

Phase II Questionnaire
Human Rights – Health
Version 5 (Admin.Final.Text)
Canada

The Asia Pacific Program on Cross Cultural Dispute Resolution Research*

Interviewer Note: This information is for the purpose of disclosure to respondents and for the purpose of obtaining consent to participate in the interview.

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Project Purpose: This questionnaire was prepared as part of a research project concerning cross-cultural dispute resolution in Asia and North America. This project will benefit scholarly understanding of perspectives on dispute resolution, and the factors that affect such perspectives. The information provided in responses to the questionnaire will be used only for this research project.

Procedures: Each question should be answered truthfully based on the personal knowledge of the respondent. Completion of the questionnaire is expected to require 30 minutes, although additional time may be used if the respondent so desires. Participation in this project is voluntary, and any respondent may withdraw from the project at any time. If the questionnaire is completed, it will be assumed that consent has been given. The identity of the respondents is not requested and if supplied will be kept strictly confidential. Confidentiality will be maintained through the confidential nature of the questionnaire and by the researcher keeping all completed questionnaires under lock and key.

* The University of British Columbia in collaboration with Waseda University and Shizuoka University in Japan; University of Melbourne, Australia; the Shanghai Academy of Social Sciences, China; and York University, Canada

Phase II Surveys: Rate Scale Descriptions

Agreement:

From 1-2-3-4-5

Strongly agree / agree / don't know / disagree / strongly disagree

Frequency:

From 1-2-3-4-5

Very frequent / somewhat frequent / don't know / somewhat infrequent / very infrequent

Importance:

From 1-2-3-4-5

Very important / important / don't know / unimportant / completely unimportant

Likelihood:

From 1-2-3-4-5

Highly likely / somewhat likely / don't know / somewhat unlikely / not likely at all

Always:

From 1-2-3-4-5

Almost always / often / don't know / not often / almost never

Usefulness:

From 1-2-3-4-5

Very useful / somewhat useful / don't know / somewhat not useful / not useful

Effectiveness:

From 1-2-3-4-5

Very effective / somewhat effective / don't know / somewhat ineffective / very ineffective

Appropriateness:

From 1-2-3-4-5

Highly appropriate / somewhat appropriate / don't know / somewhat inappropriate / highly inappropriate

Preference:

From 1-2-3-4-5

Highly preferred / somewhat preferred / don't know / somewhat not preferred / not preferred at all

Interviewer Note: This information is essential to the cluster analysis, and must be recorded accurately.

I. Background Information

1. Age:

- a. _____ 15-25
- b. _____ 26-35
- c. _____ 36-45
- d. _____ 46-55
- e. _____ 56-65
- f. _____ 65 +

2. Sex: a. _____ Male
 b. _____ Female

3. Education Level: (highest level attained)

- a. _____ not completed primary school
- b. _____ completed primary school
- c. _____ junior high school / middle school
- d. _____ senior high school / high school
- e. _____ technical / specialist diploma
- f. _____ undergraduate university degree
- g. _____ graduate university degree

4. What is your occupation (profession)? _____

5. What is your current employment status?

- a. _____ unemployed
- b. _____ trainee / student
- c. _____ temporary / casual
- d. _____ fixed term contract
- e. _____ permanent part-time employee (usually less than 40 hours/week)
- f. _____ permanent full-time employee (usually more than 40 hours/week)
- g. _____ self-employed

6. In your spare time do you volunteer?

a. _____ No

b. _____ Yes (If yes, please specify) _____

7. What is your involvement in your community? (choose those that apply).

a. _____ community service

b. _____ NGO

c. _____ Other. Please specify _____

8. Have you ever lived outside of Canada?

(a) _____ No

(b) _____ Yes

(i) If yes, please specify duration _____

(ii) If yes, please specify reason _____

9. Language capacity, please specify all that apply:

a. Mother tongue _____

b. Second language _____

c. Others _____

II. Experience With Disputes

Please explain the circumstances of the most recent dispute you have experienced in relation to health.

10. When did it occur? _____

11. Describe the parties. _____

12. What were the issues in the dispute?

13. What was the monetary value of the dispute? _____

14. How was the dispute resolved? _____

15. What was the outcome of the dispute? _____

16. What means were used to resolve the dispute? Please specify _____

17. Did you receive advice from a third party?

No _____

Yes _____ If yes, please specify the party _____

III. Standard // Norm Questions

18. Do you think every country should be required to provide the highest attainable standard of health for everyone?

a. _____ No

b. _____ Yes

19. Do you think all people should be entitled to equal rights of access to health care?

a. _____ No

b. _____ Yes

20. Do you think government should be required to safeguard the equal right of access to health care?

- a. _____ No
- b. _____ Yes

21. Do you think every individual should have the freedom to control one's health and body?

- a. _____ No
- b. _____ Yes

22. Do you think government should have the responsibility to protect individuals from non-consensual medical treatment?

- a. _____ No
- b. _____ Yes

23. Do you think everyone should have the right to a standard of living adequate for the health of himself and of his family?

