

# GLOBAL HEALTH IS A HUMAN RIGHT!

## A Civil Society Common Platform for Action on HIV/AIDS and Global Health

In May 2003 a diverse group of Canadian organizations came together in Ottawa at a national civil society summit, "Global Health is a Human Right!". Guests from Argentina, Brazil, Niger and South Africa took part. The summit was convened by the Global Treatment Access Group (GTAG).

Participants discussed strategies for responding to HIV/AIDS and other global health challenges. The summit provided the basis for this "Common Platform", as a unified expression of demands for action from a wide cross-section of Canadian civil society.

Please use it. Join with other Canadian civil society organizations in the global struggle for the human right to health. Take action now.

### CIVIL SOCIETY COMMITMENT

We are committed to:

- Building international solidarity in an effective response to HIV/AIDS and other public health problems.
- Promoting global economic, environmental and social policies that respect, protect and fulfil the human right to the highest attainable standard of health.
- Analyzing and monitoring government policy in order to achieve the right to health around the world. Gender analysis, and a commitment to the rights of the most marginalized and vulnerable, are essential elements in holding governments accountable.

# AIDS CLOCK

PEOPLE LIVING WITH HIV/AIDS WORLDWIDE  
**40,480,100**

AS OF JANUARY 1, 2004 @ 12:30 PM  
UN POPULATION FUND  
[http://www.unfpa.org/aids\\_clock](http://www.unfpa.org/aids_clock)

### GLOBAL TREATMENT ACCESS GROUP (GTAG)

GTAG is a working group of Canadian civil society organizations sharing information and developing joint campaigning activities aimed at improving access to essential medicines and other aspects of care, treatment and support for people living with HIV/AIDS in developing countries. GTAG focuses its efforts on both the Canadian government and international actors. GTAG grew out of an initial meeting in May 2001 to discuss strategies for global treatment access, which led to collaboration between several organizations on Canada's trade policy regarding access to medicines.

Additional information about GTAG, and the full report of the "Global Health Is a Human Right!" summit, can be found on-line via [www.aidslaw.ca](http://www.aidslaw.ca) under Events and [www.cic-ctc.ca](http://www.cic-ctc.ca) under Global.

**GLOBAL  
TREATMENT  
ACCESS GROUP**

# COMMON PLATFORM FOR ACTION

## HUMAN RIGHTS

Canada must actively support the right to health at home and around the world.

- Human rights agreements should be strengthened, building up enforcement mechanisms.
- Canada should support the work of the UN Special Rapporteur on the right to health, other mechanisms that contribute to realizing the right to health, International Labour Organization standards on workers and health, the International Guidelines on HIV/AIDS and Human Rights, and other international guidelines on health and human rights.
- Canada must support measures to eliminate HIV/AIDS

related discrimination and to respect, protect and fulfil the human rights of people living with HIV/AIDS and of individuals and groups vulnerable to discrimination and marginalization.

- Human rights obligations must take priority over trade liberalization and investor rights. Trade and investment agreements should explicitly recognize adherence to, and respect for, economic, social, and cultural rights and environmental protection.
- Human rights must be respected and protected in health research, through compliance with international guidelines and through national laws and policies.

## GENDER AND HEALTH

The ability of women and girls to protect themselves from illness, and HIV infection in particular, is inextricably linked with gender equality, social and economic equity, and empowerment. Some international instruments and programmes promote the health and other rights of women and girls in the context of HIV/AIDS, but given profound gender inequalities, more must be done to ensure sexual and reproductive rights and the public provision of comprehensive sexual and reproductive health care services. Canada should support the development of, and access to, HIV prevention options that can be controlled by women, such as microbicides. Canada and international institutions must increase development assistance to help developing countries address the gender dimension of health generally and of the HIV/AIDS epidemic in particular.

