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Summary record of the 4265th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 4 March 2026, at 10 a.m.

Chair: Mr. Soh

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States Parties under article 40 of the Covenant
(continued)

Seventh periodic report of Canada (continued) ([CCPR/C/CAN/7](#);
[CCPR/C/CAN/QPR/7](#))

1. *At the invitation of the Chair, the delegation of Canada joined the meeting.*
2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting ([CCPR/C/SR.4264](#)).
3. **A representative of Canada** said that the Royal Canadian Mounted Police provided its employees with training in delivering policing services in an unbiased manner. Such training included mandatory courses on cultural awareness and anti-racism. Officers' interactions with the public were guided by a policy on bias-free policing, which was grounded in the principles of equality and non-discrimination. Any individuals who experienced discriminatory treatment at the hands of police officers were encouraged to submit a complaint to the Civilian Review and Complaints Commission. The Commission would then conduct an impartial review of the complaint before making recommendations to the Royal Canadian Mounted Police to help it address any issues identified. Work was under way to set up a new independent body, to be known as the Public Complaints and Review Commission, to strengthen oversight of the activities of both the Royal Canadian Mounted Police and the Canada Border Services Agency.
4. The Royal Canadian Mounted Police was running a pilot project through which it would collect and analyse disaggregated data to help it gain a more in-depth understanding of the impact of policing activities on racial minorities and Indigenous communities. Independent investigations were conducted into all policing incidents that involved deaths, serious injury, sexual assault or other serious forms of misconduct. In 2023, the Royal Canadian Mounted Police had established a team to conduct fact-finding reviews following major policing incidents and issue recommendations concerning matters such as legislation, training, equipment and safety.
5. **A representative of Canada** said that, in the Province of Saskatchewan, complaints against municipal police officers and other local law enforcement officials were reviewed by the Public Complaints Commission. The Commission was a civilian body whose five members were appointed by the provincial government. At least one of the members must be of First Nations ancestry, and at least one other must be of Métis ancestry. Saskatchewan also had a serious incident response team, which was an independent, civilian-led unit responsible for investigating serious incidents involving police officers. It was a legal requirement for the team to be notified of all incidents in which a person was thought to have faced sexual assault, been seriously injured or died while in police custody or as a result of police action or omission. Any serious incidents involving off-duty police officers must also be reported to the team. In cases involving individuals of First Nations or Métis ancestry, the team was required to appoint a liaison officer from the community concerned. The team published a report within 90 days of the conclusion of its investigation.
6. **A representative of Canada** said that, according to statistics from 2024, women earned just 87 cents for every dollar earned by men. That figure decreased to 76 cents for Indigenous women and 78 cents for women belonging to racial minorities. The Pay Equity Act, which provided for equal pay for work of equal value, had been adopted in 2021 to replace the Public Sector Equitable Compensation Act. Supplementary regulations had been introduced in 2024 to support the enforcement of the Act. The purpose of the Employment Equity Act was to guarantee equality in the workplace for women, Indigenous individuals, persons with disabilities and members of visible minorities. Canada had been one of the first countries to publish data received from employers on the pay gap in their company. Tens of thousands of users had consulted the website on which those data were available, and reductions in pay gaps were already being observed. Steps were being taken to increase the number of childcare places, with a view to helping mothers remain in employment and advance their careers.

7. **A representative of Canada** said that Statistics Canada was responsible for producing statistics on the country's population, resources, economy, society and culture. In the area of gender equality, its statistics showed that nearly 40% of business management positions were held by women. Over the previous 20 years, the proportion of businesses owned by women had increased by more than 3 percentage points to reach 21.4%. Women currently held around 31% of seats in the House of Commons, reflecting a 10% increase since 2002. For the first time in history, the majority of judges sitting on the Supreme Court of Canada were women. While persons with disabilities continued to face employment-related discrimination, the results of the Canadian Survey on Disability showed that, between 2017 and 2022, the employment rate among such persons had increased by 3%, leading to a 5% reduction in the disability employment gap. Statistics Canada was mandated to conduct a nationwide population census every five years. The 2026 edition of the census would be the first one to contain questions on sexual orientation and would also include new questions on homelessness and the general health of the population.

8. **Ms. Tigroudja** said that, in its recent advisory opinion on the obligations of States in respect of climate change, the International Court of Justice had noted that failure of a State to take appropriate action to protect the climate system from greenhouse gas emissions – including through fossil fuel production, fossil fuel consumption, the granting of fossil fuel exploration licences or the provision of fossil fuel subsidies – might constitute an internationally wrongful act attributable to that State. In view of that statement, she would like to know what measures the State Party planned to take to adapt its energy policy to support the energy transition. The Committee had been informed that the special procedures of the Human Rights Council had recently received a significant number of communications concerning environmental damage and human rights violations arising as a result of extractive activities carried out by Canadian companies abroad. Accordingly, she would welcome a description of what the State Party was doing to fulfil its obligations concerning the monitoring of the overseas activities of Canadian companies.

9. The delegation might explain whether the State Party intended to decriminalize drug use in public spaces and replace the punitive measures currently being implemented to address the exponential increase in the number of opioid-related deaths with measures that were focused on harm reduction. She would appreciate information on the Protective Detention and Care of Intoxicated Persons Act, which was in force in Manitoba, and the Compassionate Intervention Act, which was reported to authorize the detention of people who used drugs in Alberta and the administration of treatment against their will. It would be useful to learn what was done to ensure detainees' access to care, including mental healthcare, and whether independent oversight mechanisms responsible for reviewing deaths in custody in line with the Minnesota Protocol on the Investigation of Potentially Unlawful Death had been set up throughout the State Party. An indication of whether the State Party planned to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment would be welcome.

