

CENTRE FOR HUMAN RIGHTS RESEARCH, UNIVERSITY OF MANITOBA
Annual report to Senate Committee on University Research
2019-20

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.



FOUNDING 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, bisexual and trans-identified (LGBT) people; sexual violence; surrogacy; [religious freedom](#); and child protection. She is a co-investigator on three projects funded by the Social Sciences and Humanities Research Council of Canada: a multi-sector partnership to investigate and develop policy and practice models to dismantle rape culture at universities (Partnership Grant, \$2.5 million, 2015-22); Surrogates’ Voices: Exploring Surrogates’ Experiences and Insights (Insight Grant, \$260,000, 2019-2024) and [Impervious to Change](#): A Mixed Methods Analysis of Criminal Sexual Assault Attrition Rates (Insight Grant, \$270,000, 2019-2024). She was the principal investigator on a \$200,000 SSHRC partnership development grant on the [right to clean water in First Nations](#).

PERSONNEL involved in work related to CHRR this year:

Faculty members¹ 22 UM (from 6 faculties) and one other

- 10 on advisory board
- another 3 profs involved in sexual assault study
- another 7 UM profs and 1 from another university presented during CHRR events
- helped another 2 profs write opinion columns for mainstream media

PhD students 2 UM

- 1 handling CHRR social media
- CHRR director on 1 dissertation committee

¹ The range of involvement varies widely, with major engagement by Busby (50% of her workload) and Dr. Jane Ursel. 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.

Master's students

16 UM

- Helped enrich the experience of at least 12 of the MHR students in the inaugural cohort of 19
 - Practicums for 8 MHR students supervised by CHRR director or research affiliates
 - 1 other MHR student hired to podcast critical conversations series
 - 2 other MHR students gave presentations through CHRR speakers bureau
 - Planned event with MHR student association
- CHRR director supervising 1 LLM thesis, plus on committees for 2 LLM and 1 MA theses

JD students

18 UM

- 4 paid UM research assistants
- 2 paid Speakers Bureau co-ordinators plus 9 other volunteer presenters
- 2 paid [student interns](#) placed with Canadian Human Rights Commission
- 1 presented during CHRR seminar series

Administrative, Secretarial

2

- manager (full-time)
- office assistant (20 hours/week)

Community partners

Active partners included the Office of the Children's Advocate, the Canadian Human Rights Commission, Klinik Community Health, Ma Mawi Wi Chi Itata, Possibility Seeds and the Canadian Museum for Human Rights.

ACADEMIC CONTRIBUTIONS

Books

Karen Busby and Joanna Birenbaum, [Achieving Fairness: A Guide to Campus Sexual Violence Complaints](#) (Thomson Reuters, 2020)

Amy Lebovitch and Shawna Ferris, eds., [Sex Work Activism in Canada: Speaking Out, Standing Up](#) (ARP Books, 2019)

Annette Aurélie Desmarais, ed. *Frontline Farmers: How the National Farmers Union Resists Agribusiness and Creates Our New Food Future* (Fernwood Publishing, 2019)

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



Chapters in refereed books

Karen Busby, “The Gay Agenda: A Short History of Queer Rights in Canada,” in *LGBTQ2+ Law: Practice Issues and Analysis* (Emond Montgomery, 2019)

Karen Busby, “Accountability Mechanisms in University Sexual Violence Policies,” in *2016/2018 Canadian Yearbook of Human Rights* (2019)

Adam Muller, Struan Sinclair and Andrew Woolford, “Digitizing Trauma: Embodying Empathy in a Reconstructed Canadian Indian Residential School” in *Wor(l)ds of Trauma: Canadian and German Perspectives* (Waxmann Verlag, 2018)

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).

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)



Refereed papers

Katelin Neufeld, Laura Funk, Katherine Starzyk, Michelle Gorea and Lisette Dansereau, “Barriers to and Strategies for Engaging Non-Indigenous Canadians in First Nations Water Rights: A Qualitative Inquiry,” *International Indigenous Policy Journal* 10:3 (2019).

