

Canada 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Canada during the year.

Significant human rights issues included credible reports of: extensive gender-based violence, including domestic or intimate partner violence; crimes involving violence or threats of violence targeting Black, Indigenous, and Asian persons, Jews, and other religious minorities; and crimes involving violence or threats of violence against lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government took credible steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were isolated reports that the government or its agents committed arbitrary or unlawful killings during the year.

On September 7, Ontario's Special Investigations Unit cleared a Toronto

police officer in the shooting death of Andrew Geisler in May. The unit report stated the officer acted lawfully when he shot Geisler, who advanced within striking distance of the officer with a knife despite repeated instructions to drop the weapon. Geisler's family and witnesses said Geisler was in a state of mental distress. He died after being transported to the hospital. Geisler's family urged the force to re-evaluate its interaction protocols for individuals in mental distress.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The law prohibited such practices, and there were no reports that government officials employed them.

In July, a Newfoundland and Labrador court freed Royal Newfoundland Constabulary officer Douglas Snelgrove on bail pending the outcome of his application in June to the Supreme Court to hear the appeal of his 2021 conviction and four-year prison sentence for sexually assaulting a woman while on duty in 2014. In April, the provincial court of appeal upheld his conviction for having nonconsensual sexual intercourse with her while she

was unconscious. The case prompted approximately 10 other women to file sexual assault allegations against other officers on the Newfoundland force. The Supreme Court had not announced its decision by year's end.

Prison and Detention Center Conditions

Federal authorities held inmates in isolated detention, including for periods exceeding 15 consecutive days.

Abusive Physical Conditions: In August, a report released by the John Howard Society, a prison reform group, cited data from the 2021-22 report of the Structured Intervention Units Implementation Advisory Panel, an independent oversight agency, that found 56 percent of confinement in these units in federal prisons exceeded 15 days and only 36 percent of inmates in the units regularly received four hours outside their unit daily. According to the report, transfers to the units were more likely to occur if a prisoner was Indigenous. The Correctional Service of Canada stated the units were used as a last resort when inmates could not be managed safely in the prison population.

In January, the family of Nicous D'Andre Spring called for a public inquiry into systemic racism in the Quebec jail system after D'Andre Spring, a Black man, was illegally detained and died at the Bordeaux detention facility in Montreal in December 2022. The family said D'Andre Spring was receiving support for mental health problems at the time of his arrest. A judge

ordered D'Andre Spring released on December 23, but he remained in detention and died in an altercation with prison guards the following day. Guards fitted him with a spit hood and pepper-sprayed him twice, reportedly while he wore the hood and in contravention of correctional procedures, when they intervened to break up a fight between D'Andre Spring and other detainees. D'Andre Spring fell unconscious and died in the hospital. Authorities suspended a detention unit manager and a guard following the death pending the outcome of a criminal investigation by provincial police and inquiries by the Quebec Ministry of Public Security and the provincial coroner that continued at year's end. The provincial Public Security Ministry publicly declared D'Andre Spring's detention was "illegal" because he had been ordered released prior to his death.

Administration: Independent authorities investigated credible allegations of mistreatment and documented the results of such investigations in a publicly accessible manner.

Independent Monitoring: The government permitted visits by independent nongovernmental human rights observers.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

Authorities relied on warrants in the apprehension of persons. A judge could issue a warrant if satisfied that a criminal offense might have been committed. A person arrested for a criminal offense had the right to a prompt, independent judicial determination of the legality of the detention. The law required individuals to be charged and released to wait for a court date, or to receive a bail hearing within 24 hours of their arrest. Authorities provided detainees with timely information on the reason for their arrest and provided prompt access to a lawyer of the detainee's choice. If the detainee was indigent, the state provided a lawyer. There was a functioning bail system for release pending trial. Authorities could hold persons under preventive detention for up to seven days, subject to periodic judicial review. The government respected these rights.

e. Denial of Fair Public Trial

The law provided for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The law provided for the right to a fair and public trial, and the judiciary generally enforced this right.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibited such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic

political system combined to promote freedom of expression, including for media members. Independent media were active and expressed a wide variety of views without restriction.

Violence and Harassment: On February 13, photojournalist Amber Bracken and *The Narwhal* media outlet filed a lawsuit against the federal Royal Canadian Mounted Police (RCMP) for her arrest and detention while covering protests on Indigenous We'suwet'en territory against the installation of a pipeline in British Columbia Province in 2021. The RCMP took the action to enforce a court injunction banning journalists from the site. Bracken alleged police failed to verify her status as a journalist and told her they were unaware of a 2019 ruling by the Supreme Court that journalists should not be arrested for contempt of an injunction if they were reporting on matters of public interest and not directly participating in unlawful activity. The suit claimed monetary damages for breaching her and her employer's constitutional right to freedom of the press and sought a ruling that Bracken's arrest and detention were unjustified. In October, the RCMP declared Bracken did not identify herself as a journalist and was not engaged in "good faith newsgathering activities." The suit remained in progress at year's end.

