



**Ontario
Human Rights Commission**
**Commission ontarienne des
droits de la personne**



Canadian
human rights
commission

Commission
canadienne des
droits de la personne

Monday December 7, 2020

Kevin Chan
Global Director and Head of Public Policy, Canada
Facebook Canada Ltd.
Suite 1201, 661 University Avenue
Toronto, Ontario M5G 1M1

Dear Mr. Chan:

Re: Enforcing safeguards to prevent discriminatory housing, employment and credit ad targeting in Canada

The Canadian Human Rights Commission (CHRC) and Ontario Human Rights Commission (OHRC) welcome the news that Facebook has now implemented and is enforcing several safeguards to prevent discriminatory targeting of advertisements for housing, employment and credit opportunities in Canada.

This development is responsive to the CHRC and OHRC's joint call for Facebook to take action on this issue. The commissions [first wrote to Facebook in June 2019](#) to express concern that Facebook's platform enabled ads to be targeted in ways that excluded people based on protected characteristics, like age or gender, contrary to Canada's federal and provincial human rights laws.

We urged Facebook to take a number of steps to address this issue, consistent with changes being made to address discriminatory advertising on Facebook in the United States. In January 2020, [Facebook publicly committed](#) to making these changes in Canada by late 2020. We understand that, as of December 3, 2020, Facebook has now implemented and is enforcing the following safeguards to prevent discriminatory advertising for housing, employment and credit opportunities in Canada:

- Restricting the ability of advertisers to target ads that offer housing, employment and credit opportunities based on age, gender, postal code, or any other detailed options describing or appearing to relate to characteristics protected under Canadian and Ontario human rights laws
- Providing education to all advertisers about discriminatory advertising, and requiring advertisers to self-declare that they are not engaging in discriminatory housing, employment or credit advertising
- Monitoring for any housing, employment and credit ads that may still target in a discriminatory manner, and preventing these ads from running

- Providing access to all Canadian advertisements for employment, housing and credit opportunities in an Ad Library that can be viewed and searched by all users.

All of these are significant steps towards preventing discriminatory advertising in Canada.

Advertising is how many Canadians learn about critical opportunities, like a job opening or an apartment for rent. Part of ensuring equal access to these opportunities is making sure everyone has a chance to learn about them in the first place. The importance of this is even more evident today than when the commissions first called on Facebook to make these changes. The COVID-19 pandemic has led to unprecedented numbers of people facing precarious housing, employment and financial circumstances – with the people in our communities who were already the most marginalized being disproportionately affected. Ensuring that available housing, employment and credit opportunities are advertised without discrimination and in line with human rights laws is imperative. The new safeguards that have been implemented and are now being enforced are an important part of achieving this.

In addition to these new safeguards, we know that Facebook is also aware of the need to ensure that its ad delivery algorithms are not themselves causing ads to be distributed in a discriminatory way. As automated decision-making and artificial intelligence (AI) systems are increasingly relied upon, it is critical that these systems are not biased and do not create or perpetuate systemic discrimination. We understand that Facebook is engaging experts, academics, researchers, and civil rights and privacy advocates on the issue of algorithmic bias, and is also using internal pilot projects to identify and address bias issues with its own algorithms. We urge Facebook to pursue all efforts to address algorithmic bias, and we ask that Facebook report to us on developments it makes in this area.

Moving forward, the CHRC and OHRC look forward to seeing the operation of the new Canadian advertising safeguards and the further steps that Facebook takes to protect against discrimination.

Sincerely,

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