

FACT SHEET

MY HEALTH, MY RIGHT!

What are human rights?

Human rights refer to the basic rights and freedoms to which all human beings are entitled. Rights are guaranteed to all human beings under international agreements without any discrimination on grounds of sex, ethnic group/race, language, political or other opinion, national or social origin. Rights guaranteed include the right to life, freedom from slavery, equal protection of the law, right to nationality as well as the right to the highest attainable standards of health, right to food, water and a clean environment among many others.

The right to health

Under the right to health, the Kenyan government is obliged to ensure that health services as well as medicines and health care workers are made available and accessible to ALL Kenyans regardless of their geographical location or economic status, are acceptable to all cultures, genders and ages and respect the privacy of all Kenyans. The quality of the skills of the health workers, the medicines available and the equipment used in the health facilities should meet the necessary health standards in the community.

The link between health and human rights

Human rights are related to each other, meaning, the violation of the right to health may often impair the enjoyment of other human rights such as the right to education, work and vice versa. The right to health is dependent on, and contributes to, the realization of many other human rights. This includes the right to food, to water, to an adequate standard of living, to adequate housing, to freedom from discrimination and to participation.

persons interfering with the rights of others.

Fulfil (create satisfaction): The government should do everything possible to make sure you and I enjoy our human rights. It should adopt appropriate legislative, administrative, budgetary, judicial, promotional and other measures towards the full realisation of human rights, thus creating the conditions in which persons are able to enjoy their rights fully in practice.

Example 1; the government should build hospitals and adequately equip them with health care workers, equipment and medical supplies so that if you and I get sick, we can

always get the necessary treatment.

The government also has an obligation of adequately financing the health sector. It should commit 15% of the national budget to the health sector as agreed in the Abuja declaration. This will ensure that more hospitals are built, and equipped with medicines and other supplies. This will also enable training, recruitment, distribution, and retention of health workers in all health facilities.

The government should also open up avenues such as District Health Stakeholders Forums, through which the citizens can participate in shaping health related policies that affect them. Furthermore, it should stop any actions that have a negative effect on the health of its citizens.

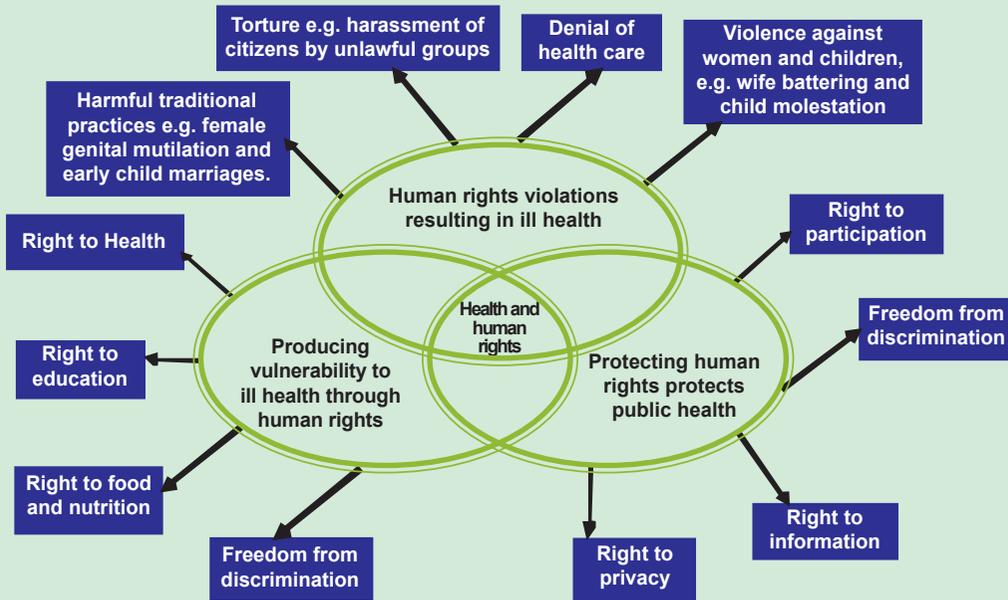


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The following diagram explains the link between health and human rights



Health and human rights are linked as follows:

- ☞ Violations or lack of attention to human rights can have serious health consequences on an individual and the community. For example, harmful traditional practices such as female genital mutilation, slavery, torture and violence against women and children are violations that cause immediate and direct harm to health.
- ☞ Taking steps to respect, protect and fulfil human rights can reduce vulnerability and the impact of ill health. "For example: protecting and fulfilling the right to food, nutrition, education and housing ensures fulfillment of the right to health".
- ☞ Health policies, programmes and practices can have a direct bearing on the enjoyment of human rights, while a lack of respect for human rights can have serious health consequences. Protecting human rights is recognized as key to protecting public health.

Realization of health rights:

For health rights to be realized, the government of Kenya and the citizens (wananchi) have some roles to play. The government of Kenya as the duty bearer holds the responsibility of fulfilling all human rights which include the right to health. On the other hand, the mwananchi as the rights holder is entitled to rights and claiming of those rights. The mwananchi is entitled to hold the duty bearer (the government of Kenya) accountable.

What are the roles of the wananchi as rights-holders?

The roles of the wananchi are;

a) Health promotion:

- ☞ Ensuring you eat a healthy diet regardless of your age to meet nutritional needs. A healthy diet should consist of proteins, carbohydrates and vitamins.

- ☞ Taking regular exercises.
- ☞ Ensuring that we reject all practices that affect the health of other community members, for example, domestic violence, female circumcision, early girl child marriages, and child labour among other harmful traditions.

b) Disease prevention:

- ☞ Maintaining good personal hygiene in terms of washing hands with soap and water, using latrines, bathing everyday, brushing our teeth etc.
- ☞ Using clean water for cooking, cleaning and bathing. Always boil or treat water to make it safe for use.

c) Care seeking and compliance with treatment and advice:

- ☞ Giving sick household members appropriate home care for illness.
- ☞ Taking children as scheduled to complete a full course of immunizations.
- ☞ Following recommendations given by health care workers in relation to treatment, follow up and referral.

d) Governance and management of health services:

- ☞ Attending and taking an active part in local meetings and barazas discussing health issues.

e) Knowing your health rights:

- ☞ Be proactive (always seek to know your rights in health)
- ☞ Ensuring that health care providers in the community are accountable for effective health service delivery and use of available resources.

When someone has a right, someone else, and in this case, the government of Kenya has a duty to respect, protect and fulfill these rights.

What are the roles/obligations of the government of Kenya (the duty bearer)?

The government is responsible to ensure that the rights of all people are equally respected, protected and fulfilled. That is, the government has an obligation to create the conditions that enable other duty bearers, such as parents, private sector, local organizations, donors, health workers and international institutions to fulfill their responsibilities.

Respect: The government should not interfere (interrupt) with the enjoyment of human rights.

Example 1; *Corruption interferes with health rights. Embezzlement of public funds meant to buy medical supplies by corrupt government officials interferes with the right to health. The government should arrest and prosecute such corrupt officials.*

Protect: The government should ensure that third parties, individuals, organisations or fellow citizens do not interfere with your human rights.

Example 1; *the government should ensure that there are no illegal organised groups that are harassing people and that all citizens comply with the existing laws. The government of Kenya should arrest and prosecute all*