 16 February 2017.

Shauna Labman, “Asylum no easy way to stay here,” *Winnipeg Free Press*, 7 February 2017.

Melanie Janzen, “Canada's children deserve better,” *Winnipeg Free Press*, 16 December 2016.

Karen Busby, “Duelling approaches to sex work,” *Winnipeg Free Press*, 7 December 2016.

Madison Pearlman, “Ezra project brings Yazidis to Canada,” *Winnipeg Free Press*, 11 July 2016.

Ayush Kumar and Annemieke Farenhorst, “Water distribution systems failing,” *Winnipeg Free Press*, 15 June 2016.

Mary Shariff, “More questions on assisted dying,” *Winnipeg Free Press*, 8 June 2016.

Lorna Turnbull, “Making this a 'have' province,” *Winnipeg Free Press*, 17 May 2016.

Lori Wilkinson, “Gates to prosperity: Welcoming Syrian refugees fuels economy,” *Winnipeg Free Press*, 19 February 2016.

Dr. Annemieke Farenhorst



Karen Busby, "Tories' tip line: playing on fears," *Winnipeg Free Press*, 6 October 2015.
Karen Busby, "Could Cindy Gladue have consented to what killed her?" *Winnipeg Free Press*,
8 April 2015.

Karen Busby, "Prejudice in the court," *Winnipeg Free Press*, 3 March 2015, A7.

Karen Busby, "The limits of blasphemy," *Winnipeg Free Press*, 26 January 2015, A7.

Aimée Craft, "We have nowhere safe to go: Manitoba should support an indigenous-led inquiry
into murdered and missing," *Winnipeg Free Press*, 18 December 2014, A15.

Sarah Teetzel, "Transgender athletes deserve support and respect," *Winnipeg Free Press*, 17
December 2014, A9.

Karen Busby, "Case shows the perils of being a woman," *Winnipeg Free Press*, 22 November
2014, A17.

Karen Busby, "The cool, not cool in BDSM activity," *Winnipeg Free Press*, 6 November 2014,
A11.

Sarah Teetzel, "No to sex-tests of female Olympians," *Winnipeg Free Press*, 6 February 2014,
A10.

GRADUATE DEGREES (past academic year)

Janice Bone, MA, *Water, dreams and Treaties: Agnes Ross' Mémékwésiwak stories and Treaty
No. 5*, advisor Dr. Peter Kulchyski

Vanja Karpisek, MSc, *Natural wetlands as additional wastewater treatment for phosphorus
removal in First Nations communities in Manitoba*, advisors Dr. Qiuyan Yuan and Dr. Nazim
Cicek

Ruidong Mi, MSc, *Microbiological quality of drinking water from first nation communities in
Manitoba, Canada*, advisors Dr. Annemieke Farenhorst and Dr. Ayush Kumar

Mahrooz Sabri, MSc, *Freeze/thaw treatment for sludge dewatering, nutrient recovery and
biogas production in Northern Canadian Communities*, advisors Dr. Nazim Cicek and Dr.
Qiuyan Yuan

OTHER SIGNIFICANT ACTIVITIES, 2018-19

- Helped law Prof. Brenda Gunn and Métis consultant Céleste McKay fund and organize a January 2019 [international conference](#) on implementing the UN *Declaration on the Rights of Indigenous Peoples*.
- New collaborative research on child brides and HIV non-disclosure.
- Assisted sociologist Dr. Andrew Woolford with an October 2018 [workshop on genocide prevention](#).
- Sponsored [virtual residential school launch](#).
- Fifth annual [First Nation water rights research conference](#).
- [Student Speakers Bureau](#)
- Hosted a talk with First Nation child welfare activist [Cindy Blackstock](#) in collaboration with the Mahatma Gandhi Centre of Canada.
- Seminar series on [Reproductive and Sexual Rights](#), with podcasts for those unable to attend.
- Assisted the Faculty of Law with advertising and admissions for new [Master of Human Rights](#) program, in collaboration with genocide scholar Dr. Adam Muller and Dr. Annette Desmarais, Canada Research Chair in Human Rights, Social Justice and Food Sovereignty.
- Director joined McGill-based \$2.5-million SSHRC-funded project (2015-22): A multi-sector partnership to investigate and develop policy and practice models to dismantle rape culture in universities
- At least 19 invited local, national and [international presentations](#) and webinars by faculty, staff and students about CHRR projects to a combined audience of more than 2,800.
- The director and other CHRR-supported researchers were quoted in or wrote more than 48 print and broadcast news stories about human rights issues, including the newspaper columns listed above. A few other examples:
 - [This First Nation produces clean water. So why are so many residents afraid to drink it?](#) (CBC investigation)
 - [How Canada became an international surrogacy destination](#) (*Globe and Mail*)
- 32 [videos](#) of CHRR and [H2O presentations](#) are online.
- 6,962 people visited the [chrr.info](#) website this year. The centre also has 269 email list subscribers and a growing number of Facebook (998) and Twitter followers (520).
- Director serves on:
 - Advisory Committee on the Framework to Prevent and Address Gender-Based Violence at Post-Secondary Institutions, Canadian Department of Women's and Gender Equality
 - the U of M's Respectful Workplace and Learning Environment and Sexual Assault Policy advisory committee
 - the U of M's sexual violence prevention working group
- Two former CHRR research assistants named among Manitoba's Future 40: <https://www.cbc.ca/news/canada/manitoba/2018-manitoba-cbc-future-40-day-3-1.4909561>

