

victims. This was published in English in 1973 by Mr. Jiri Toman, Director of research at the Henry Dunant Institute in Geneva.

This publication is a fine achievement. As it is printed in Chinese characters, with the fewest possible Korean letters, it will probably be very useful also, with little difficulty, for Chinese and Japanese readers.

M. T.

Health as a human right, WHO Chronicle No 30, Geneva, 1976

Historically, and in contrast with the early introduction of a number of other rights, the right to health was one of the last to be proclaimed in the constitutions of most countries in the world. There are no references to the right to health in eighteenth and nineteenth century constitutions, whereas a number of other rights are specifically mentioned.

At the international level, the Universal Declaration of Human Rights established a breakthrough in 1948, by stating in Article 25:

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family including food, clothing, housing, and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children whether born in or out of wedlock shall enjoy this same social protection.

The Preamble to the WHO Constitution also affirms that it is one of the fundamental rights of every human being to enjoy "the highest attainable standard of health" and that "governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures".

A resolution adopted by the Twenty-third World Health Assembly in 1970 goes far beyond these provisions in declaring without qualification that "the right to health is a fundamental human right". Another resolution adopted by the same World Health Assembly elaborates on what may be considered as being the philosophy relating to the right to health and gives the latter a specific dimension. This resolution states that "the attainment by all peoples of the highest possible level of health" is the main long-term objective of the World Health Organization and that the most important condition for this is the development of efficient national health systems in all countries.

BOOKS AND REVIEWS

Although the right to health can be conceived in the sense that a person may not be deprived of his health by the action of another, as by some form of aggression, it would seem that the World Health Assembly was reviewing the right to health rather in the sense of a right to health care. In this context we have a right that is legally enforceable in that a legal duty to provide such care can be created and applied to individuals and communities.

The right to health must also be considered from an international point of view. It is clear that countries have a duty to protect their citizens from communicable diseases, dangerous drugs, and pollution originating in other countries as well as in their own. Various international agreements have been reached in an attempt to secure such protection, examples being the International Health Regulations, the Single Convention on Narcotic Drugs (1961), the Convention on Psychotropic Substances (1971), and the International Convention for the Prevention of the Pollution of the Sea by Oil (1954)...

...There can be no doubt that further ethical problems will emerge as progress continues in medicine and biology and that these problems will affect an increasing number of countries.

Ethical problems are not amenable to a universal solution; each must be considered separately, and in practice such matters are often dealt with in a rather hesitant and piecemeal fashion. Moreover, a given problem will be seen in a different light in different countries, according to the prevailing religious and ethical ideals. In introducing legislation, however, governments may find it helpful to consider the experiences of other countries and the discussions and resolutions of international groups of experts. It is also to be hoped that an acquaintance with these matters will provide physicians and research workers with useful guidelines when they encounter new ethical problems.
