



The Canadian Human Rights Commission is Canada's National Human Rights Institution. The Commission has a broad mandate to promote and protect human rights. In addition to our roles as a complaints-screening body and human rights advocate, we also have specific mandates related to Accessibility, Employment Equity, Housing and Pay Equity. In all of our work, we monitor Canada's compliance with its international human rights obligations, including by having participated in all cycles of the Universal Periodic Review (UPR).

Key issue: People deprived of their liberty

The situation of **people deprived of their liberty** across Canada is a pressing concern. This issue **extends beyond prisons** and includes:

- people with disabilities institutionalized in facilities inappropriate for their needs
- people in long term care facilities
- migrants detained in facilities intended for those convicted of crimes
- children – in particular Indigenous and Black children – who are over-represented in the child welfare system

There are **gaps and inconsistencies in oversight** in various places of detention across Canada.

Having transparent and independent oversight and accountability mechanisms in all places of detention **strengthens human rights protections** for those in the most vulnerable circumstances.

During Canada's last cycle of the UPR, **27 different States** recommended to Canada that it ratify the **Optional Protocol to the Convention against Torture (OPCAT)**. Canada's commitment to ratify OPCAT remains unclear.

Key issue: Social & economic equality for people with disabilities

In Canada, a **disproportionate number** of people with disabilities continue to **live in poverty**.

Almost half of all discrimination complaints accepted at the Canadian Human Rights Commission are related to **disability**.

While **some progress** has been made towards realizing these rights and recognizing their existence in legislation, these rights have yet to be made justiciable.

During Canada's last cycle of the UPR, **Canada accepted the recommendation to ensure the justiciability of economic, social and cultural rights**.

Recommendations

In order to strengthen human rights protections for people deprived of their liberty across Canada, we recommend that Canada:

1. **Ratify the OPCAT without delay**. This includes designating an appropriate and sufficiently resourced **National Preventive Mechanism** to ensure ongoing and enhanced independent oversight, monitoring and reporting in all places of detention.

Recommendations

In order to address this gap in human rights protection, we recommend that Canada:

1. Ensure **equitable and adequate access to services** for people with disabilities.
2. Ensure that **economic, social and cultural rights can be effectively exercised** by all people in Canada, including people with disabilities.