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## Human Rights Council

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### National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\*

#### Canada

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\*The present document is being issued without formal editing.

## **Part I—Introduction**

1. Human rights are a fundamental part of Canadian identity, and ensuring they are respected requires a comprehensive intergovernmental approach. Federal, provincial and territorial (FPT) governments across Canada remain committed to enhancing measures aimed at enhancing the promotion and protection of human rights domestically and abroad. It is by ensuring a solid human rights foundation that our country is better able to respond to important crises such as the global COVID-19 pandemic and address ongoing challenges.

## **Part II—Methodology and Engagement Process**

2. This report provides examples of measures adopted by FPT governments to address some of the issues raised during Canada's third Universal Periodic Review (UPR). Annex 1 outlines the recommendations received in 2018 and should be read in conjunction with this report, as should Canada's Core Document.
3. Canada shared a draft of this report with civil society organizations (CSOs), Indigenous partners and human rights commissions. A summary of their feedback is attached in Annex 2. FPT ministers responsible for human rights also met with stakeholders and partners in June 2023 to discuss human rights priorities and challenges. Further engagement is planned following Canada's review and receipt of recommendations.

## **Part III—Implementation: Developments, Achievements, and Challenges Since Canada's Third UPR**

### **1) International Human Rights Instruments**

#### *Implementation Mechanisms and Follow-Up to UN Recommendations*

4. In 2020, FPT governments endorsed a protocol on follow-up to recommendations received from international human rights bodies and a strategy on improving engagement with key stakeholders. They also agreed to the formalization of a new ministerial-level forum for dialogue on human rights. The new Forum of Ministers on Human Rights met for the first time in June 2023. It complements existing FPT coordination mechanisms further described in Canada's Common Core Document.

#### *Engagement With International Human Rights Mechanisms and Bodies*

5. In 2022, Canada appeared before the UN Committee on the Rights of the Child for the review of its 5<sup>th</sup> and 6<sup>th</sup> combined periodic reports. To assist in analyzing and considering the Concluding Observations received, engagement sessions were organized between FPT senior officials and children and youth, child and youth advocates, civil society, human rights commissions, and Indigenous partners. Discussions on the Concluding Observations were also held at the FPT Forum of Ministers on Human Rights, in June 2023.
6. Canada continues to be a leader at the UN Permanent Forum on Indigenous Issues and an official delegation participates at each annual session. Canada actively contributes to the Expert Mechanism on the Rights of Indigenous Peoples by providing input to its reports and studies, following relevant recommendations, participating in annual sessions, and welcoming country engagement.

7. During recent sessions of the United Nations (UN) General Assembly's Third Committee and at the Human Rights Council (UNHRC), Canada worked closely with Indigenous partners to ensure that their views and priorities were taken into consideration in its negotiation of resolutions.
8. Canada has issued a standing invitation for visits from UN Special Procedures. Since its last UPR, Canada has hosted several official visits, notably from the Special Rapporteur on the right to physical and mental health (2018); the Special Rapporteur on the rights of persons with disabilities (2019); the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes (2019); and the Special Rapporteur on the rights of Indigenous Peoples (2023).
9. Canada leads the annual resolution on violence against women and girls (VAWG) at the UNHRC, demonstrating its commitment to gender equality and women's rights. In 2022, Canada led the renewal and expansion of the mandate of the Special Rapporteur on VAWG and played a leadership role in the renewal of the mandate of the UN Independent Expert on Sexual Orientation and Gender Identity.

#### *Accession to and ratification of international human rights instruments*

10. In 2018, Canada ratified the Optional Protocol to the *Convention on the Rights of Persons with Disabilities*.
11. In 2019, Canada ratified the International Labour Organization (ILO)'s Protocol to the *Forced Labour Convention*, and the *Labour Inspection Convention*.
12. In 2023, Canada ratified the ILO's *Violence and Harassment Convention*.
13. FPT governments continue discussions regarding Canada's potential adherence to the *Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women* (known as the Convention of Belém do Pará). Further discussions must take place regarding Canada's potential adherence to the *Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* and the *International Convention on the Protection of All Persons From Enforced Disappearance*.
14. Canada became a State Party to the *Arms Trade Treaty* in 2019, following the adoption of legislative and regulatory measures required for domestic implementation.

## **2) Rights of Indigenous Peoples**

#### *Reconciliation Initiatives*

15. The Government of Canada (GC) has adopted a distinction-based, whole-of-government approach to implementing the Truth and Reconciliation Commission's (TRC) Calls to Action (CTAs). Of the 94 CTAs, 76 fall under the responsibility of the federal government or have shared responsibility with numerous PT governments and other partners. Over 85 percent of these have been completed or are well under way.
16. The final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), released in 2019, contains 231 Calls for Justice directed at FPT, municipal and

Indigenous governments, social service providers, industry, the media and all Canadians. In response to the National Inquiry, Indigenous partners and FPT governments simultaneously launched the *2021 MMIWG and 2SLGBTQQA+ People National Action Plan*, and the *GC Federal Pathway to Address Missing and Murdered Indigenous Women, Girls and 2SLGBTQQA+ People*. Their continued collaboration led to the publishing, in 2022, of the first Progress Report on the National Action Plan. Progress reports on federal commitments are published annually. In 2023, a Ministerial Special Representative provided advice and recommendations, through engagement with survivors, families, partners and organizations. The first National Roundtable of Indigenous Leaders and Representatives and FPT Governments on MMIWG, and 2SLGBTQQA+ people also took place in 2023. Participants shared lessons learned, progress updates, areas for improvement and emphasized the importance of community-level engagement in any response efforts.

