



## POSITION STATEMENT

### CANAC HUMAN RIGHTS STATEMENT

#### **Background:**

According to UNAIDS and United Nations Office of the High Commissioner for Human Rights (2008), "effective responses to HIV are those based on respect for human rights, tolerance, and unimpeded access to HIV prevention, treatment, care and support".

The Canadian Human Rights Act (1977) states

...that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted.

#### **Position:**

The Canadian Association of Nurses in AIDS Care (CANAC) fully supports the Canadian Human Rights Act, particularly in terms of HIV/AIDS testing, education, prevention, treatment, care and support. However CANAC notes that the Act is applicable to all members of society except prisoners. Because many prisoners are affected by or infected with HIV, CANAC also calls for these rights to be extended to prisoners in terms of HIV/AIDS education, prevention, treatment, care, support and confidentiality of their medical status in both federal and provincial criminal justice systems. CANAC also recognizes that gender identity is an important issue and can be a discriminatory factor in people's lives.

Therefore, CANAC fully supports Human Rights to be extended to all people regarding access to HIV/AIDS education, prevention, treatment, care and support. CANAC also fully supports HIV testing to be offered to each member of society and to prisoners, noting that it is the right of each individual to choose to be tested or not.

#### **References**

Department of Justice Canada (1977). Canadian human rights act.

<http://laws.justice.gc.ca/eng/H-6/20110110/page-0.html?rp2=SEARCH&rp3=SI&rp1=human%20rights&rp4=all&rp9=cs&rp10=L&rp13=50#idhit1>

Office of the High Commissioner for Human Rights (2008). UNAIDS and OHCHR call for greater protection of the human rights of all persons regardless of sexual orientation or HIV status.

[http://www.unaids.org/en/media/unaids/contentassets/dataimport/pub/presstatement/2008/080226\\_humanrights\\_en.pdf](http://www.unaids.org/en/media/unaids/contentassets/dataimport/pub/presstatement/2008/080226_humanrights_en.pdf)

Prisoners' HIV/AIDS Support Action Network (2011). Basis of unity.

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UNAIDS Report on the Global AIDS Epidemic (2010). Global Report. Chapter 5.

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