

# Disability rights in Canada

32nd session of the UN Committee on the Rights of Persons with Disabilities on the occasion of Canada's combined 2nd and 3rd Periodic Review



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The Canadian Human Rights Commission is Canada's National Human Rights Institution, accredited with A status by the Global Alliance of National Human Rights Institutions since 1999. In 2019, the Commission was also designated as the National Monitoring Mechanism under article 33(2) of the Convention on the Rights of Persons with Disabilities. This fact sheet highlights some key issues and recommendations from the CHRC written submission to the Committee.

## Key issue: Meaningful inclusion

People with disabilities make up more than 27% of the Canadian population, yet there is a **significant lack of data** on the current realities they face. Not enough has been done to reach out to **people living on the margins and people with diverse and intersectional lived experiences**, such as Indigenous, Black and other racialized people, 2SLGBTQQIA+ people, women, children and youth, people with non-traditional forms of disability, and people in prisons, living in institutions, or experiencing homelessness. This is needed **for meaningful inclusion**.

### Recommendations

That Canada apply an **intersectional and inclusive lens** to policy-making and data collection efforts.

That Canada renew efforts to **foster a relationship of trust** with disability communities.

## Key issue: Medical assistance in dying

In the face of **intersecting systemic inequalities and discrimination**, some people with disabilities are turning to medical assistance in dying because they feel they do not have any other options to live in dignity. **This is unacceptable**.

### Recommendation

That before taking further action on its expansion, **Canada conduct a critical and thorough examination of what has happened since the coming into force of MAiD legislation**, including by collecting the evidence and testimony necessary to present a clear understanding of who is accessing MAiD and why, and by ensuring that the experiences and concerns of those who are most marginalized are listened to, valued and addressed.

## Key issue: Socioeconomic equality

Many people with disabilities in Canada **lack access to the basic supports and services** they need to live with dignity. This broadening socioeconomic gap, aggravated by a rapidly rising cost of living, continues to disproportionately impact people with disabilities, who face elevated rates of poverty, unemployment and homelessness. Canada needs to **better protect the socioeconomic rights** of people with disabilities.

### Recommendation

That Canada **significantly strengthen the Canada Disability Benefit Regulations** to ensure that this new program meaningfully contributes to lifting all people with disabilities out of poverty and enables them to live with dignity.

## Contact us

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## Key issue: Housing

A **lack of adequate and accessible housing** means that people with disabilities are overrepresented in all aspects of inadequate housing and homelessness. Our findings show that people with disabilities are **four times more likely to experience homelessness** than people without disabilities. They are more likely to live in unaffordable housing and in housing with unsafe drinking water or poor air quality. It is clear their fundamental **human right to adequate housing** is not being upheld.

## Recommendations

That Canada ensure all people with disabilities can **fully exercise their human right to adequate housing and live with dignity and independence**, including by ensuring people with disabilities have autonomy over their living situations and providing community-based supports.

That Canada take steps to **protect people** with disabilities from evictions, **address the root causes** of homelessness and ensure that emergency shelters and services are **accessible**.

## Key issue: People deprived of their liberty

The situation of **people deprived of their liberty** across Canada is a pressing concern for prisoners but also for people institutionalized in facilities inappropriate for their needs and those in long term care facilities. Transparent and independent oversight and accountability mechanisms in all places of detention **strengthens human rights protections** for those in the most vulnerable circumstances.

## Recommendations

That Canada **sign, ratify and implement the Optional Protocol to Convention Against Torture** without delay to ensure independent oversight, monitoring and reporting in all places of detention.

That Canada provide adequate **community-based supports** to ensure that **alternatives to institutionalization** are available.

That Canada take urgent and meaningful action to **address the disproportionate use of force** on individuals experiencing mental health disabilities, implement **mental health treatment** for federal prisoners, and ensure prisoners with disabilities have **accessible infrastructure and programs**.

## Other key issues

- Employment
- Education
- Accessibility
- Access to health
- Climate justice
- Legal capacity
- Intersectional issues for women, older people and Indigenous people with disabilities
- Technology and AI
- Implementation of human rights

## Other recommendations

That Canada improve national, **disaggregated data** on the gender wage gap.

That Canada address systemic social and institutional **barriers to education** for children and youth with disabilities and **to healthcare** for people with disabilities.

That Canada develop and publish a plan with timelines on how it will **enact and implement regulations** relevant to each area under section 5 of the **Accessible Canada Act**.

That Canada provide information on the steps it has taken to move towards full **implementation of article 12** and ensure coordination across jurisdictions on **legal capacity issues**.

That Canada work with provincial and territorial governments to develop and adopt a **national framework for international human rights implementation**.