

Campaigning for a healthy future

By Lexi Lachal, 2011 Castan Centre Global Intern



Lexi Lachal (right) joins her supervisor Fiona Lander (centre) and Nonie Tuxen for lunch. Both Noni and Fiona are Monash alumni.

Before heading to Mumbai to intern with the United Nations Special Rapporteur on the Right to Health for three months, I scrambled to find as much information about him as possible. I discovered that Anand Grover is a practicing lawyer in the Bombay High Court and Supreme Court of India. His firm, Lawyer's Collective, was a true pioneer of HIV/AIDS and human rights litigation in India, and was the driving force behind last year's Supreme Court judgment that saw the decriminalisation of homosexuality in India. I felt incredibly privileged to be given the opportunity to work with and learn from such an accomplished team of people.

The Rapporteur aims to clarify the scope of the right to health; to raise awareness of the right to health as a fundamental human right; and to provide guidance and support on the operationalisation of the right to health. Reading through Mr Grover's previous thematic reports as the Special Rapporteur, which included issues such as the decriminalisation of drug use and sex work, I quickly realised he was not one to shy away from controversial and politically sensitive issues. As with most human rights, it is generally the most vulnerable and marginalised groups who are frequently denied the right to the highest attainable standard of health. It was encouraging, therefore, to see that Mr Grover was particularly passionate about bringing attention to right to health issues surrounding groups such as women; ethnic minorities; people who use drugs; sex workers; prisoners; and lesbian, gay, bisexual and transgender individuals.

The breadth of the Rapporteur's mandate meant I had the opportunity to work on an incredibly diverse range of projects that incorporated subject matters ranging from patent law in Kenya to the humane treatment of prisoners in the Philippines. A task

that was frequently assigned to me was the preparation of urgent appeals to be sent to countries that are in breach of their obligations vis-à-vis the right to health. Issues that seemed to crop up regularly in appeals were the treatment of prisoners and of people who use drugs. It seemed that 'vulnerable groups' was a definite theme of the work I was involved with.

Mr Grover has also initiated the 'Right to Health Litigation Project', which involves the construction of a comprehensive database of worldwide health rights litigation. The task being undertaken is monumental and requires the collection of relevant case law from every domestic, regional and international jurisdiction worldwide. I was assigned to reading judgments and preparing summaries to be entered into the database and was reading material from jurisdictions as varied as Bangladesh, Nepal and the European Court of Human Rights.

To have Mumbai as the backdrop to the internship made the experience truly memorable and unique. It is an inspiring, confronting, mind-boggling city that I relished calling my home for three short months. Simply going about day-to-day activities is a challenge and a learning experience in itself. When carrying out the simple task of catching the train to work every morning, I was confronted with people sitting atop the carriages; flimsy, ad hoc shelters for entire families erected along the edges of the tracks; beggars and buskers of every variety; and people (very!) physically pushing each other (and me) just to get standing room in a carriage. I am incredibly grateful to the Castan Centre for being given the opportunity to work with Mr Grover and the passionate staff at Lawyer's Collective.

You can read more about the Global Interns experiences at www.castanglobalinterns.wordpress.com