17. The overall purpose of the *Indigenous Languages Act* (2019) is to support the efforts of Indigenous Peoples to reclaim, revitalize, maintain, and strengthen Indigenous languages. The Act contains mechanisms that include facilitating cooperation with Indigenous governments, Indigenous organizations and PT governments; establishing measures to facilitate the provision of adequate, sustainable and long-term funding; enabling federal institutions to provide access to services in Indigenous languages where capacity and demand exist; and creating an Office of the Commissioner of Indigenous Languages to represent the interests of First Nations, Inuit and Métis. The Office is mandated to support the efforts of Indigenous Peoples to strengthen their languages, promote public awareness of Indigenous languages and provide an annual report on the use of Indigenous languages and progress of Indigenous Peoples in revitalizing their languages.
18. The GC engages with PTs and Indigenous Peoples as partners in the implementation of the Arctic and Northern Policy Framework, launched in 2019. The GC meets annually with framework partners under the auspices of Leadership Committee meetings to discuss governance and partners' priorities.
19. In November 2019, British Columbia (BC) became the first jurisdiction in Canada to pass legislation implementing the UN Declaration. This legislation requires that, in consultation and cooperation with Indigenous Peoples, all new and existing laws be made consistent with the UN Declaration. An annual report on the progress made on BC's laws and the Action Plan is required. The legislation also enables agreements where statutory decision-making powers would be shared between the BC government and Indigenous governing bodies. In June 2021, the *UN Declaration Act* received Royal Assent and came into force. The Act requires that the GC, in consultation and cooperation with Indigenous Peoples, take all necessary measures to ensure that federal laws are consistent with the UN Declaration; prepare and implement an Action Plan to achieve the goals of the UN Declaration; and report annually on progress.
20. In June 2023, the GC released an Action Plan, developed in partnership with Indigenous Peoples, to support the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration). Consultation and cooperation efforts for the Action Plan were broad and inclusive and included national and regional Indigenous organizations, Indigenous rights holders, modern treaty and self-governing nations, women and youth organizations, 2SLGBTQQA+ Indigenous Persons and urban Indigenous People. The Action Plan includes 181

specific measures to uphold and advance the human rights of Indigenous Peoples, address injustices, prejudice, violence, systemic racism and discrimination, and monitor implementation of the Action Plan.

21. In 2022, the GC appointed an Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools, to work collaboratively with First Nations, Inuit and Métis to engage in Indigenous-led, survivor-centric dialogue. That same year, the National Advisory Committee on Residential Schools Missing Children and Unmarked Burials was established to serve as an independent and trusted source of technical advice for communities in their efforts to locate, identify, honour, and memorialize children who died while in the care of residential schools.

#### *Addressing inequalities in the Indian Act*

22. The removal of the 1951 cut-off of the *Indian Act* came into force in 2019 following extensive nationwide engagement with First Nations, eliminating all known sex-based inequities in the registration provision of the Act.

#### *Social and Health Initiatives*

23. Nutrition North Canada's Harvesters Support Grant and the Community Food Programs Fund (2022) support Indigenous and northern partners in designing activities that are sensitive to the local needs of isolated communities and prioritize initiatives supporting the most vulnerable, such as chartered food deliveries, meal programs, buying clubs, and strengthening social safety networks.
24. In memory of Jordan River Anderson, Jordan's Principle is a legal obligation ensuring that all First Nations children access the health, educational, and social supports and services they need without undue delay or disruption. From May 2018 to February 2023, it approved over 2.47 million products and services for First Nations children. The Inuit Child First Initiative (Inuit CFI) ensures Inuit children have access to essential government funded health, social and educational products, services and supports they need, when they need them. Budget 2019 announced \$220 million over five years to develop an Inuit-specific child-first approach. From April 2019 to February 2023, the GC approved 149,855 Inuit CFI products and services. In memory of Joyce Echaquan, Joyce's Principle aims to guarantee all Indigenous Peoples the right to equitable access to social and health services. In 2023, a final report called *What We Heard: Visions for Distinctions-Based Indigenous Health Legislation* was published summarizing input Canada received from Indigenous Peoples on how to improve access to high quality, culturally relevant and safe health services.
25. The GC co-developed with Indigenous Peoples *An Act Respecting First Nations, Inuit and Métis Children, Youth and Families*. The Act, coming into force in 2020, affirms the inherent right of Indigenous Peoples to exercise jurisdiction over child and family services. Through this legislation, the GC supports Indigenous Peoples to design and deliver child and family services models that best suit their needs. Additionally, the legislation serves as a tool dedicated to reducing the number of Indigenous children and youth in care.

26. Since 2022, the GC has provided funding to support water and wastewater projects in 589 First Nations communities serving approximately 470,000 people. First Nations have launched 1,058 water and wastewater projects, consisting of new water and wastewater treatment plants and lagoons, projects to renovate or upgrade existing infrastructure, feasibility studies and design projects, and supporting projects and initiatives. This work has resulted in the replacement of or renovations to water and wastewater infrastructure, built capacity by training operators, and lifted Long-Term Drinking Water Advisories. A Service Transfer Agreement with First Nations was also signed, creating the Atlantic First Nation Water Authority, which puts control of water and wastewater management in the hands of First Nations.
27. The GC has co-developed three distinction-based housing strategies with First Nations, Inuit, and Métis national organizations that deliver funding to improve and expand Indigenous housing in Canada. These strategies focus on building and repairing housing in Indigenous communities, supporting Indigenous visions of self-determination and obtaining better social and economic outcomes for Indigenous communities.

#### *Emergency Management Assistance Program*

28. The GC's Emergency Management Assistance Program provides funding for services under the four pillars of emergency management—mitigation, preparedness, response and recovery—to on reserve First Nation communities.
29. Fire Smart was created in 2019 under the Program and builds skills in First Nations communities for wildfire prevention and preparation and leverages Indigenous knowledge of the local environment and terrain to improve emergency planning, preparation, and response to wildfires. In 2022, health emergencies also became eligible for funding to support communities with life-saving services and essential medical support.

