

Selected Resources

Health and Human Rights

Human rights in German development policy

BMZ Strategy and Guidelines on human rights in German development policy

The cross-sectoral strategy affirms the central role of human rights in German development policy and contains binding requirements for the implementing agencies; the Guidelines provide guidance on the incorporation of human rights standards and principles, including gender, in programme proposals.

- BMZ Strategy (2011), linking health to human rights, for example in the context of the Millennium Development Goals:
http://www.bmz.de/en/publications/type_of_publication/strategies/Strategiepapier305_04_2011.pdf
- BMZ Guidelines (2013), see in particular Annex pages xii-xiii:
http://www.bmz.de/en/zentrales_downloadarchiv/themen_und_schwerpunkte/menschenrechte/Leitfaden_PV_2013_en.pdf

BMZ (2010), Human rights in practice – Fact sheets on a human rights-based approach in development cooperation

Collection of 2-page fact sheets that explain what the human rights-based approach in development cooperation means in general and for all priority sectors of German development cooperation. The fact sheet on health can be found on pages 8-9.

- http://www.bmz.de/en/publications/topics/human_rights/BMZ_Information_Brochure_7_2010e.pdf

BMZ Health Sector Strategy Paper (2009) with a section on health, development and human rights.

- http://www.bmz.de/en/publications/type_of_publication/strategies/konzept187.pdf

The BMZ publication ‘Health and Human Rights’ (2009) declares that the realisation of the human right to the highest attainable standard of health is a primary goal of German development cooperation in the health sector.

- http://www.bmz.de/en/publications/topics/human_rights/spezial165.pdf

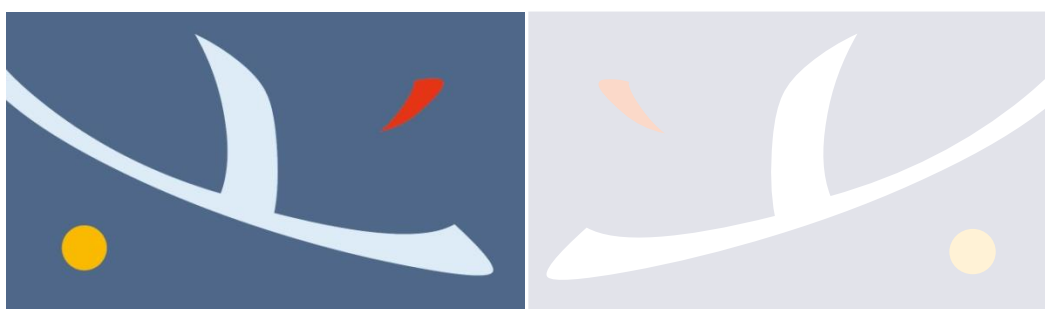
United Nations reference documents on the right to health

International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 12, the right to the highest attainable standard of physical and mental health

- <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 14 on ICESCR Article 12: the right to the highest attainable standard of health (E/C.12/2000/4, 2000)

The treaty bodies, committees of independent experts established under the UN human rights treaties, issue “General Comments”, authoritative interpretations of the provisions of the treaty. The CESCR, through General Comment No. 14, has interpreted Article 12 with respect to the right to health, defining the following core elements of the right: availability, accessibility, acceptability and quality. The General Comment also clarifies corresponding state obligations.



- <http://www.refworld.org/docid/4538838d0.html>

All states parties are obliged to submit regular reports to the CESCR on the steps taken to implement the rights stipulated by the Covenant. The Committee examines each report and addresses its concerns and recommendations to the state party in the form of “Concluding Observations”.

- http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/SessionList.aspx?Treaty=CESCR

Further human rights conventions, laying out the specific rights of certain groups of persons, e.g. women (CEDAW), children (CRC) or persons with disabilities (CRPD) also enshrine and reiterate the right to health.

- CEDAW (Article 12):
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>
- CRC (Article 24):
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- CRPD (Article 25):
<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx>

UN special procedures relevant to the right to health

The **UN Special Rapporteur on the right to health** – since 2008 held by Mr. Dainius Pūras – is mandated to study the human rights obligations related to the right to health, and to promote best practices.

- <http://www.ohchr.org/EN/Issues/Health/Pages/SRRightHealthIndex.aspx>

He also carries out country visits and issues annual reports, such as in 2014 on accountability and the obligations of transnational corporations regarding the right to health, in 2011 on the right to health and development, and in 2006 on the human rights-based approach to health indicators.

- <http://www.ohchr.org/EN/Issues/Health/Pages/AnnualReports.aspx>

Further relevant special procedures:

- Special Rapporteur on the human right to safe drinking water and sanitation:
<http://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/SRWaterIndex.aspx>
- Special Rapporteur on adequate housing:
<http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>
- Special Rapporteur on the right to food:
<http://www.ohchr.org/EN/Issues/Food/Pages/FoodIndex.aspx>
- Special Rapporteur on extreme poverty and human rights:
<http://www.ohchr.org/EN/Issues/Poverty/Pages/SRExtremePovertyIndex.aspx>

