



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities Thirty-second session

Summary record of the 768th meeting*

Held at the Palais des Nations, Geneva, on Monday, 10 March 2025, at 3 p.m.

Chair: Ms. Kim Mi Yeon

Contents

Consideration of reports submitted by Parties to the Convention under article 35 (*continued*)

Combined second and third periodic reports of Canada

* No summary records were issued for the 766th and 767th meetings.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by Parties to the Convention under article 35

(continued)

Combined second and third periodic reports of Canada (CRPD/C/CAN/2-3; CRPD/C/CAN/QPR/2-3)

1. *At the invitation of the Chair, the delegation of Canada joined the meeting.*
2. **A representative of Canada**, introducing his country's combined second and third periodic reports (CRPD/C/CAN/2-3), said that Canada had a long-standing commitment to advancing equity and inclusion and protecting and promoting the rights of persons with disabilities. Its commitment to equality and non-discrimination was underscored in the Constitution and enshrined in the Canadian Charter of Rights and Freedoms, which provided for the fundamental rights and freedoms of all individuals and their full participation in society.
3. The national mechanism for implementation, reporting and follow-up on human rights facilitated the coordination of efforts at the federal, provincial and territorial levels to implement the seven core international human rights treaties to which Canada was a Party, including the Convention. The Forum of Federal, Provincial and Territorial Ministers Responsible for Social Services, which included an advisory committee on persons with disabilities, promoted interjurisdictional discussions, harmonized strategies and other collaborative efforts aimed at enhancing the lives of persons with disabilities.
4. The Disability Inclusion Action Plan, which was underpinned by the Convention, had been launched in 2022 and was structured around the pillars of financial security, employment, accessible and inclusive communities and a modern approach to disability. Key steps taken under the Action Plan thus far included the development of the new Canada Disability Benefit, which would be launched later in 2025, and the Employment Strategy for Canadians with Disabilities. In accordance with the concept of "nothing without us", which was a guiding principle of the Action Plan, the Government had established formalized engagement mechanisms, including a ministerial disability advisory group, that ensured the ongoing representation of persons with disabilities in a broad range of initiatives in areas such as income and social support, elections, international priorities, accessibility standards and the national autism strategy.
5. The Government was investing in the development of the next generation of disability leaders by helping young people gain leadership experience through participation in the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, the Prime Minister's Youth Council and other initiatives focused on young people.
6. Under the Employment Equity Act, federally regulated employers were required to examine their employment and compensation systems with a view to identifying and eliminating practices that were discriminatory against designated groups, including persons with disabilities. Canada had become the first country to make pay gap data publicly available with the introduction of the Equi'Vision tool.
7. Under the Accessible Canada Act – pursuant to which the Canadian Human Rights Commission had been formally recognized as the monitoring body for the implementation of the Convention – standards were being developed and advice was being provided with a view to systemically improving accessibility in areas such as employment, the built environment and the delivery of programmes and services. The provinces of Manitoba, Saskatchewan and British Columbia had each adopted acts that were intended to remove barriers and improve accessibility for persons with disabilities.
8. The Government applied the Gender-based Analysis Plus analytical tool to support the development of responsive and inclusive initiatives that went beyond sex and gender differences and addressed factors such as disability and other intersecting aspects of identity. The National Action Plan to End Gender-based Violence, which had been adopted in 2022 and was to run for 10 years, recognized the specific barriers faced by women and girls, Indigenous women and girls and two-spirit, lesbian, gay, bisexual, transgender, queer, intersex, and other members of sexual and gender diverse communities with disabilities.

Intersectional considerations were also applied at the provincial and territorial levels. For example, the government of Quebec had adopted an action plan for women's health and well-being that set out measures to improve health screening for women with disabilities, provide sexual health education for persons with intellectual disabilities and autistic persons, enhance access to mammograms for women with reduced mobility and improve understanding of the barriers faced by women with physical or intellectual disabilities during pregnancy, childbirth and the post-partum period.

9. With the aim of promoting supported decision-making wherever possible, the Government was currently assessing a report that it had commissioned from organizations of persons with disabilities about the barriers that such persons faced in connection with decision-making. The medical assistance in dying framework had been designed to balance the autonomy and freedom of choice of individuals who were eligible to receive that assistance with protection for persons who might be vulnerable in that context, including persons with disabilities. The Government had engaged on an ongoing basis with the community of persons with disabilities with a view to hearing its concerns about the potential for vulnerable persons with disabilities who were not at imminent risk of death to seek and obtain medical assistance in dying as a result of unmet needs caused by factors such as inadequate health and social services, psychosocial or spiritual suffering, social stigma and hopelessness.

