



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Ninety-third session

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Item 4 of the provisional agenda

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined twenty-first to twenty-third periodic reports of Canada

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see *A/65/18*, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4, and 6)

2. Updated detailed statistical data on the ethnic composition of the population and on the enjoyment of economic, social and cultural rights by ethnic groups and indigenous peoples in the State party, including updated economic and social indicators disaggregated by ethnicity, including Aboriginal (indigenous) peoples, African Canadians and immigrants living on the State party's territory (CERD/C/CAN/CO/19-20, para. 8), and their representation in public and political life (CERD/C/CAN/21-23, paras. 5-8).

3. Updated information on efforts to review the use of the term "visible minority" in the light of article 1 of the Convention (CERD/C/CAN/CO/19-20, para. 8).

4. Information on efforts to amend or adopt relevant legislation in order to ensure full compliance with article 4 of the Convention (CERD/C/CAN/CO/19-20, para. 13), including by incorporating an explicit prohibition of discrimination on the grounds of descent into the domestic legal framework on racial discrimination, as elaborated in the Committee's general recommendation No. 29 (2002) on descent in the context of article 1 (1) of the Convention (CERD/C/CAN/21-23, paras. 14-15), and declaring illegal and prohibit organizations that promote and incite racial discrimination (CERD/C/CAN/CO/19-20, para. 13).

5. Updated information on recent measures taken to strengthen the legal framework on racial discrimination and measures taken to strengthen the coordination of federal and provincial mechanisms to ensure the equal implementation of anti-racism legislation and policies and the impact of such measures (CERD/C/CAN/21-23, paras. 10-12).



6. Updated information on progress made to adopt and implement the government of Quebec's bill of 2015 on preventing and combating hate speech and incitement to violence (CERD/C/CAN/21-23, para. 16).
7. Information on the repeal of some protections against hate speech in section 13 of the Canadian Human Rights Act; information on the implementation of existing measures preventing hate speech and their impact on the situation of minorities, including examples of cases brought before the domestic courts (CERD/C/CAN/21-23, para. 15).
8. Information on efforts to criminalize and penalize acts of racist violence through legislation (CERD/C/CAN/CO/19-20, para. 13).
9. Updated statistical data and detailed information on numbers of and types of complaints of racial discrimination, hate crimes, including violent incidents, and hate speech in the State party and the number of investigations carried out, prosecutions brought, administrative sanctions imposed, sentences handed down, convictions secured and compensation provided to victims (CERD/C/CAN/21-23, para. 13).
10. Information on efforts to ensure that the national human rights institution is adequately resourced and funded.

Situation of ethnic minorities (arts. 2 and 4-6)

11. Updated information, including updated socioeconomic indicators, on concrete results obtained using measures aimed at enhancing the enjoyment of economic, social and cultural rights of people of African descent and other ethnic minority groups in the State party (CERD/C/CAN/21-23, paras. 23-52 and CERD/C/CAN/CO/19-20, para. 16). Updated information on programmes to implement the Employment Equity Act (CERD/C/CAN/CO/19-20/Add.1, para. 11).
12. Information on the participation of ethnic minorities in public life and their representation in State institutions, including statistical data on members of minority groups employed in public institutions, law enforcement services and the judiciary, at all levels.
13. Information on the existence and implementation of special measures in the State party and the impact of such measures on the situation of people of African descent, other ethnic minority groups and indigenous peoples (CERD/C/CAN/21-23, para. 11 and CERD/C/CAN/CO/19-20, para. 10).
14. Updated information on the impact of measures taken to ensure access to judicial remedies by ethnic minorities for violations of their rights under the Convention (CERD/C/CAN/21-23, paras. 226-231 and CERD/C/CAN/CO/19-20, para. 21).

Situation of indigenous peoples (arts. 5 and 7)

15. Updated information on measures, including regarding their impact, taken to end violence against indigenous women and to prevent, investigate, prosecute and convict perpetrators for the high number cases involving the disappearance or murder of indigenous women and girls (CERD/C/CAN/21-23, paras. 64-94 and CERD/C/CAN/CO/19-20, para. 17).
16. Information on the realization of the enjoyment by indigenous peoples of economic social and cultural rights, including socioeconomic indicators and information on access to housing, health, education and employment, without discrimination (CERD/C/CAN/21-23, paras. 102-155 and CERD/C/CAN/CO/19-20, para. 19).
17. Updated information on the implementation and impact of the Canada-First Nations Joint Action Plan and information on the existence and implementation of other such action plans (CERD/C/CAN/21-23, para. 61-63); information on measures taken to create a national plan of action to implement the United Nations Declaration on the Rights of Indigenous Peoples (CERD/C/CAN/21-23, para. 156).
18. Updated information on progress made to resolve the land claims of indigenous peoples (CERD/C/CAN/21-23, paras. 159-167); information on allegations relating to

indigenous land rights of the Secwepemc Nation and the St'át'imc Nation in British Columbia.

Situation of non-citizens, including stateless persons and migrants (arts. 5 and 7)

19. Statistical data on the number of non-citizens, including stateless persons, migrants, refugees and asylum seekers, in the State party.

20. Information on measures taken to ensure that non-citizens have access to rights under the Convention, without discrimination, and the implementation and impact of such measures.

21. Information on measures to end mandatory detention, for potentially unlimited periods of time, of migrants or asylum seekers considered “irregular arrivals” (CERD/C/CAN/CO/19-20, para. 15 and CERD/C/CAN/21-23, paras. 53-58).

Training, education and other measures to combat prejudice and intolerance (art. 7)

22. Updated detailed information on recent training programmes or workshops on the prevention of racial discrimination and the rights enshrined in the Convention for law enforcement officers, judges and lawyers, as well as representatives of State bodies, local government entities and associations, and the impact of such training programmes on the situation of minorities and indigenous peoples (CERD/C/CAN/21-23, paras. 219-225).

23. Further information on the government of Ontario’s Equity and Inclusive Education Strategy and its impact (CERD/C/CAN/21-23, para. 27).

24. Information on efforts to incorporate the history and cultures of different ethnic minorities and indigenous peoples in the State party into the education system, including by adding these subjects to school curricula and textbooks (CERD/C/CAN/21-23, para. 25).