More on the right to health

World Health Organisation (WHO) on the right to health

- The website provides information on current activities of the WHO on gender, equity and human rights issues:
<http://www.who.int/hhr/en/>
- WHO Factsheet on the right to health (2013):
<http://www.who.int/mediacentre/factsheets/fs323/en/>
- WHO QualityRights Toolkit (2012), aiming to assist policy makers and service providers worldwide to assess and improve the quality of care and human rights in mental health and social care facilities:
http://whqlibdoc.who.int/publications/2012/9789241548410_eng.pdf
- Website on health impact assessments:
<http://www.who.int/hia/en/>; measuring health gains in different development sectors (2012):
http://www.who.int/hia/health_indicators/en/
- Health in the framework of sustainable development (2014), on universal health coverage as a priority for the post-2015 agenda: <http://unsdsn.org/wp-content/uploads/2014/02/Health-For-All-Report.pdf>

Office of the UN High Commissioner for Human Rights (OHCHR) on health and human rights

- Online toolkit on the right to health, with all relevant information available in the UN system:
<http://www.ohchr.org/EN/Issues/ESCR/Pages/Health.aspx>
- OHCHR study on the right of the child to the enjoyment of the highest attainable standard of health (2012):
http://www.ohchr.org/Documents/Issues/Children/StudyRightHealth/OHCHR_Brochure_Report%20Health_2012_Eng.pdf

UN Children’s Fund (UNICEF) on children’s right to health

- Website: <http://www.unicef.org/health/>
- Working paper: Innovative approaches to maternal and newborn health – Compendium of case studies (2013):
http://www.unicef.org/health/files/Innovative_Approaches_MNH_CaseStudies-2013.pdf
- Working paper: Community case management of diarrhoea, malaria and pneumonia – Tracking science to policy and practice in sub-Saharan Africa (2012):
http://www.unicef.org/health/files/Community_case_management_of_diarrhea_malaria_pneumonia-2012.pdf
- Good practices in integrating birth registration into health systems (2010), including case studies:
[http://www.unicef.org/protection/Birth_Registration_Working_Paper\(2\).pdf](http://www.unicef.org/protection/Birth_Registration_Working_Paper(2).pdf)

UN Population Fund (UNFPA) on health issues

- UNFPA is concerned, amongst others, with reproductive health, HIV/Aids and female genital mutilation (FGM):
<http://www.unfpa.org/public/>
Impacts of population dynamics, reproductive health and gender on poverty (2012):
<http://www.unfpa.org/sites/default/files/pub-pdf/UNFPA-Impacts%20on%20Poverty-1.pdf>

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- A human rights-based approach to programming – practical information and training materials (2010), a step-by-step manual on how to apply a culturally sensitive, gender responsive, human rights-based approach to programming in each of UNFPA's three core areas of work: population and development, reproductive health, and gender: http://www.unfpa.org/sites/default/files/resource-pdf/hrba_manual_in%20full.pdf

UN Practitioners' Portal on HRBA to programming – Resources on health

An extensive collection of resources on the the human rights-based approach in the health sector.

- <http://hrbaportal.org/archives/topics/health>

GIZ practitioners' tool: health and human rights

The practitioners' tool (2013) lists a set of very useful guiding questions to identify entry points for more focused interventions in a variety of different sectors.

- http://health.bmz.de/what_we_do/Human-rights-and-Gender/Good_practices_and_tools/Praticioners_Tool_Health_and_Human_Rights/Practitioners_Tool_Health_and_Human_Rights.pdf

BMZ/GIZ, Promising practices on the human rights-based approach in German development cooperation: Ensuring inclusion and access to quality health care in Kenya (2013)

This 4 page-summary of the German-Kenyan health sector programme presents the components and successful tools used, as well as lessons learned.

- http://www.institut-fuer-menschenrechte.de/uploads/tx_commerce/promising_practices_health_in_kenya.pdf

International Federation of Health and Human Rights Organisations (IFHHRO)

- Steps for change – A human rights action guide for health workers (2012), explaining the interdependency of health care and human rights: www.ifhhro.org/images/stories/ifhhro/manuals_and_guidelines/ifhhro_steps_for_change_en.pdf

Open Society Foundations, Advancing human rights in patient care: Practitioners' guides for seven countries

This series (2013) provides a practical manual for lawyers interested in human rights in patient care, examining patient and provider rights and responsibilities, as well as procedures for protection.

- <http://www.opensocietyfoundations.org/sites/default/files/Advancing-Human-Rights-in-Patient-Care-20130516.pdf>

Save the Children

- The NGO 'Save the Children' has a broad portfolio on children's right to health and nutrition: http://www.savethechildren.org/site/c.8rKLIXMGIpI4E/b.6153021/k.51E5/Health_and_Nutrition.htm
- A life free from hunger – tackling child malnutrition (2012): http://www.savethechildren.org.uk/sites/default/files/images/A_Life_Free_From_Hunger.pdf

Non-communicable diseases and human rights

- WHO global action plan for the prevention and control of non-communicable diseases 2013-2020: http://apps.who.int/iris/bitstream/10665/94384/1/9789241506236_eng.pdf
- The Chronic Disease Initiative for Africa, Helping people change (2013), with examples for health care interventions in South Africa and guidelines for practitioners: <http://www.ichangeforhealth.co.za/wp-content/uploads/HELPING%20PEOPLE%20CHANGE%20Manual72.pdf?iframe=true&width=100%&height=100%>

Jurisprudence

There have been an impressive number of cases before national and regional courts on the right to health.

- Case law database of the ESCR-Net in relation to the right to health: http://www.escr-net.org/caselaw-database/view/filter?field_summary_value=&field_forum_value=&field_country_tid=All&field_thematic_focus_tid=2344

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