

12th SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING CONTRIBUTION OF OLDER PERSONS TO SUSTAINABLE DEVELOPMENT

Response by Canada

National Legal and Policy Framework

1. What are the legal provisions, policy frameworks in your country that recognize older persons' right to participate in and contribute to sustainable development?

There are several legal provisions and policy frameworks in Canada that recognize older persons' right to participate in and contribute to sustainable development. These include:

Canadian Charter of Rights and Freedoms

Canada's domestic framework includes legal protections ensuring everyone's right to participate and contribute to sustainable development, including older persons. The *Canadian Charter of Rights and Freedoms* (Charter) protects the right to freedom of opinion and expression (s.2(b)) and the rights to freedom of peaceful assembly and of association (s.2(c) and (d)). Furthermore, s. 15(1) of the Charter guarantees the right to equality before and under the law, the right to equal benefit and protection of the law without discrimination, in particular without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability (s.15(1)).

Access to Information Act and Privacy Act

At the federal level, the *Access to Information Act* provides a legal right of access to information under the control of federal government institutions, thereby enhancing accountability and transparency in order to promote an open and democratic society and to enable public debate on the conduct of those institutions (s.2(1)). In addition, the federal *Privacy Act* protects personal information under the control of federal government institutions, and gives individuals a right of access to their personal information. Privacy and access are enabling rights that allow members of vulnerable and marginalized groups to exercise other rights such as democratic participation, expression, liberty and security of the person. All provinces and territories in Canada provide similar access and privacy rights under their respective legislation.

Moving Forward Together: Canada's 2030 Agenda National Strategy

The Government of Canada is committed to implementing the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs) at home and abroad, including its overarching principle of "leaving no one behind." In February 2021, the Government of Canada launched *Moving Forward Together: Canada's 2030 Agenda National Strategy*. The objective of the strategy is to create and foster an enabling environment for ongoing participation, dialogue, and whole-of-society collaboration to help advance progress on the 2030 Agenda and its SDGs. The strategy focuses on inclusive and collaborative partnerships, including to address challenges faced by marginalized groups and those living in vulnerable situations, including older persons.

Convention on the Rights of Persons with Disabilities

More than 6.2 million Canadians aged 15 and older reported a disability in 2017, and the prevalence of disabilities among Canadians tends to increase with age from 13% among individuals aged 15 to 24, to 20% of working age adults (25 to 64 years), to 38% among individuals aged 65 or older.¹ Seniors therefore generally benefit disproportionately from measures targeted to persons with disabilities. In 2010, Canada became a State Party to the United Nations *Convention on the Rights of Persons with Disabilities* (CRPD). The CRPD protects and promotes the rights and dignity of persons with disabilities without discrimination and on an equal basis with others. The CRPD includes an article on ensuring an adequate standard of living and social protection (Article 28).

2. What are the challenges faced by older persons for the realization of their right to contribute to sustainable development at national and international levels?

Seniors in Canada are a rapidly growing portion of the population and are living longer and healthier lives than previous generations. Improved longevity means that seniors in Canada have the opportunity to participate in society and engage in their communities longer.

Older persons face unique challenges in realizing their right to contribute to sustainable development, both at the national and international levels. For example, older persons (especially those with disabilities) may have accessibility requirements that are not accounted for in decision-making spaces, whether online or offline. Older women may face both sexist and ageist stereotypes that hinder their participation. And older persons, especially those in rural and remote communities, may face additional barriers to accessing online resources on sustainable development (e.g. public consultations), revealing the digital divide.

Below are examples of measures undertaken by Canada to address the challenges faced by older persons with disabilities. These measures support older persons' right to contribute to sustainable development.

Seniors with disabilities

Seniors with disabilities are more likely to face barriers (physical and social) to their economic and social inclusion. There is increased awareness of the importance of the intersection of disability and age with other personal characteristics, including sex, LGBTQ2, Indigenous status, immigration status and visible minorities. The Government of Canada is committed to taking a human rights approach to disability inclusion. The Minister of Minister of Employment, Workforce Development and Disability Inclusion's December 2021 mandate letter includes a commitment to finalize and release Canada's Disability Inclusion Action Plan (DIAP), in consultation with the disability community. An objective of the Action Plan is to ensure that disability inclusion is considered in all government programs, policies and services in order to foster a culture of inclusion and shift away from attitudes of disablism and discrimination. The DIAP will focus, amongst others, on key areas including financial security, inclusive spaces, and improving access to federal programs and services. As such, it will also contribute to address some of the challenges faced by our senior citizens to contribute to sustainable development.

¹ Canadian Survey on Disability, 2017

3. What data, statistics and research are available regarding older persons' contribution to sustainable development?

Sustainable Development Goals indicators

Statistics Canada has various indicators under the Global Indicator Framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development and the Canadian Indicator Framework for the Sustainable Development Goals that include disaggregation by age, which includes seniors.