#### *Education and Cultural Initiatives*

30. Starting in 2019, the GC established a new education funding and policy approach, co-developed with First Nations partners, to better meet the needs of First Nations students on reserve. This approach provides predictable financial support through a formula-based funding model, based on comparable investments by provinces in education, and includes additional investments in language and culture programming, full-day kindergarten for children aged 4 and 5, and support for before- and after-school programming.
31. The GC implemented three distinctions-based strategies to support First Nations, Inuit and Métis post-secondary education (PSE). These PSE strategies provide recipients with the flexibility to fund students, institutions, as well as programs and services, which can include the development of education curricula, as well as other priority initiatives to support their unique needs (e.g., increasing the number of graduates in specific areas to fill local labour market gaps).
32. In 2022, the GC implemented the First Nations Adult Education programming, which supports students looking to complete or upgrade their secondary education on-reserve and further supports First Nations' vision of lifelong learning.

33. Prince Edward Island (PEI) recognizes and honours Mi'kmaq history through a signage program which began during Indigenous Awareness Week in 2020. Twenty-nine Mi'kmaq place names/signs have been installed across PEI.
34. In 2021, Alberta waived fees indefinitely for Indigenous Peoples wishing to reclaim their traditional Indigenous names. Indigenous Peoples can use their legal change of name certificate to update other documents, including birth certificates, driver's licenses, and provincial ID cards.
35. In 2022, Nova Scotia (NS) proclaimed the *Mi'kmaw Language Act* to recognize Mi'kmaw as Nova Scotia's first language. The Act ensures government support for the preservation, revitalization, promotion and protection of the Mi'kmaw language for generations to come and commits Nova Scotia to working closely with Mi'kmaw communities to develop a multi-year language revitalization strategy.
36. Quebec's 2022-2027 *Action Plan for the Social and Cultural Well-being of First Nations and Inuit* provides for several measures aimed at student retention and educational success for Indigenous students, including the development of self-supporting training for the transmission of Indigenous languages. This training will help train more professionals who can teach an Indigenous language, as well as speakers of those languages.
37. Saskatchewan's Inspiring Success: First Nations and Métis Prekindergarten through grade 12 Education Policy Framework guides strategic directions for all actions related to First Nations and Métis education. Inspiring Success supports the infusion of Indigenous content, perspectives and ways of knowing into renewed curricula to benefit all learners; teaching Indigenous cultures, languages and histories in the classroom; building positive relationships; reconciliation; and mandatory treaty education.

#### *Employment and Economic Development Initiatives*

38. Launched in 2019, the GC's Indigenous Skills and Employment Training Program is designed to support First Nations, Inuit, Métis and Urban/Non-affiliated Indigenous Peoples improve their skills and meet their long-term career goals. It aims to reduce the employment gap by 25% and the skills gap by 50% between the Indigenous and non-Indigenous population over a 10-year period. In 2020–2021, the program served 31,743 clients, of which 51% were female: 11,313 clients were employed (47% were female) and 2,212 clients returned to school (60% were female).
39. In 2020, Manitoba entered a partnership with Futurpreneur Canada to help young entrepreneurs aged 18–39 build, launch and grow new businesses in the province. The program fills a gap in services for young entrepreneurs, including the provision of tailored services to address barriers to success faced by many aspiring Black and Indigenous People.
40. The Aboriginal Initiatives Fund IV, launched in 2022, is a five-year financial assistance program in Quebec for its Indigenous communities. It provides support for entrepreneurship among Indigenous women and youth by providing funding to start up projects or business development, retraining and a digital shift for an entrepreneurial project.

### 3) Education & Employment

#### *Education*

41. Alberta and BC have policies in place to ensure menstrual products are available in schools and mandate comprehensive and up-to-date sexual health and reproduction education as part of their curricula. Alberta funds the Period Promise Initiative to dispense free menstrual products to schools in vulnerable areas. BC developed guides for both elementary and secondary teachers on sexual and mental health topics, including consent, gender-based violence (GBV), safe sex, and healthy relationships.
42. Since 2018, Quebec has mandatory sexuality education content for all elementary and secondary school students. The content enables students to acquire knowledge, attitudes and behaviours that promote equitable relationships, well-being and sexual and reproductive health.
43. In 2019, Ontario launched the Graduation Coach Program for Black students. This program, developed in collaboration with Black community and education partners, creates inclusive spaces that will help to dismantle systemic barriers, eliminate disparities and close the achievement gap for Black students. Graduation Coaches offer supports and mentorship to Black students and advice to school leaders to inform systemic change at the school and board levels to ensure Black students feel welcome, have a sense of belonging and a better school experience.

#### *Employment and Labour Initiatives*

44. In 2021, the GC launched a Task Force to undertake a comprehensive review of the *Employment Equity Act*, applicable in federally regulated workplaces, and provide concrete, independent and evidence-based recommendations to modernize and strengthen the federal employment equity framework. The taskforce provided its confidential report to the Minister of Labour in April 2023.
45. The federal *Pay Equity Act* (2021) established a proactive pay equity regime for approximately 1.32 million workers in federally regulated workplaces with 10 or more employees. The *Pay Equity Regulations* support the implementation of the legislation, ensuring that workers in federally regulated workplaces receive equal pay for work of equal value. A Pay Equity Commissioner is responsible for the administration and enforcement of the Act and its regulations and will provide support and guidance on the implementation of this proactive pay equity regime.

### 4) Poverty, Housing & Food Security

46. The *National Housing Strategy Act* (2019) recognizes that the right to adequate housing is a fundamental human right affirmed in international law. It commits the GC to further the progressive realization of this right and requires the GC to develop and maintain a national housing strategy that takes into account key principles of a human rights-based approach to housing. It also establishes accountability, participation, non-discrimination and inclusion mechanisms by creating the Federal Housing Advocate, whose mandate includes monitoring the implementation of the housing policy and assessing its impact on persons who are members of vulnerable groups, and the National Housing Council, which provides advice to the designated Minister on the effectiveness of the National Housing Strategy.



