

Written submission for 2023 pre-budget consultations



Action Canada
for Sexual Health & Rights



Recommendations

Ensure Abortion Access is Guaranteed

1. Strengthen all available means to support the provinces and territories to uphold the tenets of the Canada Health Act in regards to sexual and reproductive health care and especially abortion care.
2. Create a permanent Sexual Health Transfer following the model of Canada's Mental Health Transfer to assist jurisdictions to expand the delivery of high-quality and accessible sexual and reproductive health services, including abortion care.
3. Make permanent the existing Health Canada SRHR Fund that invests in the SRHR sector including feminist, 2SLGBTQIA+ and social justice civil society organizations to enable their participation in SRHR policy development and their ability to increase access to sexual and reproductive health care for all.
4. Regularize all undocumented migrants and establish permanent resident status for all 1.7 million people without it, recognizing that precarious immigration status is an ongoing barrier to abortion access.

Make Contraception and Comprehensive Sexual Health Education Available to All

5. Include the full range of sexual and reproductive medicines, commodities, and devices in the list of products defined by the national formulary for pharma care coverage.
6. Establish an expert working group to advise on how Canada can ensure that all young people have access to comprehensive sexuality education in line with evidence-based guidelines.
7. Allocate funds to the Public Health Agency of Canada to develop a template sexuality education curriculum that would set the standard for provincial curricula and meet evidence-based guidelines.
8. Permanently fund the regular monitoring of sexual health indicators through the National Sexual Health Survey.

Advance Sexual Health and Rights in the Face of Anti-Rights Organizing

9. Commit the promised \$10 million to Health Canada to create and publicize an information portal to increase the public's access to accurate, evidence-based information on sexual and reproductive health including on abortion and on gender-affirming care to directly counter misinformation disseminated by crisis pregnancy centres and anti-rights groups.
10. Increase overseas development aid to meet the internationally agreed target of 0.7% GNI within five years and maintain the 500 million commitment to the neglected areas of SRHR including safe abortion, contraceptive care, adolescent SRHR including comprehensive sexuality education, and advocacy for SRHR.
11. Increase core financial support to multilateral institutions and civil society organizations that advance the human rights dimensions of SRHR, specifically UNFPA and the Office of the High Commissioner for Human Rights.
12. Establish and adequately resource an independent investment fund to provide long-term sustainable funding to women's rights organizations in Canada.



Action Canada for Sexual Health & Rights¹ is a charitable human rights organization committed to advancing sexual and reproductive health and rights (SRHR) in Canada and globally through policy advocacy, research, and health promotion.

Sexual and reproductive health and rights (SRHR) encompasses the full range of human rights related to sexuality, gender and reproduction, including sexual and reproductive health. SRHR is premised upon the human rights of all persons to make free and informed decisions about their sexual and reproductive lives without violence, coercion, and discrimination. SRHR includes not only the absence of illnesses, but also physical, emotional, mental, and social well-being related to sexuality and reproduction. Addressing the full range of SRHR needs of all people throughout their lives is essential to ensuring a just society and fulfilling everyone's right to life, health, equality, and a life free from discrimination. Canada has made significant investments over the last number of years in support of the SRHR sector, STBBI testing and awareness and global SRHR advocacy. However, gaps remain, with several areas requiring closer attention and higher levels of investment.

Ensure abortion access is guaranteed

The overturning of Roe V Wade highlighted the strength of Canada's legal framework to protect abortion through its regulation as an insured medical service. Yet barriers to accessing abortion remain due to an individual's lack of financial resources, geographic location, age, and race, among other factors. Only one out of every six hospitals provide surgical abortion services², the majority of which, along with free standing sexual health clinics, are located in urban areas. 20% of people in Canada live in rural areas, where they must travel sometimes thousands of kilometres to access abortion services, which often require timely care. While the introduction of medication abortion has significantly increased the number of abortion providers, and the use of telemedicine has helped increase options for access³, many still face significant barriers to abortion care. Through the Canada Health Act and the federal health care transfer system, the federal government can incentivize provincial action in support of greater abortion care, as well as penalize provinces who do not meet the standards of accessibility defined by the Act. Existing penalties have been insufficient to remedy existing access issues and so, we recommend strengthening measures to enforce the Canada Health Act. Moreover, the government should follow the model it has established for mental health transfers, and assign a ring-fenced sexual health transfer, appropriate to regional need and in negotiation with the provinces and territories, to provide regular increased financial support to ensure all jurisdictions have the capacity to scale up sexual health service provision to meet the needs of their populations, including abortion services.

Action Canada runs a toll-free sexual health access line and a National Abortion Access Emergency Fund. Our programs support people in Canada to get information, referrals and financial support to access abortion services. This frontline work provides insight into what barriers to abortion look like for people in Canada and informs the kind of policies that would improve access to abortion for all, not just for some. Currently, almost 40% of those accessing financial and logistical aid to access abortion care are undocumented and/or uninsured. As we seek as a nation to improve access to abortion, we recommend that the government take immediate action to regularize all undocumented people in Canada to ensure access to healthcare and specifically, the ability to access abortion services.

Make contraception and comprehensive sexual health education available to all

To ensure that that people's sexual and reproductive rights are upheld in Canada, it is important to connect abortion to the larger context of people's ability to choose and plan their pregnancies, which requires access to contraceptive care and to sexual and reproductive health information.