## STRENGTHENING PUBLIC HEALTH SYSTEMS

There is an urgent need to radically enhance investment in public health systems in developing countries, strengthening and expanding this infrastructure where it exists and creating it where it currently is lacking. Canada must commit over the long term, including through sustained funding, to strengthening public health systems as the crucial foundation for the response to HIV/AIDS and other health needs in developing countries. This requires action by national governments but also clear support by donor countries such as Canada and multilateral financial institutions such as the World Bank.

Evidence indicates that “public-private partnerships” leading to the for-profit delivery of health services – whether clinical, administrative or auxiliary – result in higher costs, staffing cuts and poorer quality of service. We recognize that in some countries, partnerships have been developed to provide services: these must be made subject to full transparency, public consultation and debate as well as to strict guidelines in the public interest.

### GLOBAL CRISIS...GLOBAL (IN) ACTION?

- Over 40 million people live with HIV/AIDS worldwide, 27.0 million have died.
- 95% of cases are in the developing world, principally sub-Saharan Africa, but infections are rising in southern Asia, Eastern Europe and central Asia.
- The UN has set a target of ensuring 3 million people in the developing world have access to anti-retroviral treatment by 2005. Currently, only about 400,000 worldwide have access.
- The global need for response to HIV/AIDS is estimated at no less than US \$10 billion for 2005, and US\$15 billion by 2007, from all sources. Current global contributions reach less than half that amount. The Canadian contribution to fight AIDS is not keeping pace with the epidemic.

## **ACCESS TO MEDICINES**

Canada must take action to ensure access to affordable medicines by countries that need them for public health. Canada should take leadership in global efforts to scale up the provision and further development of affordable, effective medicines and other pharmaceutical products. Canada should also promote and utilize greater flexibility in international trade and investment agreements in order to support the protection and promotion of health in developing countries. In order to facilitate access to lower-cost generic medicines, Canada should issue compulsory licenses for export of such medicines and should not limit such exports with restrictive lists of diseases or products. Canada must respect the right of developing countries to decide their own disease and medicine priorities, as well as the right of all countries to issue compulsory licenses to obtain lower-cost drugs for public health, both of which are recognized by the World Trade Organization (WTO).

In order to protect countries' ability to obtain affordable pharmaceutical products, Canada must oppose the extension of the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) in any further agreements. Canada should ensure that there are no provisions in the proposed Free Trade Area of the Americas (FTAA) agreement, or in other bilateral, regional or multilateral treaties, that create stronger rules for pharmaceutical patents than what is already found in TRIPS. Canada should seek to broaden international recognition of the priority of public health, as already reflected in the WTO's Doha Declaration on the TRIPS Agreement and Public Health.

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## **TRADE AND INVESTMENT**

Canada must ensure its right, and the right of any other country, to determine its own health policies and exempt them from trade and investment negotiations and agreements, at the World Trade Organization (WTO), the proposed FTAA and elsewhere. Exemptions for health must be defined broadly, including health-related sectors and measures. Such a general exemption should be included in the General Agreement on Trade in Services (GATS) to protect all aspects of the health systems from GATS challenges. Canada should seek an exemption for public services from GATS and other international negotiations. The "investor-state" provisions of NAFTA, which allow corporations to sue governments for exercising their regulatory authority in the public interest, including matters of health and the environment, should be rolled-back and no such provisions should be negotiated in other treaties.

## **FINANCE: SUPPORT FOR SURVIVAL**

### **DEVELOPMENT ASSISTANCE**

Poverty, vulnerability to HIV/AIDS, and suffering from treatable disease go together. Canada must enhance its aid to the most-seriously affected countries. Canada should increase its official development assistance (ODA) to the target of 0.7% of gross national product (GNP), which was adopted by the UN and endorsed by Canada over three decades ago. Canadian development policy and assistance (ODA) should give a high priority to the financing of affordable comprehensive treatment for HIV/AIDS (including anti-retroviral drugs), to HIV prevention, and to health services more generally. Other neglected diseases of the poor, many exacerbated by the HIV/AIDS crisis, must also be given a high priority.

