



Some definitions related to Human Rights in Health

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Discrimination

... "any distinction, exclusion, restriction or preference based on certain grounds such as race, color, sex, language, religion, political or other opinion, national or social origin, position economic, birth or any other social condition and that has the purpose or result of annulling or undermining the recognition, enjoyment or exercise, under conditions of equality, of human rights and fundamental freedoms of all people." Human Rights Committee, General Comment 18, HRI/GEN/1Rev.2. Paragraphs 7 to 13, UN

Discrimination can be the result of an action or an omission, it can be intentional or unintentional, direct or indirect, subtle or openly hostile, but either way, it causes profound damage to people's lives. Discrimination turns into serious forms of violence...and as such damages vital areas of our being that are fundamental to face and transform the world with strength, creativity and daring... which are essential to develop the ability to response , defense and action _

Quirós R. Edda. *Module to Promote and Defend the Right to Equality, Justice, Development and Respect for People Living with HIV-AIDS. For facilitators. Inter-American Institute of Human Rights. Costa Rica. 2002 / Protocol for the identification of discrimination against people living with HIV/AIDS". UNAIDS 2001*

Human rights

They are fundamental rights and freedoms inherent to human beings and are based on the recognition of dignity, freedom, equality and justice for all people on the basis of which individuals can act and States can legislate and judge. The dignity of the person as the foundation of human rights, is related to responsibilities and rights with himself and with his social and natural environment.

(Human Rights Education Manual; International Human Rights Instruments. IIHR)

Human rights, in addition to being a condition of people, are ways of thinking and acting based on respect, solidarity, equality, equity and the recognition and appreciation of differences. (Quirós Edda.

Management Services of Health. Human Rights and Gender in Health Axis)

Human rights in health

They are the rights that seek to guarantee comprehensive health , well - being, for all people without discrimination based on sex, ethnicity , religion, nationality, condition economic, age, schooling, sexual preference and health condition .



MINISTRY OF HEALTH



HEALTH SERVICES DIRECTORATE

They are the rights that ensure that people are treated with dignity , equality, equity and respect in the different spaces where health is built . It will be a violation of human rights in health any unequal treatment , exclusive, unequal, degrading or stigmatizing that hinders the construction of the health, well - being and development of people .

It is part of our right to live with health to place the social practice of health at the center of reflection beyond just medical health care. It is a condition to make this right effective to consolidate a practice that has as a project not only to solve the disease, but also to build health, well-being.

The right to Health implies an action of conservation and ~~another of restoration to health by the public power~~ as well as by society, the family and the individual himself. (*Quirós Edda. Health Services Directorate . Human Rights and gender axis in Health*)

Being a Subject of Rights

Being a subject and subject of rights is strengthened when **at the individual level** we recognize that we are people and not objects that can be manipulated and used, excluded by others. It is strengthened in the relationship that is generated when **I recognize** my condition as a person and **others also recognize it.** (*Quirós Edda. Address Health Services . Human Rights and Gender in Health Axis*)

The valuation of the difference

Accepting that there are differences between people and groups and that these differences can be positive and must be respected is an imperative for building health. Differences must be taken into account not to oppress and subordinate, but to enhance and promote personal development.

Women and men of different ages, ethnic groups and nationalities are equally different and equally similar, neither our differences nor our similarities should be a reason for some to dominate and exploit others.

Equality

It means that every person without distinction of age, sex, ethnic group, sexual preference, health condition, socioeconomic status, schooling, nationality enjoy the same legal and social status, that is, that they have the same conditions to fully realize their human rights. and its potential to contribute to national, political, economic, social and cultural development, and to benefit from the results of that development.

actual equality

It was believed that the principle of equality formally established in the Political Constitutions was sufficient to ensure equality between women and men of different ages, ethnic groups and nationalities. It is necessary but not sufficient.



In order for the principle of equality to be fulfilled, the inequality and hierarchy between one and the other must be eliminated, not their differences.

Gender equality, human equality

It means that women and men enjoy the same legal and social status. It means that women and men of different ages, ethnic groups and nationalities have the same conditions to fully realize their human rights and their potential to contribute to national, political, economic, social development and cultural, and benefit from the results.

The road to equality recognizes that different treatment may be necessary to achieve the same results, due to different living conditions or to compensate for past discrimination. It is the process of being fair.

To ensure this justice, measures must often be taken to compensate for the historical and social disadvantages that prevent women and men from benefiting from equal opportunities. *(Status of Women Canada Office)*

Fairness leads to equality

Equity is not **equal** to **Equality**, **inequality** is not equal to inequity **and** we know that **inequity** is equal to unnecessary avoidable and unfair **inequalities** .