Libel/Slander Laws: The law criminalized defamatory libel with a maximum penalty of five years' imprisonment.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

The law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum

seekers, as well as other persons of concern.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.

Freedom of Movement: On August 8, Nova Scotia became the first province to terminate its agreement with the federal government to detain asylum seekers in provincial jails and detention centers. In June, the government of Ontario gave one-year's notice of termination of its agreement with the federal government to detain asylum seekers in Ontario prisons. Six other provinces – Quebec, Alberta, New Brunswick, British Columbia, Saskatchewan, and Manitoba – had previously given notice of termination of their agreements, scheduled to take effect by 2024. The law allowed the government to detain asylum seekers if it deemed the individuals a threat to public safety, including prior convictions of serious criminality; deemed they were unlikely to appear for an immigration hearing; or it could not verify their identity. In 2021-22, the federal government detained approximately 25 percent of 3,000 immigration-related detainees in provincial jails subject to agreements with the provinces, and the remainder in two dedicated federal immigration holding facilities, according to press reports. The Canada Border Services Agency stated it used detention as a measure of last resort after it had considered all available and suitable alternatives. Human rights advocates said holding asylum seekers in facilities with convicted

criminals was punitive and asylum seekers could face solitary confinement and lockdowns in provincial jails.

Durable Solutions: The government accepted refugees for resettlement, offered naturalization to refugees residing in its territory, and assisted in refugees' voluntary return to their countries of origin.

Temporary Protection: The government provided temporary protection to individuals who may not have qualified as refugees.

f. Status and Treatment of Internally Displaced Persons (IDPs)

Not applicable.

g. Stateless Persons

According to UNHCR, by the end of 2020 (latest available figures), there were 3,790 persons in the country who fell under the UN statelessness mandate. The law provided for access to citizenship for stateless persons who had a birth parent who was a Canadian citizen at the time of the birth, met age and physical presence requirements, and had not been convicted of specified criminal offenses. The minister of immigration, refugees and citizenship had the discretion to grant citizenship to any person to alleviate cases of statelessness or of special and unusual hardship.

Section 3. Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections were widely reported to be fair and free of abuses and irregularities.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were no unaddressed reports of government corruption.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation and Monitoring of Alleged Abuses of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction to monitor or investigate human

rights conditions or cases and publish their findings. Government officials were often cooperative and responsive to the views of these groups.

Government Human Rights Bodies: Federal and provincial human rights commissions enjoyed government cooperation, operated without government or party interference, and had adequate resources. Observers considered the commissions to be effective. Parliamentary human rights committees operated in the House of Commons and the Senate. The committees acted independently of government, conducted public hearings, and issued reports and recommendations to which the government provided written, public, and timely responses. Most federal departments and some federal agencies employed ombudspersons. Nine provinces and one territory also employed an ombudsperson.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalized as sexual assault the rape of women or men. The law defined sexual assault as an assault committed in circumstances of a sexual nature such that the sexual integrity of the victim was violated. It did not specify types or perpetrators of rape, although these would reasonably apply to spousal rape, domestic or intimate partner rape, so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons, and other forms of

domestic and sexual violence. The government enforced the law effectively.

Penalties for sexual assault carried prison sentences of up to 10 years, and up to 14 years for sexual assault with a restricted or prohibited firearm.

Penalties were between four years and life in prison for aggravated sexual assault with a firearm or committed for the benefit of, at the direction of, or in association with, a criminal organization. Most survivors of sexual assault were women and girls.

The law provided protections against domestic violence for both women and men, although most survivors were women and girls. Persons convicted of assault received up to five years in prison. Conviction of assault involving weapons, threats, or injuries carried prison terms of up to 10 years.

Aggravated assault or endangerment of life carried prison sentences of up to 14 years. The government generally enforced the law effectively. Police received training in interacting with victims of sexual assault and domestic violence, and agencies provided hotlines to report abuse.

In November, the Ontario Superior Court sentenced a young man to life imprisonment with no eligibility for parole for 10 years for stabbing a woman to death with a sword. The penalty was the most severe possible for a youth sentenced as an adult for first-degree murder. The man, who was 17 when he committed the crimes, confessed the attack was an act of misogynistic violence, but the judge ruled that a murder inspired by hatred of women met the legal threshold of terrorism. The court further sentenced

the man to three years in prison for the attempted murder of a second woman in the same attack, to be served concurrently.

In August, the federal justice minister acknowledged intimate partner violence was an “epidemic” and stated the government was committed to ending it in the government’s formal response to recommendations by an Ontario coroner’s investigation into the murder of three Ontario women by their mutual former male partner in 2015. Some municipalities had previously declared intimate-partner violence an epidemic, but the federal government was the highest level of government to make the acknowledgement.

