

# TACKLING DISCRIMINATION IN GLOBAL PUBLIC HEALTH GUIDELINES

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

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“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.”

*Handbook  
for Guideline  
Development*

*2nd edition*

# 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 ...

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 HAS THE INTENTION OR EFFECT OF NULLIFYING OR IMPAIRING THE FULLFILMENT OF COVENANT RIGHTS

 BASED ON PROHIBITED GROUNDS OF DISCRIMINATION

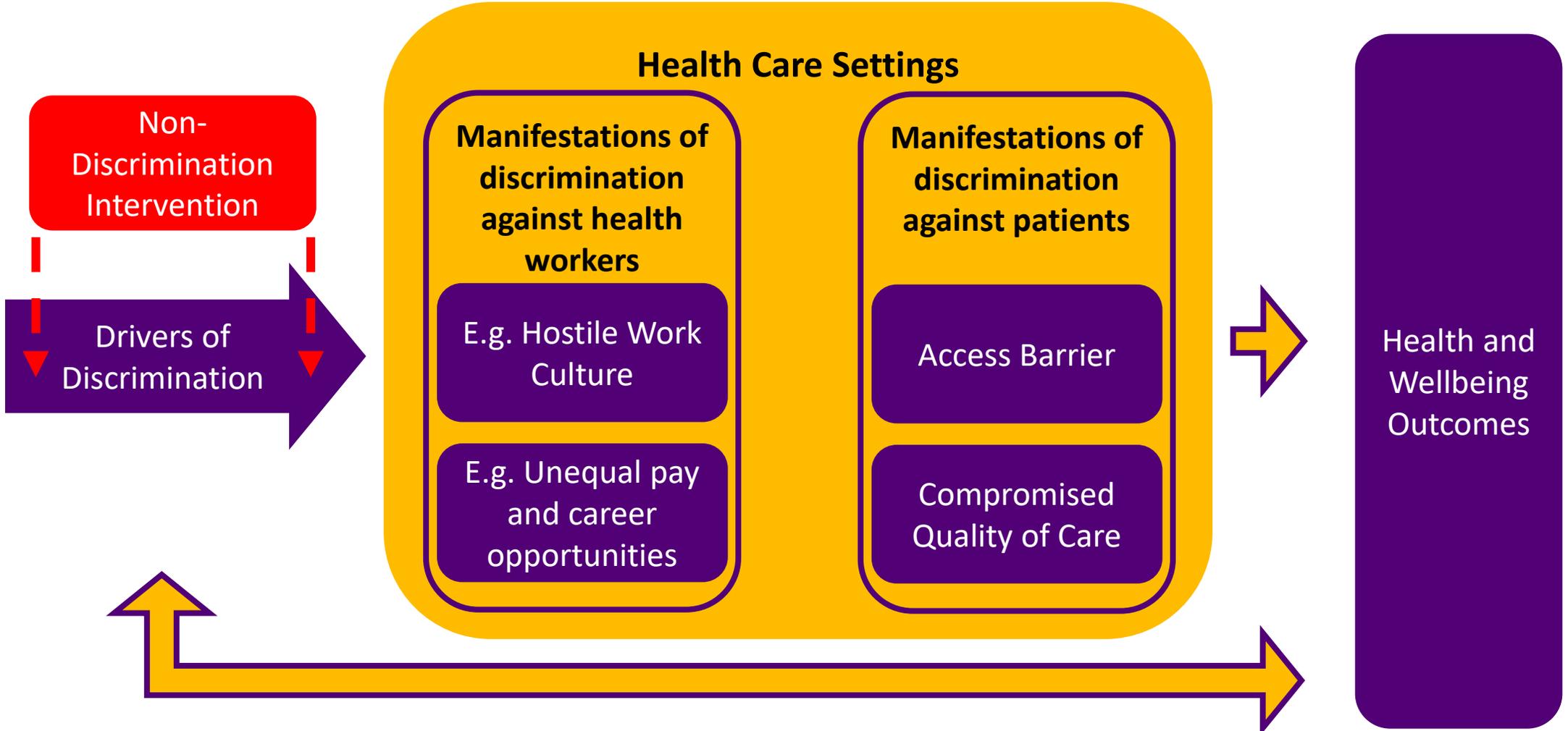
 NOT SUBJECT TO PROGRESSIVE REALIZATION

# IMPACT OF DISCRIMINATION ON HEALTH

Direct effect  
 (“weathering”  
 /allostatic  
 load/  
 minority  
 stress)