47. The GC and Inuit Tapiriit Kanatami co-chair the Inuit-Crown Food Security Working Group, established in 2019 by Inuit and Federal leaders to ensure a whole-of-government approach on the issue of food insecurity. This Committee leverages the contributions made by the GC and Inuit organizations, to collaboratively advance shared objectives and actions contained within a joint work plan, including supporting the Inuit Nunangat Food Security Strategy and the development of an Inuit Nunangat-wide school food program.
48. In 2022, Manitoba launched the Family Affordability Package to assist families in meeting their basic needs. It includes a Food Security Fund that supports food banks struggling with the increased costs of delivering emergency food services. A separate grant was provided to Harvest Manitoba to support its network of community food banks and partner agencies.

## 5) Women & Girls

### *Women, Peace and Security*

49. The GC's second National Action Plan on Women, Peace and Security (WPS) (2017-2022) has been its primary mechanism for advancing the WPS agenda. The Action Plan is an integrated, whole-of-government approach to Canada's engagement in fragile and conflict-affected contexts and within its own borders, including as it relates to Indigenous women, girls, and two-spirit people.

### *Employment and Labour Initiatives*

50. Since 2019, additional weeks of Employment Insurance parental benefits are available when parents share their benefits and leaves. The objective is to foster greater equality between parents in the home and in the workplace by encouraging them to share the responsibility of raising their children more equally.
51. In 2020, Quebec amended the *Labour Standards Act* to increase flexibility and include more diverse options for maternal and paternal leave, including new measures focusing on parents who are adopting, multiple births, and single parenthood.
52. In 2022, PEI introduced Pay Transparency provisions to the *Employment Standards Act* to protect the rights of workers and ensure, among other things, that employers who publish publicly advertised job postings include information about the expected pay for the position.

### *Public Safety and Law Enforcement*

53. Under its Policing and Public Safety Strategy launched in 2019, Manitoba implemented initiatives to increase access to justice by addressing communities with high rates of violence and alleviating demands on police. This included the creation of the Safety Officer Program, which worked to enhance public safety in communities and designated institutions by enabling communities to take ownership and focus on their unique safety objectives while allowing police to focus on serious property, drug, and violent crime matters.
54. In 2020, PEI began funding the Community Legal Information Rise program, which provides legal advice, navigation, and supports for people who have experienced sexual violence, and recently expanded to include intimate partner violence. The *Children's Law Act* (2021) codified the best interests of the child in provincial family law.

55. Since 2020, Yukon provides access to free independent legal advice for victims of sexualized violence and intimate partner violence through the Yukon Independent Legal Advice Program, and access to independent, free legal representation for victims of sexualized violence in hearings associated with an accused application for the introduction of evidence related to third party records or prior sexual history.

#### *Public Policy*

56. Through the Women's Program, in 2021, the GC invested in projects for systemic change under the Feminist Response and Recovery Fund, as well as dedicated investments toward projects to increase Indigenous women's leadership and democratic participation in their communities.
57. Alberta's *Protecting Choice for Women Accessing Health Care Act* (2018) established 50-metre access zones around abortion facilities to protect individuals accessing abortion and reproductive health services, as well as physicians and other health service providers, from interference, harassment, and threats.

## **6) Violence Against Women & Children**

#### *GBV data*

58. In 2018, the GC facilitated the development of three population-based surveys: the Survey on Safety in Public and Private Spaces (SSPPS), the Survey on Individual Safety in the Post-secondary Student Population, and the Survey on Sexual Misconduct in the Workplace. These surveys were the first national surveys to focus on experiences of GBV in Canada and reflected the different lived experiences of GBV among diverse populations, including Indigenous women.
59. Yukon collects and publishes GBV data through the SSPSS and has participated in the World Health Organization Health Behaviour in School-aged Children Study since 2018.
60. Quebec's *Stratégie gouvernementale intégrée pour contrer la violence sexuelle, la violence conjugale et Rebâtir la confiance 2022-2027* looks to implement pilot projects for specialized sexual and domestic violence courts, including the consideration of Indigenous realities, as well as the progressive implementation of anti-approach bracelets in the context of spousal violence.

#### *National Action Plan to End GBV*

61. In 2022, FPT ministers responsible for the Status of Women launched the first National Action Plan to End GBV. This 10-year plan establishes a comprehensive framework for action within and across jurisdictions with the goal of supporting victims, survivors and their families no matter where they live in Canada. The plan outlines opportunities for action to prevent and address all forms of GBV, including physical, sexual, psychological, emotional, and financial abuse, as well as technology-facilitated violence.
62. In 2023, PEI launched *Creating a Culture of Care*, its first strategy to prevent and respond to GBV specifically adult sexual violence. It includes three priority areas: preventing sexual violence; responding to sexual violence; and coordinating responses.

#### *Criminal Justice Reform*

63. The GC has amended its criminal laws to strengthen sexual assault provisions relating to consent, admissibility of evidence and legal representation for complainants, as well as certain bail and sentencing provisions in the context of intimate partner violence. New legislation was also adopted to ensure that all newly appointed provincial superior court judges participate in continuing education in sexual assault law.
64. Manitoba's Criminal Intelligence Centre, established in 2020, provides centralized strategic, operational, and tactical intelligence services and products to provincial law enforcement and government through a centre of excellence to address the intelligence needs, ensuring jurisdictional coordination of criminal intelligence and analytics.

