

United Nations Human Rights Committee Urges Canada to End the Second Generation Cut-Off and Eliminate Discrimination Against Indigenous Women

(xʷməθkʷəyəm (Musqueam), Skwxwú7mesh (Squamish) and səliłwətał (Tsleil Waututh)/ Vancouver, B.C. – March 24, 2026) - Yesterday, the United Nations Human Rights Committee recommended that Canada “eliminate the remaining discriminatory effects of the *Indian Act* on indigenous women and their descendants” by “adopting proposed amendments [in Bill S-2] concerning the second-generation cut-off rule.”

The Committee issued its [Concluding Observations](#) following the review of Canada’s seventh periodic report on compliance with the *International Covenant on Civil and Political Rights*. The review took place in Geneva on March 3-4, 2026. Canada ratified the *Covenant* in 1976.

The Senate of Canada recently amended *Bill S-2, An act to amend the Indian Act*. These amendments, if adopted by the House of Commons in the coming weeks, would have the effect of removing the second generation cut-off from the *Indian Act*, and ending Canada’s policy of forced assimilation. However, the Government of Canada is stalling and has indicated its opposition to these amendments. The Indian Act Sex Discrimination Working Group (the Working Group)¹ which includes the leading plaintiffs in the court and UN petitions that have challenged *Indian Act* sex discrimination, along with First Nations organizations and advocates, [informed](#) the United Nations Human Rights Committee of Canada’s continued reluctance to end this discrimination. In its Concluding Observations, the Committee urged Canada to end this discrimination by adopting the amended Bill S-2.

The Working Group urges the Government of Canada to heed the calls of the UN Human Rights Committee to support the Senate’s amendments to the Bill S-2 and remove the second generation cut-off without delay.

The Committee’s recommendation follows the 2024 [recommendations](#) from the UN Committee on the Elimination of Discrimination against Women (CEDAW) to end sex discrimination in the *Indian Act* and remove the second generation cut-off immediately. The Human Rights Committee also issued a [decision](#) in 2019 on the *Mclvor* petition, in which the Committee found that the *Indian Act* discriminates against women and their descendants, and recommended restoration of entitlements to all those affected.

Sharon Mclvor, a member of the Lower Nicola Band, and the plaintiff in *Mclvor v. Canada*, said, “It is crystal clear that, in order to fulfill the rights of Indigenous women, and the rights of Indigenous

¹ The Indian Act Sex Discrimination Working Group is an advocacy body of organizations and women experts from across Canada who convene in pursuit of full recognition of citizenship and human rights of First Nations women and their descendants who have been discriminated against under the Indian Act, and for repair of all its harms. Organizational members include the Union of BC Indian Chiefs, the Ontario Native Women’s Association, Quebec Native Women, Justice for Girls, and the Feminist Alliance for International Action.

Peoples, Canada must immediately end the sex discrimination in the *Indian Act*, remove the second generation cut-off and ensure equal enjoyment of rights and entitlements that are linked to status. Canada has a chance to do this in the coming weeks by supporting the Senate's amendments to Bill S-2, which is currently in Parliament. I hope the Government of Canada will listen this time - to Indigenous women, to Indigenous communities, and to the United Nations experts."

Zoë Craig-Sparrow, a member of the Musqueam Band and Vice-President of Justice for Girls, said: "I am deeply encouraged by having been listened to, and heard, by the world's human rights experts. Although I come from a long line of Indigenous people and was born and raised on my territory, my children will not have status, and will not be entitled to any of its benefits. For me, and thousands like me, the Government of Canada needs to end the second generation cut-off now. This discrimination and assimilation has gone on long enough."

To learn and to take action, see:

- [Parliamentary Petition e-7200](#), launched by Sharon McIvor
- [Amnesty International](#) Letter Writing Campaign
- www.endthecutoff.ca

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