

14th SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING

ACCESSIBILITY, INFRASTRUCTURE AND HABITAT

Response by Canada

1. What are the national legal provisions and policy frameworks that recognize older persons' rights to accessibility, infrastructure and habitat (transport, housing and access)?

There are several legal provisions and policy frameworks in Canada that promote accessibility, infrastructure and habitat for older persons, for example:

The *Canadian Charter of Rights and Freedoms, (Charter)*, which is part of Canada's constitution and supreme law, applies to federal, provincial and territorial legislatures and governments ensuring the protection of individuals from violations of their human rights and fundamental freedoms by government. Section 15(1) of the *Charter* guarantees the right to equality before and under the law, and the right to the equal benefit and protection of the law without discrimination, and in particular without discrimination on the basis of race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.

The *Accessible Canada Act*, which aims to realize a more inclusive Canada for all, including older persons and persons with disabilities, through the identification, prevention and removal of barriers to accessibility in a number of areas such as: employment, built environment, communication technologies, and transportation.

The National Housing Strategy Act requires Canada to maintain a national housing strategy that takes into account key principles of a human rights-based approach to housing, including non-discrimination, inclusion, participation, and accountability. The Act recognizes housing as a human right and that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities.

The *Enabling Accessibility Fund* improves accessibility and inclusion of persons with disabilities of all ages in communities and workplaces through renovation, construction and retrofit projects. The Fund aims to create more opportunities for persons with disabilities to take part in community activities, programs and services, or access to employment.

About 2.4 million adults in Canada have a print disability and this number is increasing due to an aging population. In order to improve access to alternate format reading materials for persons with print disabilities, Canada is providing funding through the creation of the new *Equitable Access to Reading Program* to support the production of alternate format reading materials that will launch in 2024 – 2025.

The *Investing in Canada Infrastructure Program* and the *Green and Inclusive Community Buildings* support the creation of accessible public buildings such as community, culture and recreation facilities which help support the participation and inclusion of older persons within their communities. **Permanent, federal public transit funding** will also start in 2026-27 to

deliver stable and predictable funding to tackle a wide range of sustainable transportation infrastructure needs across Canada.

This *National Infrastructure Assessment* identifies needs and priorities for Canada's infrastructure. It will provide advice to infrastructure owners and investors on creating accessible built environments to support access and inclusion for all, including older persons.

The *United Nations Declaration on the Rights of Indigenous Peoples Act* creates a framework to advance the implementation of the UN Declaration on the Rights of Indigenous Peoples at the federal level. The *United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan*, released in June 2023, contributes to achieving the objectives of the UN Declaration and includes a measure committing Canada to “co-develop a new and more holistic long-term and continuing care framework, that is culturally appropriate, gendered, safe and accessible to Indigenous peoples is crucial in helping to improve the quality of aging and health outcomes”, which paved the way for the co-development of the *First Nations and Inuit Home and Community Care Program*.

Canada continues to promote the development of **age-friendly communities**, which contributes to helping older persons stay involved in their communities and participate in Canada's social and civic life, through policies, services and structures related to their physical and social environment. Through its *National Dementia Strategy*, Canada is also working towards eliminating stigma and promoting measures that create supportive and safe communities for people living with dementia, who are often older adults.

Canada's \$70M per year *New Horizons for Seniors Program*, provides funding to seniors-serving organizations for projects that help foster social inclusion and engagement of seniors in all aspects of society. Supported projects are often led and inspired by seniors, with priority given to projects that specifically target vulnerable seniors' populations.

The one-time, \$90M *Age Well at Home Initiative* will run until 2025-2026. It funds local, regional, and national projects that help seniors to age at home and in their communities by providing practical supports, navigation to eligible services, and an expansion of services that have already demonstrated results.

The *Canada Disability Savings Program* supports the well-being of its beneficiaries with severe and prolonged disabilities. It encourages long-term savings by providing federal disability savings incentives through the Canada Disability Savings Bond and the Canada Disability Savings Grant. This financial security can support the beneficiary's health and well-being, especially past age 59 when withdrawal of money typically begins.

Canada has a suite of initiatives in place to ensure all Canadians, including older persons, have access to communications and information technology, including reliable access to high-speed Internet services. Initiatives include a national **Connectivity Strategy**, which aims to ensure 100% of Canadians, including seniors, have access to high-speed Internet by 2030, and the **Digital Literacy Exchange Program**, which supports initiatives aimed at teaching digital literacy skills to Canadians.

2. What are the challenges and barriers faced by older persons for the realization of their right to accessibility, infrastructure use and habitat (transport, housing and access) at the national and international levels?

Housing

Challenges may include difficulty discovering and/or navigating available services (e.g., lack of awareness, difficulties with accessing information online); difficulty in finding affordable housing coupled with long and growing wait lists for social housing and housing subsidies; ability to afford necessary adaptive changes; limited access, or barriers to, mobility aids; and/or potential gaps in availability of appropriate supportive services such as home care, home supports and community services, especially for older adults living in rural and remote communities. The *National Housing Strategy Act* promotes and protects the right to housing in Canada and contribute to respond to these barriers.

