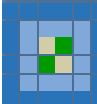


Globalization, Development and Health: Realizing the Individual Right to Health Through the Collective Right to Development

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APHA November 6, 2007



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History of Collective Rights

- Arose out of Non-Aligned Movement- 1960s-70s
- Sometimes termed "third generation", or "solidarity" rights
- Features
 - Operate at a societal level
 - Aggregate rights are distinct from the sum of the individual rights
 - States also have rights

Examples of Collective Rights

- Right to Self-Determination, 1948
- Right to a Clean Environment, 1972
- Right to Peace, 1978
- Right to Development, 1986
- Right to Public Health, 2006

Background on the Right to Development

- Declaration on the Right to Development, 1986
 - Advocated by Developing States
 - Response to demands of the NIEO Movement
- Vienna Declaration, 1993
- Adopted as a “Collective” Right with obligations of the international community
- “Rights-Based Development” vs. “Right to Development”

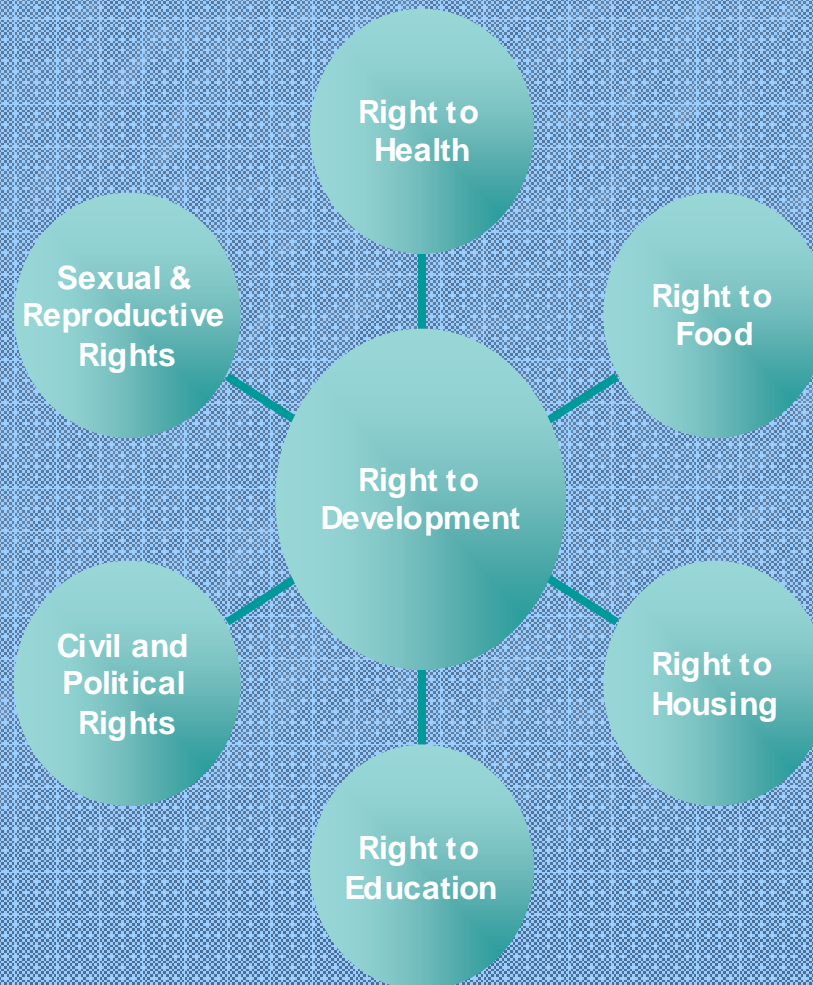
Normative Elaboration

- 1998- Independent Working Group on the Right to Development established,
 - 4 Meetings
- 1998-2004- Independent Expert, Arjun Sengupta
 - 6 Background Reports
- 2004- High Level Task Force established
 - 3 Meetings

Normative Elaboration

- Right to a *process* of development
- Growth with Equity
 - Fair distribution of the benefits and burdens (inequality-reducing growth)
 - Assist least well off first (poverty-reducing, not trickle-down)
- Emphasizes participation and a “synergy of rights”
- Operates as a “vector” of rights

The Right to Development as a Vector of Rights



Infant Mortality: Example of the Right to Development Operating as a "Vector" of Rights

Sexual & Reproductive Rights
Safety and Security
of the Person

Women's Sexual & Reproductive Health



Maternal Education

Right to Education

Infant Mortality



Nutrition
(Inter-partum
& Post-partum)