Canadian Longitudinal Study on Ageing

To help better understand and prepare for the evolving needs of older Canadians, the Government of Canada, through the Canadian Institutes of Health Research, established and provides funding to the Canadian Longitudinal Study on Ageing. This national, large-scale, longitudinal study was established to enable research that moves beyond a single snapshot of the Canadian adult population. It aims to understand and observe the complex interplay between physical, social and psychological determinants of health over time and guide decision makers in creating opportunities for all Canadians to age in a healthy way.

Equality and non-discrimination

4. What measures are being taken to eliminate ageism, ageist stereotypes, prejudices and behaviors that devalue older persons' contribution to sustainable development?

The Government of Canada and provincial/territorial governments are working to promote a positive image of seniors in Canada. This is achieved by investing in various projects and taking time during the year to celebrate seniors. October 1 is National Seniors Day, an occasion on which all Canadians can join in celebrating seniors across Canada.

Other measures contribute to eliminate ageism, ageist stereotypes, prejudices and behaviors that devalue older persons' contribution to sustainable development. Below are some examples.

National Seniors Council

The National Seniors Council provides advice to the Government of Canada on matters relating to the well being and quality of life of seniors. One of the priorities of the National Seniors Council is "identifying measures to counteract ageism by shifting the public discourse." This may include activities such as research, convening expert panels, and consulting with seniors and representatives of organizations serving or advocating for seniors. The Federal, Provincial and Territorial Ministers Responsible for Seniors Forum identified ageism and its social and economic impacts as a key priority for the 2018-2021 work cycle, and this work will carry over during the 2022-2025 work cycle. The Forum commissioned two reports: "An Examination of the Social and Economic Impacts of Ageism," and "A Case Study on Ageism during the COVID-19 Pandemic."

New Horizons for Seniors Program

Canada's \$70 million per year New Horizons for Seniors Program, provides funding to seniors-serving organizations from civil society for projects that help foster social inclusion and

engagement of seniors in all aspect of society. Supported projects are often led and inspired by seniors. They promote volunteerism among seniors and other generations, engage seniors in their community through the mentoring of others and combat ageism, amongst other objectives. The projects support and engage a wide variety of seniors from diverse social and economic backgrounds. Overall, the New Horizons for Seniors Program has a positive influence on the lives of seniors and in their communities.

Age-Friendly Communities

The Government of Canada works closely with provincial and territorial governments, the World Health Organization and other stakeholders to promote and advance Age-Friendly Communities (AFC) in Canada and globally. The Government of Canada supports the development of the AFC model across Canada. It does so by convening partners, and providing tools and resources to provincial and territorial governments, non-governmental organizations and promoting exchange of best practices between all level of governments and the international community.

International engagement

Internationally, Canada is continuing to advance our Feminist International Assistance Policy (FIAP) and Feminist Foreign Policy (FFP). Both the FIAP and FFP recognizes the multiple and intersecting barriers that older people, especially older women and non-binary people, face in exercising their human rights, including the right to development. Canada is also continuing to mainstream the rights of older persons into our international human rights engagement.

United Nations Decade of Healthy Ageing

The Government of Canada is working with partners across levels of government and civil society to raise awareness of the Decade of Healthy Ageing. The Government of Canada is encouraging action on healthy aging and leveraging global efforts to address aging issues. In spring 2021, the Government of Canada provided the World Health Organization with financial support to carry out two projects that will contribute to the promotion of the Decade. The first project, *Starting the Decade of Healthy Ageing 2020 to 2030 with the voices and engagement of older people*, will set the tone for the meaningful engagement of older people along with their families, caregivers and communities throughout the Decade. The second project, *Guidelines to Develop and Sustain National Age-Friendly Programs*, will support new guidance on the growth and sustainability of age-friendly communities. The resources developed through this project will fill a key gap at the national level for many countries. It will also help to identify what initiatives work to deliver specific outcomes for older people.

Remedies and Redress

5. What mechanisms are necessary, or already in place, for older persons to lodge complaints and seek redress for denial of their right to participate in and contribute to sustainable development?

Under the *Access to Information Act*, Canadian citizens, permanent residents, and individuals or corporations present in Canada can request access to information under the control of federal government institutions. Similarly, under the *Privacy Act*, individuals can request access to their personal information under the control of a federal government institution. Under both pieces of

legislation, a complaint mechanism is available with oversight by independent Agents of Parliament, and decisions can be judicially reviewed. Under the *Privacy Act*, individuals can also complain about the personal information handling practices of federal government institutions.

As for *Canadian Charter of Rights and Freedoms* (Charter) remedies, courts (provincial and federal) have jurisdiction to determine whether there have been violations of the Charter, including, where appropriate, providing for civil claims following Charter violations. If a challenge based on the Charter is successful, the courts may declare a law of no force and effect or provide an appropriate and just remedy to anyone whose Charter rights have been infringed or denied.