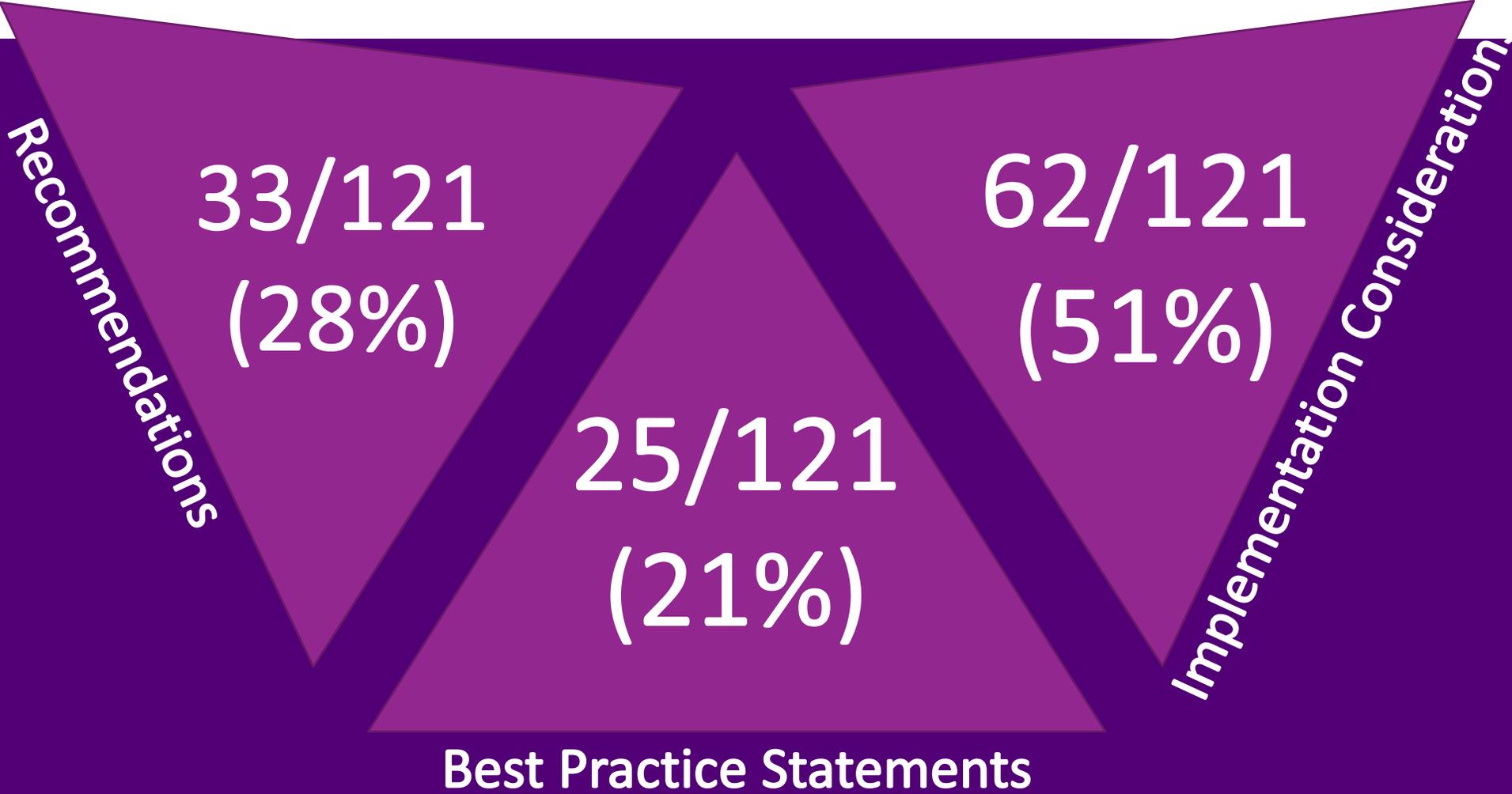
As a barrier  
 to accessing  
 health  
 services

Impeding the  
 quality of  
 health care  
 provided



**Pathways of Discrimination in Health Care Settings Framework**

# Statements



# TARGETED DRIVERS OF DISCRIMINATION

**92/121**  
**(76%)**

**CORRECT LAWS, POLICIES,  
PROGRAMS OR PRACTICES THAT  
DO NOT ACCOUNT FOR THE  
NEEDS OF SPECIFIC POPULATIONS**

**18/121**  
**(15%)**

**CORRECT PUNITIVE OR  
CRIMINALIZING LAWS, POLICIES,  
PROGRAMS AND PRACTICES**

**51/121**  
**(42%)**

**TARGET STIGMATIZING NORMS,  
EXPRESSED AS ATTITUDES,  
BEHAVIORS AND BELIEFS**

# TARGETED MANIFESTATIONS OF DISCRIMINATION AGAINST PATIENTS

**95/121**  
**(79%)** ACCESS BARRIER

**72/121**  
**(59%)** QUALITY OF CARE

# 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**

# KEY CONCEPTS AND DEFINITIONS

## 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***