

Opening Statement-Mr Elisha RAM, Senior Assistant Deputy Minister, Income Security and Social Development Branch, Employment and Social Development Canada

Head of Delegation Opening Statement

by

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Madame Chair and members of the Committee, Canada is honoured to appear before you to present our 2nd and 3rd periodic reports under the United Nations Convention on the Rights of Persons with Disabilities and to discuss Canada's progress with the Committee.

Tomorrow, March 11, will mark the 15th anniversary of Canada's ratification of the Convention and we look forward to sharing updates on key milestones as well as our vision for the future.

Canada views our present appearance before the Committee as an opportunity to engage in a constructive and meaningful exchange on our commitment, as well as our remaining challenges, to upholding, protecting, and defending the human rights of persons with disabilities.

My name is Elisha Ram, and I am Senior Assistant Deputy Minister at the Department of Employment and Social Development Canada. I am joined by Deputy Permanent Representative Patricia McCullagh, Permanent Mission to the United Nations in Geneva; and Canada's Alternate Head of Delegation. I am also joined by officials from the Government of Canada departments of:

Employment and Social Development;

Justice;

Canadian Heritage;

Indigenous Services;

Immigration, Refugees and Citizenship;

Global Affairs; and

Statistics.

Some departments with responsibilities relevant to persons with disabilities were not able to participate today, such as representatives from Women and Gender Equality Canada, who are currently at the 69th Commission on the Status of Women.

We are also grateful for the participation of our provincial partners here today from the governments of Saskatchewan, Manitoba and Quebec. This participation reflects the importance of Canada's cooperative federalism that aims to ensure that obligations laid out in the Convention are fully realized at the national and sub-national levels.

Governments cannot do this work alone. We recognize the expertise, knowledge, experiences and contributions of rights holders, civil society organizations, Indigenous partners, academics, and human rights institutions – and we welcome the participation of the Canadian Human Rights Commission's Charlotte-Anne Malischewski in this dialogue.

2. CONTEXT – CANADA'S FEDERALISM AND COMMITMENT TO HUMAN RIGHTS

Canada has a long-standing commitment to advancing equality and inclusion and protecting and promoting the rights of persons with disabilities. Our Constitution underscores a commitment to equality and non-discrimination, as enshrined in the Canadian Charter of Rights and Freedoms, which guarantees the fundamental rights and freedoms of all individuals, ensuring their full participation in society.

We have built upon these foundations by implementing the rights protected in the Convention. To facilitate a cooperative approach to implementing its international human rights obligations, Canada has established permanent mechanisms.

For instance, Canada's National Mechanism for Implementation, Reporting, and Follow-up on human rights facilitates coordination efforts between federal, provincial and territorial governments on reports, reviews, engagement and follow-up to recommendations regarding the seven-core international human rights treaties to which Canada is a party. An intergovernmental coordination mechanism has been in place for decades and was recently strengthened with the addition of senior officials' and ministerial-level intergovernmental fora.

Collaboration on disability rights is further advanced through the Forum of Federal-Provincial-Territorial Ministers of Social Services, which also includes the Persons with Disabilities Advisory Committee. These fora promote interjurisdictional discussions and collaborative efforts and serve as platforms for sharing best practices, aligning priorities, and devising harmonized strategies to enhance the lives of persons with disabilities.

3. CANADA'S KEY PRIORITIES AND SUCCESSES

Engagement with the Disability Community

Madame Chair, Canada places great importance on the participation and engagement of the disability community in a meaningful and inclusive way to help develop more effective policies, programs and initiatives.

The Government of Canada has shortened the key principle of "Nothing About Us Without Us" to "Nothing Without Us" in recognition that engagement should extend beyond disability or accessibility-specific initiatives. "Nothing without us" is a guiding principle of the Government's first-ever Disability Inclusion Action Plan and it has further been enshrined within the Accessible Canada Act.

Consistent with this principle, the Government of Canada has actively engaged the disability community on a broad range of key initiatives by establishing formalized engagement mechanisms that ensure ongoing representation of persons with disabilities. These include a Ministerial Disability Advisory Group, disability advisory committees, and board of directors, which have advised on, for example, income and social supports,

elections, international priorities, accessibility standards, and overarching or targeted initiatives, such as the Disability Inclusion Action Plan and the National Autism Strategy.

Supporting Leadership in the Disability Community

Canada is proud to have worked alongside the disability community in the development and negotiation of the Convention.

