

Internet Advocacy, 01 May 2007

Government's Obligations to Ensuring the Human Right to Health

What provisions of human rights law guarantee everyone the Human Right to Health?

"Everyone has the right to a standard of living adequate for... health and well-being of himself and his family, including food, clothing, housing, medical care and the right to security in the event of ... sickness, disability.... Motherhood and childhood are entitled to special care and assistance..."

—Universal Declaration of Human Rights, Article 25

"The States Partiesrecognize the right of everyone to ... just and favourable conditions of work which ensure ... safe and healthy working conditions....; ... the right to ... an adequate standard of living ...; the enjoyment of the highest attainable standard of physical and mental health. The steps to be taken ... to achieve the full realization of this right shall include those necessary for: ... the reduction of ... infant mortality and for the healthy development of the child; the improvement of all aspects of environmental and industrial hygiene; the prevention, treatment and control of epidemic, endemic, occupational and other diseases; the creation of conditions which would assure to all medical service and medical attention in the event of sickness."

—International Covenant on Economic, Social and Cultural Rights, Articles 7, 11, and 12

"States Parties shall ... ensure to [women] ... access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.... States Parties shall ... eliminate discrimination against women in ... health care ... to ensure, on a basis of equality of men and women, access to health care services, including those related to family

planning....; ensure ... appropriate services in connection with pregnancy.... States Parties shall ... ensure ... that [women in rural areas] ... have access to adequate health care facilities, including information counselling and services in family planning..."

—Convention on the Elimination of All Forms of Discrimination Against Women, Articles 10, 12, and 14

"States Parties undertake to ... eliminate racial discrimination ... and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, ... the right to public health, medical care, social security and social services...."

—Convention on the Elimination of All Forms of Racial Discrimination, Article 5

"States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health...."

THE HINDU

Declare health a human right: Paz

Bhopal, March 25

THE THREE-DAY National People's Health Assembly at Ravindra Bhawan concluded here on Sunday with discussions on health scenario in three continents - Africa, Latin America and Asia.

In his keynote address, David Sanders, PHM-South Africa said several people were still being affected from tuberculosis and malaria in Africa, reducing the life expectancy to 45 years. The representative from Philippines, Edina De La Paz, stressed that health should be declared as a human right and added that health budget has continuously decreasing in Philippines and various other parts of the country.

Brazil's Armande De Negri opposed the intrusion of global and imperialistic forces in Latin America. Speaking on 'Militarisation and Health', Salim Obaidi from Iraq said health system in Iraq has destroyed completely due to war.

Sharing similar views, Palestine's Jihad Marshal spoke on war-related health problems.

During panel discussion,



Representatives from Kerala staging a play on the last day of the second National People's Assembly at Ravindra Bhavan in Bhopal on Sunday.

AIPSN's Dr Amit Sen Gupta, Right to Food Campaign's Jean Dreze, WTO Virodhi Abhiyan's Dinesh Abrol, FMRAI's Amitabh Guha and Ministry of Health & Family Welfare, joint secretary, Amarjeet Sinha participated and expressed their views.

On the second day of the Health Assembly on March 24, All India Democratic Women Association's na-

tional general secretary Sudha Sundaraman said present globalisation has given rise to frustration and led to violence, in which women are the worst sufferers.

Addressing the session on 'Violence against women' here on Saturday, she alleged that aggressive consumerism has provoked sexual violence against women and treated poor women like

guinea pigs.

Dalit activist, Annie Namala pointed out at the rising discrimination on the basis of caste, creed and religion, which is alarming. Out of 20 sessions held, focus was made on health problems of unorganised sector and sexual minorities, and sex selective abortion. The issue of mental health was also discussed. HTC

—Convention on the Rights of the Child, Article 24

What commitments have governments made to ensuring the realization of the Human Right to Health?

Includes commitments made at the Earth Summit in Rio, the International Conference on Population and Development in Cairo, the World Summit for Social Development in Copenhagen, the Habitat II conference in Istanbul.