#### *Transition Housing*

65. The GC National Housing Co-Investment Fund aims to create and repair at least 4,000 shelter spaces for survivors of GBV over 10 years. Announced in 2020, funding over five years for 12 emergency shelters in Indigenous communities and northern territories have been distributed through the Shelter Initiative for Indigenous Women and Children escaping family violence.
66. GC investments in shelters and transitional housing through the Indigenous Shelter and Transitional Housing Initiative assisted in building a minimum of 38 shelters and 50 new transitional homes for Indigenous women, children and 2SLGBTQQIA+ people escaping GBV.

### **7) Children & Youth**

67. The Canada child benefit assists Canadian families with the high cost of raising children. Over the past five years, the benefit has helped nearly 3.5 million families with a monthly, tax-free payment. In July 2022, the benefit was indexed to inflation to keep up with the rising cost of living, giving which gave parents even more money each month. Whether it is single parents taking care of their children, or middle-income families struggling to pay for child-care, the benefit has proven to be a game changer by giving more money to nine out of 10 Canadian families. The benefit has helped lift more than half a million people—including 435,000 children—out of poverty.

#### *Rights of children and youth*

68. The Child Rights Impact Assessment tool and e-learning course, launched by the GC in 2023 and based on the *Convention on the Rights of the Child*, assists public officials in considering the impacts of a new law, policy, program, or other initiative on children.
69. In 2022, Quebec amended its Civil Code to specify that parents must exercise their authority without violence.
70. In 2022, BC amended its *Child, Family and Community Service Act* and *Adoption Act* to include principles regarding the inherent right of self-government that apply to the interpretation and administrations of those Acts. This keeps Indigenous children and youth safe and connected to their cultures and communities.

#### *Childcare and Learning Initiatives*

71. Beginning in 2021, the GC made significant investments to build a Canada-wide early learning and childcare (ELCC) system with provincial, territorial and Indigenous partners, ensuring that all

families in Canada will have access to high-quality, affordable, flexible and inclusive ELCC. These investments will create approximately 250,000 new regulated childcare spaces by 2026.

72. Published in 2018, the Indigenous ELCC Framework guides the experience of high-quality, culturally appropriate and flexible early learning and childcare.

#### *Online Protection of Children and Youth*

73. In 2018, Nova Scotia passed the *Intimate Images and Cyber-protection Act*. A 2022 review of the Act concluded that it is achieving its goals of protecting citizens from cyberbullying and the non-consensual sharing of intimate images, while striking an appropriate balance with freedom of expression.
74. Amendments to the Yukon *Safer Communities and Neighbourhoods Act* were passed in 2021, adding the sexual abuse or sexual exploitation of a child as a specified crime in the Act.
75. PEI launched Cybersafe Care in 2021, a public education platform for parents, caregivers, and educators to learn how to help keep children safe online and teach safe use of technology and social media. the *Intimate Images Protection Act* was also passed in 2021. Community legal information and supports have been developed to promote awareness, as have mechanisms to give effect to the legislative tools to remove non-consensual image sharing.

#### *Youth Policy and State of Youth Report*

76. The GC's Youth Policy, launched in 2019 following a national conversation with over 5,000 youth and stakeholders, aims to uphold the diverse voices of young people in decision-making and inform GC priorities and actions pertaining to youth. Canada's first State of Youth Report was released in 2021.

#### *Youth Employment and Skills Strategy*

77. The GC's Youth Employment and Skills Strategy, which provides youth aged 15 to 30 with the supports and opportunities they need to develop the skills required to find and keep jobs, underwent a redesign in 2019 to respond to a range of labour market barriers that impact equity-deserving groups to ensure all young Canadians have a fair chance of success.

## **8) Persons with Disabilities**

#### *Disability Rights*

78. The GC's Disability Inclusion Action Plan (DIAP), launched in 2022, includes the development of a new Canada Disability Benefit (CDB), an employment strategy for persons with disabilities, and a modern approach to disability across the Government. Civil society, independent experts, racialized persons with disabilities, national disability organizations, and service providers were engaged in the development of these initiatives.
79. New Brunswick's 2020–2025 Disability Action Plan is composed of 43 recommendations for action by stakeholders to the provincial government in eight different areas: poverty, housing, disability supports, universal design, transportation, full citizenship, education, and recreation and wellness. The Plan is based on extensive stakeholder consultation by the Premier's Council on

Disabilities, the statutory advisory body responsible for oversight and reporting on the implementation of the plan.

### *Accessibility*

80. In 2019, the GC enacted the *Accessible Canada Act (ACA)*, which aims to realize a barrier-free Canada by 2040. The ACA calls for the proactive identification, removal and prevention of barriers to accessibility in seven different priority areas: transportation, information and communication technologies (ICT), employment, communication other than ICT, procurement, design and delivery of programs and services, and the built environment. The ACA applies to a wide range of federally regulated entities, including federal government departments and agencies, the Royal Canadian Mounted Police (RCMP) and the Canadian Armed Forces, Crown corporations, Parliament, First Nations band councils as well as industry sectors such as banking, transportation, and telecommunications.
81. In 2019, the GC established Accessibility Standards Canada (ASC) to develop national accessibility standards and research to inform standards development. The ASC published a draft standard entitled “Accessible Design for the Built Environment” in 2023, which sets out recommended requirements for making buildings and other facilities accessible in the design of physical space.
82. The GC’s first Chief Accessibility Officer and Accessibility Commissioner were appointed in May 2022.
83. Nova Scotia released *Access by Design 2030* in 2018 as a strategy for how the province will achieve its goal of an accessible Nova Scotia by 2030. The strategy provides a framework to address barriers across several priority areas including the built environment, education, employment, goods and services, communications and public transportation.

