

Human Rights Council 41st session

Item 3 – Interactive Dialogue with the Special Rapporteur on Right to Health

June 2019

Thank you Mr. President

Action Canada makes this statement also on behalf of the Sexual Rights Initiative.

We welcome the Special Rapporteur on Health's report on his recent visit to Canada and his attention to the need for Canada to adopt a rights-based approach to the organization and delivery of health services across the country. We echo his reminder that even with different health systems in the provinces and territories, the obligation to respect, protect and fulfill the right to health remains with Canada as a whole. The federal government cannot shirk its responsibilities in this regard and has a particular role to play in improving accountability mechanisms, reforming harmful criminal laws and establishing avenues for seeking effective remedies when the right to health is violated, particularly for those subject to multiple and intersecting forms of discrimination.

This is especially urgent within the context of violations of the right to sexual and reproductive health in Canada. The continued criminalization of sex work and non-disclosure of HIV status is in direct contradiction of health and human rights best practices and standards, scientific evidence and the expressed voices of those most affected. Denial of sexual and reproductive health information and services on the grounds of conscience or religion occurs across the country with impunity. Despite progress on access to medical abortion, lack of access to safe, timely and free abortion care for women and girls living in rural, remote and northern communities as well as those with precarious immigration status remains a significant challenge. There have even been documented retrogressive measures in relation to comprehensive sexuality education in Ontario which has been the subject of an official communication by the Special Procedures.

We call on Canada to heed the Special Rapporteur's recommendations to:

1. Integrate rights-based criteria for federal funding under the Canada Health Transfer
2. Decriminalize sex work and HIV non-disclosure
3. Ensure that all girls and women in Canada, including migrants and Indigenous women, have access to sexual and reproductive health information and services, including safe abortion, across provinces and territories, regardless of conscientious objections.
4. Continue to engage in dialogue with the Government of Ontario to reverse its retrogressive measures in relation to comprehensive sexuality education.

I thank you.