Female Genital Mutilation (FGM/C): The law prohibited FGM/C of women and girls and prosecuted the offense, including parents of children, as aggravated assault, with a maximum penalty of 14 years’ imprisonment. FGM/C occurred on occasion, predominantly in diaspora communities. While internal government reports leaked to media asserted FGM/C practitioners and victims often traveled to the country of the practitioners’ origin for the illegal procedure, officials also sought to prevent the admittance of FGM/C practitioners into the country. The law included an exception for intersex girls, permitting infant genital surgery to “fix” their bodies to conform to binary notions of female bodies.

In May, Quebec’s human rights commission investigated reports that the province’s youth protection services failed to act on a suspected case of

child genital mutilation of a girl age two. A day-care worker and her supervisor alerted youth protection services, which reportedly replied the case was too delicate for the agency to handle.

Other Forms of Gender-based Violence or Harassment: The law offered protections from sexual harassment at the workplace but did not articulate a specific offense of “sexual harassment” outside of work. Instead, it criminalized harassment (defined as stalking), punishable by up to 10 years’ imprisonment.

A government statistical study reported in 2022 that more than six in 10 Indigenous women older than 15 had experienced physical or sexual assault in their lifetime, compared with approximately more than four in 10 non-Indigenous women, according to 2018 data.

Discrimination: Women had the same legal status and rights as men. The law and regulations prohibited discrimination with respect to employment or occupation based on gender (including pregnancy). The law did not restrict women’s working hours, occupations, or tasks. Federal law required equal pay for equal work in federally regulated industries for women. The provinces of Ontario and Quebec had pay equity laws that covered both the public and private sectors; other provinces required pay equity only in the public sector. The government enforced these rights effectively. In May, British Columbia passed the Pay Transparency Act to address gender pay gaps; effective November 1, employers in the province were required to

include the expected pay or pay range for a specific job opportunity they advertised publicly.

First Nations women living on reservations (where land was held communally) had matrimonial property rights. First Nations could choose to follow federal law or enact their own rules related to matrimonial real property rights and interests that respected their customs.

In March, the government enabled persons convicted of abortion-related offenses under the criminal code prior to 1988 to be eligible for expungement.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of the government.

Cost was cited as the most important barrier to contraception access in the country, particularly for young and low-income women and Indigenous women in northern or remote communities, where menstrual products and other imported consumer goods cost significantly more than in southern and urban communities.

In April, British Columbia became the first province to cover the cost of most forms of prescription birth control. Funding over the next three years was allotted for coverage of prescription contraception for residents enrolled in the province's health services plan.

In September, the government launched the Menstrual Equity Fund, a national pilot to help make menstrual products more readily available and accessible to those who struggled to afford menstrual products. It also aimed to remove barriers and stigma faced by persons when accessing menstrual products. In December, federally regulated employers were required to make menstrual products available to workers at no cost while they were in the workplace.

The government provided access to sexual and reproductive health-care services for survivors of sexual violence in hospitals and through dedicated sexual assault care centers, including emergency contraception as part of clinical management of rape. Postexposure prophylaxis was available but access to it varied among and within provinces.

A 2017 medical study reported Indigenous women had twice the risk of maternal mortality of the national average and a higher risk of adverse outcomes, including stillbirth, perinatal death, low-birth-weight infants, prematurity, and infant deaths.

The country's birth rate among girls and women ages 15 to 19 was 4.9 per 1,000 in 2021, the latest available figure, but varied widely by province. In the rural northern territory of Nunavut, where 86 percent of the population was Indigenous, the rate was 74.4 per 1,000. The country's national statistical agency cited low income, overcrowded or inadequate housing, lack of a high school diploma, and lack of access to sexual health education

and contraception as social determinants of higher birth rates among Indigenous adolescents.

In June, the Ontario Health Insurance Plan reversed its stance and decided to fund gender-affirming surgery for Nathaniel Le May, an Ottawa public servant who accused staff at Ontario's publicly funded insurance plan of discrimination after he was denied coverage for a procedure for nearly one year. Originally, the insurance organization repeatedly denied funding the surgery unless it was performed in tandem with a vaginectomy, which removes the vagina, and which in turn necessitates a hysterectomy, owing to cervical cancer risks. Le May did not want these additional surgeries, arguing they would amount to forced sterilization.

Systemic Racial or Ethnic Violence and Discrimination

The constitution, the law, and federal and provincial human rights laws provided for equal rights, protection of members of racial or ethnic minorities or groups from violence and discrimination, and provided redress. The law and regulations prohibited discrimination with respect to employment or occupation based on race, color, ethnicity, and national origin or citizenship. The federal Canadian Race Relations Foundation coordinated and facilitated public education and research and developed recommendations to eliminate racism and promote harmonious race relations. The government enforced the law effectively.