10. The national housing plan had been launched in 2024 with a view to addressing challenges related to housing supply and affordability. Pursuant to a programme to promote investment in affordable housing, the Government was providing funding to provinces and territories to deliver housing solutions that promoted safe, independent living for persons with disabilities, older persons and victims of family violence. Under a 10-year strategy adopted in Alberta, the provincial government was working with partners to increase the number of available housing units and provide support for persons with disabilities in the community.

11. Canada was committed to protecting and promoting the rights of persons with disabilities through multilateral forums, bilateral diplomacy and several international assistance initiatives, under which it was working to counter discrimination against women and girls with disabilities in the education sector, increase the number of independent living opportunities for persons with disabilities and improve the well-being of caregivers. Canada was honoured to be a Vice-President-elect of the Bureau of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities for 2025 and 2026.

12. Canada would continue to enhance its Disability Data Strategy by updating disability-related indicators with the aim of gathering more accurate, disaggregated data that would enable it to better align programmes and services with the goals of the Convention. The government departments responsible for such programmes and services collaborated closely with Statistics Canada. A report providing indicators in relation to articles of the Convention, based on data from the Canadian Survey on Disability, had been released in December 2024 and would be updated by the end of 2025. A federal strategy for measuring progress and collecting data on accessibility had been published with the aim of providing long-term data to support evidence-based decision-making.

13. He wished to pay tribute to the memory of Steven Estey and Laurie Beachell, two exceptional and respected disability advocates and leaders whose dedication and contributions had had a tremendous impact on disability rights.

14. **A representative of the Canadian Human Rights Commission** said that the Commission had been accredited with A status by the Global Alliance of National Human Rights Institutions since 1999, and in 2019 had been designated as the independent monitoring mechanism under article 33 (2) of the Convention.

15. While the Government had, in recent years, taken action on legislation relating to accessibility, housing and financial support and other key issues that affected persons with disabilities in Canada, meaningful progress remained elusive and there was still much to be done.

16. First, it was necessary to improve the approach taken to disability rights. Although persons with disabilities made up more than 27 per cent of the Canadian population, there was a lack of quality, comprehensive data on the realities that they faced, and persons with disabilities with intersecting identities, such as Indigenous persons and women, were not adequately represented. The Government needed to honour the principle of “nothing without us” by meaningfully taking into consideration the lived experiences of persons with disabilities, including those living in prisons or institutions or experiencing homelessness, and ensuring that nothing was decided without them. It was necessary to significantly improve outcomes for all persons with disabilities, particularly by ensuring that systems designed to protect their rights were created by and for persons with disabilities in their full diversity, including those who faced intersecting forms of discrimination and exclusion.

17. Secondly, it was necessary to address the socioeconomic inequality that many persons with disabilities faced. Many such persons lacked access to the basic support and services that they needed to live with dignity, including healthcare, medication and equipment. The rising cost of living was disproportionately affecting persons with disabilities and exposing them to higher rates of poverty, unemployment and homelessness. A lack of adequate and accessible housing was continuing to force them into unsafe and unacceptable living situations. Faced with immense systemic inequalities, some persons with disabilities were turning to medical assistance in dying because they had no other options.

18. Thirdly, Canada needed a stronger framework for achieving progress in implementing recommendations from the Committee and other international human rights bodies and for monitoring that progress. Persons with disabilities deserved to know more about how the Convention was being implemented in Canada and to see it make a difference in their daily lives.

19. **Ms. Kayess** (Coordinator, Country Task Force) said that the dialogue provided an opportunity for the Committee to learn to what extent the State Party had addressed the impact of ableism, as a result of which seemingly benevolent and benign provisions for the care, treatment and protection of persons with disabilities led to their segregation and the denial of their human rights and personal autonomy. Together, they would examine the extent to which Canada, as a federal State, implemented the Convention in all regions without limitations or exceptions.

Articles 1–9 and 31–33

20. **Mr. Schefer** (Country Task Force) said that, given that Canada had a dualist legal system under which international law had to be transposed into domestic law, and that many of the rights that the Convention provided for were economic, social and cultural rights that were not protected under the Canadian Charter of Rights and Freedoms, he wished to know whether the State Party would take steps to fully incorporate the Convention into its domestic law. He wondered how the State Party ensured that the necessary laws on social and other rights were passed so that it could fulfil its obligations under the Convention. How did it currently ensure that the courts played a role in implementing the Convention and that efforts to implement it were not limited to advocacy work and action by Parliament and the Government?

21. **A representative of Canada** said that, under the Constitution, legislative and executive powers were distributed between the federal, provincial and territorial governments, and that each level of government could only legislate on matters falling within its jurisdiction. It was thus impossible for the Convention to be implemented through a single national law or policy. The Convention was instead implemented by the combined effect of those legislative and administrative measures that had been adopted by all jurisdictions, which included constitutional protections under the Canadian Charter of Rights and Freedoms and a number of policies, programmes and services that had been adopted at all of those levels. Under the Charter, the rights of persons with disabilities were protected uniformly throughout the country. The Supreme Court interpreted and applied legislation enacted throughout Canada, which contributed to a consistent approach and ensured that all governments respected domestic human rights standards while allowing for regionally diverse approaches. The interplay between constitutional, administrative and other forms of

human rights protection had enhanced such protections in Canada above the level of ordinary legislation.

