Human Rights and Drug Control: Access to Controlled Essential Medicines in Resource-Constrained Countries

Marie Elske Gispen
ACKNOWLEDGEMENTS

To my grandfather David de Wied (1925-2004)

Whilst interning at the Essential Medicines and Pharmaceutical Products Department of the World Health Organization in 2010, Hans Hogerzeil and Richard Laing inspired me to work on essential medicines. Returning to the Netherlands with a strong interest in health and human rights matters, it was eventually Adriaan van Es and his team at the International Federation for Health and Human Rights Organizations who introduced me to the pressing issue of the unavailability of controlled medicines. I am grateful for them to – perhaps without realizing – shape my academic interest. The confrontation with the large human suffering involved in the unavailability of controlled medicines and the apparent inconsistencies in law to improve their medical availability and use inspired me to eventually carry out the present study.

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My parents always told me that I should never have to thank them for the support they give me. However, I feel like an exception is appropriate here. Pap and Mam, who would ever have thought that I would pursue an academic career at the crossroads of our fields of interest? I could not have been more proud to share this moment with you and I value every step you walk along with me in life: thank you.

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List of Abbreviations

AAAQ  Availability Accessibility Acceptability Quality
ACHPR  African Charter on Human and Peoples’ Rights
ACRWC  African Convention on the Rights and Welfare of the Child
AIDS  Acquired Immune Deficiency Syndrome
APCA  African Palliative Care Association
ATOME  Access To Opioid Medication in Europe project
CAT  Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment
CED  Convention for the Protection of All Persons from Enforced Disappearance
CEDAW  Convention on the Elimination of All Forms of Discrimination Against Women
CEDAW  Convention on the Elimination of All Forms of Racial Discrimination
CESCR  Committee on Economic, Social and Cultural Rights
CFREU  Charter on the Fundamental Rights of the European Union
CIDT  Cruel, Inhuman and Degrading Treatment
CND  Commission on Narcotic Drugs
CP  Civil and Political
CRC  Convention on the Rights of the Child
CRPD  Convention on the Rights of Persons with Disabilities
ECHR  European Convention on Human Rights and Fundamental Freedoms
ECOSOC  Economic and Social Council
ECHR  European Court of Human Rights and Fundamental Freedoms
DNA  Deoxyribonucleic Acid
EMA  European Medicine Agency
ESC  Economic, Social and Cultural
EU  European Union
GP  General Practitioner
HAU  Hospice Africa Uganda
HDI  Human Development Index
HICs  High Income Countries
HIV  Human Immunodeficiency Virus
IACtHR  Inter-American Court of Human Rights
ICCPR  International Covenant on Civil and Political Rights
ICESCR  International Covenant on Economic, Social and Cultural Rights
List of Abbreviations

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<th>Full Form</th>
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<tr>
<td>ICMW</td>
<td>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</td>
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<td>INCB</td>
<td>International Narcotics Control Board</td>
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<td>ILC</td>
<td>International Law Commission</td>
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<td>JMS</td>
<td>Joint Medical Store (Uganda)</td>
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<td>LCHR</td>
<td>Latvian Centre on Human Rights</td>
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<td>LMICs</td>
<td>Low and Middle Income Countries</td>
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<td>MDGs</td>
<td>Millennium Development Goals</td>
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<td>NDA</td>
<td>National Drug Authority (Uganda)</td>
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<td>NHI</td>
<td>National Health Inspectorate (Latvia)</td>
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<td>NHS</td>
<td>National Health Service (Latvia)</td>
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<td>NMS</td>
<td>National Medical Store (Uganda)</td>
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<td>PCAU</td>
<td>Palliative Care Association of Uganda</td>
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<td>PGC</td>
<td>Principle of Generic Consistency</td>
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<td>RESC</td>
<td>Revised European Social Charter</td>
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<td>SAM</td>
<td>State Agency of Medicines (Latvia)</td>
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<td>SDGs</td>
<td>Sustainable Development Goals</td>
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<td>UDHR</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNAIDS</td>
<td>United Nations Programme on HIV/AIDS</td>
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<td>UNGA</td>
<td>United Nations General Assembly</td>
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<td>UNGASS</td>
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<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
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<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
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<tr>
<td>VCLT</td>
<td>Vienna Convention on the Law of Treaties</td>
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<td>VDPA</td>
<td>Vienna Declaration and Programme of Action</td>
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<td>WHA</td>
<td>World Health Assembly</td>
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<td>WHO</td>
<td>World Health Organization</td>
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## International

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<tr>
<td>Charter of the United Nations</td>
<td>24 October 1945 1 UNTS XVI.</td>
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<td>Statute of the International Court of Justice</td>
<td>26 June 1945, entered into force 24 October 1945 33 UNTS 993.</td>
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<tr>
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Africa


Americas

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Constitución Española.

Uganda

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