There were reports of increased discrimination and violence against members of ethnic minority groups and reports of racial profiling by police. The increase was largely the result of incidents targeting race or ethnicity and sexual orientation.

The Vancouver Police Department reported vandalism such as graffiti with anti-Asian hate messages and symbols increased by 455 percent since the start of the COVID-19 pandemic.

In March, the Toronto District School Board passed a motion to make caste a protected category alongside race, gender, sexuality, and other identities. This social classification, which had spread to the diaspora, resulted in cases of discrimination.

In June, York University released the results of a Black Canadian National survey, which found that 75 percent of Black Canadian respondents said they had experienced racism in the workplace and 47 percent believed they had received unfair treatment by an employer in hiring. The survey also found that 90 percent of Black Canadian respondents considered racism in the criminal justice system a serious problem.

In July, the RCMP charged Patrick Gordon Macdonald with participating in the activity of a terrorist group, facilitating terrorist activity, and willfully promoting hatred. Macdonald also faced terrorism and hate charges after allegedly creating propaganda videos for a neo-Nazi, white-supremacist

group.

Indigenous Peoples

Sources of tension between Indigenous and other communities included disputes regarding land claims, self-government, treaty rights, taxation, duty-free imports, fishing and hunting rights, and alleged police brutality and harassment. Indigenous persons remained underrepresented in the workforce, leadership positions, and politics. They were disproportionately affected by suicide, poverty, chronic health conditions, sexual violence, human trafficking, and other violent crime, and overrepresented on welfare rolls and in prison populations. Federal law required equal pay for equal work for Indigenous workers in federally regulated industries.

The law recognized and specifically protected Indigenous rights, including rights established by historical land claims settlements. Treaties with Indigenous groups formed the basis of the government's policies in the eastern part of the country, but there were legal challenges to the government's interpretation and implementation of treaty rights.

Indigenous groups in the western part of the country that never signed treaties continued to claim land and resources, and many Indigenous groups continued to seek legal resolution of outstanding problems. As a result, the government's policy toward Indigenous rights, particularly land claims, was affected by negotiation and legal challenges.

The law imposed statutory, contractual, and common-law obligations to consult with Indigenous groups on the development and exploitation of natural resources on land covered by treaty or subject to Indigenous land claims. Supreme Court decisions affirmed that Indigenous title extended to territory used by Indigenous persons for hunting, fishing, and other activities prior to contact with Europeans, as well as to settlement sites. Provincial governments and the federal government could develop natural resources on land subject to Indigenous title but were obliged to obtain consent of the Indigenous titleholders in addition to complying with constitutional duties to consult, and where necessary, accommodate Indigenous groups in matters that affected Indigenous rights. If governments could not obtain consent, they could proceed with resource development only if based on a “compelling and substantial objective” in the public interest, in which the public interest was proportionate to any adverse effect on Indigenous interests. The court established that Indigenous titles were collective in nature.

In April, the Onion Lake Cree Nation, which straddles the Saskatchewan and Alberta borders, filed a suit in a Saskatchewan court that claimed the Saskatchewan First Act passed by the provincial government in March breached its treaty, constitutional, and inherent rights. The First Nation said the act, which asserted the primacy of provincial control over natural resources vis-à-vis the federal government, was adopted without consulting it. In 2022, the First Nation filed a suit against similar legislation passed by

the Alberta government. Courts had not heard either suit by year's end.

In August, a Quebec Superior Court judge authorized a class action suit against three doctors accused of sterilizing Atikamekw women from a remote northern Quebec region without their consent. The authorization stated the two lead plaintiffs gave birth five times in an unnamed hospital outside their region and were allegedly given tubal ligations after their fifth births. The lawsuit demanded unspecified damages. In response, the physicians asserted that requiring consent would interfere with the right of doctors to make their own decisions when delivering care to patients. The judge ruled that all Atikamekw women who were forcibly sterilized at that location from 1980 onwards could be included in the class action. Partners, caregivers, children, grandchildren, and other rightful heirs were also included in the suit. A 2022 report titled "Consentement libre et éclairé et les stérilisations imposées de femmes des Premières Nations et Inuit au Québec" (Free and Informed Consent and Forced Sterilizations of First Nations and Inuit Women in Quebec), asserted that 55 Indigenous women were victims of forced sterilization or obstetric violence in the province between 1980 and 2019.

The federal government took multiple steps to address the issue of missing and murdered Indigenous women and girls (MMIWG). In January, a roundtable between 250+ Indigenous representatives and federal, provincial, and territorial ministers on MMIWG and LGBTQI+ persons took

place to improve national dialogue and cross-jurisdictional collaboration, discuss areas of success, highlight areas of future focus related to MMIWG, including the perspectives from Indigenous women, girls and LGBTQI+ persons, family members and survivors. Publicly funded Family Information Liaison Units, available since 2016 to provide specialized services to families of missing and killed Indigenous individuals, were available through victim services and Indigenous community organizations in every province and territory.