22. **A representative of Canada** said that each level of government was responsible for implementing the Convention within its areas of competence, and mechanisms such as the Forum of Federal, Provincial and Territorial Ministers Responsible for Social Services allowed for intergovernmental cooperation on issues affecting persons with disabilities. The Federal, Provincial and Territorial Persons with Disabilities Advisory Committee provided evidence-based policy advice on such issues and met as needed. A federal, provincial and territorial open forum on accessibility established in 2017 met quarterly.

23. **A representative of Canada** said that the Accessibility for Manitobans Act, which had entered into force in 2013, sought to remove barriers in areas such as employment, housing and the built environment. The government of Manitoba worked with representatives of the disability community and the public and private sectors to develop accessibility standards under the Act. Standards on accessibility with respect to customer service, employment and information and communication had entered into force between 2015 and 2022. An accessible transportation standard would enter into force on 1 January 2027, and a standard on the accessible design of outdoor public spaces was being developed.

24. **A representative of Canada** said that, while the Convention itself could not form the basis for a legal claim in domestic courts, it was an important interpretive tool. The Supreme Court of Canada had stated that the protection provided by the Canadian Charter of Rights and Freedoms should generally be presumed to be at least as great as that afforded by similar provisions of international human rights instruments ratified by Canada. Litigants in Canadian courts could therefore argue that the country's obligations under the Convention helped define the scope of their rights and freedoms under the Charter. In interpreting all other laws, Canadian courts applied a presumption that the legislature intended the relevant provisions to be consistent with the country's international legal obligations.

25. **Mr. Schefer** said that, given that 3 out of 10 provinces had not yet passed accessibility legislation, he wondered whether Canada could have made greater efforts to encourage implementation of the Convention at the provincial and territorial levels. He wished to know whether a comprehensive national action plan for implementing the Convention had been put in place, as the Committee had recommended in its concluding observations on the State Party's initial report.

26. **A representative of Canada** said that there was no comprehensive national action plan focused on the Convention that spanned the federal and provincial and territorial levels. At the federal level, the Disability Inclusion Action Plan sought to ensure that persons with disabilities were fully integrated into the country's social and economic life.

27. **A representative of Canada** said that there were, in fact, currently only two provinces in Canada that had not adopted accessibility legislation. The Accessible Saskatchewan Act had been developed following consultations with 1,300 people and had entered into force in 2023. It applied to all areas for which the provincial government was responsible. Under the Act, public sector bodies in the province were required to develop accessibility plans by December 2025 and make them available for public comment. The plans must be renewed every three years. In 2024, the government of Saskatchewan had released the province's first accessibility plan, which outlined measures to make provincial government services more accessible and required the publication of annual progress reports. The Saskatchewan Accessibility Office was responsible for advising the Minister of Social Services on accessibility legislation and standards, raising public awareness of the Act, monitoring compliance with it and receiving reports of non-compliance.

28. **Mr. Schefer** said that he wished to know to what degree organizations of persons with disabilities were involved in the efforts of the federal, provincial and territorial governments to implement the Convention, whether there was a standing mechanism that had the authority to set a programme and timeline for implementation and, if so, whether persons with disabilities participated in it.

29. **A representative of Canada** said that the Government of Canada had provided funding for the preparation of parallel reports by Canadian civil society organizations and

national Indigenous Peoples' organizations and for travel by their representatives to Geneva for the country's appearance before the Committee. The drafting of the Accessible Canada Act had been informed by extensive engagement with the disability community.

30. **A representative of Canada** said that the Government engaged with the disability community on all policy, programme and regulatory initiatives. The Accessible Canada Act required all federally regulated entities to prepare and publish accessibility plans and progress reports in consultation with persons with disabilities and to establish mechanisms that allowed persons with disabilities to report any barriers that they faced.

31. **A representative of Canada** said that the disability community had also been significantly involved in the development of the Canada Disability Benefit Act.

32. **Mr. Schefer** said that he wished to know to what degree the Convention applied to First Nations, Inuit and Métis communities, particularly in the light of the United Nations Declaration on the Rights of Indigenous Peoples, which had been transposed into Canadian law.

33. **A representative of Canada** said that the Convention applied to all matters that had an impact on Indigenous persons with disabilities. The United Nations Declaration on the Rights of Indigenous Peoples Act had received royal assent in 2021, and an action plan to implement it had been launched in 2023, following two years of intensive consultations with rights holders. In implementing the 181 measures under the plan, Canada focused on upholding the rights of vulnerable Indigenous populations with intersecting identities, including Indigenous women and children with disabilities.