Access to comprehensive contraceptive care is a human right and ensures individuals can freely decide how often, when, and if to become parents, as well as the spacing of their children. Right now, unintended pregnancies have a significant

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² Access at a Glance, Action Canada: <https://www.actioncanadashr.org/resources/factsheets-guidelines/2019-09-19-access-glance-abortion-services-canada>

³ How the pandemic is transforming abortion access, Canadian Medical Journal (2022): <https://www.cmaj.ca/content/cmaj/194/6/E223.full.pdf>



cost to Canadian health systems. Studies have shown⁴ that the annual cost of delivering universal contraception across Canada would be \$157 million, but the savings - for direct medical costs of unintended pregnancy alone - would be approximately \$320 million. It is crucial that as Canada develops the national formulary for the inclusion of drugs in the pharmacare plan that all forms of contraception, including emergency contraception, be included. What contraception people choose is determined by a wide variety of factors including side effects, medical history, privacy, personal preference and efficacy. As such, including coverage for all forms is essential to ensuring equitable access, informed consent and meaningful choice. Canada's formulary must also include drugs supportive of the full range of SRHR needs, for instance for HIV/AIDS, gender affirming care and fertility treatments.

Right now, the quality of sex-ed young people receive in Canada varies wildly⁵. Provinces have different sex-ed curricula, there is no system to monitor delivery or results, and educators receive little to no training to offer comprehensive sex-ed to their students. Sub-par sex-ed has real impacts: young people have the highest reported rates of STIs⁶, young women are eight times more likely than boys to be victims of a sexual offence⁷ and 2SLGBTQIA+ youth experience poorer mental health outcomes and higher instances of cyberbullying⁸. Canada has received several recommendations, including by United Nations (UN) Special Procedures and the UN Committee for the Rights of the Child, to address the discrepancies in access to sexual health education across jurisdictions. Federal leadership is required to address the situation. As a first step, the government should establish an expert working group to advise on a national strategy to ensure that all young people have access to sex-ed in line with the Canadian Guidelines for Sexual Health Education and UNESCO's Technical Guidance on Sexuality Education. We additionally recommend funding the establishment of a national template sex-ed curriculum and permanently funding the National Sexual Health Survey to monitor the impacts of sex-ed.

Advance SRHR in the face of rising anti-rights organizing

In recent years, we have seen the concurrent rise of anti-democratic leaders, populism and the intensification of attacks on sexual and reproductive rights⁹, women's rights and gender equality in several countries.

In Canada, there are over 300 documented anti-abortion organizations¹⁰ that seek to dissuade people from accessing safe abortion using a variety of tactics including disseminating misleading information. The government plays a critical role in directly addressing misinformation through the provision and promotion of judgment-free evidence-based health information, with which we saw great success and importance through the COVID-19 pandemic. Recent rises in abortion disinformation make the urgency to deliver this information even greater. We recommend that the government commit the promised \$10 million in health funding to establish a centralized sexual and reproductive health information portal for Canadians specifically addressing abortion misinformation and invest in research to identify trends in rising disinformation (such as with gender affirming care) which could also be targeted. We also see a serious need for sector stabilization to support the movement for women's rights and gender equality in order to sustain a vibrant civil society that enhances democracy. Therefore, we recommend an independent investment fund to provide long-term sustainable funding to the feminist movement.

In Canada and around the world, women human rights defenders and SRHR advocates rely on the UN Human Rights mechanisms to hold their governments accountable, shed light on human rights violations and set norms and standards on human rights related to sexuality and gender. As a champion of human rights and multilateralism, we recommend that Canada increase its core contributions to the Office of the High Commissioner for Human Rights which is facing chronic underfunding¹¹ to its basic operations and receives less than 4% of the overall UN budget despite human rights

⁴ Estimated cost of universal public coverage of prescription drugs in Canada, Canadian Medical Association (2015): <https://www.cmai.ca/content/187/7/491>

⁵ The State of Sex-ed in Canada, Action Canada (2020): https://www.actioncanadashr.org/sites/default/files/2020-04/8039_AC_StateofSexEd-2ndEd_F-Web_0.pdf

⁶ Population-Specific Status Report on HIV/AIDS and other STBIs among youth in Canada, PHAC (2014): <https://www.phac-aspc.gc.ca/aids-sida/publication/ps-pd/youth-jeunes/assets/pdf/youth-jeunes-eng.pdf>

⁷ Measuring Violence Against Women: Statistical Trends, Statistics Canada (2013): <https://www150.statcan.gc.ca/n1/pub/85-002-x/2013001/article/11766-eng.pdf>

⁸ Still in Every Class in Every School, Egale Canada (2021): <https://egale.ca/awareness/still-in-every-class/>

⁹ New waves of anti-sexual and reproductive health and rights strategies in the European Union, Sexual and Reproductive Health Matters (2019): <https://www.tandfonline.com/doi/pdf/10.1080/26410397.2019.1610281>

¹⁰ Anti-choice and Pro-choice Groups in Canada – a Comparison, Abortion Rights Coalition of Canada (2022): <https://www.arcc-cdac.ca/media/2020/06/Anti-choice-pro-choice-groups-charities.pdf>

¹¹ OHCHR Funding and Budget, OHCHR (2022): <https://www.ohchr.org/en/about-us/funding-and-budget>



being one of the three pillars the UN. We also recommend Canada increase its core contributions to related UN bodies and agencies including the WHO and UNFPA and use its diplomatic influence to encourage other States to do the same. Canada has already made significant contributions to support SRHR globally and to UNFPA and is recognized as a global leader in SRHR by other donor countries. The government must ensure that the 10-year commitment to global health remain ringfenced, and that 500 million of the 700 million for SRHR remain dedicated to supporting the neglected areas of abortion, contraception access, adolescent SRHR and advocacy.

Canada must take concrete actions to fulfil its obligations to respect, protect and fulfill sexual and reproductive rights of all persons and invest in feminist movements and organizations that are at the heart of social progress.