British Columbia Province increased its total investment in a fund created in 2022 to combat violence against Indigenous women and girls to more than 10.8 million Canadian dollars (CAD) (\$7.8 million).

Children

Child Abuse: There were laws against child abuse, and the government generally enforced them effectively.

A report published by Children First Canada in August found that 20 percent of persons interviewed had experienced some form of child abuse before age 15. Children with intellectual disabilities were at a risk approximately three and one-half times higher than their peers of experiencing sexual abuse. Indigenous youth younger than 15 reportedly experienced physical and or sexual abuse by an adult perpetrator at more than two times the rate of non-Indigenous youth.

Child, Early, and Forced Marriage: The law established 16 as the legal minimum age of marriage with parental consent. The government enforced the law effectively.

Sexual Exploitation of Children: The law prohibited the commercial sexual exploitation of children; the sale, offering, or procuring of children for commercial sex; and practices related to child pornography. Grooming of minors did not carry criminal penalties, but communication with a child through a computer system to commit a sexual offense (termed “luring a child”) was a criminal offense. The minimum age of consensual sex was 16. Authorities enforced the law effectively.

Children, principally teenage girls, were exploited in sex trafficking. The country was a destination for child sex tourism. Indigenous children, at-risk youth, runaway youth, LGBTQI+ children, and youth in the child welfare system were at high risk for trafficking. Persons convicted of child sex trafficking crimes faced five to 14 years’ imprisonment. The sentence for receiving a financial or other material benefit derived from a child sex trafficking crime was two to 14 years in prison. The penalty for soliciting or obtaining the sexual services of a child younger than 18 was six months’ to 10 years’ imprisonment.

The law prohibited accessing, producing, distributing, and possessing child pornography. Maximum penalties for conviction ranged from 18 months’ imprisonment for summary offenses to 10 years’ imprisonment for

indictable offenses.

Antisemitism

Approximately 1.25 percent of the population was Jewish. According to authorities, 502 hate crimes against the Jewish community were reported to police in 2022. The B'nai Brith Canada League for Human Rights received a total of 2,769 reports of antisemitic incidents in 2022 (the most recent available data), a total similar to 2021. Approximately 74 percent of the incidents occurred online.

In October, a Quebec court released Gabriel Sohier Chaput on bail pending an appeal of his 15-month prison sentence followed by three-years' probation handed down in September for willful promotion of hatred for an article disparaging Jews he wrote for the neo-Nazi website *The Daily Stormer*. The sentence exceeded a joint recommendation by prosecution and defense attorneys for a lesser penalty. The defense alleged the judge erred in rejecting the joint recommendation which the country's supreme court had ruled should only occur "where the proposed sentence would be viewed by reasonable and informed persons as a breakdown in the proper functioning of the justice system."

The federal government terminated a contract with the Community Media Advocacy Centre in September after it had previously granted the group more than CAD 122,000 (\$90,600) for projects to help combat racism. The

federal government took the measure a few days after media reported a senior consultant had posted antisemitic content on X (formerly Twitter).

Ontario implemented mandatory Holocaust education in Grade 6 starting with the 2023-24 school year. In October, British Columbia announced it would implement mandatory Holocaust education in the grade 10 social studies curriculum beginning in the 2025-26 school year.

In May, Newfoundland and Labrador adopted the International Holocaust Remembrance Alliance's working definition of antisemitism. In 2022, four provinces – Alberta, Manitoba, New Brunswick, and Saskatchewan – officially adopted the alliance's definition of antisemitism, joining Ontario and the federal government.

For further information on antisemitic incidents in the country, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise their freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based

on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: Consensual same-sex sexual conduct between adults, cross-dressing, and other sexual or gender characteristic-related behaviors were legal. Seemingly neutral laws were not disproportionately applied to LGBTQI+ persons.

In March, the government made historic indecency convictions under the criminal code eligible for expungement. The government added offenses relating to bathhouses, nightclubs, and swingers clubs, largely considered to be safe spaces for LGBTQI+ communities, to the list of those eligible for expungement. Previously, the law had resulted in convictions of owners, employees, and patrons for indecency-based offenses. Individuals with these convictions could apply for an expungement order without charge under the 2018 Expungement of Historically Unjust Convictions Act, which allowed for permanent destruction of “historically unjust records of conviction.”

Violence and Harassment: There were reports of violence against LGBTQI+ persons, but the government generally implemented laws criminalizing such acts. There were approximately 490 hate crimes across the country targeting sexual orientation, a 12 percent increase compared with 2021.

In March, an Ottawa-based transgender rights advocate, Fae Johnstone,

faced extensive online harassment for her role in a Hershey Canada campaign for International Women's Day. After learning of Johnstone's involvement, some social media users personally attacked Johnstone and called for a boycott of Hershey products.