10. She would be grateful for information on the situation of the Canadian nationals who continued to be held in the Syrian Arab Republic and Iraq, in addition to clarification of whether steps were being taken to repatriate those nationals and whether the State Party remained of the view that Canadian children who had been born to Canadian fathers and foreign mothers could be repatriated without their mothers.

11. **Mr. Quezada Cabrera** said that he would appreciate information on any reparations awarded to victims of trafficking and an explanation of why the number of convictions remained low in relation to the number of complaints received. He wondered whether the National Strategy to Combat Human Trafficking had been renewed and, if not, what steps had been taken to ensure the continuation of the measures adopted under the Strategy. He wished to know what was being done to tackle the trafficking and sexual exploitation of girls in British Columbia who were living in poverty, in particular girls with disabilities and those belonging to Indigenous communities or racial minorities. The delegation might comment on reports that individuals who came to work in the State Party through the Temporary Foreign Worker Program were granted visas that were tied to their employment, which meant that they were often reluctant to report any rights violations, such as wage deductions, excessive

working hours, abuse, discrimination and lack of access to medical care, for fear of losing their job and, consequently, their right to remain in the State Party.

12. He would welcome a response from the delegation to reports that the members of the Five Eyes intelligence alliance, which included the State Party, used national security concerns to pressure technology companies into providing law enforcement officials with access to encrypted information. He wished to know what duties were carried out by the Office of the Privacy Commissioner of Canada and whether it was mandated to receive and investigate complaints concerning alleged violations of the Privacy Act. Information on Bill C-8, the purpose of which would be to strengthen protection of the State Party's critical infrastructure against cybersecurity threats, would be appreciated, as would an explanation of the steps that would be taken to ensure that the Bill's adoption would not make it easier for the Government to infringe on individuals' privacy.

13. He was curious to know whether the State Party deemed the provisions of the Act respecting the laicity of the State, which had been adopted in 2019 by the provincial government of Québec, to be compatible with the Covenant and other international human rights instruments providing for freedom of religion. The delegation might also comment on allegations that the Act had had a particularly serious impact on Muslim women who wore the hijab, affecting both their education and employment opportunities. He would be grateful for information on the two new bills that had been introduced in the National Assembly of Québec, the purpose of which would be to strengthen secularism in the education system and the province as a whole, in addition to an explanation of their compatibility with the Covenant and relationship with the Act respecting the laicity of the State.

14. He wondered whether the State Party had any plans to revise sections 300 and 301 of the Criminal Code, which provided for the criminalization of defamatory libel. In view of reports that students who had set up pro-Palestinian encampments on various university campuses had been evicted by force, he wished to know whether the State Party had taken measures to ensure that any restrictions imposed on demonstrations were proportionate, non-discriminatory and consistent with article 21 of the Convention. It would be helpful to receive information on the proposed Combatting Hate Act (Bill C-9), since civil society organizations were concerned that the proposed amendments to the Criminal Code could seriously affect freedom of expression and freedom of assembly in the State Party.

15. **Ms. Abdo Rocholl** said that she would like to know whether the State Party had considered introducing a clear legal limit on the duration of immigration detention and what measures had been adopted to ensure that immigration detention was used only when strictly necessary and was proportionate and for the shortest possible period. She would appreciate information on the living conditions in detention facilities that housed migrants and the steps taken to avoid the detention of members of particularly vulnerable groups, such as persons with disabilities, torture survivors and individuals with serious mental health conditions. The delegation might indicate whether minors continued to be held in immigration detention and, if so, provide disaggregated data on the number of children and adolescents concerned. She wondered when the independent body responsible for overseeing the activities of the Canada Border Services Agency would be fully operational and what would be done to ensure that individuals affected by the decisions of the migration authorities had access to effective remedies and reparation mechanisms where necessary.

16. It would be useful to learn what steps were taken to ensure that all individuals who claimed to be in need of international protection had access to fair and independent proceedings with due guarantees and how compliance with procedural safeguards was ensured during processes such as the pre-removal risk assessment. She wished to know what the State Party did to ensure respect for the principle of non-refoulement in cases in which an individual was transferred to another State under a bilateral agreement, including the Safe Third Country Agreement with the United States of America. In particular, she would welcome a description of the assessment conducted to determine whether the individual being transferred was at risk of being subjected to arbitrary detention or returned to a country where he or she might face persecution, torture or other treatment prohibited under the Covenant. She was curious to learn whether the State Party assessed the impact of its migration policies on specific vulnerable groups and whether it had any plans to gather and publish data, disaggregated by gender, ethnic or racial origin and immigration status, to help determine

whether those policies had any discriminatory effects. It would be interesting to hear about any measures that had been adopted to ensure that children residing in the State party were not adversely affected by restrictions linked to their parents' immigration status, in particular those concerning access to benefits aimed at preventing child poverty.

17. **Ms. Bassim** said that she would like to know what progress the State Party had made in implementing the recommendations issued by the commission established to conduct the inquiry into the mass casualty event that had taken place in Nova Scotia in 2020. It would be useful to learn what had been done to give effect to the calls for justice contained in the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. The delegation might describe the measures taken to reform and address the underfunding of the First Nations Child and Family Services Program and ensure the full implementation of Jordan's Principle, which was intended to guarantee prompt access to essential public services for all First Nations children. Information on the steps being taken to remove barriers to birth registration at the federal and provincial levels would be appreciated.