### *Convention on the Rights of Persons with Disabilities (CRPD)*

84. In 2019, the Canadian Human Rights Commission was designated as a monitoring body for Canada’s implementation of the CRPD. The GC also funded projects related to building knowledge and capacity to use the Optional Protocol to the CRPD and facilitated the disability community’s international engagement in the monitoring and implementation of the CRPD in Canada. In 2020, the GC provided funding to three National Indigenous Organizations (NIOs) to develop parallel reports to reflect the perspective of Indigenous Persons with disabilities. In 2022, the GC submitted its combined second and third report to the Committee on the Rights of Persons with Disabilities.

### *Additional Supports for Persons with Disabilities*

85. The Assisted Living Program provides supports for low-income people with chronic illness or disabilities living on First Nations reserve to help them receive services in their communities. In 2022, the GC announced three years of additional funding to ensure clients can maintain their access to local and culturally safe services.

86. In 2023, Manitoba launched Supports for Persons with Disabilities, an income support program for persons with severe and prolonged disabilities, that offers enhanced benefits, a flexible service delivery model, and reduced bureaucratic steps and reporting requirements.

## 9) Migrants and Refugees

87. In 2019, the GC launched the open work permit for vulnerable workers. This helps workers with employer-specific work permits apply for open work permits if they are experiencing abuse in their job, allowing them to look for work without compromising their authorization to work in Canada. In 2022, amendments to the Immigration and Refugee Protection Regulations came into force to further prevent mistreatment and abuse by imposing a series of conditions on employers.

88. In 2019, the GC introduced two pilot programs to address vulnerabilities and remove barriers faced by in-home migrant caregivers. The pilots provide a pathway to permanent residence for caregivers by pre-screening them for eligibility requirements before they begin working in Canada. In addition, caregivers can bring their families to Canada and can change employers. The pilots are ongoing until 2024.

89. In 2020, the GC established the Gender-Related Task Force to enhance the quality of decision-making by the Refugee Protection Division in gender-related refugee claims, thus improving access to justice for claimants at risk of gender-based harm.

90. In 2022, a temporary public policy was introduced to accelerate the issuance of open work permits for asylum claimants. This enables claimants to financially support themselves and their family while they await a decision on their claim.

91. Canada was the top resettlement country in the world between 2019 and 2022, welcoming over 47,500 refugees from over 80 countries in 2022 alone. In response to the crisis in Afghanistan, the GC committed to resettling at least 40,000 vulnerable Afghans, and welcomed nearly 35,000 by July 2023. This included priority populations who experience marginalization and discrimination, such as women, 2SLGBTQIA+ people, human rights defenders, journalists, members of religious and ethnic minorities, and extended family members of previously resettled interpreters.

92. Since March 2022, the GC committed to supporting those affected by the Russian invasion of Ukraine through the introduction of immigration measures allowing them to stay, work, and study in Canada for up to three years. As of July 2023, over 1 million Ukrainians have applied and over 800,000 have been approved. The GC is also offering settlement services including language training, orientation, employment-related services and other support to Ukrainians.

93. Amendments to Quebec's *Act respecting labour standards* were adopted in 2018, adding a requirement for personnel placement agencies and temporary foreign work (TFW) recruitment agencies to hold a valid permit. This new provision reduces the risk of exploitation and the situations of vulnerability in which TFWs could find themselves, particularly by guaranteeing stability in the employment relationship as well as full-time and continuous employment.

94. In 2019, BC enacted the *Temporary Foreign Worker Protection Act*, which created a requirement for recruiters of foreign workers to be licensed by, and employers of these workers to be registered with, the BC Employment Standards Branch.

95. In 2022, the PEI *Temporary Foreign Worker Protection Act* received Royal Assent. It covers gaps between the rules of the federal TFWs programs and the provincial employment standards rules to add an additional level of protection from abuse.

## **10) Diversity, Equity & Inclusion**

### *Freedom of Religion and Belief*

96. The GC established a Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism in 2021 and a Special Representative on Combatting Islamophobia in 2022, to address the unique harms experienced by Jewish and Muslim communities.
97. In 2019, additional funding measures were introduced as part of the GC's Security Infrastructure Program to better address the needs of communities at risk of hate motivated crimes. The program assists recipients with the cost of security infrastructure enhancements, such as installing lighting, fencing, cameras, and alarms, and other eligible expenses.
98. Since 2021, Alberta's Alberta Security Infrastructure Program grant provides funding for security assessments, related training, equipment, immediate response, and security infrastructure improvements to facilities that serve communities or identifiable groups at risk of hate or bias-motivated crime or incidents.
99. The GC, Alberta, Manitoba, Ontario, Quebec, New Brunswick, Saskatchewan, Newfoundland and Labrador and the Yukon, have all adopted the International Holocaust Remembrance Alliance definition on Antisemitism.

### *Anti-racism and Intersectionality*

100. In 2018, the GC recognized the UN International Decade for People of African Descent and has since delivered a range of initiatives and programs (e.g., the Supporting Black Canadian Initiative, the Black Entrepreneurship Program, the Black-led Philanthropic Endowment Fund, Canada's Anti-Racism Strategy, and the first phase of developing Canada's Black Justice Strategy) to advance social and economic outcomes of Black communities in Canada. The GC has also participated in both sessions of the UN Permanent Forum for People of African Descent (Geneva, 2022 and New York, 2023).
101. The GC has committed to eradicating systemic racism both in services provided to the public, and within the Public Service. This includes Canada's Anti-Racism Strategy 2019–2022 which aims to increase equitable access to and participation in economic, cultural, social and political spheres; as well as the Clerk of the Privy Council's Call to Action on Anti-Racism, Equity, and Inclusion in the Federal Public Service, launched in 2021 to combat racism and build a diverse, equitable, and inclusive public service.
102. In 2018, Ontario established the Data Standards for the Identification and Monitoring of Systemic Racism and O. Reg 267/18, which authorizes and requires the justice, child welfare, and education sectors to adhere to these standards in collecting, protecting, analyzing, and publicly reporting on, race-based data/information.