Transport

Inadequate access to safe and accessible public transportation infrastructure can impact older persons' ability to access essential services such as health care. The need for improved access to transportation for older persons is particularly evident in Canada's rural communities where populations tend to be older than in urban settings. Northern, isolated, and remote communities often face greater challenges in accessing services where the transportation infrastructure is limited or non-existent. Canada recognizes the role of investments in public transit to support healthy aging and current and planned **federal public transit funding**, will continue to address barriers related to transportation.

Accessibility

Public buildings that are inaccessible can impact older persons' access to essential services and impede their participation within society, leading to isolation. In addition to enabling seniors to access key services, quality and accessible community buildings, such as community and recreational centres, help support their inclusion within communities as they age. National infrastructure programs, such as the **Investing in Canada Infrastructure Program**, contribute to make public infrastructure more accessible.

Stigma, stereotypes, prejudice and discrimination can also be a barrier to access services for older persons and can impact sub-groups of vulnerable older persons differently. For example, people living with dementia and their caregivers can face numerous challenges accessing and using services (e.g., in banks, retail stores, restaurants, or using public transit) and participating in their community. The *National Dementia Strategy* includes a focus on eliminating stigma and promoting measures that create supportive and safe dementia-inclusive communities for people living with dementia, who are often older adults.

Communications and Information Technologies

Internet use is relatively high in Canada; however, domestic data indicates that usage among seniors is lower than the national average. The latest data suggests this can be for a variety of reasons, the primary ones being a lack of interest and low digital literacy. Also, while some Canadian wireless service providers offer packages tailored to customers with disabilities, information about services can be difficult to locate and understand, and customers can sometimes incur additional costs for accessibility-enhanced services. To help address this

challenge, the Government has introduced digital initiatives such as the **Digital Literacy Exchange Program**.

3. What data, statistics and research are available at the national level regarding older persons' rights to accessibility, infrastructure and habitat (public transport, housing and access)?

The 2021 *Canadian Housing Survey* examines dwelling satisfaction as a key indicator of housing needs for older adults aged 55 years and older. Further, the **Federal/ Provincial/ Territorial Ministers Responsible for Seniors Forum 2019 Report on Housing Needs of Seniors** provides a snapshot of the core housing need for seniors and senior-led households. The *Canadian Community Health Survey* also includes questions on primary health care and home care services, quality of care and difficulties accessing care, while the *Access to health care* survey provides insight for the senior population, including unmet home care needs were most prevalent among Canadians aged 65+.

Finally, the *Canadian Survey on Disability (CSD)* provides insight into the lived experiences of persons with disabilities, covering a wide variety of topics, including housing suitability, adequacy and affordability. The CSD provides data on experiences with barriers to accessibility in the areas of the built environment, information and communication technology, communication, and behaviors and assumptions. The CSD also collects information on whether persons with disabilities consider themselves to be housebound, with a lack of accessible transportation included as one of the reasons for being housebound.

4. What measures are being taken to eliminate ageism, ageist stereotypes, prejudices and behaviours that hinder older persons' rights to accessibility, infrastructure and habitat (transport, housing and access)?

Canada is committed to fostering a culture of inclusion, promoting a positive image of older persons and working towards eliminating ageism across all aspects of society. Canada actively engages in international initiatives aimed at strengthening the rights of older persons, such as the **United Nations Open-Ended Working Group on Ageing**, the *Madrid International Plan of Action on Ageing*, the *UN 2030 Agenda for Sustainable Development* and the *United Nations Decade of Healthy Ageing*.

In addition, Canada is committed to using the analytical tool *Gender-based Analysis Plus* (which considers all intersecting identity factors, including age) to support the development of responsive and inclusive policies, programs, and other initiatives related to the issues of housing, transportation, accessibility, and more.

Further, the **Forum of Federal/Provincial/Territorial Ministers Responsible for Seniors** has previously identified housing, as well as ageism and its social and economic impacts, as priorities and published various reports on both topics.

5. What mechanisms are necessary, or already in place, for older persons to submit complaints and seek redress for denial of their rights to accessibility, infrastructure and habitat (transport, housing and access)?

Under the *Accessible Canada Act*, any individual who has suffered physical or psychological harm, property damage or economic loss as the result of — or that has otherwise been adversely affected by — a contravention by a regulated entity may file a complaint with the Accessibility Commissioner. Additionally, an accessibility feedback process has been established, where clients can provide feedback on the accessibility of services.

Persons who believe they have experienced discrimination or harassment can file a human rights complaint with the **Canadian Human Rights Commission**. Under the *Canadian Human Rights Act*, the prohibited grounds of discrimination include age and disability.

Mechanisms to directly address housing accessibility issues are maintained by provinces and territories (Sub-national governments). The *National Housing Strategy Act* created the Office of the Federal Housing Advocate, housed at the Canadian Human Rights Commission, to promote and protect the right to housing in Canada.

With the formal support of all provinces and territories, Canada ratified the *UN Convention on the Rights of Persons with Disabilities* in 2010 and acceded to its Optional Protocol in 2018. The Optional Protocol provides an additional recourse if someone believes their rights under the CRPD have been violated, after they have exhausted all domestic remedies.

Finally, consumers can file complaints with the **Canadian Radio-television and Telecommunications Commissions** about issues with their communication services (e.g. in cases of lack of accessibility). In addition, the **Commission for Complaints for Telecommunications Services** is an independent organization dedicated to resolving consumers' complaints regarding their television and telecom services.