

54th DIRECTING COUNCIL

67th SESSION OF THE REGIONAL COMMITTEE OF WHO FOR THE AMERICAS

Washington, D.C., USA, 28 September-2 October 2015

CD54.R9
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RESOLUTION

CD54.R9

STRATEGY ON HEALTH-RELATED LAW

THE 54th DIRECTING COUNCIL,

Having considered the *Strategy on Health-related Law* (Document CD54/14, Rev. 1);

Considering that the Constitution of the World Health Organization (WHO) establishes as one of its basic principles that “the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition;”

Aware that the Strategic Plan of the Pan American Health Organization 2014-2019, in accordance with the Twelfth General Program of Work of WHO, establishes different categories, program areas, outputs and outcomes, and indicators;

Recalling that the issue of health law was considered by the 18th Pan American Sanitary Conference in Resolution CSP18.R40 (1970) and that the Directing Council of PAHO, through Resolution CD50.R8 (2010) (Health and Human Rights), urged the Member States to “support PAHO’s technical cooperation in the formulation, review and, if necessary, reform of national health plans and legislation, incorporating the applicable international human rights instruments;”

Noting that the Directing Council approved the Plan of Action on Health in All Policies (Resolution CD53.R2 [2014]) and the Strategy for Universal Access to Health and Universal Health Coverage (Resolution CD53.R14 [2014]);

Recognizing that adequate, strengthened legal and regulatory frameworks can promote and protect health including from the perspective of the right to health where

nationally recognized, and promoting the right to the enjoyment of the highest attainable standard of health;

Affirming the commitment of the Member States to respect, protect, and promote human rights;

Recognizing that in some PAHO Member States, health-related matters may fall under different levels of jurisdiction,

RESOLVES:

1. To adopt the *Strategy on Health-related Law* (Document CD54/14, Rev. 1) in order to respond effectively and efficiently to current and emerging public health needs in the Region.

2. To urge the Member States, as appropriate, taking into account their national contexts, priorities, and financial and budgetary capacities, to:

- a) promote the formulation, implementation, or review of their legal and regulatory frameworks, policies, and other legal provisions, as appropriate, taking a multisectoral approach to addressing health determinants, health promotion throughout the life course, the reduction of risk factors, and disease prevention, as well as the primary health care approach, through participatory processes with the communities;
- b) promote and facilitate the exchange of strategic information, such as best practices and judicial decisions, among Member States and with international organizations; and collaboration on health-related law research with other Member States and other non-State actors;
- c) promote the formulation, implementation, or review of their legal and regulatory frameworks to facilitate universal access to health and universal health coverage; the strengthening of the stewardship and governance role of the health authority to move toward achieving universal access to quality, safe, effective, and affordable medicines and health technologies; and the strengthening of the technical capacities of health workers with a view to improving access and quality in health services, with emphasis on groups in situations of vulnerability;
- d) strengthen the technical capability of the health authority to facilitate coordination and collaboration with the legislative branch and other sectors, as appropriate, including the identification and review of legal gaps and conflicts.

3. To request the Director, within the Organization's financial capacities, upon the request of Member States, and in coordination, consultation, and jointly with their national health authority, to:

- a) promote the implementation of the *Strategy on Health-related Law* and with it, to strengthen advisory and technical cooperation to Member States for the

- formulation, implementation, or review of health-related legal and regulatory frameworks;
- b) provide the technical collaboration that the Member States request to implement the Strategy, which may include training and dissemination to support mechanisms of technical cooperation, in relation to their legal and regulatory frameworks;
 - c) support the Member States in the formulation, implementation, or review of their legal and regulatory frameworks, policies, and other provisions, as appropriate, taking a multisectoral approach to addressing health determinants, health promotion throughout the life course, the reduction of risk factors, and disease prevention, as well as the primary health care approach, through participatory processes with the communities;
 - d) develop actions and tools to promote, among the Member States and international organizations, the exchange of best practices, successful experiences and strategic information in health-related law that Member States can use and adapt to their national reality;
 - e) facilitate collaboration in research on health-related law with Member States and non-State actors;
 - f) harmonize, unify and implement in a strategic way the recommendations of the Governing Bodies of PAHO with respect to the drafting and review of health-related law.

(Sixth meeting, 30 September 2015)