Foundations of Global Health

Ethical Issues in Global Health

Learning Objectives

• Discuss some key treaties and conventions related to human rights
• Discuss a “human rights” approach to health
• Review selected ethical and human rights concerns as they relate to global health
• Review the most important ethical guidelines for research on human subjects
• Discuss some of the most historically significant cases in human subjects research

The Importance of Ethical and Human Rights Issues

• Cut across many areas of both human endeavor and government responsibility
• Strong complementarity between good ethical and human rights practices and good health outcomes

Foundations for Health and Human Rights

• Universal Declaration of Human Rights (UDHR), 1948
  – 20 multilateral treaties related to health that are legally binding on the countries that sign them
  – All children shall have social protection
  – Motherhood and childhood are entitled to care and assistance

Human Rights (Cont)

• The International Covenant on Economic, Social, and Cultural Rights (ICESR)
  – Signed by 155 countries
  – Focuses on:
  • Well-being of individuals
  • Right to work in safe conditions
  • Receive fair wages
  • Be free from hunger
  • Education
  • Enjoy a standard of physical and mental health

Human Rights (Cont)

• The International Covenant on Civil and Political Rights (ICCPR)
  – Signed by 160 countries
  – Discusses rights of:
  • Equality
  • Liberty
  • Security
  • “Freedom of movement”
  • Religion
  • Expression
  • association
The “Rights Based” Approach

- Assess the impact of health policies, programs, and practices on human rights
- Take account of the health impacts resulting from violations of human rights
- See health and human rights as inextricably linked when considering the determinants of health and ways in which health issues may be addressed

Ethics in program implementation

- Participation of affected parties and communities in program planning/development
- Equity across groups
- Empowering individuals
- Making people accountable for upholding human rights during their health efforts.

Ethical issues to ask

- Who is being served?
- How are they being served?
- Is there respect for culture?
- What’s their level of participation?
- Who is not being served? Why?
- Is there appropriate accountability for the services?

Selected Human Rights Issues

- Health as a human right
- HIV/AIDS, as an example
- Human rights are not always absolute
- Intellectual property rights and global health

Health as a human right

- The WHO constitution states: “The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being”
Health as a human right (Cont)

- Issues with health as a human right
  - No way to hold countries accountable
  - Compliance is measured by voluntary reporting
  - Resource poor countries don’t have the means to help all of their people “achieve the highest standard of health possible”
  - Unclear definition of “right to health”

Human Rights and HIV/AIDS

- Obstacles
  - Discrimination
  - “Bring it on themselves”
  - Lack of education

Human Rights and HIV/AIDS

- Human Rights Concerns
  - Social protection
  - Access to health care
  - Mandatory or volunteer testing
  - Patient confidentiality

Human Rights: Not Always Absolute

- Epidemics
  - Quarantine
  - Temporarily suspended

Intellectual Property Rights

- Trade-Related Aspects of Intellectual Property Rights (TRIPS)
  - Patients exclude others from making, selling, or importing for a fixed period of time.
  - Attempt to encourage research and drug development
  - Some countries refuse to acknowledge the patient
    - “essential drugs”

Foundations for Research on Human Subjects

- Developed because of the unethical and inhumane Nazi experiments during WWII
- Guidelines that were developed:
  - Nuremberg Code, 1948
  - The Declaration of Helsinki, 1964
  - The Belmont Report, 1974
Nazi Human Experiments

- 23 Nazi physicians and administrators
- Experiments:
  - Injection of pathogens to see how the disease would effect a person
  - Forced exposure malaria
  - Placed in ice water until they froze.

The Nuremberg Code

- Voluntary consent is absolutely essential
- Must produce valuable benefits
- Based on animal studies
- Avoid unnecessary suffering
- “Natural” degree of risk

The Nuremberg Code

- Appropriate facilities
- Qualified researchers
- Subject can end participation at any time
- Stop experiment if injury results

Issues with the Nuremberg Code

- Hard to enforce
- Did not apply to those who were mentally impaired or to children

The Declaration of Helsinki

- Developed by the World Medical Association, 1964
- Purpose:
  - To protect the health and rights of human subjects
  - Regulate international medical research
  - Allow for proxy consent for incompetent individuals
  - Allow minors to agree to research participation

The Belmont Report, 1974

- Respect for Persons
  - Individual choice must be respected
  - People with diminished capacity need protection
- Beneficence
  - Maximize benefits while minimizing harm
- Justice
  - The benefits and risks of research must be distributed fairly
Case Studies

- The Tuskegee Syphilis Study, 1932-1972
- Willowbrook State Hospital, 1956-1970
- Jewish Chronic Disease Hospital, 1963
- Milgram Obedience Study

The Tuskegee Syphilis Study, 1932-1972

- Conducted in Macon County, Alabama by the U.S. Public Health Service
- Purpose of the study was to justify syphilis treatment programs for African Americans
- 399 African Americans with syphilis
- 201 with out syphilis
- Study was to last 6 months

Willowbrook School Study, 1956-1970

- Intentionally infected developmentally disabled children with hepatitis.
- Coerced parents into participating
- Parents were not given all the information regarding the risks involved.

Jewish Chronic Disease Hospital, 1963

- Live human cancer cells were injected into chronically ill elderly patients.
- Patients were not informed
- Researcher claimed that informing the patients would likely “frighten” them.

Milgram Obedience Study

- Wanted to understand the obedience of participants to inflict pain on others.
- Allowed “teachers” to believe they were shocking real humans.
- Caused great stress to those administering shocks.
- Study raised concerns about unnecessary stress in experiments
Institutional Review Board (IRB)

- Review all proposed human research
- Ensure all research guidelines are followed
- Protect the rights of research participants

Investing in Health

- Focusing on the “worst off”
- Small benefit to a large population vs. large benefit to a small population
- Fair chances and best outcomes
- Behavior related health problems

Practice Questions

- What ethical questions should be addressed in a study?
- Name 3 issues with health as a human right.
- Describe human rights concerns related to HIV.
- What is TRIPS?
- Describe the Nuremburg Code.
- What is the purpose of the Helsinki Declaration?
- Name the 3 components of the Belmont Report.
- What human rights violations occurred in the 4 case studies?

Key Challenges

- Need for more exposure to and training on ethical and human rights issues
- Country accountability for enhancing the right to health for the poorest people
- Explicitly determining the fairness of investment choices
- Reviewing Institutional Review Boards and how they function
- Ensuring standards of care