34. **Mr. Schefer** asked whether a mechanism was in place to ensure that the rights of women with disabilities and the problems faced by women generally were systematically addressed in disability policies.

35. **A representative of Canada** said that, under the Disability Inclusion Action Plan, the Government had assessed accessibility in the shelter system and identified nine areas for improvement. The National Action Plan to End Gender-based Violence recognized that women and girls with disabilities were underserved when they experienced such violence and identified shortcomings and areas for potential action, including in terms of physical infrastructure and training.

36. **A representative of Canada** said that the situation of women and girls with disabilities had been taken into account in the drafting of a Quebec law on the establishment of a special court for sexual violence and spousal abuse, which had been adopted in 2021. The government of Quebec had also put in place an action plan on spousal abuse and a government strategy on preventing and combating sexual violence.

37. **Mr. Schefer** said that he wished to know why none of the priority areas of the Accessible Canada Act included children with disabilities, whether the State Party conducted children's rights impact assessments of its laws and policies, how it ensured that children with disabilities were heard in all matters affecting them and whether, in the delegation's view, the State Party provided sufficient support for children with disabilities.

38. **A representative of Canada** said that, in July 2023, the Government of Canada had launched a child rights impact assessment tool and an online course on how to use it. The tool was grounded in the Convention on the Rights of the Child, provided insight into the impact of initiatives on different groups of children, including children with disabilities, and could take account of the differences within those groups.

39. **A representative of Canada** said that the areas designated as priorities in the Accessible Canada Act were those where the most common barriers to accessibility affecting all persons with disabilities could be found, such as transportation, banking and communication. However, the analyses carried out in connection with the implementation of the Act took account of intersecting identities and considered the impact on children.

40. **A representative of Canada** said that children were one of the groups considered in analyses conducted under the Gender-based Analysis Plus assessment tool for federal measures. A number of measures were in place to support parents of children with disabilities, including with respect to early learning and childcare. In terms of whether the

current level of support for children with disabilities was sufficient, there was always room for improvement. The Government was open to continuing discussions with the disability community on areas in which it could improve.

41. **Mr. Schefer** invited the delegation to comment on reports by organizations of persons with disabilities regarding shortcomings in the data collected by the Government on persons with disabilities and on the programmes and services put in place for them and regarding the insufficient level of consultation with those organizations on data collection practices.

42. **A representative of Canada** said that his Government was fully committed to evidence-based decision-making and attached the utmost importance to the generation of data on persons with disabilities and the intersectional issues affecting them.

43. **A representative of Canada** said that the primary source of data on persons with disabilities was the Canadian Survey on Disability, which was conducted every five years among individuals aged 15 years and above who had reported having a disability in the Census of Population. Participants were required to respond to questions on a wide range of topics, including the type and severity of their disability and their experiences in areas such as education and employment. Statistics Canada made every effort to ensure that the questions it selected for inclusion in the Survey would enable it to gather the necessary information without placing an excessive burden on participants.

44. Data on persons with disabilities were also collected through the Canadian Income Survey and the General Social Surveys, which covered topics such as victimization, time use, social inclusion and sense of belonging. The Canadian Health Survey on Children and Youth contained questions designed to improve understanding of the situation of children with disabilities. Statistics Canada occasionally introduced additional data collection mechanisms to complement those surveys; in recent years, it had launched a series of surveys on accessibility and conducted one on early education and childcare arrangements for children with long-term medical conditions and disabilities.

45. The Disaggregated Data Action Plan had been launched in 2021 to enhance the ability of Statistics Canada to produce disaggregated data and promote a focus on intersectionality in its analysis of that data. One of the key accomplishments under that Plan had been the improvement of the Canadian Income Survey and other employment-related surveys, thanks to which it had been possible to develop indicators on the labour market outcomes of persons with disabilities.

46. **Mr. Schefer** said that he would like to know whether the State Party agreed with the Canadian Human Rights Commission and civil society organizations that there was a need to adopt a new national framework to govern the implementation of its international human rights obligations and, if so, whether it was taking concrete steps towards doing so. It had been brought to the Committee's attention that the State Party had stopped funding the work undertaken by the Commission in its capacity as the mechanism responsible for monitoring the implementation of the Convention. Accordingly, it would be helpful to learn whether the State Party planned to remedy that situation and ensure that the Commission had the capacity to monitor enjoyment of the full range of rights recognized in the Convention.