18. She would appreciate further details on the implementation of the calls to action issued by the Truth and Reconciliation Commission. Specifically, it would be interesting to hear about the outcomes of the investigations into the alleged abuse, ill-treatment and deaths that had taken place in those schools and to receive information on any relevant prosecutions and convictions and the reparations awarded to victims. She wondered what steps were being taken to prevent and combat corporal punishment in all settings, including the home.

19. **Ms. Donders** said that she wished to know what steps were taken to ensure the proper oversight of consultations between private companies and Indigenous groups and what accountability mechanisms had been put in place to address cases in which such groups had not been duly consulted or had been subjected to intimidation. She wondered whether the State Party would consider suspending infrastructure projects until the communities concerned had given their free, prior and informed consent. It would be helpful if the delegation could explain what measures had been taken to protect Indigenous women and girls from sexual exploitation and violence in the context of extraction projects and ensure close consultation with Indigenous women's organizations.

20. In view of reports that the Framework Agreement on First Nation Land Management Act applied only to reserve lands, she would like to know what was being done to protect Indigenous Peoples' rights to the rest of their territories. She would welcome a response from the delegation to concerns that the definition of "territorial sovereignty" contained in the Québec Constitution Act of 2025 prevented recognition of the rights of Indigenous communities to their lands, territories and resources, in addition to an explanation of the measures in place to guarantee Indigenous Peoples' enjoyment of the right to self-determination. She wondered what steps had been taken to eliminate the discriminatory provisions of the Indian Act, in particular those concerning patrilineal descent. In that connection, she wished to know whether the House of Commons was planning to adopt the amendments that would provide for the abolishment of the second generation cut-off rule, thereby protecting the ability of certain individuals to pass on their Indian status, and whether the State party planned to reintroduce natal band membership. The delegation might also describe what was being done to reduce the considerable delays affecting the registration of individuals under the Indian Act.

21. She would like to know what was done to ensure that Indigenous Peoples had access to essential public services in their own languages and how the bills reaffirming the status of French as the sole official and common language of Québec and establishing it as the only language to be used by educational staff in that province were compatible with the Covenant and the United Nations Declaration on the Rights of Indigenous Peoples. It would be helpful to learn why a significant number of Indigenous languages remained endangered or had been lost despite government efforts to protect them and what the State Party was doing to address that issue.

The meeting was suspended at 10.55 a.m. and resumed at 11.10 a.m.

22. **A representative of Canada** said that the Government remained firmly committed to tackling climate change and contributing to the implementation of the Paris Agreement. The 2023 National Adaptation Strategy and the 2016 Pan-Canadian Framework on Clean Growth

and Climate Change aimed to ensure that climate action was inclusive and focused on reducing the specific risks faced by vulnerable groups. Progress in cutting greenhouse gas emissions had been achieved through the introduction of industrial carbon pricing and tax credits for investments that supported the transition to net-zero emissions, which the Government was hoping to achieve by 2050. The Climate Competitiveness Strategy, which had been launched in 2025 and built on existing climate plans, was geared towards ensuring that the country was in a position to secure major investment in clean industries.

23. **A representative of Canada** said that all Canadian companies operating abroad were required to comply with national and international standards in the area of responsible business conduct, including the Guiding Principles on Business and Human Rights. Trade commissioners received regular training on the matter, which included content on the guidelines and measures in place to prevent human rights abuses. The Trade Commissioner Service had the right to restrict access to its trade advocacy services for clients who failed to meet responsible business conduct standards. Canada engaged directly with the relevant special procedure mandate holders, in particular the Working Group on the issue of human rights and transnational corporations and other business enterprises, whenever cases concerning Canadian companies arose.

24. **A representative of Canada** said that Canada supported approaches that diverted people who use drugs away from the criminal justice system and towards appropriate health and social services, provided that the individual concerned posed no threat to public safety. Such approaches were provided for in various national laws; under the Good Samaritan Drug Overdose Act, for example, individuals who required emergency assistance after a drug overdose were guaranteed certain legal protections. Guidance had been produced to encourage judicial staff to consider alternatives to prosecution in cases involving simple drug possession offences. Measures being taken in the area of harm reduction included the distribution of naloxone and the delivery of training on its use and the provision of supervised consumption and drug checking services. Steps were being taken to help First Nations and Inuit communities handle the opioid crisis by expanding access to harm reduction services and providing funding for 83 opioid agonist therapy sites. The number of deaths from drug overdoses remained at an unacceptable level. Between January 2016 and June 2025, more than 53,000 people had lost their lives as a result of an opioid overdose. Recent data did, however, point to some improvements; the number of deaths between July 2024 and June 2025 had fallen 22% compared to the previous 12-month period. The number of hospitalizations, emergency department visits and interventions by the emergency services had also declined during that period.

25. **A representative of Canada** said that all provincial laws must be consistent with the Canadian Charter of Rights and Freedoms and strike an appropriate balance between respecting individuals' fundamental rights to liberty and autonomy and protecting public safety. The Protective Detention and Care of Intoxicated Persons Act gave law enforcement personnel in Manitoba the power to take intoxicated individuals to a protective care centre, where they would remain for as long as it took them to recover. No criminal charges were filed against the individuals concerned. The Act, which had been developed in consultation with physicians and addiction specialists, did not authorize involuntary treatment; individuals who were taken to protective care centres could choose whether or not to use the addiction and mental health support services offered to them. The centres were staffed with qualified health professionals, who regularly monitored the well-being of the individuals in their care.

