

# The Pan American Health Organization & the Mainstreaming of Human Rights in Regional Health Governance

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THE UNIVERSITY  
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**O'NEILL**  
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GEORGETOWN LAW



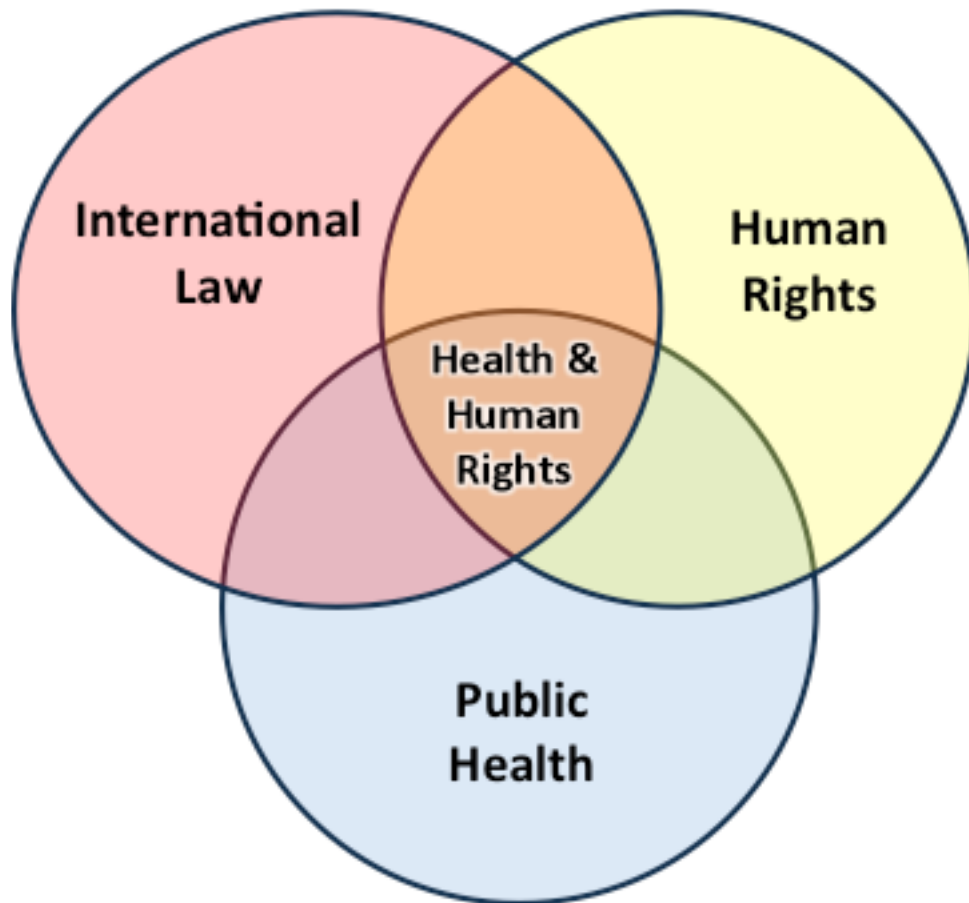
**Pan American  
Health  
Organization**



**World Health  
Organization**

REGIONAL OFFICE FOR THE **Americas**

# Human Rights in Global Health Governance



- Human Rights Matter
- Human Rights Evolve
- WHO/PAHO is Instrumental to the Evolution of Health-Related Rights
  - Development in Law
  - Implementation through Policies and Programs

- 1. WHO** – Why does WHO mainstream human rights in global health?
- 2. PAHO** – How can PAHO advance human rights?
- 3. Mainstreaming** – How has PAHO mainstreamed rights?
- 4. Analysis** – What institutional factors support human rights in regional health governance?

# WHO's Turbulent Rights-Based Evolution

## CONSTITUTION

## OF THE

## WORLD HEALTH ORGANIZATION

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being

rights of every human being without distinction of race, religion, political belief,

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

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# Mainstreaming Human Rights

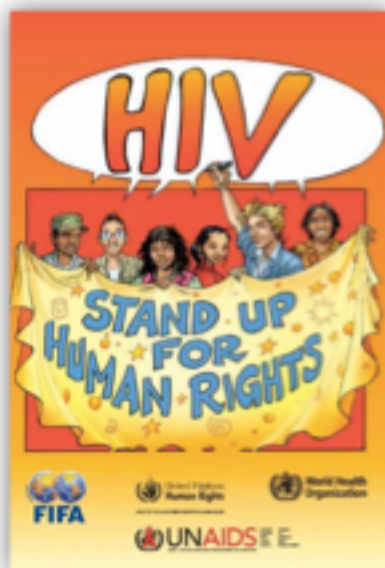
## WHO as “the World’s Health Conscience”

- Human Rights Officer
- Development of the Right to Health
- Seeking a Strategy on Health & Human Rights

Gro Harlem  
Bruntland  
WHO  
Director-  
General  
(1998-2003)



# Mainstreaming . . . Again



## Gender, Equity & Rights Mainstreaming Unit

Margaret  
Chan

WHO

Director-  
General  
(1998-2003)



“to achieve a WHO in which each staff member has the core value of gender, equity and human rights in his or her DNA”



**A HUMAN RIGHTS-BASED APPROACH TO HEALTH**

# The Birth of the Regional Office

- PAHO's American Origins
- Incorporation in WHO
- Regional Independence

The six WHO Regions...vary widely in those climatic, ethnic, political, religious, cultural, economic, and epidemiological factors which influence the nature of regional health problems and the development of national health services, and determine the ease of international collaboration. The 22 nations and the almost equally numerous territories of the Americas have a common cultural heritage from a small section of Western Europe and have none of the deep-seated racial, religious, ideological, and territorial dissensions which make international collaboration so difficult in some of the Regions.

