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REFERENCE: HC/MR/CM/CC

21 September 2011

Dear Ms. Des Rosiers,

I am writing on behalf of the Office of the United Nations High Commissioner for Human Rights (OHCHR). OHCHR is the leading United Nations entity on human rights and has the mandate to promote and protect all human rights for all people. The protection of the rights of all migrants regardless of their status, including the right to healthcare, forms part of OHCHR's mandate and constitutes a thematic priority for our work.

The judgment of the Federal Court of Appeal in *Nell Toussaint v. Attorney General of Canada* has been brought to the attention of OHCHR and the Office has carefully reviewed it in light of Canada's commitments under international human rights law. The issues considered by the Federal Court of Appeal in this case are matters of significant interest internationally and have been given a high priority in the work of OHCHR and other United Nations entities. They are closely linked with international human rights instruments that Canada has ratified. Should the Court grant leave to appeal in this case, OHCHR will consider seeking leave from the Court to intervene in order to provide assistance with the important international legal dimensions of the issues raised.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Craig Mokhiber', written over a horizontal line.

Craig Mokhiber
Chief

Development and Economic and Social Issues Branch

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