26. **A representative of Canada** said that robust mechanisms were in place to monitor the treatment of detainees and ensure compliance with international standards concerning protection against torture. Many of the mechanisms conducted regular visits to places of detention and operated with the level of independence required under the Optional Protocol to the Convention against Torture. The Government recognized the value of the preventive approach set out in the Optional Protocol and was currently assessing the legislative, structural, financial and jurisdictional implications of the ratification of that instrument. Canada comprised a number of federal, provincial and territorial jurisdictions, many of which already had their own independent oversight mechanisms that inspected detention facilities. Bringing those mechanisms together under the cohesive national framework required to ensure the effective implementation of the Optional Protocol would represent a significant

challenge that could be overcome only through careful coordination among the authorities concerned.

27. **A representative of Canada** said that the safety and security of Canadians at home and abroad was the Government's utmost priority. In 2021, it had adopted a policy framework to guide decision-making on the delivery of extraordinary assistance to Canadian citizens who had been detained in north-east Syria, under which it continued to make case-by-case decisions on the support to be provided to the citizens concerned. While the Government's ability to provide consular assistance in north-east Syria remained extremely limited, it had managed to repatriate 8 women and 22 children since 2020. The only Canadian citizens who remained in north-east Syria were men and children born to foreign mothers. The Government had offered to repatriate those children on several occasions and would continue to act in accordance with their caregivers' wishes.

28. **A representative of Canada**, drawing attention to the information outlined in paragraph 104 of her Government's periodic report (CCPR/C/CAN/7) on the action taken under the National Strategy to Combat Human Trafficking, said that a specific report on the Government's implementation of the Strategy between 2023 and 2025 had been published in July 2025. The Government had appointed a Chief Advisor to Combat Human Trafficking, who was tasked with supporting the Minister of Public Safety to address the issue. The Advisor was currently contributing to efforts to renew the National Strategy, which had begun in 2024. The Royal Canadian Mounted Police actively pursued all investigations into cases of trafficking.

29. **A representative of Canada** said that temporary foreign workers enjoyed the same workplace protections as Canadian citizens and permanent residents. The Temporary Foreign Worker Program included components that had been designed to ensure employers' compliance with their obligations under the Program, which meant that temporary foreign workers should not face any mistreatment or discrimination while in Canada. In 2019, the authorities had introduced a special work permit for foreign workers whose visa was tied to their job and who were experiencing, or were at risk of experiencing, abuse at the hands of their employer. In 2022, the Immigration and Refugee Protection Regulations had been amended to incorporate a requirement for employers to provide temporary foreign workers with information about their rights before and throughout their stay in the country. Other amendments had involved the modification of the definition of "abuse" to include a mention of reprisals and the introduction of requirements for employers to provide their workers with reasonable access to healthcare services and private health insurance where necessary. The Migrant Workers Support Program had been launched in 2022 to help temporary foreign workers understand and exercise their rights while they were in Canada.

30. **A representative of Canada** said that frameworks were in place at the federal, provincial and territorial levels to regulate the use of personal information in both the public and private sectors. Individuals who believed that a business or federal government institution had violated their privacy could submit complaints to the Office of the Privacy Commissioner of Canada. The right to be secure against unreasonable search or seizure was provided for in section 8 of the Canadian Charter of Rights and Freedoms, which meant that any interference with privacy had to be justified through a statute or judicial warrant. Bill C-8 had been developed in recognition of the need for action to protect critical infrastructure against increasingly sophisticated and complex cyberthreats. It remained under consideration by Parliament and, if adopted, would provide for stronger cybersecurity protections that could help reduce the likelihood and impact of privacy violations and ensure that any cybersecurity measures did not affect enjoyment of privacy-related rights.

31. **A representative of Canada** said that, in Québec, the Act respecting the laicity of the State was based on four main principles: the separation of the State and religion, the religious neutrality of the State, the equality of all citizens and freedom of conscience and religion. The Act established the obligation of individuals occupying certain public positions to refrain from wearing religious symbols while exercising their functions. Public employees who had taken up their post prior to the Act's adoption were exempt from that requirement. In February 2024, the Court of Appeal of Quebec had confirmed the validity of almost all the Act's provisions, with the exception of those requiring members of the National Assembly

to perform their duties with their faces uncovered. A challenge to the Act would be heard by the Supreme Court of Canada in March 2026.

32. The purpose of Bill C-9, which had not yet been adopted, was to ensure the coherent application of the principles of secularism by all public institutions and support coexistence and social cohesion. Bill C-94 provided for the strengthening of those principles in the public education system, with a view to ensuring that public educational institutions were neutral spaces, free from ideological or religious influence, where the teaching delivered reflected the fundamental values that were broadly supported in Québec.

33. **A representative of Canada** said that information on sections 300 and 301 of the Criminal Code was set out in paragraph 146 of the report. Defamatory libel had been established as an offence in order to protect individuals' reputation from wilful and false attacks, which was a legitimate objective of criminal law. Accordingly, there were no plans to repeal either section.

34. The Canadian Charter of Rights and Freedoms established the right of all individuals to enjoy freedom of peaceful assembly and freedom of thought, belief, opinion and expression. While those rights were subject to limits, such limits must be prescribed by law and be demonstrably justifiable in a free and democratic society, thus rendering them consistent with articles 19 and 21 of the Covenant. Universities in Canada tended to be autonomous, self-governing institutions, which helped protect academic freedom. Any laws applicable to universities, and any policing or law enforcement activities conducted in university spaces, must be consistent with the Charter.