103. In 2021, PEI created a new Anti-Racism Table and hired an Anti-Racism Policy Advisor, who developed various resources, such as the Anti-Racism Impact Assessment tool that applies an anti-racism lens to legislation and programs to highlight and address the impacts on racialized and Indigenous communities. In 2021, Quebec appointed a Minister Responsible for Anti-Racism to create an Anti-Racism Coordination Office.

104. In 2022, Nova Scotia passed the *Dismantling Racism and Hate Act*. The Act outlines the province's approach to addressing systemic racism, hate and inequity and commitment to developing a provincial strategy and a health equity framework. This will include work with underrepresented and underserved communities to create a community network and develop data standards to monitor and address systemic hate, inequity and racism.

#### *Countering Anti-Indigenous Racism*

105. To continue supporting engagement and the development of measures to help eliminate anti-Indigenous racism, four National Dialogues have been held including the most recent National Dialogue on Data in 2023. This dialogue brought National Indigenous Organizations, Indigenous health professional organizations, health system partners, PT representatives and experts to discuss how data can support the elimination of anti-Indigenous racism in health systems.

106. In 2021, the Alberta Human Rights Commission launched its Indigenous Human Rights Strategy, which established an Indigenous Advisory Circle.

#### **11) Older persons**

107. Launched in 2018, *Promoting Wellness, Preserving Health: A Provincial Action Plan for Seniors, Near Seniors, and Caregivers Living on PEI* includes a priority pillar relating to addressing ageism and supporting active aging.

108. In 2019, BC implemented amendments to its *Community Care and Assisted Living Act* and Assisted Living Regulation to allow additional services to be provided in assisted living residences and enhance the legally binding health and safety standards for assisted living residences.

109. In 2021, Ontario introduced new legislation for long-term care homes. It included strengthening the long-term care *Residents' Bill of Rights* by aligning the language more closely with the grounds of discrimination set out in the *Ontario Human Rights Code*.

110. In 2022, Alberta released an Elder Abuse Strategy. This strategy outlines a new five-year action plan to guide how Albertans, non-profit organizations, frontline workers, businesses, and governments can work together to prevent and address elder abuse.

#### **12) 2SLGBTQIA+**

111. In 2022, the GC launched its first Federal 2SLGBTQIA+ Action Plan, which seeks to advance rights and equality for 2SLGBTQIA+ people. This includes addressing and preventing discrimination and stigma based on sexual orientation, sex characteristics, gender identity and expression.



112. *An Act to amend the Criminal Code (conversion therapy)* came into force in 2022 and created new offences prohibiting: causing another person to undergo conversion therapy, regardless of age or consent; removing a child from Canada to subject them to conversion therapy abroad; promoting or advertising conversion therapy; and receiving a financial or other material benefit from the provision of conversion therapy.
113. The GC has implemented changes to its internal processes, including the introduction of a third gender option in data collection, and ongoing work to update its Client Practice Guidelines within health care services to meaningfully integrate considerations related to diverse sexualities, transgender and gender-diverse clients in Indigenous communities.
114. Since 2023, convictions under the *Criminal Code* for abortion-related, bawdy house and indecency-based offences are eligible for expungement as part of an expansion of the *Expungement of Historically Unjust Convictions Act*.
115. In 2018, BC added an “X” marker as a third-gender option for the identification documents. In 2022, it removed the requirement for medical confirmation by a physician or psychologist when requesting a change of gender designation for applicants 12 years of age and older. Legislation introduced in 2023 enables the issuance of birth certificates without an indication of gender upon request.

### **13) Public Safety & Law Enforcement**

#### *National security*

116. The *National Security Act*, enacted in 2019, established a new entity and role, the Office of the Intelligence Commissioner, and an oversight body, the National Security and Intelligence Review Agency. This agency is mandated to review national security activities for lawfulness, reasonableness, and necessity, and investigating complaints regarding the RCMP, Canadian Security Intelligence Service and the Communications Security Establishment.

#### *Hate crimes and Hate Speech*

117. Subsection 319 (2.1) of the *Criminal Code* came into force in June 2022 and creates the offence of willfully promoting hatred by denying, condoning or downplaying the Holocaust.
118. BC created Shift BC to prevent violent extremism and hate-motivated violence. It supports the work of Resilience BC and BC’s Parliamentary Secretary for Anti-Racism Initiatives to address systemic racism and hate-based violence.

#### *Combatting Human Trafficking*

119. In 2019, the GC launched the *National Strategy to Combat Human Trafficking 2019–2024*, which guides federal efforts under one strategic framework to combat human trafficking. Canada’s Human Trafficking Taskforce oversees the working-level implementation of the National Strategy and coordinates federal anti-human trafficking efforts.

120. The GC supports the Canadian Human Trafficking Hotline, which was established in 2019. It is a national, 24/7/365 confidential service that offers referrals to multilingual supports and services for victims and survivors, including in over 20 Indigenous languages.
121. In 2020, Ontario launched its five-year Anti-Human Trafficking Strategy. This included new funding to enhance access and supports for victims of human trafficking in the justice sector through expanding various programs to support the delivery of community-based and court-based victim services, witness services, including those that are culturally responsive to better support Indigenous victims of human trafficking, and the expansion of the free legal support program for persons seeking specialized human trafficking restraining orders. A new Provincial Joint Forces Human Trafficking Investigative Unit has also been created, the first of its kind in Canada.
122. To build on Ontario's Anti-Human Trafficking Strategy, in 2021, Ontario passed the *Anti-Human Trafficking Strategy Act*, the first of its kind in Canada, which requires the province to maintain an Anti-Human Trafficking Strategy, which is reviewed and updated every five years. Additional changes through Ontario's *Child, Youth and Family Services Act, 2017* strengthened the authority of children's aid societies to intervene in child sex trafficking cases, enhanced clarity around the role of societies in child sex trafficking cases, promoted consistent responses across the province and discouraged traffickers from interfering with or harbouring a child in the care or supervision of a society. That same year, Ontario released a policy framework to protect students from sex trafficking and empower school communities to play a key role in fighting sex trafficking and keeping children and youth safe from sexual exploitation.

