



HiAP, Human Rights & Health Rights  
Impact Assessment



1. HUMAN RIGHTS (speedy!)
2. HUMAN RIGHTS & HiAP
3. HEALTH RIGHTS IMPACT ASSESSMENT



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# HUMAN RIGHTS



# UDHR

Article 1	Right to Equality	Article 16	Right to Marriage and Family
Article 2	Freedom from Discrimination	Article 17	Right to Own Property
Article 3	Right to Life, Liberty, Personal Security	Article 18	Freedom of Belief and Religion
Article 4	Freedom from Slavery	Article 19	Freedom of Opinion and Information
Article 5	Freedom from Torture and Degrading Treatment	Article 20	Right of Peaceful Assembly and Association
Article 6	Right to Recognition as a Person before the Law	Article 21	Right to Participate in Government and in Free Elections
Article 7	Right to Equality before the Law	Article 22	Right to Social Security
Article 8	Right to Remedy by Competent Tribunal	Article 23	Right to Desirable Work and to Join Trade Unions
Article 9	Freedom from Arbitrary Arrest and Exile	Article 24	Right to Rest and Leisure
Article 10	Right to Fair Public Hearing	Article 25	Right to Adequate Living Standard
Article 11	Right to be Considered Innocent until Proven Guilty	Article 26	Right to Education
Article 12	Freedom from Interference with Privacy, Family, Home and Correspondence	Article 27	Right to Participate in the Cultural Life of Community
Article 13	Right to Free Movement in and out of the Country	Article 28	Right to a Social Order that Articulates this Document
Article 14	Right to Asylum in other Countries from Persecution	Article 29	Community Duties Essential to Free and Full Development
Article 15	Right to a Nationality and the Freedom to Change It	Article 30	Freedom from State or Personal Interference in the above Rights

# “The right to health”

Underlying  
water, sanit  
housing, he  
environmen  
information



care

AAAQ

Availability, Accessibility, Acceptability, Quality

(General Comment No. 14 of the Committee on Economic, Social and Cultural Rights)

# Key Points

- Rights are:
  - Universal and inalienable
  - Indivisible, interdependent and interrelated
- Human rights approaches have both normative and procedural aspects (ways of thinking and ways of doing)
- Provides a framework for decision making
- Equality and non-discrimination
- Participation and inclusion
- Accountability and rule of law (rights holders and duty bearers)

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HiAP

AND

HUMAN RIGHTS



# So what's human rights got to do with HiAP?

## Adelaide Statement

- Nothing about rights

## Helsinki Declaration

- “Affirm our commitment to equity in health and recognize that the enjoyment of the highest attainable standard of health is one of **the fundamental rights of every human** being without distinction of race, religion, political belief, economic or social condition.”

## Helsinki Statement Framework for Country Action

- “**HiAP is founded on health-related rights and obligations**, and contributes to strengthening the accountability of policymakers for health impacts at all levels of policy-making.”
- ...As a concept, HIAP is in line with the **Universal Declaration of Human Rights**, the United Nations Millennium Declaration..”

HiAP	Human Rights
Broad conceptualisation of health	Broad conceptualisation of health
Upstream	Upstream
Intersectorial	Indivisible, interdependent and interrelated
Governmental focus	Duty bearers (states) and rights holders (people)
Accountability and transparency	Normative framework - legal obligations and standards
Participation (rhetoric?)	Participation - right to information and participation in decision making
Win Win (working with power)	Sometimes but not always win win (empowering)
Reframing of issues	Provides a framework Reframes problems as violations

Utilising human rights language reconstructs social problems and failures of the poor as rights violations and failures of macro-economic policy (Pemberton, Gordon, Nandy, Pantazis, & Townsend, 2013).

The Committee on Economic, Social and Cultural Rights:

“The real potential of human rights lies in its ability change the way people perceive themselves vis-à-vis the government and other actors. A [human] rights framework provides a mechanism for reanalyzing and renaming ‘problems’ like contaminated water or malnutrition as ‘violations’ and, as such, something that need not and should not be tolerated....Rights make it clear that violations are neither inevitable nor natural, but arise from deliberate decisions and policies. By demanding explanations and accountability, human rights expose the hidden priorities and structures behind violations and challenge the conditions that create and tolerate poverty.”



# Health Rights Health Impact Assessment



# HRHIA

- HRHIA similar but different to HIA
  - Considers impacts on health rights
  - Utilises international human rights standards and mechanisms
- The primary intended outcomes of a HRHIA are health and health rights informed decision making and the progressive realisation of health rights.

# The Right Guide

A tool to assess the human rights impact of anti-trafficking laws and policies



## GUIDE TO CONDUCTING A RIGHT TO FOOD ASSESSMENT



### HeRWAI Health Rights of Women Assessment Instrument



## DOVA

The Human Rights Assessment Instrument on Domestic Violence

## THE ASSESSMENT OF THE RIGHT TO HEALTH AND HEALTH CARE AT THE COUNTRY LEVEL

A People's Health Movement Guide

CANADIAN HUMAN RIGHTS COMMISSION  
COMMISSION CANADIENNE DES DROITS DE LA PERSONNE

### The Human Rights Impact Assessment for Security Measures

October 2006

	Action code		Program ID no.	
	Appraisal	Appropriation	Review	Completion
System:				
<b>HUMAN RIGHTS IMPACT</b>				
OS:			Score	Follow up:
CI:			PR	
EC:			Nc	
RC:			TR	
NON AVAILABLE			N.A.	
agreement assessed/actual impact (transformation?)				
How directly affected have informed parties?				

## Handbook in Human Rights Assessment

State Obligations  
Awareness & Empowerment

# HRHIA

Assessment	Accountability	Process
Evidence based Impacts Recommendations	Responsibility Answerability Enforceability	Transparency Participatory Intersectorial Builds capacity (duty bearers and rights holders) Building governance Human rights actors and mechanisms

Haigh, 2015 unpublished)

# Ways of working

- mechanisms related to **knowledge and learning** (identifying, assessing and communicating knowledge and developing capacity and skills)
- mechanisms related to **motivating decision makers to change** their thinking or actions
- mechanisms related to **collaboration** (perspective sharing and relationship building).
- (Haigh, 2015, unpublished)







Never Stand Still

Medicine

Centre for Primary Health Care and Equity

Fiona Haigh  
[f.haigh@unsw.edu.au](mailto:f.haigh@unsw.edu.au)

Research Fellow, Centre for Health Equity Training, Research & Evaluation(CHETRE)  
UNSW Australia