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HUMAN RIGHTS COUNCIL

17<sup>TH</sup> SESSION (30 May - 17 June 2011)

Report of the Special Rapporteur on the right of everyone to the enjoyment  
of the highest attainable standard of physical and mental health

(01 June 2011)

Statement by India

Mr. President,

We thank the two special procedures for their reports, but would like to confine our remarks to the report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

We take positive note of the report of the Special Rapporteur, which examines the ways in which human rights, and the right to health in particular, can add value to the developmental process by fostering a rights-based approach in policy formulation and implementation. The growing convergence between economic and social development and the right to health is now well-recognized in developmental economics. Over time, there has been an increasing recognition of the inter-relatedness of the right to health with other aspects of well-being, since enjoyment of health is inextricably linked to a decent standard of living, including, inter-alia, the enjoyment of the right to food, sanitation, water and housing. The enjoyment of health provides an irrefutable illustration of the indivisibility and inter-connectedness of an array of social rights. Underdevelopment, marked by certain factors impacting on health such as poverty, malnutrition, hunger, and inequities in access to health services, has proved to be a major obstacle to the effective enjoyment of health. It is in this context that the Millennium Development Goals and



their indicators assume particular significance, as they establish a "civilizing minimum" of well-being for all citizens, and promote a rights-based approach by putting people and their well-being back at the centre of the development process.

The Special Rapporteur has explored the mutually reinforcing relationship between health and development in a comprehensive manner; and his chosen example of HIV/AIDS, a growing epidemic which has had a devastating effect on both human rights and development, corroborates his observations well. While taking note of his recommendations, we observe that the Special Rapporteur has not made any specific recommendations to private enterprises, which are equal partners in the quest for economic development; and in the provision of health services and access to medicines in particular. Considering that the responsibility of private enterprises to integrate a rights-based approach into their policy is now well-recognized, we believe that such a recommendation by the Special Rapporteur would have been beneficial.

In conclusion, Mr. President, we welcome the Report of the Special Rapporteur on the expert consultation held on access to medicines as a fundamental component of the right to health in October 2010, as well as the conclusions and recommendations contained therein. We appreciate the Special Rapporteur's role in highlighting the existing challenges and obstacles in promoting universal access to affordable, good quality and safe medicines and sincerely hope that he will continue to give this important subject his due attention in the discharge of his mandate.

Thank you, Mr President.

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