### **GLOBAL FUND TO FIGHT AIDS, MALARIA AND TUBERCULOSIS**

The Global Fund is an innovative international funding mechanism to address key global health crises. Canada's contribution to the Fund should be based on our portion of global gross domestic product (GDP). The House of Commons Standing Committee on Foreign Affairs and International Trade has recommended that Canada's contribution be immediately increased to at least US\$75 million per year, from the current level of US\$25 million per year. We support this call and insist that Global Fund contributions not be taken from existing commitments to official development assistance.

### **INTERNATIONAL FINANCIAL INSTITUTIONS**

Canada must work to end World Bank and International Monetary Fund policies which undermine developing countries' ability to fund public health, or which encourage the ill-advised privatization of public services or the implementation of "user-pay" service policies penalizing the poor. Canada must also work to ensure these institutions do not impose conditions that block countries from accessing additional resources (such as from the Global Fund) to increase their overall funding for health.

### **DEBT CANCELLATION**

In order to free up developing country resources to respond to HIV/AIDS and other public health needs, Canada should lead efforts to cancel the debts of the most-seriously affected countries, whether owed to the Canadian government or to private or multilateral bodies.

## RESEARCH FOR THE PUBLIC GOOD

Canada should support not-for-profit research and development (R&D) of new and improved medicines, vaccines, microbicides and diagnostics for HIV/AIDS and neglected diseases. The Canadian government can play a role by supporting several civil society initiatives to confront the crisis in needs-driven R&D, such as the creation of a public global health research fund, funding non-commercial needs-driven R&D initiatives, supporting a global treaty on R&D, and promoting technology transfer to developing countries.

## CORPORATE SOCIAL RESPONSIBILITY

All corporations and organizations benefiting from financial support from the Canadian government must commit themselves to respecting basic labour rights set by the International Labour Organization (ILO) and to supporting the ILO Code of Practice on HIV and the World of Work. Corporate "social responsibility" programs should be funded from corporate revenues and not subsidized by public funds.

Employers must ensure a discrimination-free environment, while working with employees and their representatives to design and implement an appropriate HIV/AIDS policy for their workplace. The human rights and occupational health and safety of workers must be protected in national law and practice.

## HEALTH AT HOME

Canadian international policy is stronger and more credible if our policy is sound at home. The Canadian government must implement the recommendations of the Commission on the Future of Health Care in Canada ("Romanow Report"), including the extension of the Canada Health Act to include home care services and pharmacare, a National Drug Agency to control costs and ensure safety, a Canadian Health Covenant, and an effective National Health Council, all supported by adequate federal funding.

To add your organization to the list of those endorsing this Common Platform for Action on Global Health as a Human Right, or to seek further information, please contact:

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The logo features the words "AIDS" and "CLOCK" in a large, bold, black, sans-serif font. The letter "A" in "AIDS" is stylized to resemble a clock face with hands.

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In the time taken to read this document  
an estimated 100 people have become  
infected with HIV. Act now.

## TAKING ACTION

Not all organizations may be able, in principle, capacity or expertise, to act on all elements of the programme, but can contribute action on many of the specific elements to a common and urgently needed effort. We hope you will join the organizations listed below in endorsing this "Common Platform" as a collective statement from Canadian civil society engaged in efforts to realize the human right to health.

### Alternatives

BC Persons With AIDS Society

Canadian Council for International  
Co-operation

Canadian Health Coalition

Canadian HIV/AIDS Legal Network

Canadian Labour Congress

Canadian Society for  
International Health

Canadian Union of Public Employees

CARE Canada

Council of Canadians

Interagency Coalition on AIDS  
and Development

Médecins Sans Frontières/  
Doctors Without Borders Canada

McGill International Health Initiative

North-South Institute

Oxfam Canada

Service Employees International  
Union Canada

Stop Tuberculosis Canada

Students Against Global AIDS

United Church of Canada

United Steelworkers

This platform grew out of the national civil society summit, "Global Health is a Human Right".