- a. _____ No
- b. _____ Yes

24. Do you think all people should have equal rights to the following?

(Answer No or Yes in agreement with the statement choice)

- a. Access to safe and nutritious food? ___ No ___ Yes
- b. Access to safe water and adequate sanitation? ___ No ___ Yes
- c. Healthy occupational conditions? ___ No ___ Yes
- d. Healthy environmental conditions ___ No ___ Yes

IV. Specific Issues

25. Does international law require government to provide accessible health care for everyone?

- a. _____ No
- b. _____ Yes
- c. _____ Don't know

26. Does Canadian law require the government provide accessible health care for everyone?

- a. _____ No
- b. _____ Yes
- c. _____ Don't know

27. Does international law require that all governments pursue the achievement of the right to health despite different levels of development?

- a. _____ No
- b. _____ Yes
- c. _____ Don't know

28. Does Canadian law require the government to pursue the achievement of the right to health despite different levels of development?

- a. _____ No
- b. _____ Yes
- c. _____ Don't know

29. Does international law prohibit governments from interfering with an individual's control over their own health and body?

- a. _____ No
- b. _____ Yes
- c. _____ Don't know

30. Does Canadian law prohibit governments from interfering with an individual's control over their own health and body?

- a. _____ No
- b. _____ Yes
- c. _____ Don't know

31. Who has the responsibility for ensuring equality of access to health care?
(RATE EACH option from 1-5, with 1=highly appropriate, 5=highly inappropriate)

- a. The central government: RATE 1—2—3—4 —5
- b. The local government: RATE 1—2—3—4 —5
- c. Private employers: RATE 1—2—3—4 —5
- d. The employee: RATE 1—2—3—4 —5
- e. Trade unions: RATE 1—2—3—4 —5
- f. International organizations: RATE 1—2—3—4 —5
- g. Other (please specify) _____ RATE 1—2—3—4 —5

32. Who has the right to file complaints when governments do not ensure adequate health care? (RATE EACH option from 1-5, with 1=highly appropriate, 5=highly inappropriate)

- a. The individual(s) affected: RATE 1—2—3—4 —5
- b. Family and friends of those who are affected: RATE 1—2—3—4 —5
- c. Social and community groups: RATE 1—2—3—4 —5
- d. International Organizations: RATE 1—2—3—4 —5
- e. Organizations concerned with health care protection: RATE 1—2—3—4 —5
- f. Trade Unions: RATE 1—2—3—4 —5
- g. No limitations: RATE 1—2—3—4 —5

33. Do you think disputes over the right to health generally are resolved by reference to international law? (*Choose one answer*)

- a. _____ All of the time
- b. _____ Some of the time
- c. _____ Never
- d. _____ Don't know

34. Do you think disputes over the right to health generally are resolved according to local rules? (*Choose one answer*)

- a. _____ All of the time
- b. _____ Some of the time
- c. _____ Never
- d. _____ Don't know

35. What should be the result when a person or group has been denied the right to health? (*For each, please specify No or Yes in agreement with statement*)

- a. Nothing can be done _____No _____Yes
- b. They should receive restitution _____No _____Yes
- c. They should receive monetary compensation _____No _____Yes
- d. They should receive a guarantee of non-repetition _____No _____Yes
- e. They should receive an apology _____No _____Yes
- f. The group / agent or organization responsible should be punished _____No _____Yes
- g. Other (*please specify*) _____No _____Yes

36. What should be the result when a person has received medical treatment without his or her consent? (*For each, please specify No or Yes in agreement with statement*)

- a. Nothing can be done _____No _____Yes
- b. They should receive restitution _____No _____Yes
- c. They should receive monetary compensation _____No _____Yes
- d. They should receive a guarantee of non-repetition _____No _____Yes
- e. They should receive an apology _____No _____Yes
- f. The group / agent or organization responsible should be punished _____No _____Yes
- g. Other (*please specify*) _____No _____Yes

37. What should be the result when a person or group has been denied access to safe and nutritious food?

- a. Nothing can be done No Yes
- b. They should receive restitution No Yes
- c. They should receive monetary compensation No Yes
- d. They should receive a guarantee of non-repetition No Yes
- e. They should receive an apology No Yes
- f. The group / agent or organization responsible should be punished No Yes
- g. Other (please specify) _____ No Yes

38. What should be the result when a person or group has been denied access to a supply of safe water and adequate sanitation?