KISKINOHAMATOWIN

AN INTERNATIONAL ACADEMIC
FORUM ON THE HUMAN RIGHTS OF
INDIGENOUS PEOPLES



FRIDAY AND SATURDAY, JANUARY 18 TO 19, 2019
ROBSON HALL, 224 DYSART ROAD, WINNIPEG, CANADA



Dr. Annette Desmarais

- Former H2O program trainee received Banting post-doctoral fellowship for 2019-20
- Manage email list for Association of Canadian Human Rights Institutes.
- Director participated in promotion review for professor at another Canadian university.

SOURCES OF FUNDING

External funds

- Dr. Annemieke Farenhorst, NSERC, [H2O research training program](#) for water and sanitation security in First Nations, \$1.65 million (2013-19)
- Prof. Karen Busby, Indigenous and Northern Affairs Canada, for an international research project on implementation of the UN *Declaration on the Rights of Indigenous Peoples*, \$232,085 for 2017-19 (further funding under discussion)

Endowment or trust income

- Robson Hall endowment fund, \$2,800 for student Speakers Bureau.
- No income will be disbursed from the CHRR endowment fund (valued at \$19,247) until the capital has grown to a more significant value.

University support

- \$257,264 operating funds, including carryover from previous year + \$2,957 from Career Services for two work-study student assistants = \$260,221 available for core operations
- \$75,000: H2O program salary support from VP research, Grad Studies and Agriculture
- In-kind support from Law, including a laptop, two phones, photocopying, office supplies and website/communications/accounting assistance.
- Space in Robson Hall: one double office and an open area, totaling 57 square metres, beyond an office the director is already entitled to as a professor.



EXPENSES 2018-19

Salaries:

Staff salaries & teaching release	\$153,670
Student research assistants	\$ 11,551
Benefits	<u>\$ 29,598</u>
Total salaries	\$194,819

Other:

Genocide workshop travel	\$ 2,384
Staff computer replacement	\$ 1,950
Staff training	\$ 1,525
Research dissemination (Embodying Empathy)	\$ 976
Supplies	\$ 826
Event catering	\$ 638
Memberships	\$ 497
AV support	\$ 388
Printing	\$ 104
Honorarium	\$ 100
Reimbursement of unspent small grant funds	<u>\$ -780</u>
Total non-salary	\$ 8,608

Total operating expenses **\$203,427** (\$56,794 carried over for future yrs)

FINANCIAL STABILITY

- The centre's expenses were modest this year because some of the major activities were carried out in collaboration with researchers who had other sources of funding.
- The surplus funds will be needed to cover inflation in future years when university funding is expected to drop or be frozen. This approach was part of the five-year financial plan reviewed by the Senate Committee on University Research in 2017.
- The research centre has cut back its small grants program to the level that can be supported by current funding.
- Some supporters of the centre may be considering bequests to the endowment fund, but these are unlikely to help in the short term.

LOOKING AHEAD

Expected growth: CHRR is involved in two new multi-year projects funded by SSHRC Insight Grants related to sexual assault trials and surrogacy. Meanwhile, the research centre continues to help the Faculty of Law implement the new Master of Human Rights degree program, starting in September 2019. CHRR director Karen Busby may supervise some of these students and others may gain research experience through CHRR projects.

Difficulties foreseen: Juggling startup on major new research projects and support for the new Master of Human Rights program will make this a busy year.