

Closing Statement-Country Rapporteur of Canada-Mr. Markus SCHEFER

Closing statement Canada

Rosemary Kayess

On behalf of my Taskforce colleagues and the Committee, I would like to express our gratitude to the Canadian delegation for their positive engagement in this constructive dialogue.

I also express the Committee's gratitude to the significant commitment and invaluable input from the Canadian Human Rights Commission, and organisations of persons with disabilities, and other civil society representatives.

Although a positive engagement, I do need to comment that it would have been a more fruitful engagement if there was less reliance on reading from pre-prepared statements that often did not answer or go to the heart of our questions. We will only be able to implement the Convention if we actively engage with its logic.

Our dialogue has highlighted that the State Party has committed to facilitating change for people with disabilities in Canada, and implemented measures to do so in some respects, such as its Accessible Canada Act. However, much of this change is still premised on an ableist conception of law, policy and practice that continues to focus on care, treatment and protection. In her Opening Statement, Rosemary Kayess noted that Article 1 of the Convention presents a simple proposition that can have significant life changing effects. Article 1 forms the basis of a human rights approach to disability to ensure that impairment should never be the basis for the denial or diminishment of human rights. Unfortunately, this is not the case in Canada where there remain laws and policy frameworks that deny autonomy rights, the rights to self-determination, liberty and security of the person, adequate standard of living, to inclusive education to name a few.

There is an urgent need for effective mechanisms at the national level to ensure a consistent and collaborative approach across the federal government, provinces and territories, that can unpack ableist law, policy and practice frameworks and drive implementation of human rights-based frameworks that can genuinely realise the rights of persons with disabilities throughout Canada. This implementation will be complex due to the lingering effects of colonialist history, racial injustice, ableism and many forms of discrimination. It will need an intersectional approach to account for the diversity of persons with disabilities in terms of the multiple layers of identity and life statuses. It will be critical to closely consult and actively involve persons with disabilities in all their diversity through their representation organisations.

I wish you every success in this endeavour and safe travels home.

Thank you very much.