47. **A representative of Canada** said that the Government appreciated the ongoing efforts of the Canadian Human Rights Commission to perform the duties entrusted to it as the independent monitoring mechanism. Funding for such activities was typically granted for a set number of years so that the Government could regularly assess whether it should be reallocated as the needs of the institution concerned evolved over time. For that reason, the funding provided to the Commission to carry out monitoring activities had been approved only for an initial five-year period, after which the Commission had been required to submit a request for its renewal. As the Commission awaited a decision on that request, it continued to have full authority to decide how to make use of the funding currently available to it and to choose what priorities to pursue.

48. **A representative of Canada** said that the Government's compliance with its international human rights obligations was monitored by the national mechanism for implementation, reporting and follow-up. While the mechanism was not empowered to

enforce fulfilment of those obligations, it did provide a forum for experts at all levels of government to come together to strengthen efforts to give effect to human rights.

49. All documents prepared in relation to the reviews of Canada before the human rights treaty bodies were submitted to Parliament and made publicly available through the Government's human rights portal. The outcomes of those reviews were shared with the Canadian Human Rights Commission, civil society and organizations representing Indigenous Peoples. Several mechanisms had been established to disseminate recommendations made by the treaty bodies and monitor their implementation. The Government had taken a number of measures to involve persons with disabilities in monitoring compliance with the Convention. Since 2019, funding had been earmarked for efforts to support the participation of such persons in the development of parallel reports to be submitted to the treaty bodies.

50. Consultations with civil society were guided by the principle of "nothing about us without us". The Standing Table on Human Rights had recently been launched to facilitate more structured and predictable interactions between the Government and civil society.

The meeting was suspended at 4.35 p.m. and resumed at 4.45 p.m.

51. **Ms. Gamio Ríos** said that she wished to know whether the State Party had conducted a gender-based analysis before legalizing medical assistance in dying. It would be useful to learn whether the Department for Women and Gender Equality had a specific unit for women and girls with disabilities, whether it invited organizations representing such women and girls to participate in the development of its programmes and whether it counted any women with disabilities among its employees. The delegation might wish to describe any steps being taken to give effect to the recommendations contained in the concluding observations adopted by the Committee on the Elimination of Discrimination against Women following its recent review of the State Party ([CEDAW/C/CAN/CO/10](#)).

52. **Mr. Morris** (Country Task Force) said that he would welcome information on the schemes in place to provide persons with disabilities with access to assistive technology.

53. **Ms. Kayess** said that she would like to know whether measures had been adopted to guarantee the meaningful involvement of Indigenous persons with disabilities in efforts to execute the action plan for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act, with a view to ensuring that the activities organized under the action plan were disability inclusive. She also wished to know whether the measures provided for in the action plan were applicable to non-status and off-reserve Indigenous Peoples and what the State Party was doing to ensure the recognition of those groups and provide them with support, in line with the judgment of the Supreme Court in *Daniels v. Canada (Indian Affairs and Northern Development)*.

54. **Ms. Fefoame** said that it would be helpful to know whether issues affecting women and girls with disabilities were being mainstreamed in the overall disability agenda and, if so, to what extent organizations representing such women and girls had been involved in those efforts. She would be grateful for further information on the National Action Plan to End Gender-based Violence, in particular the level of involvement of women and girls with disabilities in its design, the remedies it made available to them and the outcomes achieved since its implementation.

55. **Ms. Gabrilli** said that she wished to know what steps were being taken to ensure that the services available to children with disabilities and their families, in particular those who lived outside urban centres, belonged to Indigenous communities or had recently arrived in the State Party, were consistent across all territories and provinces. The delegation might wish to comment on any initiatives in place to generate the data required to tackle the intersectional discrimination faced by persons with disabilities who also belonged to other vulnerable groups.

56. **Ms. Placencia Porrero** said that she would be interested to learn whether there was any differentiation in the State Party's laws between measures that would guarantee the equal access of persons with disabilities to public and private services, infrastructure and products and those that would ensure that such services, infrastructure and products were consistent with accessibility requirements. The delegation's comments on the consistency of regional

accessibility laws with the federal Accessible Canada Act would be welcome, as would information on the time frame within which the accessibility standards currently under development would be adopted as legal regulations. She would welcome clarification on how many organizations and companies were currently required to submit accessibility plans under the relevant regional and federal laws and whether the federal Government had the capacity to ensure the adequate assessment of those plans and provide feedback on them.

57. **Mr. Corporán Lorenzo** asked how many experts specializing in universal accessibility were employed by the State Party, how much funding had been invested in that area and whether local governments had developed their own universal accessibility plans.

58. **Mr. Al-Azzeh** said that he wished to know whether the State Party had developed any indicators to assess the degree to which its international cooperation programmes were disability inclusive and, if so, whether it was in a position to share the relevant data with the Committee. He would appreciate information on the steps taken to ensure that the State Party's international cooperation, including in the military field, did not have an adverse impact on persons with disabilities.