#### *Administrative Segregation*

123. In 2019, the GC eliminated both administrative and disciplinary segregation and implemented Structured Intervention Units (SIUs) in federal penitentiaries to temporarily house those inmates who pose a risk to others or are themselves at risk. The new SIU model established minimum requirements for time out of cells and opportunities to interact with others. Additional external oversight of the SIUs has also been added through the appointments of Independent External Decision Makers, who provide oversight related to an inmate's conditions of confinement and the appropriateness of their continued confinement in a SIU.
124. In 2021, Alberta reformed the use of administrative segregation within its correctional operations. The reform sought to reduce the overall time spent by inmates in administrative segregation and the frequency of operation use, in line with rules 44/45 of the UN standard minimum rules for the treatment of inmates.

#### *Over-representation of Indigenous Peoples and minority groups in the criminal justice system*

125. In 2023, the GC created a new Deputy Commissioner for Indigenous Corrections in the Correctional Service of Canada, who will ensure appropriate attention and accountability are provided to Indigenous issues to address the overrepresentation of federally sentenced

Indigenous offenders, and help the federal government implement the TRC CTAs within its purview.

126. Ontario has established Justice Centres that address overrepresentation of Indigenous Peoples and minority groups in the criminal justice system. Opened in 2023, the Kenora Justice Centre is designed to address Indigenous overrepresentation by increasing referrals to Indigenous restorative justice programs and facilitating access to multi-sector, culturally-safe, and trauma-informed services, and by offering supports delivered by Indigenous-led service providers to address root causes of crime and promote community and individual healing. The Toronto Northwest Justice Centre represents a new approach to addressing the overrepresentation of Black and racialized youth (aged 12-17) and addressing gun crime and community violence by offering targeted, multi-sector and culturally grounded community supports and programming designed to wrap-around youth that meet an underlying need and to break the cycle of offending.
127. In 2022, Manitoba signed service delivery agreements to transfer the Indigenous Court Work Program to Indigenous agencies in the province. The Program assists Indigenous Peoples in recognizing their rights and obligations and understanding how the criminal justice system functions while providing information on alternative methods of justice, resources, and programs.
128. BC and the BC First Nations Justice Council signed a Provincial First Nations Justice Strategy in 2020. It included 25 actions organized in two tracks of change: Reform of the existing justice system; and building First Nations justice systems and institutions.

#### *Policing*

129. Provincial Policing standards governing police stops were established in BC in 2020. These require all police agencies' policies and procedures to provide direction to police officers aimed at safeguarding rights, including but not limited to: (i) that the decision to stop a person must not be based on identity factors and (ii) that a person must not be stopped based solely on sharing an identity factor, such as race, with a person being sought by police.
130. In 2021, Manitoba introduced amendments to its *Police Services Act* to ensure it has the most effective independent police oversight agency. The amendments broaden the scope of the agency's mandate, increase accountability for police services, and establish a new role of director of Indigenous and community relations, to provide a direct connection between the investigations, the board, and the families and communities affected.
131. In 2021, Nova Scotia strengthened its existing ban on street checks to provide clearer direction to police to ensure that no Nova Scotian is subject to the practice. The updated directive came after consultation with both the African Nova Scotian Decade for People of African Descent Coalition and police.

## **14) Business & Human Rights**

132. In 2018, the GC launched the Policy on Ethical Procurement of Apparel, which requires apparel suppliers to certify that they and their direct Canadian and foreign suppliers comply with a set of fundamental human and labour rights.
133. The update to the *Code of Conduct for Procurement* in 2021 by the GC allowed it to include expectations for suppliers regarding human rights and labour standards. The new content was informed by international human rights instruments, including the UN Guiding Principles on Business and Human Rights. The Code is included by reference into all GC procurement. It also implemented new anti-forced labour contract clauses to ensure that it can terminate contracts where there is credible information that goods have been produced in whole or in part by forced labour or human trafficking.
134. The GC is working to align its responsible business conduct with the UN Declaration, including by adding Responsible Business Conduct provisions in the Indigenous Peoples Economic Trade Cooperation Arrangement endorsed in 2021. In 2022, it launched a five-year strategy, which sets priorities for how Canada, through the Trade Commissioner Service and partners, can support Canadian companies abroad, including helping to ensure that Canadian companies active abroad abide by all relevant laws, respect human rights in their operations, including in their supply chains, and adopt best practices and internationally respected guidelines.

## 15) Other recommendations

### *Climate change*

135. The Indigenous Climate Leadership initiative provided funding to Indigenous partners, governments, and other organizations to support the distinctions-based co-development of an Indigenous Climate Leadership Agenda to renew Canada's relationship with First Nations, Inuit, and Métis on climate change and support Indigenous Peoples' self-determined climate actions.
136. Additional climate adaptation programs dedicated to Indigenous communities in Northern Canada funded climate change adaptation projects including implementation of non-structural and structural adaptation measures, disaster risk reduction, and food security. These programs ensure Indigenous voices are prioritized in discussions on climate adaptation and support Indigenous communities in monitoring and assessing the effects of climate change, offsetting the use of diesel fuel with renewable alternatives. To date, more than 704 projects in northern and Indigenous communities have received funding.
137. In 2021, the GC announced a doubling of its international climate finance, from CAD 2.65 billion (2015–2021) to CAD 5.3 billion (2021–2026). Through a range of bilateral and multilateral partners, the GC supports developing countries—especially the poorest and most vulnerable—in their efforts to build low-carbon and climate-resilient economies.