35. **A representative of Canada** said that the immigration detention programme was implemented in accordance with fundamental procedural safeguards and detainee rights even as the priority of the Government remained to remove inadmissible individuals from the country as soon as possible, in particular those who were inadmissible for having committed a serious offence or for reasons of national security. All detentions were subject to review by the Immigration and Refugee Board at prescribed intervals of time – 48 hours, 7 days and, subsequently, monthly – and at each review, the Board must consider, inter alia, the circumstances of the case, the length of detention and the suitability of alternatives to detention. The Board could, by reasoned decision, release the person, impose conditions for release or extend the detention. Detention must end if it no longer served an immigration purpose. To ensure further oversight, all detention decisions were subject to judicial review by the Federal Court of Canada.

36. Once set up, the Public Complaints and Review Commission would have jurisdiction over cases involving the Canada Border Services Agency, including the ability to review detention practices, investigate complaints regarding the treatment of immigration detainees and conduct systemic reviews of Agency activities. The implementing regulations for the Commission were currently being developed.

37. All the provinces had ended their immigration detention agreements with the Government in September 2025, and immigration detainees were henceforth held in one of three immigration holding centres operated by the Canada Border Services Agency. In addition, an immigrant station had been established on the grounds of a federal correctional institution in Québec. The station was managed and operated solely by the Agency, and there was no commingling between immigration detainees and federal inmates. The Canadian Red Cross independently monitored conditions of detention and the treatment of detainees and released an annual report containing recommendations.

38. The placement of minors in immigration detention was a last resort applied for the shortest possible time and primarily with a view to individuals' removal. While it was not the Government's practice to separate children from their parents or legal guardians, placement with family members or in the care of the child welfare authorities was an option where appropriate. The best interests of the child, as assessed together with the detained parents, was always a primary consideration in decisions as to where minors should be placed. Decisions to detain migrant children with their parents could be changed at any time in accordance with evolving circumstances. All immigration holding centres had dedicated family wings and play areas and provided access to basic education and healthcare. In the previous fiscal year, two minors had been detained, one for inadmissibility due to

involvement in organized crime and the other due to overstay; the latter had been released with conditions within a few hours. Of the 13 minors who had been housed by the Canada Border Services Agency in that period, 12 had been allowed to leave the centre, had been removed or had been released with conditions within the first 48 hours; in the remaining case, the minor had been housed with his parents for one month.

39. **A representative of Canada** said that any migrant who was not subject to a removal order could make a claim for refugee protection. However, by law, some claims were ineligible for referral to the Immigration and Refugee Board. Where a claim was found ineligible, the individual, barring limited exceptions, could nonetheless apply for a pre-removal risk assessment, during which he or she could signal any protection needs. A positive assessment resulted in the conferral of protected person status. Under a bill to strengthen migration integrity and modernize the asylum system, asylum claims would be ineligible for referral to the Board if they had been made more than a year after an individual's first entry into Canada or had been made after more than 13 days by individuals who had entered irregularly from the United States.

40. To share responsibility for handling asylum claims, the Immigration and Refugee Protection Act allowed for the designation of safe third countries on the basis of a country's status as a Party to the Convention relating to the Status of Refugees and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, its policies and practices in relation to those instruments, its human rights record and the existence of a bilateral agreement with Canada on responsibility-sharing. The designation process incorporated information obtained from a range of sources. Thus far, only the United States had received such designation, and the Government continuously monitored developments in that country and the impact that policy changes might have on its refugee protection system.

41. Occasionally, Canada opened, closed or paused immigration programmes as part of its managed migration architecture, in particular through the annual immigration levels plan, which involved a robust multistakeholder development phase. All decisions on migration status were required to take into account the best interests of the child. Canada collected and published detailed disaggregated data on migration outcomes.

42. **A representative of Canada** said that the national action plan to implement the calls for justice contained in the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls had been co-developed with the families and survivors, provincial and territorial governments, and Indigenous governments, organizations and communities. Annual progress reports were prepared regarding the federal component of the plan. In 2024/25, the community support and healing for families initiative had invested CA\$ 22.4 million in 32 projects, including to provide culturally grounded and responsive support to families dealing with grief and trauma. Furthermore, the Indigenous justice strategy, launched in March 2025, established key priorities to advance transformative reforms within the criminal justice system and support the revitalization of Indigenous legal traditions. Of the 29 calls for justice directed exclusively at the Federal Government, implementation was complete for 2 and under way for 11 and, of the 186 calls aimed at the federal, provincial and territorial governments collectively, implementation was under way for 118. Indigenous women's organizations and families continued to play a central role in developing and monitoring the implementation of the national action plan, including through annual broad-based meetings.

43. Following the largest class action litigation in Canadian history, a settlement agreement had been reached in 2008 between governments, religious authorities and survivors of the residential schools for Indigenous children. The agreement included a formal apology by the Government, the establishment of the Truth and Reconciliation Commission and the provision of two forms of compensation, the first common to all the students who had attended the schools and the second based on a review of a person's individual experience at a school. Pursuant to the agreement, mental health support continued to be provided, including on a 24-hour basis, through helplines and community-based, culturally relevant services.

44. **A representative of Canada** said that, in response to the finding of the Canadian Human Rights Tribunal that the former funding model for child and family services was discriminatory, the Government had provided compensation, including a CA\$ 20 billion settlement for First Nations children and families in 2022, and had initiated structural changes. The plan for reforming the First Nations Child and Family Services facilitated solutions designed by and for First Nations to keep children safely connected to their families, culture and communities. In addition, the Act respecting First Nations, Inuit and Métis children, youth and families affirmed Indigenous jurisdiction over child and family services.