59. **Ms. Boresli** said that it would be helpful to know what measures were in place to ensure that persons with intellectual disabilities were not pressured into making decisions regarding medical assistance in dying. She would also be interested to hear what budget had been earmarked for efforts to promote the inclusion of children with disabilities in all areas of family and community life.

60. **Ms. Dondovdorj** asked whether the State Party had any mechanisms in place to provide periodic training to public officials on the rights of persons with disabilities and the Convention.

61. **A representative of Canada** said that the delegation would provide an answer to some of the Committee's questions in writing. The Department for Women and Gender Equality had its own Minister and Deputy Minister who were responsible for coordinating with other government departments to ensure that issues affecting women and girls were addressed in federal government policies.

62. **A representative of Canada** said that the concluding observations of the Committee on the Elimination of Discrimination against Women had been presented to Parliament. The Government planned to discuss the recommendations contained in the concluding observations with civil society and Indigenous organizations. Consultations were being held with a large network of women's rights organizations with a view to identifying the most effective ways to engage with civil society to follow up on the recommendations. Lastly, the recommendations would be discussed at a forthcoming meeting of the federal, provincial and territorial ministers responsible for human rights.

63. **A representative of Canada** said that the Government was committed to working with the provincial and territorial authorities to harmonize efforts in the area of accessibility. One development had been the establishment of a forum to promote the sharing of information on accessibility issues among federal, provincial and territorial bodies. A time frame for the adoption of newly developed accessibility standards as legal regulations had not been established. Each standard was assessed to determine whether it would be feasible as a legal regulation or should exist only for information purposes. The competent minister was then informed of the outcome of that assessment so that he or she could make the final decision. The standards selected for adoption as regulations were usually those that contained more basic requirements and would thus be easier to enforce, whereas those that were more aspirational tended to remain voluntary in nature.

64. It was not known how many experts in accessibility and universal design there were in Canada but it was clear that more were needed. Some educational establishments were planning to introduce courses in those subjects. The Government provided persons with disabilities with a range of assistive devices and technology, including hardware and software solutions. It also implemented a number of measures, including disability supports deductions, tax credits for medical expenses and refundable medical expense supplements, to help persons with disabilities gain access to assistive technologies. The Government allocated grants of up to Can\$ 20,000 per academic year to students with disabilities so that

they could have access to assistive technologies and services. Under the Equitable Access to Reading Program, the Government provided funding to support the production of reading materials in alternate formats.

Articles 10–20

65. **Ms. Kayess** said that she wished to know why federal legislators had amended the law to extend access to medical assistance in dying to persons whose natural death was not reasonably foreseeable. The amendment in question placed emphasis on quality-of-life value judgments and represented a return to State-based eugenics programmes.

66. **A representative of Canada** said that the legal framework governing medical assistance in dying had been designed to balance the need to ensure personal autonomy against the need to protect vulnerable individuals from being induced to end their lives. The Government was continuing to consider relevant studies and reports to ensure that the laws respected that balance.

67. Under federal regulations, healthcare practitioners were required to report on all cases of medical assistance in dying, which made it possible to collect data on the characteristics of persons requesting such assistance and to identify any inequalities based on those characteristics. The findings from the most recent report indicated that a near equal proportion of men and women had received medical assistance in dying when their death was reasonably foreseeable and that a larger proportion of women than men had received such assistance when their death was not reasonably foreseeable. The statistics indicated that persons who received medical assistance in dying did not disproportionately come from lower income or disadvantaged communities. The vast majority of applicants who had responded to questions on their racial and ethnic identity had identified as Caucasian.

68. **A representative of Canada** said that, under the law governing end-of-life care in Quebec, if a person who wished to receive medical assistance in dying had a severe physical disability, the professional overseeing the request must ensure that a number of conditions were met, including that the person concerned was well informed about the foreseeable clinical evolution of his or her physical impairment and the therapeutic options available. The Quebec Office for Persons with Disabilities could provide persons with disabilities with information on the process of applying for medical assistance in dying and refer them to the appropriate health and social services. Under the law, persons with mental health disorders were not eligible to receive medical assistance in dying.

69. **Ms. Kayess** said that, as the delegation had already acknowledged, the disability community in Canada had concerns about persons with disabilities who were not at imminent risk of death but who sought medical assistance in dying as a result of unmet needs. In the Committee's view, those unmet needs were an indication of the State Party's systemic failures, including its failure to alleviate poverty and provide vulnerable people with access to housing, healthcare and employment support. In the light of that situation, the decision to extend access to medical assistance in dying must be seen as a form of State-sanctioned euthanasia.

70. **A representative of Canada** said that the Government acknowledged that more could be done to support persons with disabilities, who had higher rates of poverty and unemployment and did not always have access to the services that they needed. The Government was committed to the idea of mainstreaming the needs of persons with disabilities into all aspects of programming rather than attempting to meet those needs through specific and potentially exclusionary measures.

