

# Mandatory HIV testing and medical examination designed to exclude 'abnormal' migrants to Canada

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A new landmark study finds that Canada's process of mandatory HIV screening of migrants is out of step with the OECD and ignores the

government's own policy on medical admissibility to Canada.

*Screening Out*, a first-of-its-kind study prepared as a book by Professor Laura Bisailon, University of Toronto, reveals major problems and gaps in Canada's [immigration policy](#), practice, and process, including exposing the private health information of thousands of applicants to misuse and prejudice.

Under Canada's official policy, HIV is not used to discriminate or impede a person's immigration. Yet, migrant applicants are required to undergo mandatory HIV [screening](#) by government appointed doctors. Test results are shared with bureaucrats who use HIV status to determine if and on what basis an applicant is 'normal' enough to settle here.

"Bureaucrats are using mandatory HIV screening to create 'risky' people and then decide who's too 'risky' to live and work here, despite the government's own policy that HIV does not officially prohibit settlement in Canada," Bisailon said.

"The practices happening in the [medical examination](#) and mandatory HIV screening support stereotypes that are informed by prejudice and are as such deeply concerning for everyone," she said.

Professor Bisailon's research found that prospective migrants opt-out of the application process because of the hurdles produced by Canada's medical screening process and information sharing practices.

"Migrant applicants who are HIV-positive are thrust into and endure a bureaucratic nightmare of re-testing, doling out a lot of money, and further medical scrutiny, along with uncertainty as to how their information is handled by the immigration department inside and outside Canada," Bisailon said.

"Anguish caused by the process can mean that people simply give up their application for Canadian residency," she said. "This is elimination by stealth."

Critically, Canada shares the private health information including HIV status of applicants with other governments, including Australia, New Zealand, the UK, and U.S..

"I spoke with applicants whose private medical information was exposed in their country of residence, such as Russia, where a person's HIV-positive status makes them illegal and deportable," said Bisailon.

"Other OECD countries, including Norway, Denmark and Sweden, use voluntary HIV testing to connect migrants to care and treatment, not to show them the door," she said. "A migrant's HIV status in those countries is a matter between patient and doctor."

Professor Bisailon said Canadians would not accept it for a minute if their medical privacy, a legal right, was broken systemically by the government.

"As Canadians, we should not accept differential, prejudicial and discriminatory practices directed at people applying to become productive members of our country," she said.

"Canada needs to face the empirical evidence and walk-the-talk on immigration. The current mandatory HIV screening process is positively brutal on applicants and deeply problematic for the immigration doctors and radiologists responsible for 925,000 medical examinations annually, the vast majority outside of Canada.

"The institutional practices associated with mandatory HIV testing and the medical examination also have implications beyond HIV, with

bureaucrats positioned to screen out migrants with conditions including Down syndrome and Asperger's syndrome.

"Mandatory HIV screening and the medical inadmissibility regime put at grave risk Canada's [international reputation](#) as a welcoming nation and totally impedes the government's stated goal of 500,000 new immigrants per year by upholding problematic policy and restrictive laws."

**More information:** [www.ubcpres.ca/screening-out](http://www.ubcpres.ca/screening-out)

Provided by University of Toronto

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