- F.L. Soper

# The Rise of Human Rights

- Social Medicine in the Americas
- From the National Constitutions to Regional Governance



*executive committee of  
the directing council*

PAN AMERICAN  
HEALTH  
ORGANIZATION

59th Meeting  
Washington, D.C.  
July-August 1968

Since the Second World War there has been a growing trend to incorporate the right to health into national constitutions.

In the final analysis, the assistance rendered by the World Health Organization and the Pan American Health Organization to Governments is intended to make that right a reality.



Signing of the agreement between the World Health Organization and the Pan American Health Organization by Dr. René L. Bruch, Director-General, World Health Organization, and Dr. Fidel L. Soto, Director, Pan American Sanitary Bureau, on May 23, 1948 (United Nations Photo)



# HIV/AIDS Operationalizes Human Rights for Global Health

## Global Programme on AIDS

Discrimination



Rights



## From HIV to Mental Health

- Linking Health & Human Rights
  - Public Health & Human Rights are interdependent
  - Human rights violations result in adverse health effects
  - Public Health Methods can violate human rights

# Mainstreaming Comes to



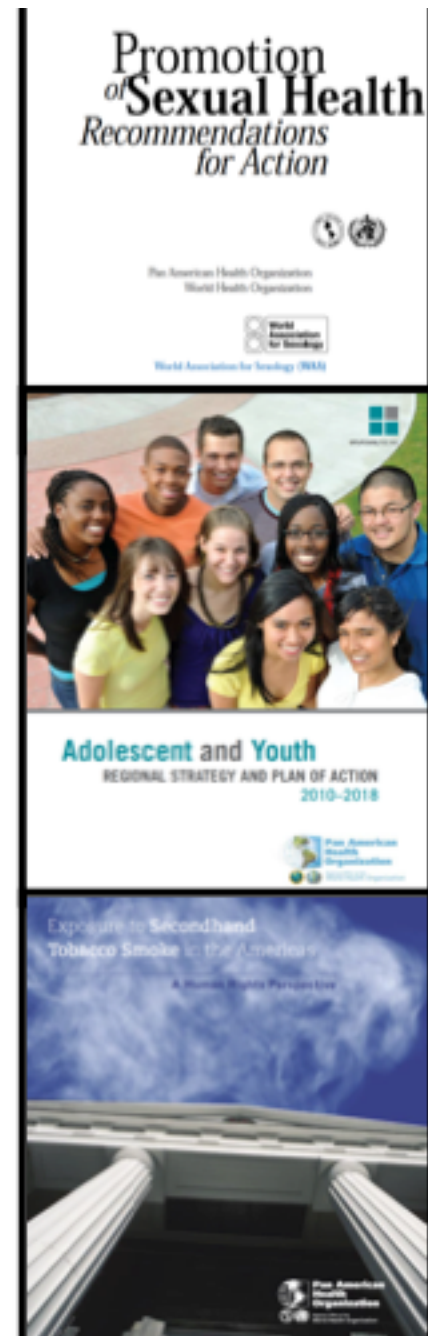
**PAHO-WHO**



- Collaborations with Technical Units
- Building Government Capacity for Human Rights
- Relationship with the Inter-American Human Rights System
- Solidifying Human Rights in the Americas

# Collaborations with Technical Units

- PASB Legal Department Enlists a Health & Human Rights Advisor
- Trainings of PAHO Staff
- Incorporating Human Rights in PAHO Technical Documents
  - Mental Health
  - Sexual Health
  - Ageing
  - Adolescent Health
  - Tobacco



# Building Government Capacity for Human Rights



- National Government Trainings
- National Human Rights Institutions
- Regional Statements
  - Health Agenda for the Americas
  - PAHO Strategic Plan

# Relationship with the Inter-American Human Rights System

- Inter-American Commission on Human Rights
  - Evolving PAHO Testimony
  - Technical Opinions
- Inter-American Court of Human Rights
- Developing Public Health Obligations in Regional Human Rights Agreements



# Solidifying Human Rights in the Americas

- 2010 Directing Council Resolution on Health and Human Rights
  - Member States – strengthen the technical capacity of health authorities to implement international human rights instruments, support law and policy reforms to incorporate human rights, and promote the right to health with policymakers and civil society organizations.
  - PAHO – cooperate with the UN and OAS human rights systems, train the Bureau's technical staff on rights-based issues, collaborate with non-governmental actors to protect human rights, and promote rights-based practices among PAHO member states.

# Promoting Human Rights Through Regional Health Governance

- Human Rights Leadership
- State Support
- Legal Expertise
- Technical Unit Commitment



# Human Rights Leadership

- Importance of Directors
  - authority to address human rights across the Bureau,
  - space to work independently on rights-based grants, and
  - guidance to coordinate technical collaboration with national governments to justify human rights in PAHO programming





# State Support



- From Social Medicine in Latin America to Human Rights in the Americas
- Democratization & Human Rights
- Civil Society



# Legal Expertise

- Importance of Legal Capacity/Office of the Legal Counsel
  - National Policymakers
  - Inter-American Commission
  - UN Human Rights Institutions
- WHO Collaborating Centres



# Technical Unit Commitment

- **Creating “True Believers”**
- **Building Technical Support Unit-by-Unit**
- **Highlighting instrumental value of human rights**
- **Rewarding Rights-Based Efforts**

# Thank You

**Benjamin Mason Meier & Ana Ayala, The Pan American Health Organization & the Mainstreaming of Human Rights in Regional Health Governance, *Journal of Law, Medicine & Ethics* (2014).**



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