

Thank you, Chair.

I am speaking on behalf of a large number of civil society organizations that submitted a joint statement concerning Canada's refusal to accept the Committee's jurisprudence on positive obligations under Article 6.

In paragraph 1 of the List of Issues, Canada was asked about follow-up to the Committee's Views in *Toussaint v. Canada*, which required measures to ensure access to essential health care for irregular migrants when their lives are at risk. Canada refers the Committee to its 2019 response, stating that it disagrees with the Committee's interpretation of the right to life as requiring socio-economic measures such as access to publicly funded health care, and will take no further action.

The response to *Toussaint* will be addressed in a later intervention. Here, we wish to emphasize the broader implications of Canada's position on the right to life across multiple sectors.

General Comment No. 36 affirms that article 6 requires positive measures to address the "general conditions in society" that give rise to threats to life, including homelessness, lack of access to health care, substance use, environmental degradation, and deprivation of Indigenous Peoples' lands and resources. These correspond directly to some of the most serious systemic human rights violations in Canada — violations linked to tens of thousands of preventable deaths in so affluent a country.

Yet in Charter litigation addressing these life-threatening conditions, Canadian governments have consistently urged courts not to recognize positive obligations to ensure the right to life in these areas.

If this restrictive interpretation continues to prevail in law and policy, the consequences for implementation of the Covenant — and for the lives of the most vulnerable in Canada — will be profound.

We therefore urge the Committee to provide clear direction that effective remedies must be available for systemic violations of the right to life, consistent with General Comment 36.

Thank you.