- a. Nothing can be done No Yes
- b. They should receive restitution No Yes
- c. They should receive monetary compensation No Yes
- d. They should receive a guarantee of non-repetition No Yes
- e. They should receive an apology No Yes
- f. The group / agent or organization responsible should be punished No Yes
- g. Other (please specify) _____ No Yes

39. What should be the result when a person or group has been denied healthy working conditions?

- a. Nothing can be done No Yes
- b. They should receive restitution No Yes
- c. They should receive monetary compensation No Yes
- d. They should receive a guarantee of non-repetition No Yes
- e. They should receive an apology No Yes
- f. The group / agent or organization responsible should be punished No Yes
- g. Other (please specify) _____ No Yes

40. What should be the result when a person or group has been denied healthy environmental conditions?
- a. Nothing can be done ___No ___Yes
 - b. They should receive restitution ___No ___Yes
 - c. They should receive monetary compensation ___No ___Yes
 - d. They should receive a guarantee of non-repetition ___No ___Yes
 - e. They should receive an apology ___No ___Yes
 - f. The group / agent or organization responsible should be punished ___No ___Yes
 - g. Other (please specify) _____ ___No ___Yes

41. What are the methods preferred to be used to resolve disputes over the health-related issue of access to treatment? (RATE EACH option from 1-5, with 1=highly preferred, 5=not at all preferred)

- a. Negotiation: RATE 1—2—3—4—5
- b. Government intervention: RATE 1—2—3—4—5
- c. Mediation: RATE 1—2—3—4—5
- d. Arbitration: RATE 1—2—3—4—5
- e. Court Litigation: RATE 1—2—3—4—5
- f. Other (please specify): _____ RATE 1—2—3—4—5

42. What are the methods preferred to be used to resolve disputes over the health-related issue of compulsory treatment? (RATE EACH option from 1-5, with 1=highly preferred, 5=not at all preferred)

- a. Negotiation: RATE 1—2—3—4—5
- b. Government intervention: RATE 1—2—3—4—5
- c. Mediation: RATE 1—2—3—4—5
- d. Arbitration: RATE 1—2—3—4—5
- e. Court Litigation: RATE 1—2—3—4—5
- f. Other (please specify): _____ RATE 1—2—3—4—5

43. What are the methods preferred to be used to resolve disputes over access to healthy living conditions? (RATE EACH option from 1-5, with 1=highly preferred , 5=not at all preferred)

- a. Negotiation: RATE 1—2—3—4 —5
- b. Government intervention: RATE 1—2—3—4 —5
- c. Mediation: RATE 1—2—3—4 —5
- d. Arbitration: RATE 1—2—3—4 —5
- e. Court Litigation: RATE 1—2—3—4 —5
- f. Other (please specify): _____ RATE 1—2—3—4 —5

44. Who should decide which rules should be used to resolve right to health disputes? (RATE EACH option given from 1-5, with 1=highly appropriate, 5=highly inappropriate)

- a. Parties: RATE 1—2—3—4 —5
- b. Local government: RATE 1—2—3—4 —5
- c. Central government: RATE 1—2—3—4 —5
- d. International organization: RATE 1—2—3—4 —5
- e. Dispute resolution body: RATE 1—2—3—4 —5

45. How effective are governments in ensuring that people enjoy the highest attainable standard of health? (Choose one answer).

- a. Very effective
- b. Somewhat effective
- c. Not effective
- d. Don't know

46. How effective are international standards in ensuring that people enjoy the highest attainable standard of health? (Choose one answer).

- a. Very effective
- b. Somewhat effective
- c. Not effective
- d. Don't know

47. Governments have the authority to guarantee the freedoms and entitlements necessary for people to enjoy the highest attainable standard of health because: (RATE EACH option from 1-5, with 1=strongly agree, 5=strongly disagree).

- a. They are consistent with basic values RATE 1—2—3—4 —5
- b. They are legally enforceable and valid RATE 1—2—3—4 —5
- c. They are fundamentally fair RATE 1—2—3—4 —5
- d. They reflect the view of the majority RATE 1—2—3—4 —5
- e. They are easy to enforce RATE 1—2—3—4 —5
- f. It depends on the state's coercive power RATE 1—2—3—4 —5

48. International standards set forth by international organizations have the authority to guarantee the freedoms and entitlements necessary for people to enjoy the highest attainable standard of health because: (RATE EACH option from 1-5, with 1=strongly agree, 5=strongly disagree).

- a. They are consistent with basic values RATE 1—2—3—4 —5
- b. They are legally enforceable and valid RATE 1—2—3—4 —5
- c. They are fundamentally fair RATE 1—2—3—4 —5
- d. They reflect the view of the majority RATE 1—2—3—4 —5
- e. They are easy to enforce RATE 1—2—3—4 —5
- f. It depends on the organizations' coercive power RATE 1—2—3—4 —5

Contact.

If you would be willing to contact the scholar who prepared this questionnaire, please write a letter to the following address:

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