In June, a University of Waterloo student attacked a professor and two students with large knives in what police believed was a hate-motivated incident targeting a gender-studies class. Geovanny Villalba-Aleman, who recently graduated from the university, was charged with aggravated assault, assault with a weapon, and possession of a weapon for a dangerous purpose. In September, Deputy Director of Public Prosecutions George Dolhai declared the charges against Villalba-Aleman constituted terrorism.

In August, Wisdom2Action, an LGBTQI+-owned social enterprise nongovernmental organization (NGO) specializing in equity, diversity, and inclusion, directed by Fae Johnstone, reported an increase in online hate against LGBTQI+ organizations, including comments on organizational social media pages, hate-filled emails, statements made during virtual events, postings on public sites, and threats to escalate online hate to in-person violence.

In November, Monique LaGrange, a school board trustee in Red Deer, Alberta Province, resigned after the board disqualified her for violating sanctions placed on her by the board in September for a homophobic social media post. In the post, LaGrange compared the participation of children in

LGBTQI+ pride activities to “brainwashing” of youth in Nazi Germany. The school board stated LaGrange continued to violate board policy and the provincial Education Act after the post that led it to disqualify LaGrange from her position.

Discrimination: The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics and recognized LGBTQI+ individuals, couples, and their families. The government enforced these laws effectively. A 2022 Canadian Labour Congress report found 73 percent of gender-diverse respondents reported multiple forms of harassment and violence in the workplace. LGBTQI+ respondents were also more likely to have experienced harassment and violence, particularly sexual harassment and violence. A 2020 Canadian Community Health Survey that studied earnings by lesbian, gay, and bisexual individuals in the labor market also found these populations were more likely to earn lower incomes, experience more discrimination in the workplace, and face higher barriers to recruitment and promotion compared with their heterosexual counterparts. A 2020 Trans PULSE Canada survey report on transpersons and nonbinary persons found that fewer than half of transgender respondents were employed full-time.

In September, the Canadian Civil Liberties Association filed a lawsuit against the province of New Brunswick’s changes to school gender-identity policy. The suit followed New Brunswick Education Minister Bill Hogan’s decision in

June to change a policy to make it mandatory for staff to obtain parental consent before using the chosen names and pronouns of children younger than 16. In August, the province of Saskatchewan announced it would also require parents to consent for students younger than 16 to assume new pronouns or a new name.

Availability of Legal Gender Recognition: The law permitted nonbinary persons to identify their gender as “X” on official federal government documents such as passports, citizenship certificates, and permanent resident cards. The majority of provinces and territories offered “X” as a gender option for nonbinary individuals on legal provincial and territorial documents, except for Saskatchewan, Nunavut, and New Brunswick, which offered only male or female as gender identifiers. Saskatchewan permitted the issuance of a birth certificate with the gender marker hidden.

In October, the government of Saskatchewan passed a Parents’ Bill of Rights law that required schools to secure parental consent for any change to a student’s pronouns or gendered name for students younger than 16. The province used an override or notwithstanding clause in the country’s constitution to allow a province to shield a law from constitutional challenge for five years. The law codified a pronoun policy implemented by the province in August that LGBTQI+ advocacy organizations UR Pride Centre for Sexuality and Gender Diversity and Egale Canada had sought to suspend with a legal injunction. In October, the provincial government applied to

dismiss the request for an injunction on the grounds the government had rescinded the policy which had been overtaken by the law.

In most provinces and territories, a letter from a medical practitioner or health-care professional was required for a legal gender change. In Alberta, Ontario, and Manitoba, no supporting documentation or medical requirements were needed for a legal gender change.

Involuntary or Coercive Medical or Psychological Practices: The law prohibited conversion therapy, including profiting from, promoting, or advertising the practice, and taking a child out of the country to receive it. The law did not specifically extend to individuals outside the country providing virtual conversion therapy to citizens. There were no reports that medically unnecessary and irreversible “normalization” surgeries were performed on children or on nonconsenting adult intersex persons.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no restrictions on freedom of expression, association, or peaceful assembly with respect to LGBTQI+ matters.

Persons with Disabilities

The law prohibited discrimination against persons with physical, sensory, intellectual, and mental disabilities. Persons with disabilities could access education, employment, health services, transportation, the judicial system, and other state services on an equal basis with others. Children with

disabilities attended school with peers without disabilities. Federal and provincial governments effectively implemented laws and programs mandating access to public buildings, information, and communications in accessible formats for persons with disabilities, but regulation varied by jurisdiction. The government enforced these provisions effectively. The law, including the Accessible Canada Act, required employers and service providers to “identify, remove, and prevent” accessibility barriers in areas under federal jurisdiction.