71. The expansion of access to medical assistance in dying had been accompanied by the introduction of enhanced safeguards. The Government was aware that some persons might seek medical assistance in dying because they were lonely or isolated or because they lacked adequate support. In the light of that possibility, the regulations specified that at least one of the practitioners attending to a person requesting medical assistance in dying must have expertise in the medical condition that was causing the person suffering or must consult a practitioner who had such expertise.

72. In addition, a person making a request for assistance in dying must be informed of alternative means of relieving his or her suffering and be offered consultations with relevant professionals. Two practitioners must be satisfied that the person concerned had given serious consideration to those alternative means. Furthermore, a minimum 90-day assessment period had been established to ensure that enough time was spent exploring why a person who was not dying was requesting medical assistance to die.

73. The Government collaborated with the provinces and territories to enhance the quality and accessibility of care services, including end-of-life care. In 2017, the Parliament of Canada had adopted the Framework on Palliative Care in Canada Act, which mandated the development of a national framework to support improved access to palliative care in hospitals and communities. In 2019, the Government had launched a federal action plan on palliative care to support the development of the national framework. Under the 2023–2024 “Aging with Dignity” agreements with the provinces and territories, the Government had earmarked an additional Can\$ 5.4 billion over five years to improve access to different forms of care.

74. **Ms. Kayess** said that it was still not clear why greater emphasis was not placed on providing support to socially isolated persons who had come to believe that dying was the only option open to them. Given that persons with disabilities were often excluded from emergency responses and lacked access to information on emergencies and early warning systems, she wondered what was being done to address the disproportionate impact faced by persons with disabilities in humanitarian emergencies. She would be grateful for information on any steps being taken to account for the needs of persons with disabilities in the National Adaptation Strategy and in measures being taken to tackle the opioid overdose crisis.

75. **A representative of Canada** said that responsibility for emergency management fell to the local, provincial and territorial authorities, which were supported by the Government. The National Adaptation Strategy recognized that persons with disabilities faced greater climate risks, including increased fatality rates from extreme weather events and other disasters. Governments and industries would need to take action to account for the needs of persons with disabilities in plans to address climate change and alleviate disproportionate risks. The Government was developing a national standard on measures to support persons with disabilities in emergencies, including planning, transport and evacuation procedures. Accessibility Standards Canada had established technical committees tasked with developing standards relating to emergency planning, shelters, medical assistance, transport and evacuation procedures, among other matters.

76. In implementing the Sendai Framework for Disaster Risk Reduction 2015–2030 at the national level, the Government had developed national disaster risk reduction strategies that linked to provincial, territorial and municipal strategies. In order to meet its commitments under the Sendai Framework, the Government would work to enhance the participation of persons with disabilities in emergency planning and responses and would better integrate gender, age, disability and diverse cultural perspectives into emergency management policies and practices. The Emergency Preparedness Guide for People with Disabilities/Special Needs encouraged persons with disabilities and carers to actively participate in emergency management by providing them with the resources needed to prepare for emergencies at the household level.

77. **A representative of Canada** said that, in Saskatchewan, the Saskatchewan Public Safety Agency had launched an electronic application that provided citizens with an easy way of disseminating information if an event requiring an evacuation occurred within their area. Information collected on the application was shared with community leaders and used to ensure the availability of resources during emergencies. The application was available in several languages and an easy-to-use format.

78. The Saskatchewan Public Safety Agency worked with different communities on an ongoing basis to ensure that emergency planning took account of the needs of those communities. Representatives of the Agency attended community events to promote preparedness and planning. Efforts were made to ensure that any persons displaced during an emergency, including persons with disabilities, would receive the support that they required.

79. **Ms. Kayess** said that she wished to know what the State Party was doing to prevent environmental racism from impacting First Nations, Inuit, Métis, black and other racialized communities and causing or exacerbating impairments and secondary impairments. It would be interesting to know how disability rights were addressed in the National Strategy Respecting Environmental Racism and Environmental Justice Act of 2024, which did not appear to take account of the interface between environmental racism and disability.

80. **A representative of Canada** said that the Government was committed to inclusive climate action that prioritized the rights and needs of persons with disabilities. In order to prevent persons with disabilities from being left behind in climate resilience initiatives, the Government engaged directly with persons with disabilities, civil society organizations, Indigenous communities and provincial and territorial partners to ensure that their perspectives were reflected in climate action planning. The Government had established a climate policy framework that incorporated the disability perspective, ensuring that barriers to accessibility were eliminated in line with the Accessible Canada Act. The Government had taken steps to ensure the accessibility of climate-related emergency response measures and services, including early warning systems and emergency shelters.