Madame Chair and Committee members, on behalf of Canada, I would like to take a moment to recognize the recent losses of Steven Estey and Laurie Beachell, two exceptional and respected disability advocates and leaders, whose dedication and significant contributions have had a tremendous impact on disability rights.

The work of disability and human rights advocates, like Steve and Laurie, is integral to the implementation of the Convention and reinforces the importance of investing in leadership within the community.

Canada has been investing in the development of the next generation of youth disability leaders while also facilitating succession planning within and beyond the disability sector. From the Prime Minister's Youth Council to Canada's delegation to the United Nations Conference of States Parties to the Convention, to youth focused programming, Canada is helping youth with lived experience gain meaningful leadership experiences.

Overarching Initiatives

Madame Chair, despite progress, persons with disabilities continue to face challenges at home and abroad, particularly with respect to disproportionate rates of poverty, higher unemployment, and housing.

The Employment Equity Act is designed to achieve equality in federally regulated workplaces, by correcting the conditions of disadvantage experienced by designated groups, including persons with disabilities. Under the Act, federally regulated employers are required to examine their employment and compensation systems to identify and eliminate discriminatory practices.

To increase accountability and transparency, the Government of Canada has introduced the Equi'Vision Tool, to make pay gap data publicly available – making Canada the first country to share such information.

As part of a longer-term response to address these ongoing challenges, in 2022, the Government of Canada launched its Disability Inclusion Action Plan, a comprehensive, whole-of-government blueprint to disability inclusion, which is underpinned by the Convention and includes pillars on financial security; employment; accessible and inclusive communities; and a modern approach to disabilities.

Key actions under the Plan to date have included the development of the new Canada Disability Benefit, expected to be launched later this year, and the Employment Strategy for Canadians with Disabilities.

With the coming into force of the Accessible Canada Act in 2019, the Government of Canada is driving systemic change in priority areas ranging from employment to the built environment, to the design and delivery of programs and services.

The Act established new structures and roles to develop standards, to provide advice on emerging and systemic accessibility issues, and to enforce the Act. The Canadian Human Rights Commission's role as a monitoring body for implementation of the Convention was also formally recognized under the Act.

Much progress has been made on accessibility at all levels of government. For example, the Government of Manitoba remains committed to removing barriers and improve accessibility through the full implementation of the Accessibility for Manitoba Act, which sets out standards and regulations that serve as the building blocks for making real, measurable and effective changes.

The Government of Saskatchewan also passed the Accessible Saskatchewan Act to improve accessibility by preventing and removing barriers, to provide for the involvement of persons with disabilities, the public sector and other stakeholders in the development and implementation of accessibility standards; and to monitor, review and encourage compliance with accessibility standards.

The Accessible British Columbia Act received Royal Assent in 2021 and establishes a framework by which to work with persons with disabilities and the broader community to identify, remove, and prevent barriers. The Act enables the development of new accessibility standards in areas like employment, the built environment and delivery of services.

Intersectional Approach

Madame Chair, systemic inequities continue to disproportionately affect specific groups, such as Indigenous persons with disabilities, women with disabilities, and racialized individuals. Addressing intersecting and other barriers often faced by persons with disabilities requires targeted and collaborative solutions that reflect their lived experiences.

The Government of Canada applies Gender Based Analysis Plus to support the development of responsive and inclusive policies, programs, and other initiatives. This has an intersectional lens that goes beyond biological and socio-cultural differences to consider other factors including disability.

For example, we know women with disabilities face gender-based violence at rates two to three times higher than those without disabilities. To address this issue, the Government of Canada launched the National Action Plan to End Gender-Based Violence in 2022; this is a 10-year strategy that recognizes the specific barriers faced by women and girls, Indigenous women and girls, and 2SLGBTQI+ individuals with disabilities.

Intersectional considerations are also applied at the provincial and territorial levels. For example, the Government of Yukon has integrated Gender Inclusive Diversity Analysis into its decision-making processes.

The Government of Quebec's Plan d'action santé et bien-être des femmes also provides specific measures to meet the needs and realities of women with disabilities in terms of screening intervention, sexual health education for persons with intellectual disabilities or autistic persons, and the development of tools to promote access to mammograms for women with reduced mobility. It includes measures to better understand the barriers faced by women with physical or intellectual disabilities during pregnancy, childbirth and the postpartum period.

Respect for inherent dignity, individual autonomy and independence of persons

Consistent with the principles of the Convention, Canada strives to protect the inherent dignity, individual autonomy and independence of persons with disabilities in all its activities. In some areas of law, however, there is a need to balance these rights and principles with other equally important, but competing, interests and values, including the need to protect vulnerable persons.