"Health and development are intimately interconnected. Both insufficient development leading to poverty and inappropriate development ... can result in severe environmental health problems.... The primary health needs of the world's population ... are integral to the achievement of the goals of sustainable development and primary environmental care.... Major goals ... By the year 2000 ... eliminate guinea worm disease...; eradicate polio;... By 1995 ... reduce measles deaths by 95 per cent...; ensure universal access to safe drinking water and ... sanitary measures of excreta disposal...; By the year 2000 [reduce] the number of deaths from childhood diarrhoea ... by 50 to 70 per cent..."

— Agenda 21, Chapter 6, paras. 1 and 12

"Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health. States should take all appropriate measures to ensure, on a basis of equality of men and women, universal access to health-care services, including those related to reproductive health care.... The role of women as primary custodians of family health should be recognized and supported. Access to basic health care, expanded health education, the availability of simple cost-effective remedies ... should be provided...."

—Cairo Programme of Action, Principle 8 and para. 8.6

"We commit ourselves to promoting and attaining the goals of universal and equitable access to ... the highest attainable standard of physical and mental health, and the access of all to primary health care, making particular efforts to rectify inequalities relating to social conditions and without distinction as to race, national origin, gender, age or disability...."

—Copenhagen Declaration, Commitment 6

"The explicit recognition ... of the right of all women to control all aspects of their health, in particular their own fertility, is basic to their

empowerment.... We are determined to ... ensure equal access to and equal treatment of women and men in ... health care and enhance women's sexual and reproductive health as well as Health."

—Beijing Declaration, paras. 17 and 30

"Women have the right to the enjoyment of the highest attainable standard of physical and mental health. The enjoyment of this right is vital to their life and well-being and their ability to participate in all areas of public and private life.... Women's health involves their emotional, social and physical well-being and is determined by the social, political and economic context of their lives, as well as by biology.... To attain optimal health,... equality, including the sharing of family responsibilities, development and peace are necessary conditions."

—Beijing Platform for Action, para. 89

"Strategic objective ... Increase women's access throughout the life cycles to appropriate, affordable and quality health care, information and related services.... Actions to be taken: ... Reaffirm the right to the enjoyment of the highest attainable standards of physical and mental health, protect and promote the attainment of this right for women and girls and incorporate it in national legislation...; Provide more accessible, available and affordable primary health care services of high quality, including sexual and reproductive health care...; Strengthen and reorient health services, particularly primary health care, in order to ensure universal access to health services...; reduce maternal mortality by at least 50 per cent of the 1990 levels by the year 2000 and a further one half by the year 2015;... make reproductive health care accessible ... to all ... no later than ... 2015...; take specific measures for closing the gender gaps in morbidity and mortality where girls are disadvantaged, while achieving ... by the year 2000, the reduction of mortality rates of infants and children under five ... by one third of the 1990 level...; by the year 2015 an infant mortality rate below 35 per 1,000 live births.... Ensure the availability of and universal access to safe drinking water and sanitation...."

—Beijing Platform for Action, para. 106

"Human health and quality of life are at the centre of the effort to develop sustainable human settlements. We ... commit ourselves to ... the goals of universal and equal access to ... the highest attainable standard of physical, mental and environmental health, and the equal access'

of all to primary health care, making particular efforts to rectify inequalities relating to social and economic conditions ..., without distinction as to race, national origin, gender, age, or disability. Good health throughout the life-span of every man and woman, good health for every child ... are fundamental to ensuring that people of all ages are able to ... participate fully in the social, economic and political processes of human settlements Sustainable human settlements depend on ... policies ... to provide access to food and nutrition, safe drinking water, sanitation, and universal access to the widest range of primary health-care services...; to eradicate major diseases that take a heavy toll of human

lives, particularly childhood diseases; to create safe places to work and live; and to protect the environment.... Measures to prevent ill health and disease are as important as the availability of appropriate medical treatment and care. It is therefore essential to take a holistic approach to health, whereby both prevention and care are placed within the context of environmental policy...."

—Habitat Agenda, paras. 36 and 128 Top of Page

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