

# HEALTH AND HUMAN RIGHTS

An International Quarterly Journal

VOL. 1 No.1

Fall, 1994

## Editorial

- A New Journal: A New Beginning.....1  
*Jonathan Mann, MD, MPH*
- Welcome to Health and Human Rights.....3  
*John F. Lauerman*

## Articles

- Health and Human Rights.....6  
*Jonathan Mann, MD, MPH; Lawrence Gostin, JD, LLD (hon.); Sofia Gruskin, JD, MIA; Troyen Brennan, MD, JD, MPH; Zita Lazzarini, JD, MPH; Harvey V. Fineberg, MD, PhD*
- The Right to Health in International Human Rights Law.....24  
*Virginia Leary, JD*
- Towards the Development of a Human Rights Impact Assessment for the Formulation and Evaluation of Health Policies.....58  
*Lawrence Gostin, JD, LLD (hon.) and Jonathan Mann, MD, MPH*
- Rights Violations in the Ecuadorian Amazon: The Human Consequences of Oil Development .....82  
*Center for Economic and Social Rights*

## Commentary

- The World Development Report 1993 and Human Rights.....101  
*Tony Klouda, MD*

## Bibliography

- A Selected Bibliography of Human Rights and the Right to Health.....110  
*Lucie Bernier*



HARVARD SCHOOL OF PUBLIC HEALTH  
François-Xavier Bagnoud Center for  
Health and Human Rights

*Founded through support of the Association François-Xavier Bagnoud*

FRANÇOIS-XAVIER BAGNOUD CENTER  
FOR HEALTH AND HUMAN RIGHTS

The François-Xavier Bagnoud Center for Health and Human Rights was founded at the Harvard School of Public Health in January 1993. The Center considers that the promotion and protection of health and the promotion and protection of human rights are inextricably linked. The Center is dedicated to exploring the conceptual dimensions and practical applications of this critical relationship. Through its concentrated focus on the intersection of health and human rights, the Center also seeks to help revitalize the field of public health and broaden human rights thinking and practice.

HARVARD SCHOOL OF PUBLIC HEALTH

The Harvard School of Public Health includes more than 200 faculty members working in various disciplines of public health. The overriding mission of the School—to advance the public's health through learning and discovery—comprises four objectives: to educate scientists, professionals, and leaders of public health; to foster new discoveries and develop better technologies for improved health of individuals and populations; to inform and influence debate on key public health issues; and to strengthen capacities and services that meet health needs in the community.

ASSOCIATION FRANÇOIS-XAVIER BAGNOUD

The Association François-Xavier Bagnoud currently supports worldwide programs in humanitarian assistance, aerospace research for the benefit of people, and community life in the Swiss canton of Valais. Humanitarian assistance focuses on children's rights—especially the right to health care—of children who are orphaned, abandoned or sick, many of whom have AIDS or are HIV-infected. Projects are located in Thailand, India, Switzerland, Kenya, Uganda, Uruguay, Columbia, and the United States. The Association François-Xavier Bagnoud bears the name of a young Swiss helicopter rescue pilot who died in a helicopter accident while flying over the desert in the African country of Mali in 1986.

VOL.1 No.1

Fall, 1994

# HEALTH AND HUMAN RIGHTS

An International Quarterly Journal

## Editorial

A New Journal: A New Beginning.....1  
*Jonathan Mann, MD, MPH*

Welcome to Health and Human Rights.....3  
*John F. Lauerman*

## Articles

Health and Human Rights.....6  
*Jonathan Mann, MD, MPH; Lawrence Gostin, JD, LLD (hon.); Sofia Gruskin, JD, MIA; Troyen Brennan, MD, JD, MPH; Zita Lazzarini, JD, MPH; Harvey V. Fineberg, MD, PhD*

The Right to Health in International Human Rights Law.....24  
*Virginia Leary, JD*

Towards the Development of a Human Rights Impact Assessment for the Formulation and Evaluation of Health Policies.....58  
*Larry Gostin, JD, LLD (hon.) and Jonathan Mann, MD, MPH*

Rights Violation in the Ecuadorian Amazon: The Human Consequences of Oil Development .....82  
*Center for Economic and Social Rights*

## Commentary

The World Development Report 1993 and Human Rights.....101  
*Tony Klouda, MD*

## Bibliography

A Selected Bibliography on Human Rights and the Right to Health.....110  
*Lucie Bernier*

Copyright © 1994 by the President and Fellows of Harvard College

*HEALTH AND HUMAN RIGHTS*  
Journal Office  
Harvard School of Public Health  
677 Huntington Avenue  
Building 1, Room 1208  
Boston, MA 02115 USA  
Tel: (617) 432-4611  
Fax: (617) 432-4314

*Health and Human Rights* (ISSN number pending) is published quarterly by the François-Xavier Bagnoud Center for Health and Human Rights at the Harvard School of Public Health. Third-class postage paid at Boston, Massachusetts and additional mailing offices.

