

THE GROWING PREMINENCE OF HUMAN RIGHTS

In the wake of the Balkan crisis and of multiple low-intensity conflicts and open wars in Africa and Southeast Asia, the protection of human rights is cited more and more often as necessary for maintaining international peace and security. The last few years have also seen human rights increasingly at the center of analysis and action in regard to health and development issues. In addition, while civil and political rights have been on the international agenda for many years, there is new and growing interest in economic, social, and cultural rights. The level of institutional and political commitment to human rights has never been higher. This is true within the work of the United Nations system but, even more importantly, can be seen in the work of governments and nongovernmental organizations at both the national and the international level.

The substantial increase in attention and resources devoted to implementation of human rights within the UN system, spearheaded by Secretary General Kofi Annan, is apparent within virtually all UN development agencies and programs. For example, the United Nations Development Program (UNDP) has committed substantial resources in recent months towards integrating human rights with sustainable human development, an initiative that may have a fundamental impact on how governments approach health issues in the coming years. The International Labor Organization (ILO) has just initiated an international convention to stop child labor and other forms of exploitation. The United Nations Children's Fund (UNICEF) has restructured its policy

and program framework around the Convention on the Rights of the Child, and the World Health Organization (WHO) has begun to focus on human rights as a cross-cutting issue intended to permeate the entire spectrum of its programs. Even the World Bank is including "human rights and property rights" in its vision statement for its work into the 21st century, although it remains to be seen what impact this will ultimately have on its work.

Governments too are increasingly recognizing the relevance of human rights to their health and development work and calling for technical assistance in the field of human rights. This is true in developing and industrialized countries alike. In Nepal, a comprehensive workshop was recently held on tuberculosis and human rights. An open debate in South Africa is focused on the human rights implications of a proposed new regulation concerning AIDS reporting and AIDS-status disclosure to third persons. In Colombia, the Convention on the Elimination of All Forms of Discrimination Against Women is being used as a framework for mobilization around much of the work in family planning. Within the United States, President Clinton issued an Executive Order in commemoration of Human Rights Day last year that obliges the United States to fully respect and implement its obligations under the international human rights treaties to which it is a party and to "promote respect for international human rights in our relationships with all other countries." Thus, one can hope that human rights are finally beginning to find their proper currency within the framework of accountability in the United States.

Just as within the UN system, human rights NGOs are expanding their formerly tight focus on civil and political rights to pay increasing attention to economic, social, and cultural rights, including the right to health. This development is helping to shape new forms of advocacy and pressure on governments to take responsibility for the health of their populations. In addition, NGOs that focus on health or development issues, many of which previously saw human rights as having little relevance to their work, are increasingly using not only the rhetoric of human rights but its method of analysis. Witness the recent decision of the International Council of AIDS Service Organizations (ICASO) to

name the promotion of human rights in the context of HIV/AIDS as one of its fundamental organizing principles. One can only hope that all of this attention to rights will impact on the conditions necessary for health, as well as the ways in which health services will be delivered.

There is, however, no room for complacency. Only vigilant attention will help ensure that the inclusion of human rights in stated policies will be more than simply a symbolic gesture. Given the growing and multifaceted interest in human rights in general, and in particular in linking health concerns with human rights, this issue of *Health and Human Rights* hopes to provide the reader with a glimpse of some of the areas where health and human rights are currently being brought together and their linkages explored. In this vein, we present conceptual and analytical approaches to the relationship between health and human rights, as well as case studies to demonstrate some of the concrete work done in recent years.

In the first piece, Michael Kirby poses a fundamental question that is therefore of critical importance: is the right to health a well-defined entity? Kirby provides us with an analytical framework to consider the current status of the right to health and directions for future exploration. Amir Attaran approaches the right to health from a different perspective by considering the ways in which our increased understanding of global inequity can impact on how we consider the obligations of wealthier governments within the health and human rights paradigm.

Kris Heggenhougen explores the impact of globalization on rights, asking us to recognize that as the gaps widen between and within countries, the negative effects of globalization are increasingly felt by the most marginalized. Richard Witzig and Massiel Ascencios also explore this theme through a case study that considers the negative impact of increased travel and trade on the Urarina people of Peru. The exploitation of this isolated community, which has resulted in severe rights violations with deep impacts on health, should alert us to issues we must consider as the geographical barriers that have served as protection for the health of traditional communities continue to erode.

Eric Rosenthal et al. explore the impact of marginalization

on another community that has been largely ignored: children with disabilities in Russia. The article begins by considering the ways in which these children have been neglected by support services and ends with a proposal for using the framework provided by the Convention on the Rights of the Child as a way forward. Transsexuals form another previously ignored community whose isolation has had profound impacts on their rights and their health. Gérard Niveau et al. examine the efforts that have been made in Europe toward helping transsexuals to better integrate themselves into the community through changes in civil status, pointing out the positive impact that such efforts can have not only on the human rights of transsexuals but also on their health.

Michael Levy et al. bring to light the troubling human rights issues raised by the recognition of a disease and consider these issues within the specific context of state responsibility to control the spread of tuberculosis within prison systems. S. Jody Heyman and Randall L. Sell also use the example of tuberculosis control, this time in the context of directly observed treatment (DOT) programs administered within the United States, to consider the human rights issues that need to be addressed before public health programs intended for the benefit of a population are made mandatory. They support the stated purposes of such programs but ask us to consider the costs—in the broadest sense of the term—of such an approach.

Carolynne Shinn, the winner of the 1998 François-Xavier Bagnoud Student Essay Award, uses the current situation within the United States to stimulate dialogue on health and human rights in the hopes of ultimately improving the health and rights of the most vulnerable. The Center for Justice and Accountability is profiled to show how taking direct action can positively impact on the mental health of torture survivors even years after the fact. Its work provides a concrete illustration of what can be done to try to rectify the long-term impact of human rights violations on health.

Finally, two extensive bibliographies have been included in order to offer the reader a sense of the range of work that has addressed health and human rights issues in the past several years. They have been edited to ensure that there is no overlap between them. It is our hope that the two very differ-

ent perspectives offered by these compilations will provide a valuable resource for future analytical and practical work in this field.

Much work clearly still needs to be done. Most importantly, we need to better document both current efforts to link health and human rights and successful analytical approaches. Also critical is reporting on the practical application of health and human rights concepts to policy and programmatic work. We look forward to hearing from you about further examples of conceptual work and of practical examples that will help move forward our common understanding of the relationship between health and human rights.

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