45. In 2016, the Canadian Human Rights Tribunal had ordered the Government to immediately implement the full meaning and scope of Jordan's Principle, which was a request-based, child-first substantive equality principle designed to ensure that First Nations children did not experience gaps, delays or denials in accessing government-funded healthcare, social and education services due to their identity. Since then, nearly CA\$ 10 billion had been committed in implementation of the Court's decision. Access-to-service requests could be made individually by families or collectively by a First Nations community. In addition, the Government financed service coordination to help families navigate existing services in a culturally safe way. It remained committed to the ongoing implementation and long-term sustainability of Jordan's Principle despite high demand and pressure on resources.

46. **A representative of Canada** said that, in the Province of Manitoba, a coordination agreement had been signed with the Peguis First Nation for the delivery of child and family services in accordance with Peguis law. Since assuming jurisdiction, Peguis Child and Family Services had reported that 99% of children in care who resided on Peguis First Nation were being cared for by immediate or extended family members. Furthermore, the number of child removals had dropped from 36 to 9 between 2020 and 2023, and customary care agreements had prevented 209 children from being taken into care between 2022 and 2025. Efforts were ongoing to restore jurisdiction over child and family services to other Indigenous governing bodies.

47. **A representative of Canada** said that the Government was working with Indigenous partners to address many outstanding issues, including in relation to land, through the development of forward-looking agreements that advanced Indigenous rights and self-determination and the resolution of specific claims related to past wrongs. Modern treaties, which covered 40% of the country's land mass, provided Indigenous partners with direct ownership of lands and, in many cases, with direct lawmaking power over land development and resource management in their territory. There were currently 27 modern treaties in place, three stand-alone self-government agreements and five sectoral self-government agreements, as well as 160 rights-based discussion and negotiation tables on the implementation of rights and self-determination. In addition, landmark agreements had been concluded with the Haida Nation since 2024, including one recognizing the Council of the Haida Nation as the government of the Haida Nation and another recognizing Aboriginal title to the territories of Haida Gwaii; implementing legislation was being developed. Between 2015 and 2025, over 365 specific claims had been settled, in many cases resulting in additional access to lands for nations.

48. The federal and provincial governments had a legal duty to consult Indigenous populations where constitutionally protected Aboriginal rights might be undermined, and that duty could not be delegated to the private sector or any other entity. In that connection, the Government was taking all measures necessary to ensure that laws were consistent with the United Nations Declaration on the Rights of Indigenous Peoples. Furthermore, work was under way, in collaboration with Indigenous partners, on federal guidance regarding natural resource consultations to ensure that federal officials had clear principles for designing consultations that supported free, prior and informed consent, reflected Indigenous perspectives and responded to the unique nature and potential impacts of each project or decision. Increasingly, ensuring meaningful participation in resource development also meant ensuring that Indigenous communities and governments shared in the benefits of the projects, not only in terms of jobs but also of potential ownership and equity partnerships. In the most recent federal budget, CA\$ 10 billion had been set aside to support Indigenous communities in acquiring equity participation. Indigenous Peoples who felt that there had

been inadequate consultation could apply for judicial review or a court injunction or file a claim for unjustified infringement of their Aboriginal rights.

49. The Government's efforts to address sexual exploitation and violence in the context of resource development, including against Indigenous women and girls and Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex and additional sexually and gender diverse persons, were focused on strengthening Indigenous-led engagement, aligning federal policy and funding tools and embedding safety and equity considerations throughout the life cycle of major projects.

50. **A representative of Canada** said that the sex-based discriminatory provisions of the Indian Act had been removed in 2018 and, through extensive outreach with Indigenous partners, more than 75,000 newly entitled individuals had since been registered. Efforts to address other remaining inequities, mainly related to historical enfranchisement and the second-generation cut-off, must proceed in consultation with Indigenous Peoples so that they could define who they recognized as their citizens. Bill S-2 amending the Indian Act would give equal registration rights irrespective of history of enfranchisement, resulting in immediate restoration of Indian status for 2,500 individuals, while Bill S-3, which had undergone its second reading by the House of Commons a week prior, would introduce a one-parent rule to resolve the second-generation cut-off issue. The competent authority aimed to render 70% of decisions on registration within the six-month service standard; the rate was currently 63%, and the backlog in decisions exceeding the standard had been reduced by 20%. Registration support was proving useful, with over half the applications received by mail in 2024/25 having been submitted by a trusted source or First Nations registration administrator.

51. **A representative of Canada** said that over 70 Indigenous languages were spoken in Canada, three quarters of which were endangered. Since the adoption of the Indigenous Languages Act in 2019, the Government had invested over CA\$ 1.4 billion for the period until 2028/29, with a permanent annual allocation of some CA\$ 162 million thereafter. New funding models introduced in 2023/24 gave First Nations, Inuit and Métis partners more autonomy in setting their language preservation priorities. Support had been provided to over 150 language acquisition activities, with encouraging results: the number of Indigenous persons who reported being able to speak an Indigenous language as a second language had risen by 7% since 2016.

52. **A representative of Canada** said that the education system in the Yukon had become an important focal point for language preservation and revitalization. In 2021, the Government of Yukon and 10 Yukon First Nations had signed a historic agreement on education and the establishment of the First Nations School Board in the territory. Culture and language was one of the four priority areas of the education action plan that the Board was implementing under Indigenous leadership. Following a series of referendums in specific school districts, in which parents had been able to participate, 39% of primary and secondary schools in the Yukon were henceforth governed by the Board.