Right to Food

Water/Sanitation,
Housing Conditions

Right to Housing



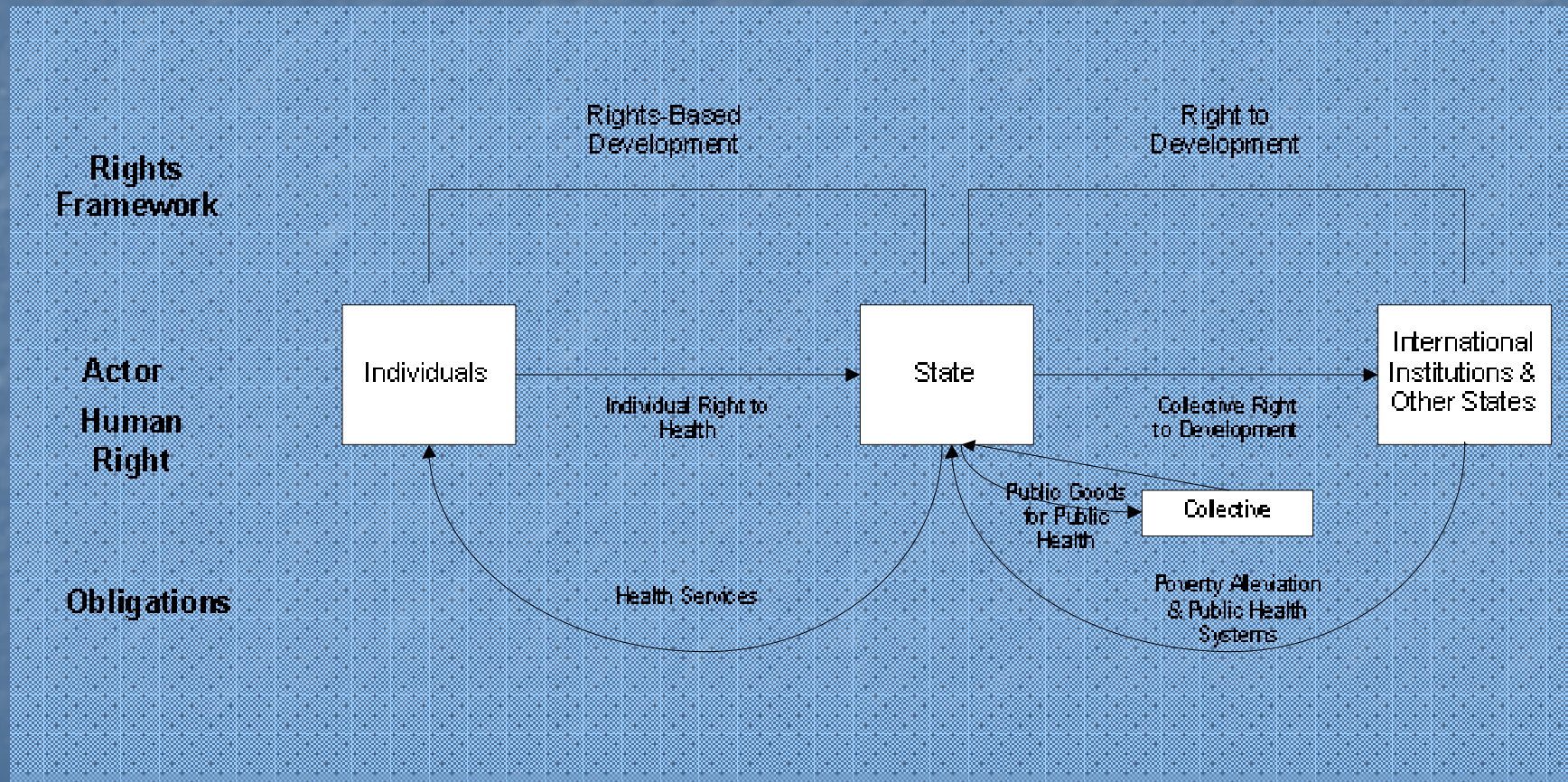
Enforcement: Two Levels

- *Intra-national Obligations- Individual Rights Against States*
- *International Obligations- Collective Rights of States/Peoples During Development*
 - Obligation of the international community to cooperation towards realizing the right to development.

The Power of the Right to Development: International Obligations

- **Respect-** IFIs (World Bank & IMF) have an obligation to *respect* the rights of states.
- **Protect-** International community has an obligation under the right to development to *protect* states from non-state actors (such as Multi-National Corporations).
- **Fulfill-** World Health Organization can be viewed as the institutional mechanism for *fulfilling* the obligations of the international community

Complementarity of the Right to Development and Right to Health



Forthcoming Article

- Meier, B.M.M., Fox A.M. "Maximizing the Available Resources: Employing the Collective Right to Development to Achieve the Goals of the Individual Right to Health," *Human Rights Quarterly*, forthcoming, March, 2008.