

Mr. Ban Ki-moon
UN Secretary-General
United Nations
777 United Nations Plaza
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New York, NY 10017
USA

CC: Dr. Margaret Chan
WHO Director-General
World Health Organization
Avenue Appia 20
1211 Geneva 27
Switzerland

April 18, 2014

Dear Secretary-General Ban Ki-moon,

We commend you for your leadership on the forthcoming Sustainable Development Goals, and your commitment that the principles of human rights and equality will underpin the SDGs. It is a vision we share, and one that has been emphasized through the consultative process that you have led, from the High Level Panel to far-flung communities of people subject to human rights abuses and discrimination.

Yet it is a vision that we believe cannot be achieved without new legally binding instruments that ensure accountability to commitments in the SDGs and to human rights more generally. Such instruments are needed to establish effective governance and to empower people to enforce their rights in ways that the human rights treaty regime presently lacks and were not built in to MDG process.

From our own experiences in global health, we have seen realities time and again fall short of health promises, and are concerned that without more clearly defined national and global responsibilities for health and greater accountability, such a fate may also befall the health SDG(s). Whatever the health goal(s) in the final SDGs, they cannot be realized in full without this type of enabling instruments. Indeed, given the connections between health and most anticipated focus areas of the SDGs, such an instrument, focused on health, would contribute to achieving many of the other SDGs too.

We therefore urge that the final SDG formulation and the UN resolution that promulgates the SDGs lead to a process for developing a Framework Convention on Global Health (FCGH). The FCGH would be a global health treaty grounded in the right to health and aimed at national and global health equity. With its development that could be mandated to and the process steered by the World Health Organization, it would establish clear right to health standards in such areas as universal and equitable health systems that encompass public health, national and global financing framework, and inclusive, participatory processes in all stages of policymaking. It would strengthen

accountability to and enforcement of the right to health through mechanisms from human rights education to empower people to enforce their rights to ensuring the right is enforceable in courts. And the FCGH would elevate the force of the right to health in other sectors that affect the right, such as economic, intellectual property, and migration regimes.

An international coalition of civil society, academics, and intergovernmental organizations recently met launch an inclusive Platform for an FCGH and establish an ad hoc interim Steering Committee for an FCGH. Please see the Platform's key principles [enclosed/attached].

We look forward to engaging with you and your office in the months ahead to enable the SDG process to lead to an FCGH to reinforce and help ensure that success of the SDGs. We will also be seeking the advice of the Dr. Margaret Chan how best we can support WHO if the SDG resolution provides WHO the mandate to advance the FCGH as a UN treaty.

Sincerely,

Srinath Reddy
Public Health Foundation of India
New Delhi

Lawrence O. Gostin
Georgetown University Law Center
Washington, DC

On Behalf of the Steering Committee of the Platform for a Framework Convention on Global Health:

Kent Buse, UNAIDS
Switzerland

Armando De Negri, Executive Committee, World Social Forum on Health and Social Protection
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