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STAGES OF FORMATION OF INTERNATIONAL STANDARDS IN THE FIELD OF HEALTH PROTECTION

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Abstract: this article examines the stages of the formation of international standards in the field of health protection, analyzes international legal documents, the history of the formation of the right to health in international law, the concept of international legal standards in the field of the right to health.

Keywords: the right to health, international standards, human rights, international legal document, epidemic, international law.

Currently, the implementation of universal respect and observance of human rights is the concern of the entire world community, and it has become an integral part of the system of international law.

Today, taking into account new threats and challenges to the well-being of mankind, achievements in the theory and practice of international law and other humanities in ensuring the right to health, a comprehensive and fundamental international legal study of key aspects of the implementation of the right to health in conditions of increasing needs of the individual, society and States is becoming extremely relevant.

The history of the right to health should be considered within the framework of the general history of the formation and development of human rights as a whole. In the issue of the emergence and development of the legal foundations of the right to health, there is no unity of opinion among scientists who have studied this topic. Professor L. Hart believes that the origins of human rights should be sought in the US Declaration of Independence of 1776, which states: "We proceed from the self-evident truth that all people are created equal and endowed by the Creator with certain inalienable rights, which include the right to life, freedom and the pursuit of happiness"[1].

A number of Western scientists believe that human rights in their current form originate from the French Declaration of Human and Civil Rights of 1789, in the preamble of which it is said that "people are born and remain free and equal in rights" [2], the American Bill of Rights of 1791, the British Magna Charta of 1215, the British Bill of Rights of 1689. However, in all these acts there is no direct mention of the right to health.

The danger of the spread of epidemics required the development of a quarantine system of measures at the borders aimed at preventing the spread of infectious diseases from one country to another. The first international conference aimed at developing collective measures to combat the cholera epidemic in Europe was held in Paris in 1851. The problems of the conference also included the achievement of an international agreement on the standardization of quarantine measures aimed at preventing the importation of plague and yellow fever. The Conference marked the beginning of the development of sanitary conventions. [3].

The conventions adopted during the specified period of time were a progressive legal means of influencing medical and health care activities and led to the emergence in the future of high-quality legal mechanisms for providing the population with medical care [4].

Another approach should be considered that links the inclusion of the right to health

with armed conflict and the strategic role that health has begun to play in achieving and preserving world peace. An important step in this direction should be called the creation of the League of Nations in 1920. Article 23 of the Charter of the League of Nations required Member States to ensure humane working conditions and take measures to prevent and combat diseases, and Article 25 (at the initiative of the ICRC) stated that "the member States of the League of Nations undertake to encourage and facilitate the establishment and cooperation of voluntary national Red Cross organizations, properly authorized, with the task of improving health care and preventive disease control and alleviating the suffering of the population"[5].

The decisive stage in the consolidation of the right to health in international law was the adoption in 1946. The Charter of the World Health Organization (WHO), which was created at the initiative of the United Nations. The preface to this Charter, which defines the concept of health, is the first international document that formulates the human right to health. It defines the right to "the highest possible level of physical, intellectual and social well-being".

On April 7, 1948, the UN Development Group officially announced the creation of the World Health Organization.

Adopted in 1948 . The Universal Declaration of Human Rights has established a specific list of rights and freedoms that must be respected by all members of the world community. Despite the fact that the right to health was not included in the Universal Declaration of Human Rights as a separate right, it appeared as a separate element in article 25 (1) of the Declaration.

In 1966, the UN General Assembly adopted two covenants: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which entered into force a decade later - in 1976. The right to health received a special legal status in the International Covenant on Economic, Social and Cultural Rights of 1966.

Article 12 of the Covenant requires participating States to recognize the right of everyone to the highest attainable standard of physical and mental health. States Parties should take measures for the full realization of this right, including measures necessary to reduce stillbirths, infant mortality, to ensure the healthy development of the child, to improve all aspects of hygiene, prevention and treatment of epidemic, endemic, occupational and other diseases, to provide medical care and medical care to all in case of illness.

As for its subsequent consolidation, the right to health is contained in the International Convention on Racial Discrimination of 1965, the Convention on the Elimination of All Forms of Discrimination against Women of 1979, the UN Convention on the Rights of the Child of 1989, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990, the Convention on the Rights of Persons with Disabilities of 2006 G. et al . All these documents contain confirmation and further detailing of the right to health in relation to specific groups of people.

The first document that united the efforts of the State in countering the most pressing threats and challenges of the new millennium was the Millennium Declaration, adopted by the GA resolution Adopted by General Assembly resolution 55/2 of September 8, 2000. An important place in the document was given to the need for the speedy elimination of poverty and hunger, the empowerment of women, the reduction of child and maternal mortality, the fight against malaria, HIV/AIDS and other diseases.

Also, the right to health has received its normative consolidation at the regional level. The status of this right as an inalienable, fundamental human right was defined in such

documents of regional significance as the European Social Charter of 1961, the African Charter on the Rights and Welfare of the Child of 1990 and the Additional Protocol to the American Convention on Human Rights in the Field of Economic, Social and Cultural Rights of 1988, etc.

The universal level of the human right to health in these international documents is an important guarantee of the recognition of this right by the world community and imposes obligations on States to use mechanisms to ensure it.

Thus, having considered the process of formation and development of international standards of the right to health, it is safe to say that today the international community has developed and adopted the international legal framework of the right to health.

International legal standards in the field of the right to health are a set of international legal norms and principles that determine the changes and scope of human rights in the field of health and serve as legal norms for the national policy of states in the field of health.

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