

THE FRAMEWORK CONVENTION ON GLOBAL HEALTH TOWARDS A GLOBAL TREATY ON THE HUMAN RIGHT TO HEALTH



The Framework Convention on Global Health (FCGH) was first conceived of in 2007, and is a proposed global treaty, grounded on the human right to health, that would address the unconscionable health inequities among and within countries.

The FCGH would seek to create a “web of accountability” around the right to health, thus turning the right’s mandates, principles, and frameworks into people’s lived realities, helping restore people’s dignity, so long denied.

The FCGH would encompass three major areas: 1) implementing key human rights principles in health, including equality, participation, accountability, and international cooperation and assistance; 2) resourcing the right to health, and; 3) ensuring accountability to the right to health in all sectors and for all actors, and from local to global levels.

The FCGH will transform the right to health’s position in international law, from an entitlement-focused right to health under article 12 of the ICESCR to a right that entitles everyone to available, accessible, acceptable, quality health services and that demands equity, empowerment, and sustainability.

Significance of Legally Binding Norms

Heads of government and legislators will be legally obliged to implement FCGH provisions. The binding nature of the FCGH would also open additional avenues of enforcement and accountability, where national courts can enforce human rights treaties, directly or following domestication of their stipulations.

Equal Footing with Other International Legal Regimes

The binding nature of a right to health treaty will enable the treaty to compete on equal footing with other international legal regimes that threaten health and are themselves grounded in treaties, such as trade (including intellectual property) and investment treaties.

Empowering Health Advocates

Ministers of health and related sectors, and other advocates for human rights and justice within the government, will have added power in negotiating with potentially competing sectors (e.g., energy, industry, law enforcement, immigration). Civil society advocates will have an added powerful argument to use in their political advocacy and new avenues for input and advocacy through FCGH participation and accountability mechanisms, along with the possibility of seeking judicial enforcement.

THE FCGH ALLIANCE

On Human Rights Day 2017, FCGH supporters launched the FCGH Alliance, an NGO registered in Switzerland but operating as a virtual global network. The Alliance is now the focal point of FCGH efforts, with work including treaty drafting and advocacy, using a regional strategy to build understanding of and support for the FCGH globally.

More on the Alliance is at: <https://fcghalliance.org>.