

The global and regional frameworks for the provision of palliative care: the human rights and public health approach

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UN RIGHT TO HEALTH MANDATE

- **Mandate established in 2002. Paul Hunt (2002-2008), Anand Grover (2008-2014)**
- **The mandate is part of UN Special Procedures mechanism. Thematic special rapporteurs (41), country rapporteurs (14), working groups. In general – 77 mandate holders. Impartiality and independence is the main asset.**
- **Primary Objectives:**
 - **Gather, request, receive, exchange information and report on the status and existing challenges and opportunities for progressive realization of the right to health**
 - **Promote and clarify right to health**
 - **Identify good practices**
- **Not right to be healthy, but right to the enjoyment of the highest attainable standard of physical and mental health**
- **Not just right to medical care, but also addressing social determinants of health**

RIGHT TO HEALTH MANDATE

Main working methods:

- Thematic reports, to be presented to UN Human Rights Council and General Assembly
- Country missions
- Communications
- Other activities (attending international and national events, making public statements)

RIGHT TO HEALTH: ANALYTICAL FRAMEWORK

- **Progressive realization and obligations of immediate effect**
- **Respect, protect and fulfill**
- **Available, accessible, acceptable, quality healthcare**
- **Equity, equality, non-discrimination, with focus on vulnerable groups**
- **Monitoring and accountability**

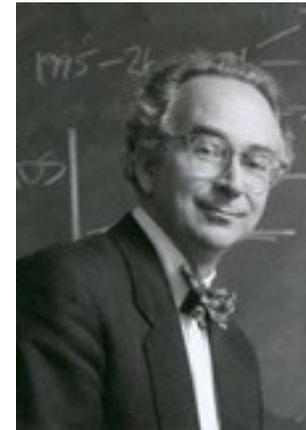
THEMES AS PRIORITIES FOR THE MANDATE (2002-2014)

- **Indicators and benchmarks**
- **Health systems**
- **Health and human rights movement**
- **Access to essential medicines**
- **Sexual and reproductive rights**
- **Groups in vulnerable situations – HIV/AIDS, disability, substance use, elderly, migrants**
- **Social determinants of health**

“The human rights framework provides a more useful approach for analyzing and responding to modern public health challenges than any framework thus far available with the biomedical tradition.”

Jonathan Mann

Health and human rights, HIV/AIDS physician & advocate



WAY FORWARD: IDENTIFYING CHALLENGES AND OPPORTUNITIES (2014 -)

- **Identify and address existing imbalances, power asymmetries and selective approaches in health-related policies**
- **Transition from MDGs to SDGs. Agenda 2030. Universal Health Coverage. Report on right to health and SDGs – will be presented to UN GA in October 2016.**
- **Life Cycle Approach – reports on the right to health in early childhood and adolescence. Right to holistic development in childhood is as important as right to survival.**
- **Addressing modern priorities in health-related policies, such as health promotion, primary care, palliative care, mental health and emotional well-being**
- **Biomedical model of diseases and specialized medicine – not to be overused**
- **Violation of rights in patient care**

ADDRESSING IMBALANCES AND **SELECTIVE** APPROACHES

- **Poverty and social exclusion**
- **Inequality and discrimination**
- **Meaningful participation**
- **Messages from Alma Ata Declaration and Ottawa Charter need to be revitalized**
- **Role of biomedical model and specialized medicine. Two scenarios to be avoided – poor (or no) access to basic healthcare services and excessive use of specialized biomedical interventions**
- **Health in all policies. Modern public health approach is about advancing social justice**
- **Health is not only about social and economic rights. It is about leaving no one behind and thus protecting all human rights**

NO HEALTH WITHOUT MENTAL HEALTH

- **Good mental health is not just an absence of disorder**
- **Physical and mental health - PARITY**
- **Crisis of biomedical model**
- **Violence in mental healthcare**
- **Culturally appropriate emotional and spiritual support**
- **The UN CRPD and its implementation**

Palliative care: global and regional commitments

- SDGs and Agenda 2030 adopted by UN GA (2015)
- World Health Assembly resolution AG 67.19 (2014) on strengthening PC as a component of comprehensive care throughout the life course
- UN General Assembly resolution on Universal Health Coverage (2012)
- UN Political Declaration on Non-communicable Diseases (2011)
- Position of African Union on controlled substances and access to pain medication (2012)
- Activities by APCA, WHPCA, IAHP, ICPCN

Palliative care: central issue to comprehensive realization of the right to health

- Importance of Palliative care as a modern approach
- Importance of Palliative services as illustration of holistic healthcare
- All ages, all settings, all stakeholders. PC challenges reductionist and fragmented tendencies in health-related policies.
- PC is about living, not just about end-of-life situation.
- PC is about quality of life and about living in dignity - as should be the rest of healthcare.
- PC is about promotion, prevention, treatment and rehabilitation.
- PC is about integrating physical care with social, emotional, spiritual support – as should be the rest of healthcare.

Advancing Palliative Care and Palliative Services: Issues in Focus

- Children
- Access to controlled medicines and other essential medicines
- Communicable diseases, specifically AIDS and TB
- Non-communicable diseases
- Addressing SDGs and health-related targets. UHC. Balanced care.
- Investing in health workforce. The need of change in education of doctors and other health professionals.
- Addressing palliative care during humanitarian emergencies
- Mobilizing resources of community and civil society through meaningful participation.

CONCLUSION

Where have we been? Where are we now? What is the future?

Palliative care and access to palliative services need to be addressed as a basic human right

We have a good “compass” - global, regional, national documents based on human rights framework and modern public health approach. What is needed now is serious implementation of WHA resolution on Palliative Care.

Strengthen alliances with similar human rights – and public health friendly movements and initiatives, such as www.choosingwisely.org/

Political will is needed for mobilizing all stakeholders towards achieving measurable change in these crucial areas

- **Public awareness**
- **Education of health professionals**
- **Standards of professional practice**
- **Service availability.**

Continue persuading policy makers, medical doctors, public at large - that best ‘vaccine’ is a HUMAN RIGHTS BASED APPROACH