81. **A representative of Canada** said that Environment and Climate Change Canada engaged with Indigenous and racialized groups, in collaboration with other federal agencies, and supported research and the development of policies to identify and mitigate environmental injustices. All policy missions within the Government took account of disability rights. The Government had regular conversations with Environment and Climate Change Canada about environmental racism and the impact of environmental problems on persons with disabilities.

82. **Ms. Kayess** said that Canada continued to promote and support substitute decision-making regimes across federal, provincial and territorial legal and policy frameworks. She wished to know why the State Party was not implementing supported decision-making models across Canada as an alternative to substitute decision-making regimes. She wondered what obstacles prevented the State Party from withdrawing its reservation to article 12 of the Convention.

83. **A representative of Canada** said that the vast majority of persons with disabilities in Canada had full decision-making authority over all aspects of their lives. Substitute decision-making arrangements were made in only a small number of cases and were subject to significant procedural safeguards and judicial oversight. The decision to appoint a substitute decision-maker for a person with a disability was based only on evidence of the person's actual decision-making ability rather than on his or her disability. The relevant legal regimes, which fell largely under the jurisdiction of the provinces and territories, provided for extensive regulations and safeguards in order to protect persons with disabilities against abuse.

84. There were no plans to withdraw the reservation made by Canada to article 12 of the Convention as there would always be situations where some form of substitute decision-making was necessary. In 2019, the Government had provided funding for three projects to raise awareness of the challenges faced by persons with disabilities in exercising their legal capacity. The Government continued to have discussions with provincial and territorial governments on the issue of supported decision-making with a view to furthering the implementation of article 12.

85. **Ms. Kayess** said that she wished to know what measures the State Party had taken to amend or repeal legislation that restricted the legal capacity of persons with disabilities, put them at risk of being indefinitely detained and prevented them from obtaining access to justice on an equal basis with others.

86. **A representative of Canada** said that the Criminal Code provided for measures to ensure that persons with psychosocial disabilities were not unfairly or improperly convicted of criminal offences. Everyone charged with a criminal offence in Canada had the right to a fair trial and no one could be convicted or sentenced unless that right had been respected. Repealing that safeguard could have a profound impact on the constitutional rights of persons with psychosocial disabilities. Therefore, no plans were in place to repeal or amend the law providing that a person could be found unfit to stand trial. However, when persons were

found to be unfit to stand trial, attempts were made to make them fit. In that connection, courts could instruct accused persons to receive treatment for up to 60 days.

87. Involuntary treatment could be administered solely for the purpose of making an accused person fit to stand trial and could not be ordered on an ongoing basis. The treatment imparted must be based on medical evidence and must be the least restrictive and least intrusive treatment possible in the circumstances. If fitness could not be achieved using appropriate treatment options, the accused person would be transferred to the jurisdiction of a provincial or territorial review board, which could impose restrictions on his or her liberty in order to protect public safety. In such cases, national law set out safeguards to prevent indefinite detention. Accused persons could be granted a judicial stay of proceedings if they were unlikely to become fit to stand trial and did not pose a significant risk to public safety.

88. **Ms. Kayess** said that attempts to make persons fit to stand trial were based on assumptions that the fault lay within those persons rather than within the justice system. Rather than subjecting persons with disabilities to compulsory treatment, the State Party should be asking itself how it could ensure their access to information and their right to participate in legal proceedings.

89. She wished to know what mechanisms were in place to ensure consistency in the resourcing and provision of legal aid across the country and whether any national protocols had been established to ensure consistency in the assessment of requests for procedural accommodations. She wondered whether justice officials were trained to address the pathologization of disability and whether the personal information of persons participating in proceedings was kept confidential.

90. **A representative of Canada** said that all Canadian provinces and territories operated publicly funded programmes that provided legal assistance at little or no cost to eligible persons of limited financial means. In 2022 and 2023, over 404,000 persons across Canada had received legal aid services. Provincial and territorial governments were responsible for providing legal aid and had established eligibility guidelines for applicants. In determining eligibility for legal aid, provinces and territories assessed whether an individual's income exceeded a minimum threshold and also considered how likely a case was to be successful. The Government planned to increase the funding allocated to legal aid mechanisms in order to address disparities in the provision of such aid across different provinces and territories. In recent years, the Government had expanded the availability of legal aid in cases relating to immigration and applications for refugee status.

91. **A representative of Canada** said that the Canadian Charter of Rights and Freedoms protected all persons against unreasonable breaches of privacy. At the federal level, the Privacy Act regulated the handling of personal information by the Government, while the Personal Information Protection and Electronic Documents Act governed the ways in which private sector organizations collected, used or disclosed personal information in the course of their commercial activities. Separate provincial and territorial legislation regulated the collection and use of personal health information by healthcare providers and institutions.

The meeting rose at 6 p.m.