

The children in residential schools were powerless to take healing measures. They were denied access to traditional foods and to families, traditional healers, and communities who could have helped them, according to Aboriginal ways, to deal with the physical, mental, emotional, and spiritual elements of ill health. Because of the isolated location of many of the schools, students were also often denied access to ‘Western’ doctors and nurses. This double denial of health care, based in government policy, continues to this day, due to the relative isolation of many Aboriginal communities, many of which have no road access, and limited access to local health resources.

Health care is a right enshrined in international and constitutional law as well as in Treaties. The *United Nations Declaration on the Rights of Indigenous Peoples* recognizes that Indigenous peoples have the right to physical and mental integrity, as well as the right to equal enjoyment of the highest attainable standard of physical and mental health. In taking measures to achieve these goals, states are obligated to pay particular attention to the rights and special needs of Elders, women, youth, children, and persons with disabilities.¹⁰¹ Indigenous peoples have the right to be actively involved in developing, determining, and administering health programs that affect them.¹⁰² Indigenous peoples also have the right to traditional medicines and to maintain their traditional health practices.¹⁰³

The Numbered Treaties also established additional legal obligations concerning Aboriginal health and wellness.¹⁰⁴ The right to medical care was recognized in Treaties 6, 7, 8, 10, and 11.¹⁰⁵ Treaty 6 explicitly included provision of a “medicine chest” and relief from “pestilence.”¹⁰⁶ However, the right to health is not limited to these Treaties. The Treaty negotiations included many references to the protection of, and non-interference with, traditional ways of life.¹⁰⁷

Call to Action

- 18) We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law and constitutional law, and under the Treaties.

The health gap

There are troubling gaps in health outcomes between Aboriginal and non-Aboriginal Canadians. For example:

- The infant mortality rates for First Nations and Inuit children range from 1.7 to over 4 times the non-Aboriginal rate.¹⁰⁸