Davinder Singh and Karen Busby, “Criminalizing HIV Non-Disclosure: Using Public Health to Inform Criminal Law,” *Manitoba Law Journal* 42(3) (2019): 89-121.

Andrew Woolford, Adam Muller and Struan Sinclair, “Risky Times and Spaces: Settler Colonialism and Multiplying Genocide Prevention through a Virtual Indian Residential School,” *Genocide Studies and Prevention* 13(3) (2019): 79-96.

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.

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), (2018): 232-247.

Jerome Cranston and Melanie Janzen, “A Critical Approach to Teaching About, Through, and For Human Rights.” *Canadian Journal for the Scholarship of Teaching and Learning*, 8(3) (2017), 2. <https://doi.org/10.5206/cjsotl-rcacea.2017.3.2>

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.



Katelin Neufeld

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.



Dr. Melanie Janzen

Conference proceedings

Karen Busby, “The Cone of Silence: Disclosure Prohibitions in University Sexual Violence Policies,” Canadian symposium on sexual violence in post-secondary education institutions, Montreal, 2018.

Reports

Vanessa Gruben, Alana Cattapan, Angela Cameron, Shirley Greenberg, Karen Busby, 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).

Curriculum

Ashley Edson and Cathy Rocke, “Racism: Indigenous and Non-Indigenous Relationship in Canada.” (Undergraduate curriculum for intergroup dialogue, University of Manitoba, 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)

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).

News columns

Brenda Gunn, Ry Moran and Helen Fallding, “UN declaration guides reconciliation,” *Winnipeg Free Press*, 18 March 2020.

Brenda Gunn, Ry Moran and Helen Fallding, “Senate must act on Indigenous rights bill,” *Winnipeg Free Press*, 17 May 2019.

Adele Perry, “Racism Intertwined with 1919 Strike,” *Winnipeg Free Press*, 14 May 2019.

Jamie Liew and Shauna Labman, “‘A refugee is a refugee’: Asylum changes threaten Canada's 'gold standard' system,” CBC online, 20 April 2019.

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.

Adele Perry, “Shoal Lake 40 Paying for Our Water for a Century,” *Winnipeg Free Press*, 13 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.

Adele Perry, “This History is Not Over,” *Winnipeg Free Press*, 9 June 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.

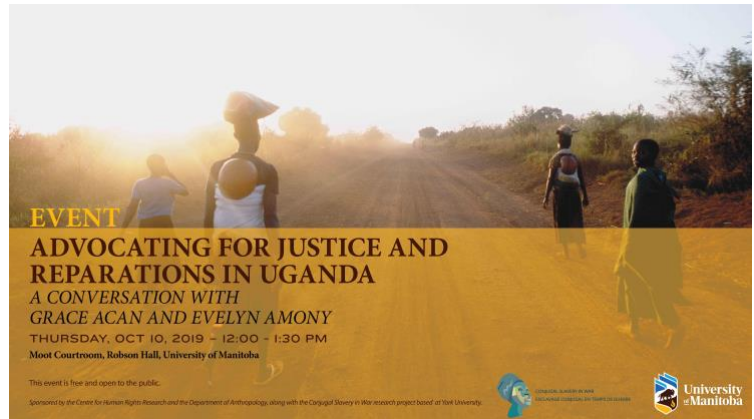
Karen Busby, “The limits of blasphemy,” *Winnipeg Free Press*, 26 January 2015, A7.

GRADUATE DEGREES (past academic year)

None this year.