Equality may be an empirical concept for some, but equity is an ethical imperative based on principles of social justice.

Equitable treatment -unlike equal treatment- always requires contextualization when making decisions.

It is necessary to take into account the differences, the particular experiences, the social context of the relationships and the conditions of existence of each one.

Examples:

-access to places, services and resources that would be closed to people with disabilities if specific measures were not taken. -recognize the particular circumstances of battered women who kill their aggressors. - particular demands of a mother who is in charge of children and is given hours of attention to a health institution.

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sexual health

"Sexual health is aimed at the development of life and personal relationships and not merely advice and care in matters of reproduction and sexually transmitted diseases." *International Conference on Population and Development Program of Action paragraph # 7.2*

Sexual health has to do with free, responsible and pleasurable expressions of sexuality and that promote well-being and personal and social enrichment.

Reproductive health

"Reproductive health entails the ability to have a safe and satisfying sex life and to procreate, the freedom to decide whether or not to do so, when and how often. This last condition implies the right of men and women to obtain information and to have access to safe, effective, affordable and acceptable family planning methods of their choice..., and the rights to receive adequate health care services that allow pregnancies and safe births and give couples the best possible chance of having healthy children..."

International Conference on Population and Development. Action Program paragraph # 7.2

sexual rights

The right of every woman and man to have control over matters relating to their sexuality, including their sexual health, and to decide freely on these matters, without being subjected to coercion, discrimination and violence.

Equal relations between women and men with respect to sexual relations and reproduction, including full respect for the integrity of the person, require mutual respect and consent and the willingness to jointly assume responsibility for the consequences of sexual behavior
(*Adapted from World Conference on Women paragraph 96*)

reproductive rights

Reproductive rights encompass certain human rights that are already recognized in national laws, international human rights documents and other relevant United Nations documents, approved by consensus. These rights are based on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number of children, the spacing of births and the interval between them, and to have the information and means to do so. and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make reproductive decisions without discrimination, coercion or violence, in accordance with what is established in human rights documents" .

International Conference on Population and Development Program of Action. paragraph 7.3



Rights of caregivers and health service providers

They are the rights that ensure that caregivers and health providers are treated with dignity, equality, fairness and respect in the spaces where they assume their task of providing care.

Fundamental human rights related to sexual and reproductive rights

The right to life

-The right not to die from preventable causes related to childbirth and pregnancy

The right to health

-The right to sexual and reproductive health

The right to liberty, security and personal integrity -The right not to be subjected to torture or cruel, inhuman and degrading treatment or punishment in sexual and reproductive life.

-The right to live free from sex and gender-based violence -The right to live free from sexual exploitation

The right to decide the number of children -The right to reproductive autonomy -The right to carry out a procreation plan with medical assistance or a recognized midwife, in a hospital or alternative environment that meets the necessary safety conditions.

The Right to privacy -The right of every woman to decide freely and without arbitrary interference, about her reproductive functions.

The right to equality and non-discrimination -The right to non-discrimination in the sphere of sexual and reproductive life -The right to non-discrimination for sexual and reproductive health care.

The right to marry and to found a family -The right of women to decide on matters related to their reproductive role in equality and without discrimination -The right to marry or not -The right to dissolve the marriage The right to have capacity and age to give consent to marry and found a family.

The right to employment and social security

-The right to legal protection of maternity both in the workplace and in other spaces

¹ An adaptation of Facio Alda. National human rights institutions and reproductive rights. UNFPA. Costa Rica. 2003



- The right not to be discriminated against because of pregnancy
- The right not to be fired because of pregnancy
- The right not to suffer sexual harassment
- The right to maternity protection

The right to education

- The right to sexual and reproductive education
- The right to non-discrimination in the exercise of this right

The right to adequate and timely information -The right to be given clear information about their sexual and reproductive health -The right to be informed about their sexual and reproductive rights and responsibilities and about the benefits, risks and effectiveness of the methods of regulation of fertility and on the implications of a pregnancy for each particular case.

The right to modify discriminatory customs against women.

- The right to modify customs that harm the sexual and reproductive health of women and girls.

The right to enjoy scientific progress and to give consent to be the subject of research

- The right to enjoy scientific progress in the area of sexual and reproductive health -The right not to be the object of research if so decided.

Human rights of people living with HIV/AIDS

These are the rights that seek to guarantee people living with HIV / AIDS their comprehensive health , your well -being without any discrimination . They are the rights that ensure that they are treated with dignity, equality, fairness and respect.

It will be a violation of their human rights any inequitable, unequal, degrading or stigmatizing treatment that hinders the construction of their well -being and the developing. (Quirós Edda. Health Services Directorate . Human Rights and gender axis in Health 2005)