In March, the Office of the Auditor General of Canada released a report on “Accessible Transportation for Persons with Disabilities.” According to the report, the percentage of managers and executives who did not complete their mandatory accessibility training on time was 39 percent at VIA Rail and 31 percent at the Canadian Air Transport Security Authority (CATSA). From 2017 to 2022, CATSA miscategorized more than 1,000 complaints, many of which were made by or on behalf of persons with disabilities, as operational rather than related to a person with a disability.

In June, the federal government passed the Canada Disability Benefits Act, which established the Canada Disability Benefit to support the financial security of working-age persons with disabilities and to reduce poverty.

In August, Warman, in Saskatchewan Province, became the first city in the province to require updated disability signage. With advocacy led by Tracy Johnson, a para-athlete and former university basketball player with a

prosthetic leg, many signs across the city were updated to be more disability-inclusive and indicate better accessibility, particularly in areas such as parking spaces.

NGOs advocating for disability rights reported persons with disabilities experienced higher rates of unemployment and underemployment, lower rates of job retention, and higher rates of poverty and economic marginalization than others, although federal law required equal pay for equal work in federally regulated industries. Persons with disabilities were at increased risk of human trafficking. Mental-disability advocates asserted the prison system was not sufficiently equipped or staffed to provide the care necessary for persons in the criminal justice system with mental disabilities, resulting in cases of segregation and self harm.

Other Societal Violence or Discrimination

The law and regulations prohibited discrimination with respect to employment or occupation based on religion. The province of Quebec restricted the wearing of visible religious symbols – including hijabs, kippahs, turbans, and crosses – by certain public-sector employees in the province to enforce a policy of religious neutrality regarding provincial public services. There were reports of societal violence and discrimination against members of minority, racial, and religious groups not covered above, as well as reports of desecration of these communities' holy sites and houses of

worship. The government generally effectively implemented the law criminalizing such behavior.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

Federal and some provincial laws, including related regulations and statutory instruments, provided for the right of workers in both the public and the private sectors to form and join independent unions, conduct legal strikes, and bargain collectively. Bargaining units had access to mediation at any time and the choice of binding arbitration or conciliation to resolve disputes with employers. Workers in essential services had recourse to mediation and binding arbitration if labor negotiations failed. The law prohibited antiunion discrimination and provided for reinstatement of workers fired for union activity. There were no reports of antiunion discrimination or other forms of employer interference in union functions.

Federal labor law applied in federally regulated sectors, which included the federal public service and parliament as well as industries of extraprovincial or international character. These industries employed approximately 10 percent of workers.

The law required the government and a bargaining unit in a federal or

federally regulated industry to negotiate an essential services agreement. This agreement defined an essential service and identified the number and type of employees and the specific positions within the bargaining unit necessary to provide the essential service. The essential workers designated in the agreement consequently did not have the right to strike. If the parties were unable to agree, either party could apply to the independent Federal Public Sector Labour Relations and Employment Board for a resolution.

Provincial and territorial governments regulated and were responsible for enforcing their own labor laws in all occupations and workplaces that were not federally regulated. There were categories of workers excluded from statutory protection of freedom of association in several provinces. Some provinces restricted the right to organize. For example, agricultural workers in Ontario and Quebec had the right to form associations but were excluded from unionization, collective bargaining, and the right to strike.

The government generally effectively enforced freedom of association, the right of collective bargaining, and the right to strike. The government also effectively enforced other applicable laws and regulations, including with remedies and penalties such as corrective workplace practices and criminal prosecution for noncompliance and willful violations. Penalties were generally sufficient to deter violations, were commensurate with those for other laws involving denials of civil rights, and were regularly applied to violators. Administrative and judicial procedures were not subject to

lengthy delays and appeals.

In July, the Manitoba Court of Appeal upheld a 2022 ruling by a lower court that the Manitoba government interfered in collective bargaining between the University of Manitoba and the University of Manitoba Faculty Association in 2016. The lower court found that a one-year wage freeze imposed by the province late in the bargaining process violated the association's right to meaningful collective bargaining and contributed to an avoidable 21-day strike. The court ordered the provincial government to pay the association CAD 19.4 million (\$14.3 million) in damages.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibited all the worst forms of child labor. In federally regulated sectors, children younger than age 17 could work only when they were not required to attend school under provincial legislation, provided the work did not fall under excluded categories (such as working in a mine, on a vessel, or in the vicinity of explosives) and did not endanger health and safety.

Children could not work in any federally regulated sector between 11 p.m.

and 6 a.m.

The provinces and territories had primary responsibility for regulating child labor, and minimum age restrictions varied by province. Enforcement occurred through the application of laws covering employment standards, occupational safety and health (OSH), and education, as well as regulations regarding vocational training, child welfare, and the licensing of establishments to sell alcohol. Most provinces restricted the number of hours of work to two or three hours on a school day and eight hours on a nonschool day and prohibited children ages 12 to 16 from working without parental consent, after 11 p.m., or in any hazardous employment.