OTHER SIGNIFICANT ACTIVITIES, 2019-20

- [Student Speakers Bureau](#)
- Hosted a talk by survivors of conjugal slavery in Uganda, in collaboration with the Canadian Museum for Human Rights and York University.
- Seminar series on [Reproductive and Sexual Rights](#), with podcasts for those unable to attend.
- Co-sponsored talk on genocide against Indigenous peoples by visiting researcher
- Assisted the Faculty of Law with advertising and admissions for new [Master of Human Rights](#) program.
- Hosted a networking event for new faculty members engaged in human rights research to meet veterans.
- Hosted a student recruiting event for Dr. Brenda Elias on dignity promotion research for families living with fetal alcohol spectrum disorder.
- At least 13 invited local, national and [international presentations](#) and webinars by faculty, staff and students about CHRR projects to a combined audience of more than 335.
- The director and other CHRR-supported researchers were quoted in or wrote more than 23 print and broadcast news stories about human rights issues, including the newspaper columns listed above. An example:
 - [Prof lauds Manitoba decision to cover costs of protecting sex assault victims' privacy in court](#) (*Winnipeg Free Press*)
- 33 [videos](#) of CHRR and [H2O project presentations](#) are online.
- 3,047 people visited the [chr.info](#) website this year. The centre also has 277 email list subscribers and a growing number of Facebook (1,060) and Twitter followers (662).
- 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
 - editorial board for Ottawa-based *Canadian Yearbook of Human Rights*
- Director consulted for expertise on court cases related to First Nation drinking water rights, surrogacy and gender on birth registration.
- Third book published in [human rights and social justice book series](#) through University of Manitoba Press.
- Former CHRR research assistant gave [TedX talk](#)
- Former H2O program trainee received Banting post-doctoral fellowship for 2019-20
- Manage email list for Association of Canadian Human Rights Institutes.



SOURCES OF FUNDING

External funds

- Prof. Karen Busby, Crown-Indigenous Relations and Northern Affairs Canada, for an international research project on implementation of the UN *Declaration on the Rights of Indigenous Peoples*, \$507,351 for 2017-20 (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 until the capital (valued at \$21,099) has grown to a more significant value.

University support

- \$262,565 operating funds, including carryover from previous year + \$3,675 from Career Services for two work-study student assistants = \$266,240 available for core operations
- In-kind support from Law, including a laptop, two phones, photocopying, office supplies, website/communications/accounting assistance and access to staff kitchens and lounge.
- 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 2019-20

Salaries:

Staff salaries & teaching release	\$158,916
Student research assistants	\$ 12,064
Benefits	<u>\$ 30,270</u>
Total salaries	\$201,250

Other:

Small grant	\$ 2,420
Event catering	\$ 582
Travel	\$ 450
Computer equipment	\$ 376
Printing	\$ 331
Supplies	\$ 321
Phone	\$ 243
Memberships	<u>\$ 230</u>
Total non-salary	\$ 4,953

Total operating expenses **\$206,203** (\$63,075 carried over for future yrs)

FINANCIAL STABILITY

- The centre's expenses were modest this year as projects led by the outgoing director wind down in anticipation of a new director starting July 1, 2020.
- One small grant awarded this year will be disbursed next year because the recipient has not yet received ethics approval.
- The research centre's 2020-21 operating budget has been reduced by 5 per cent as a result of the coronavirus pandemic. It is unclear whether that cut will be reversed in future years.
- The surplus funds will be used cover this year's shortfall and inflation in future years, if carryover funds continue to be returned to the centre. This approach was part of the five-year financial plan reviewed by the Senate Committee on University Research in 2017.
- Salary will need to be restructured when carryover funds are no longer available, ideally coinciding with the manager's retirement.
- Some supporters of the centre may be considering bequests to the endowment fund, but these are unlikely to be available in the short term.

LOOKING AHEAD

Expected growth: The incoming director will develop new collaborative research projects and get the centre more involved with the director's existing research. COVID-19 has inspired the research centre to experiment with offering more public webinars in collaboration with scholars across the university and community based advocates.

Difficulties foreseen: The COVID-19 pandemic is slowing progress on research projects and uncertainty regarding when it will resolve makes initiating new projects tricky. The centre's website needs to be upgraded because of outdated software.