With a view to promoting supportive decision-making wherever possible, in 2019, funding was provided to disability organizations to help increase the Government of Canada's knowledge of barriers experienced by persons with disabilities in exercising decision-making. Canada recently received the final report and is now working to assess the findings and next steps.

In the Province of Manitoba, the Winnipeg Mental Health Court has established pre-sentence services and supports for persons whose criminal involvement is a direct result of a mental health issue. The process is led by a Forensic Assertive Community Treatment team. The Provincial Court has also established a special disposition docket for youth and adults who have been diagnosed with Fetal Alcohol Spectrum Disorder.

Another profoundly important issue for many Canadians, particularly for persons with disabilities, is the legal framework surrounding Medical Assistance in Dying, often called MAID. Canada's MAID framework has been

designed to balance several important values – including the autonomy and freedom of choice of individuals who are eligible to receive MAID and the protection of those who may be vulnerable, including persons with disabilities.

There has been ongoing engagement with the disability community to hear their concerns about the potential for vulnerable persons with disabilities who are not at imminent risk of death to seek and obtain medical assistance in dying, when their suffering stems from unmet needs, such as inadequate health and social services and supports, psychosocial or spiritual suffering, or from social stigma and hopelessness. We acknowledge that this is a complex and highly sensitive issue for the disability community.

Independent Living and Housing

Canada recognizes the importance and impact of independent living and the full inclusion and participation in the community, to the well-being and dignity of persons with disabilities.

In 2024, the Government of Canada announced its Housing Plan, which charts an ambitious whole-of-government approach to addressing housing supply and affordability challenges.

Addressing the affordable housing crisis is a national issue. That is why the Government of Canada is also providing funding to the provinces and territories, through the Investment in Affordable Housing program, to deliver housing solutions that promote safe, independent living for persons with disabilities, seniors, and victims of family violence.

In the province of Manitoba, between October 2021 and December 2024, 108 individuals were transitioned to community-based supports, in accordance with their individual needs, following the closure of the Manitoba Developmental Centre.

The Province of Alberta's 10-year strategy to improve and expand affordable housing aims to address the unique needs of specific groups and to protect vulnerable persons with multiple barriers to accessing housing, including persons with disabilities. The strategy commits the government to working with partners to refresh existing housing stock to make more units accessible, and to working with organizations serving persons with disabilities to provide supports in the community.

4. INTERNATIONAL COLLABORATION AND DEVELOPMENT

Canada is committed to protecting and promoting the rights of persons with disabilities in multilateral fora, such as the United Nations, through bilateral diplomacy, and via our international assistance programming.

Through our international assistance, Canada funds several initiatives aimed at reducing poverty and promoting and protecting the rights of persons with disabilities.

For example, Canada works to actively counter discrimination against women and girls with disabilities in the education sector, increase independent living opportunities for persons with disabilities, and improve the wellbeing of caregivers who provide support to persons with disabilities.

Canada is also honoured to be the Vice-President Elect on the Conference of States Parties to the Convention Bureau for 2025 and 2026, as well as the President of the Economic and Social Council for 2024-2025.

5. FUTURE PLANS

Looking ahead, Canada remains dedicated to advancing the implementation of the Convention and will continue to build on these achievements, while focusing on the areas where more needs to be done.

Canada recognizes the importance of data and continues to enhance its Disability Data Strategy by updating disability indicators to provide more accurate, disaggregated data, enabling better alignment of programs and

services with the goals of the Convention.

Government of Canada departments responsible for policies and programs related to persons with disabilities enjoy a strong and collaborative relationship with Statistics Canada, the National Statistical Agency. This relationship ensures that high-quality data collection approaches directly inform the development of effective and responsive policies and programs.

In December 2024, the Canadian Indicators report on the Convention was released using data from the Canadian Survey on Disability and plans are in place to update the report by end of this year.

A Federal Data and Measurement Strategy for Accessibility has also been published to help track progress in the removal of barriers to accessibility over time, and to provide information and long-term data that can support evidence-based decision-making.

6. CONCLUSION

Madame Chair and members of the Committee,

Canada has made progress in promoting the rights and inclusion of persons with disabilities. Our achievements are a testament to the power of collaboration, the importance of partnerships with the disability community, and our unwavering commitment to learning and adapting.

But we know that there is much more to be done. As we continue this journey to address ongoing challenges, we look forward to engaging with the Committee and receiving your valuable insights. Thank you.