

Symposium Articles

Reflections on Health and Human Rights

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Abstract

Communities and individuals globally continue to suffer the violent impacts of colonialism and racism, in a global system of governance that remains rooted in unequal and hierarchical power imbalances. The interpersonal, societal, and structural violence that persists around the world exists in violation of human rights, and is evidence of a persistent lack of political will to effectively invest in human rights, including the right to health, as a true priority.

The demand on States and non-State actors to fulfil the human right to health is imperative. Attacks on civilians during times of conflict and catastrophe, as seen in the latest escalation and display of imperial aggression by Israel in the occupied Palestinian territory, demonstrate the consistent uneven application of human rights and commitment to fulfilling them.

Protecting human rights, and specifically the realization of the right to health, is fundamental as it has significant consequences for the realisation of other human rights. Eliminating discrimination requires paying sufficient attention to groups of individuals that suffer historical or persistent prejudice. Fulfilling a commitment to health equity and justice demands creating opportunity and conducive conditions for the dignity for all people.

Keywords: human rights; global health; international human rights law; social justice; structural discrimination

Protecting human rights, and specifically the realization of the right to health, is fundamental, as it has significant consequences for the realization of other human rights. As Larry Gostin said in *Global Health Law* nearly a decade ago, “Human rights law, with its central tenet of the inherent and equal dignity of all people, is uniquely positioned to catalyze progress toward global health equity.” International human rights protections expressly guarantee everyone the right to the enjoyment of the highest attainable standard of physical and mental health.

Today, as the UN Special Rapporteur on the Right to Health, my commitment to restoring the dignity of people forms the cornerstone of my work. To me, fulfilling the right to health means not only restoring dignity to all people, but doing so in a way that recognizes that the definition of a dignified life looks different and is distinct for each community and constituency and rights holder.

The demand on States and non-State actors to fulfil the human right to health is imperative. Restrictions on women’s reproductive rights, including the *Dobbs* decision in the United States, constitute structural violence on fundamental human rights and set a dangerous precedent for their further erosion using the law. These restrictions on sexual and reproductive rights have disproportionate and negative impact on Black people, persons of African descent, migrants and indigenous peoples and minorities, and the intersection of poverty and discrimination based on age, sex, gender identity, expression, sexual orientation, disability, migration status,

health status (e.g. HIV/AIDS) and location in rural or urban communities.

The latest escalation and display of imperial aggression by Israel in the occupied Palestinian territory must not be de-contextualized, as it represents a crushing moment of an occupation entailing a lack of accountability, ongoing displacement and demolition, movement restrictions, and systematic racial discrimination. This catastrophe has led to even more scarce access to medicine, drinking water, food, and shelter, including a failure by the multi-lateral system to bring an immediate ceasefire and protect healthcare workers and health infrastructures. We continue to witness an uneven application of human rights and commitment to fulfilling them.

I recently commented that in a world where justice evades and multiple crises continue to rage, the slogan “leave no one behind” rings hollow for millions.

As a medical doctor and an advocate, I see the work of both the law and medicine as means of fulfilling the human rights of those affected by violence and inequities that persist in our world today, including and especially for those who experience intersectional and multiple forms of discrimination.

Communities and individuals globally continue to suffer the violent impacts of colonialism and racism, in a global system of governance that remains rooted in unequal and hierarchical power imbalances. The interpersonal, societal, and structural violence that persists around the world exists in violation of human rights and is evidence of a persistent lack of political will to effectively invest in human rights, including the right to health, as a true priority.

An intersectional approach to justice is the most powerful pathway we have toward substantive equality. Eliminating discrimination requires paying sufficient attention to groups of individuals that

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suffer historical or persistent prejudice instead of merely comparing the formal treatment of individuals in similar situations. Placing an end to systems of oppression will require unwavering commitments to social justice, reproductive justice, economic justice, climate justice, and racial justice — creating opportunity and conducive conditions for the dignity for all people.

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