Joint UN Statement calls to implement the UN Shared Framework for Action on Combating Inequalities and Discrimination by ...

“Providing sector-specific and joint guidance and practical tools to raise awareness of human rights standards for non-discrimination as they apply to health care settings.”
CURRENT RESPONSE TO DISCRIMINATION

- Normative
- Legal
- Strategic

.....technical /operational?
METHODS

DEVELOP CONCEPTUAL FRAMEWORK

DEVELOP THEMES

DOCUMENT REVIEW/ANALYSIS OF 31 GUIDELINES SPANNING 10 TOPIC AREAS

CONSULTATIONS
Discrimination is the *differential treatment* of individuals or groups that...

- **HAS THE INTENTION OR EFFECT OF NULLIFYING OR IMPAIRING THE FULLFILMENT OF COVENANT RIGHTS**
- **BASED ON PROHIBITED GROUNDS OF DISCRIMINATION**
- **NOT SUBJECT TO PROGRESSIVE REALIZATION**
IMPACT OF DISCRIMINATION ON HEALTH

Direct effect ("weathering"/allostatic load/minority stress)

As a barrier to accessing health services

Impeding the quality of health care provided
Health Care Settings

Manifestations of discrimination against health workers
- E.g. Hostile Work Culture
- E.g. Unequal pay and career opportunities

Manifestations of discrimination against patients
- Access Barrier
- Compromised Quality of Care

Drivers of Discrimination
- Non-Discrimination Intervention

Pathways of Discrimination in Health Care Settings Framework

Health and Wellbeing Outcomes
Statements

33/121 (28%)

62/121 (51%)

25/121 (21%)

Best Practice Statements
TARGETED DRIVERS OF DISCRIMINATION

- **Correct laws, policies, programs or practices that do not account for the needs of specific populations**
  - 92/121 (76%)

- **Correct punitive or criminalizing laws, policies, programs and practices**
  - 18/121 (15%)

- **Target stigmatizing norms, expressed as attitudes, behaviors and beliefs**
  - 51/121 (42%)
TARGETED MANIFESTATIONS OF DISCRIMINATION AGAINST PATIENTS

ACCESS BARRIER

95/121 (79%)

QUALITY OF CARE

72/121 (59%)
TRENDS AND GAPS

SIMILAR NON-DISCRIMINATION STATEMENTS MADE FOR DIFFERENT KEY POPULATIONS

CLEAREST NON-DISCRIMINATION STATEMENTS MADE AS IMPLEMENTATION CONSIDERATIONS

INCONSISTENT LABELLING OF STATEMENTS

MOST NON-DISCRIMINATION STATEMENTS DO NOT OFFER CLEAR ACTION FOR ADDRESSING DISCRIMINATION

LACK OF STATEMENTS ADDRESSING DISCRIMINATION AGAINST HEALTH WORKERS
Non discrimination

- “Discrimination constitutes any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination and which has the intention or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of Covenant rights”. Gen Comm 20 (ICSCR)

Scope of non-discrimination obligation

- Based on prohibited grounds
- Nullifies or impairs
- Intent or effect
- Systemic or interpersonal
- Direct/formal (ie in Constitution, laws, policies) or indirect/substantive (requires attention to groups of individuals who experience historical or persistent prejudice)

Requires immediate remedial action