53. **A representative of Canada** said that the Government continued to support positive parenting and to design publications discouraging the use of corporal punishment against children. For instance, a web page entitled criminal law and child behaviour control indicated the many forms of corporal punishment that were not in line with the guidelines established by the Supreme Court of Canada. Furthermore, the Public Health Agency of Canada provided support to positive parenting programmes run by community-based organizations and to the development of a database of effective means of preventing violence against and neglect of children.

54. The Government had welcomed the outcome of the Nova Scotia Mass Casualty Commission, setting up an oversight committee with the Province of Nova Scotia that met regularly to monitor progress, while the Royal Canadian Mounted Police had taken steps to address the Commission's recommendations, including by improving communication processes and oversight. In addition, the Protecting Victims Act (Bill C-16) addressed a number of the Commission's recommendations by strengthening the response to gender-based violence, including by defining the new offence of engagement in a pattern of coercive and controlling conduct towards an intimate partner and by treating more seriously

certain forms of killings that disproportionately affected women and girls, such as those that occurred in the context of sexual violence or exploitation, including trafficking, and those motivated by hate. Such killings would be labelled “femicides” and would be treated as first-degree murder, which was the most serious offence in the country’s Criminal Code.

55. **A representative of Canada** said that the Combatting Hate Act (Bill C-9), which would introduce new intimidation and obstruction offences to cover cases where a person wilfully impeded another person’s access to religious, cultural and other specified places, was focused on criminal conduct and was tailored to uphold individuals’ freedom to protest and to express their concerns peacefully in accordance with the Canadian Charter of Rights and Freedoms and the Covenant. The Bill, which remained before Parliament, contained important safeguards intended to ensure that only behaviour that rose to a criminal threshold would fall under the scope of the proposed new offences. Furthermore, to enable the police to act more quickly, the Bill would remove the requirement to obtain the Attorney General’s consent in order to prosecute specific hate propaganda offences. However, the Government had acknowledged the criticisms of that provision and was open to reworking it.

56. **Ms. Tigroudja** said that she would urge the State Party to reconsider its approach to the repatriation of children from war zones, which was contrary to article 24 of the Covenant, as well as articles 3 and 9 of the Convention on the Rights of the Child. She would welcome further information on healthcare and suicide prevention in prisons. Explanations would also be welcome regarding how the State Party intended to change its energy policy, which revolved around fossil fuels, in the light of the two recent advisory opinions by international bodies.

57. Recalling that the Working Group on Arbitrary Detention was cautious about the notion of detention for protective purposes, she wished to know, in the specific case of the practice in Manitoba of detaining intoxicated persons, on what basis such detentions could be extended from 24 hours to 72 hours.

58. **Ms. Abdo Rocholl** asked whether the State Party had considered introducing a statutory maximum duration for immigration detention and whether it collected data on migration and asylum decisions, disaggregated by ethnic or racial origin.

59. **Mr. Quezada Cabrera** said that he was interested in hearing about the revisions to the Public Servants Disclosure Protection Act proposed by the task force mentioned in paragraph 147 of the report and about any measures taken to broaden the scope of protections under the Act to include government contractors and private businesses providing public services, to remove the good faith requirement and to ensure accessible remedies and temporary protection for whistle-blowers. In addition, he wished to know whether the State Party intended to adopt legal or constitutional measures to guarantee academic freedom in universities across its territory.

60. **Ms. Donders** said that she would welcome further details of the progress made in the representation of minorities, including Indigenous Peoples, in high-level political office and, more generally, how the State Party promoted political participation by Indigenous Peoples. It would also be helpful to know what steps the State Party was taking to prevent violence against women and Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex and additional sexually and gender diverse persons in the context of resource extraction projects. Information would be welcome on how the State Party ensured that judicial remedies in cases of failure to consult Indigenous Peoples and obtain their free, prior and informed consent were accessible in practice. She wondered how Indigenous languages were protected in the Province of Québec, where the law focused on French as the sole official language and language of integration, including in education.

61. **Mr. Carazo** asked whether, in application of its international human rights obligations, the State Party had set up specific mechanisms to guarantee that no military supplies exported to the United States could subsequently be diverted for use in the genocide being committed against the civilian population of Gaza.

62. **Mr. Fernández Liesa**, recalling that the State Party was singly responsible for compliance with the Covenant regardless of its political structure, asked how the constitutional bill put forward in the Province of Québec might affect the implementation of the Covenant. He also asked whether it was possible under Canadian law for a person to be granted Indian status if neither their mother nor their father was Indigenous.

63. **A representative of Canada**, drawing the Committee's attention to paragraphs 96 and 97 of his Government's periodic report, said that, although Correctional Services Canada was ultimately responsible for the healthcare of federal inmates, it frequently engaged with outside healthcare providers to assist in fulfilling that role. Where necessary, inmates could receive specialized services from provincial healthcare providers. Provincial governments were accountable for the provision of healthcare services to offenders in the community. There were 53 health centres, spread across 43 federal correctional institutions countrywide, providing essential medical, dental and mental health care. There were regional treatment centres, which were accredited psychiatric facilities, providing acute care in all five Correctional Services Canada operational centres. By law, Correctional Services Canada must support the professional autonomy and critical independence of registered healthcare professionals in keeping with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). The Federal Government had introduced many initiatives to enhance the provision of mental health services, including increased resources for early assessment and diagnosis of inmates and 24-hour nursing care at all women's institutions.

