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JUNI KHYAT जूनी ख्यात

इतिहास, कला एवं संस्कृति की शोध पत्रिका

A Peer-Reviewed and Listed in UGC Care List



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Abhiranjan Barman, Assistant Professor, Department of Political Science, Falakata College, Alipurduar, West Bengal, 735211 & Research Scholar, Mahatma Gandhi University, Meghalaya
Email Id: - aviranjan1988@gmail.com

Abstract:

This article attempts to investigate and analyze international Scenario to right to health. Health is a fundamental right of every human being. Health is the most indispensable condition of human life and this central issue of life plays a crucial role for our well-being. We all know that a sound mind lives in a sound body. Moreover, health has been proclaimed as the object of the human right to the accomplishment of the highest attainable standard of health by the international community since the adoption of the constitution of the World Health Organization (WHO) in 1946. The right to health does not denote a right to be healthy. In the broader perspective, right to health cannot be limited to just a few things. It is an inclusive right which covers a number of elements and underlying determinants of health, such as potable water, adequate sanitation, scientific housing, healthy occupational conditions and healthy environmental conditions. Health is internationally defined by various organizations and human rights law. In various nations health laws are being made in connection with the international health laws or declarations and clarifications globally decided in international conventions. The approach to health and right to health varies in national and global perspective. The first notion of a right to health under international law is found in the 1948 Universal Declaration of Human Rights, which was unanimously proclaimed by the UN General Assembly as a common standard for all humanity. The preamble of the Declaration clearly advocates that inherent dignity and the equal inalienable right of all the members is the basement of the freedom, justice and peace of the world.

Keywords: Investigate, Indispensable, Accomplishment, Basement, Health, Declaration.

INTRODUCTION:

Good health is critical to a decent and dignified life.¹ Good health is 'basic to the enjoyment of all human rights and a precondition for participation in social, political and economic life.'² The word 'health' was derived from the old English 'health. Health is a word which has been used to express a certain thought or concept, such as "a state or condition of well-being".³ The issue of the 'right to health' first gained international recognition in 1946 by the Constitution of the World Health Organization (WHO). The most popularly used modern definition of health was developed by the World Health Organization. In the constitution of WHO, health is defined as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity."⁴ Through this definition, W.H.O. Has helped to move health thinking beyond a limited, biomedical and pathology-based perspective to

¹Chirwa, D.M (2003) 'The Right to Health in International Law: Its Implications for the Obligations of the State and Non-State Actors in Ensuring Access to Essential Medicine', South African Journal on Human Rights, 19(4), p-541

²Taylor AL 'Making the World Health Organization Work: A Legal Framework for Universal Access to the Conditions for Health' (1992) 18 American J of L& Medicine 301,311

³Dolfman, Michael L., 'The Concept of Health: An Historic and Analytic Examination, Journal of School Health', published by American School Health Association, Temple University, Philadelphia, 1973, Vol.43 pp.491

⁴World Health organization, Constitution, in Basic Document ,36th Ed. (Geneva, 1986)