Authorities effectively enforced child labor laws and policies. Federal and provincial labor ministries carried out child labor inspections proactively and in response to formal complaints. Penalties were commensurate with those for analogous crimes, were sufficient to deter violations, and were regularly applied against violators.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law did not provide for a national minimum wage. Employees received the minimum wage of the province or territory where they were employed. The law applied a federal minimum wage for

workers across the country in federally regulated sectors. If the minimum wage of a province or territory was higher than the federal minimum wage, the law required employers to pay federally regulated workers the higher minimum wage in that jurisdiction. The government used the Market Basket Measure as its first official poverty line, and the minimum wage was less than the poverty line for a family of four, notably in urban centers.

Standard work hours, premium pay for work above the standard workweek, and the threshold for premium pay varied by province, but the limit for standard work hours was 40 or 48 hours per week, with at least 24 hours of rest. Some workers, e.g., in agriculture and highway transport truck drivers, had a higher threshold for standard work hours, and regulated professionals such as physicians, pharmacists, dentists, lawyers, and public accountants, as well as managers and supervisors, were exempt from overtime pay.

Other categories of workers had specific employment rights that differed from the standard and varied by province on hours of work, including commercial fishermen, oil-field workers, loggers, home caregivers, professionals, managers, and some sales staff. There were reports of employees working unpaid overtime in knowledge and technology sectors, in retail and live-in caregiving, as well as among part-time workers.

Occupational Safety and Health: Federal law provided occupational safety and health standards for employees under federal jurisdiction. Provincial and territorial legislation provided for all other employees, including foreign

and migrant workers. Standards were appropriate for the industries they covered. Responsibility for identifying unsafe situations resided with authorities, employers, and supervisors, not the worker. Inspectors proactively conducted workplace visits to raise awareness of hazards; advise parties of their rights, duties, and obligations; and promote and assist with compliance. Inspectors visited reactively in response to fatalities, injuries, and complaints.

Federal, provincial, and territorial laws protected the right of workers with “reasonable cause” to refuse dangerous work and to remove themselves from hazardous work conditions, and authorities effectively enforced this right. The government also promoted safe working practices and provided training, education, and resources through the Canadian Center for Occupational Health and Safety, a federal agency composed of representatives of government, employers, and labor.

Violations of OSH standards varied by industry and workplace. In 2020 (latest available statistics), postal services, road and air transportation, handling agricultural products, longshoring and port operations, and shipping and ferries were categories of workers that reported the highest number of disabling injuries in the federally regulated sector. In February, an Ontario court heard charges against Ottawa fuel handling company Eastway Tank, Pump, and Meter and its owner Neil Greene for OSH violations that resulted in the deaths of six employees in an explosion in

January 2022. The Ontario Ministry of Labor laid charges against Eastway Tank which carried maximum penalties of CAD 1.5 million (\$1.1 million), and against Greene which carried penalties of CAD 100,000 (\$73,980), a prison sentence of up to 12 months, or both. Separately, the Ottawa Police Service opened an investigation, which remained underway as of November.

Wage, Hour, and OSH Enforcement: The government effectively enforced minimum wage rates, overtime, and OSH laws. Penalties were generally sufficient to deter violations and commensurate with those for similar crimes. The federal Department of Employment and Social Development was responsible for regulation and enforcement of wage and hour standards in federally regulated sectors across the country. Departments of labor, training, and employment in each province and territory regulated labor standards in all other employment sectors in their respective jurisdictions. Migrant workers in specific occupations, such as agriculture or caregiving, could be exempt from minimum wage, overtime, and other labor standards protections in specific provinces.

Federal and provincial labor departments conducted inspections through scheduled and unscheduled visits, in direct response to reported complaints, and at random. Inspectors had authority to require remedies and initiate sanctions including fines, suspensions, or closures. Penalties for employers were monetary or criminal, with prison terms of up to 12 months for severe violations, and were regularly applied against violators. Fines for violations

of labor codes or regulations increased based on the number and frequency of offenses. The Labour Program published information regarding employers who violated the labor codes.

Some trade unions claimed limited resources and an insufficient number of inspectors hampered enforcement efforts, including delays in addressing complaints. The Ontario Public Service Employees Union, which represented approximately 400 government health and safety inspectors in the province, reported the province's inspection regime was "deeply flawed and underfunded." NGOs reported migrants, especially agricultural migrant workers, recent immigrants, young workers, and the unskilled were vulnerable to violations of the law on minimum wage, overtime pay, unpaid wages, and excessive hours of work. NGOs also alleged persons were discouraged from filing complaints due to restrictions on the types of labor complaints accepted for investigation and delays in processing cases. Restrictions varied among provinces in provincially regulated industries, and there were time limits on filing complaints.

The size of the informal sector was 11.2 percent of the workforce, according to World Economics data. Workers in the informal economy were considered independent contractors and not protected by standard labor laws, including minimum wage, time off, vacation pay, sick leave, or the right to refuse unsafe work.