64. The operational policy of the federal correctional system was to ensure the safety of inmates who were at risk of self-harm or suicide or who had serious mental illness, while preserving their dignity through the use of observation or, as a last resort, restraints. Broadly speaking, suicide prevention in federal inmates was based on the effective training and education of correctional staff, formal and informal screening and assessment of inmates who might be at risk, the careful monitoring of inmates, the provision of information to inmates about available resources and treatments, and timely and appropriate interventions.

65. **A representative of Canada**, with reference to the practice of protective detention in the Province of Manitoba, said that the amendment allowing such detention to be extended up to 72 hours had been introduced with advice from medical experts on the basis of the fact that the effects of intoxication with certain drugs could last longer than 24 hours. In all cases, persons must be released as soon as they were no longer intoxicated, which, in most cases, was long before the 72-hour maximum. In fact, there had thus far been no cases of anyone being detained for the full duration. Safeguards included regular assessments by qualified medical professionals, both to monitor persons' well-being and to ensure that they were released at the earliest opportunity once no longer intoxicated. Alternatively, persons could be released into the custody of a responsible adult who came to collect them, again long before the 72-hour mark.

66. **A representative of Canada** said that the Federal Court of Appeal had determined that the absence of a time limit on immigration detention did not constitute indefinite detention in the light of the process for regular, meaningful detention reviews by the Immigration and Refugee Board, coupled with the availability of judicial review of detention decisions and with the constitutional safeguards contained in the Canadian Charter of Rights and Freedoms. Nearly half of all immigration detainees were released within the first 48 hours.

67. **A representative of Canada** said that the authorities collected and published data on asylum claims disaggregated by citizenship, age and gender but not by ethnicity or migratory origin.

68. **A representative of Canada** said that the task force charged with reviewing the Public Servants Disclosure Protection Act had submitted its report to the Government in December 2025. The recommendations contained in the report were being reviewed and had not yet been made public. The provisions of the Canadian Charter of Rights and Freedoms on freedom of expression and freedom of peaceful assembly applied across the country, including in Québec.

69. **A representative of Canada** said that universities fell under provincial jurisdiction and, in all provinces, were established by a special law that granted them considerable institutional autonomy. In Québec specifically, universities enjoyed the autonomy to define their internal organization, regulations, curricula and modes of student evaluation. That autonomy was not absolute, however: being partially government funded, universities were required to account for their use of public funds and to adhere to their mission. Québec was among the few places in the world to have adopted a law recognizing the importance of academic freedom for the fulfilment of universities' purpose. In the 2022 law, academic freedom at the university level was defined as the right of all persons to freely exercise, without doctrinal, ideological or moral pressure, an activity through which they contribute to the institution's mission. In addition, the law required universities in Québec to adopt a policy on academic freedom, and provided for the establishment of complaints mechanisms.

70. **A representative of Canada** said that, overall, diversity among candidates and elected members of Parliament had risen between 2015 and 2021, reflecting the efforts by political parties to increase representation. However, progress was uneven. In the 2025 election campaign, the number of candidates from visible minorities had grown, but the number of women and Indigenous candidates had dipped.

71. **A representative of Canada** said that, at the national level, over 700 projects to prevent gender-based violence in the context of the extractive industries had received government support in 2023/24. Recipients had included researchers, post-secondary education institutions, Indigenous partners and community-based organizations. In response to the calls for justice contained in the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, an advisory committee, composed of Indigenous partners, project proponents and government representatives had been set up to mitigate and manage the impacts of the project to expand the Trans Mountain pipeline. While there were barriers to participation in the justice system, the various judicial remedies were a tool that Indigenous Peoples had used with considerable success to advance their interests and protect their rights.

72. **A representative of Canada** said that, while Canada assessed the risk of diversion as part of its export control regime, once goods left the country, they became subject to the importing country's export controls. Nevertheless, the Government would take appropriate action should credible evidence be found that Canadian export control laws and regulations had been circumvented by routing exports of controlled goods and technology through third countries or by obfuscating the actual end use or end user of the item, particularly when the items were used to commit or facilitate serious violations of international human rights or humanitarian law.

73. **A representative of Canada**, providing an overview of the division of legislative and executive powers in Canada as a federal State, and recalling that Canada took a cooperative federalist approach to implementing the rights under the Covenant, said that the system was organized in such a way as to render unlikely any direct conflict between federal and provincial laws. Nevertheless, in those rare situations where it was impossible to comply with both sets of laws, the federal law would be paramount.

74. **A representative of Canada** said that the constitutional bill did not provide for the Province of Québec to withdraw from existing international commitments, including those stemming from the Covenant and the seven other human rights treaties ratified by Canada. Rather, its aim was to ensure that Québec was appropriately consulted and took part in negotiations alongside the Federal Government before becoming bound by any future undertakings. The preamble of the bill explicitly recognized Indigenous nations, their ancestral and treaty-based rights and their right to preserve their language and culture.

75. **A representative of Canada** said that the registration of a person as having First Nations status under the Indian Act was solely a federal jurisdiction and would not change with the adoption of a provincial law.

76. **A representative of Canada** said that her delegation welcomed the Committee's close scrutiny of the periodic report and the opportunity to reflect on the measures taken by governments across Canada since the previous review to strengthen the promotion and protection of Covenant rights. It would consider remaining challenges and the concrete steps

needed to advance those rights for current and future generations through sustained collaboration among federal, provincial and territorial governments and ongoing dialogue with rights holders, partners and stakeholders.

The meeting rose at 12.55 p.m.