

Palliative Care: A Human Right

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NOS MATA EL CANCER

Me mata el dolor porque hace
varios días no consigo en ningun-
na parte **MORFINA CLORHI-
DRATO** 3% inyectable. Por favor
Secretario de Salud no nos haga
sufrir más.

AMINE CEL 3007900834.

viernes

12 de Septiembre de 2008

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International Association for the Study of Pain

Poor Pain Treatment Access

“The World Health Organization estimates that 5 billion people live in countries with low or no access to controlled medicines and have no or insufficient access to treatment for moderate to severe pain. In these countries, each year tens of millions of patients are suffering without adequate treatment.”

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WHO Briefing Note — Feb 2009 “Access to Controlled Medications Programme”

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The Right to Health

“The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”

-International Covenant on Economic, Social and Cultural Rights (ICESCR) – Article 12

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Minimum Requirements

- Ensure access to and equitable distribution of health facilities, goods and services on a non-discriminatory basis
- Provide essential drugs, (defined under WHO Action Programme on Essential Drugs)
- Adopt and implement a national public health strategy and plan of action.

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**-ICESCR General Comment No. 14: The Right
to the Highest Attainable Standard of Health**

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Unnecessary Pain as Cruel, Inhuman and Degrading Treatment

“Governments also have an obligation to take measures to protect people under their jurisdiction from inhuman and degrading treatment. Failure of governments to take reasonable measures to ensure accessibility of pain treatment, which leaves millions of people to suffer needlessly from severe and often prolonged pain, raises questions whether they have adequately discharged this obligation.”

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-Joint Letter by UN Special Rapporteur on Torture and the Special Rapporteur on the Right to Health

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Lack of Pain Treatment at Major Cancer Hospitals in India



INDIA

Unbearable Pain

India's Obligation to Ensure Palliative Care

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“[T]he Indian government has failed to take reasonable steps to address the lack of palliative care availability [at regional cancer centers]... Many patients needlessly suffer excruciating pain... The suffering is so serious that it meets the minimum threshold for government liability under the prohibition of cruel, inhuman and degrading treatment.”

- Human Rights Watch report, **Unbearable Pain: India's Obligation to Ensure Palliative Care**, October 2009

Looking Forward

Let's use a human rights approach to point governments to their responsibilities with respect to pain management and hold them accountable if they don't!

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