#### *Publication Policy*

*Health and Human Rights* is an international quarterly journal dedicated to studying the relationships between human rights and health. The journal examines the effect of human rights violations on health; the impact of health policies on human rights; and the inextricable nature of the relationship between the promotion and protection of health and the promotion and protection of human rights. Issues of international impact and significance for health and human rights are of particular interest.

*Health and Human Rights* welcomes unsolicited manuscripts. Authors interested in being published in *Health and Human Rights* should send their manuscripts to the Managing Editor at the address above. Manuscripts should be typed, double-spaced, submitted in triplicate, and accompanied by a computer diskette, preferably in Microsoft Word 5.0 word processing format. Detailed guidelines for contributors may be obtained by writing or calling the above address.

Views expressed in the journal are those of the authors and do not necessarily reflect the views of *Health and Human Rights'* officers, editors, or other members.

#### *Subscriptions*

The annual domestic and international Subscription Rate for *Health and Human Rights* is \$36, to be paid in US dollars. The Institutional Rate is \$80 per annum and the Student Rate is \$24 per annum. Individual subscribers may also wish to subscribe at the Sponsorship Rate of \$48 per annum. The Sponsorship Rate (\$48) helps subsidize free distribution of *Health and Human Rights* in developing countries. Individuals in developing countries may qualify for free subscriptions to *Health and Human Rights*. All correspondence concerning subscriptions should be sent to *Health and Human Rights* Subscription Office, PO Box 519, Shrub Oak, NY 01588-0519 USA.

#### *Individual Issues*

Copies of individual issues of the journal may be obtained by writing *Health and Human Rights* Subscription Office, PO Box 519, Shrub Oak, NY 01588-0519 USA. The cost of each individual copy is \$12. Please pay for orders either by credit card or money order. Unless otherwise requested by the subscriber, *Health and Human Rights* is mailed third-class postage.

VOL.1 NO.1

# HEALTH AND HUMAN RIGHTS

## Editor

Jonathan Mann

*Professor and Director, François-Xavier Bagnoud Center for Health  
and Human Rights at the Harvard School of Public Health*

## Managing Editor

John F. Lauerman

## Senior Advisory Board

Philip Alston  
Australia

Halfdan Mahler  
Denmark

V. Ramalingaswami  
India

Henry Steiner  
USA

Katarina Tomasevski  
Croatia

## Editorial Board

Sunila Abeysekera

Timothy Harding

Peter Piot

Manuel Carballo

Aart Hendriks

Geneviève Pinet

Lincoln Chen

Emmanuel Hirsch

Jacqueline Pitanguy

William Curran

Hakima Himmich

Olikoye Ransome-Kuti

Ernest Drucker

Howard Hu

Jon E. Rohde

Paul Epstein

Hina Jilani

Renée Sabatier

Richard Feachem

Peter Kandela

Amartya Sen

Harvey Fineberg

Michael D. Kirby

Margaret A. Somerville

Julio Frenk

Maureen Law

Gracelyn Smallwood

H. Jack Geiger

Jennifer Leaning

Eric Stover

Lawrence Gostin

Ana Luisa Liguori

Lorenzo Tomatis

Sofia Gruskin

Adetokunbo O. Lucas

Nahid Toubia

Mirko D. Grmek

Gerald Nagler

Laurie Wiseberg

Aryeh Neier

---

*Health and Human Rights* is published four times a year  
by the François-Xavier Bagnoud Center for Health and Human Rights at  
the Harvard School of Public Health

All editorial correspondence should be addressed to :  
Managing Editor  
*Health and Human Rights*  
677 Huntington Ave., Building 1 Room 1208  
Boston, Massachusetts 02115 USA





