The Human Right to
Equal Access to Health Care
SCHOOL OF HUMAN RIGHTS SERIES, VOLUME 53

The titles published in this series are listed at the end of this volume.
The Human Right to Equal Access to Health Care

Maite San Giorgi
In memory of my father

to Jan Willem

with love
Conducting this research has been an interesting and challenging project. I considered it a window of opportunity to deepen my knowledge about the human right to equal access to health care. Moreover, during the many solitary hours spent on writing a PhD on a topic that was quite new to me as a non-jurist, I have learned a lot, also about myself. However, bringing this project to an end could not have been achieved without the help and contribution of many. I am indebted to, and it is my pleasure to thank, all those who have supported me throughout.

To start at the beginning, my supervisors Martin Buijsen and Roel de Lange. Martin, you have given me the opportunity to begin this project by offering me a position as a researcher and lecturer at the Institute of Health Policy and Management. Thank you for believing in me. Roel, although you only got involved halfway through, your contribution to this research project has been a truly positive one. I would like to thank you for your kindness, the coffees we had in Utrecht, your support, and helpful comments. I would also like to thank the members of the Reading Committee, Professors Aart Hendriks, Pieter Ippel and Herman Nys for taking an interest in my research and agreeing to read my manuscript.

A word of thanks also goes to all my dear colleagues at the Institute of Health Policy and Management. I enjoyed the uplifting conversations, coffees, lunches and dinners, cheer and laughter I shared with so many of you, and thank you for your support during the difficult times I went through when both my parents fell seriously ill. It is unfortunately impossible to thank you all individually, but I would nevertheless like to thank a few of you specifically: my roommates of the past few years with whom I spent many a pleasant hour: Lieke, Stéphanie and Edith; the Sectie ZKV who welcomed me in their midst; and the members of the activity committee with whom I experienced marvellous moments in organizing many different activities. My special gratitude goes to Barbara: Thank you for lending me your ear, for being my sounding board, and for your support. I am very much indebted to you.

During my PhD research I became a member of the School of Human Rights Research and the Working Group on Economic, Social and Cultural Rights. This gave me the possibility to meet many interesting and inspiring people and I would like to thank them for getting me involved in the broad field of human rights, which is such an interesting subject of research and debate.

I also wish to thank the student assistants Eveline, Joanna and Martijn who saved me many hours of basic library research, the EUR librarians for their kind
and patient assistance, and Marlon Steine who was willing to conscientiously and patiently correct the English of the final manuscript.

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It was difficult to write this thesis about health care while both my parents simultaneously got cancer. I terribly missed my father when finishing and editing this PhD. Had he still been alive, he would have made such an essential contribution to this difficult work as he did at so many other times in my life.

My dear mother I would like to thank for her love and for convincing me that nothing is impossible. Her unwavering faith in my ability to accomplish this research made me believe in myself. My brother I would like to thank for always being there for me when I need him and for always giving me new perspectives on life. Since we were little we form a great team and so too during the preparation of this book for publication.

More than to anyone else I am indebted to my beloved husband Jan Willem. Words cannot describe how precious you are to me and I have the deepest respect for how you stood by me during the years that I worked on this PhD research. You unconditionally and in good spirit supported and encouraged me, provided me with good advice and cheered me up with your jokes. I can truthfully say that you meticulously read every word of this book. It is a great privilege to have you in my life.

Maite San Giorgi

March 2012
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<td>AP ESC</td>
<td>Additional Protocol to the ESC</td>
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<tr>
<td>CAT</td>
<td>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of all forms of Discrimination Against Women</td>
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<tr>
<td>CEDAWCee</td>
<td>Committee on the Elimination of Discrimination Against Women</td>
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<tr>
<td>CERD</td>
<td>Convention on the Elimination of all forms of Racial Discrimination Women</td>
</tr>
<tr>
<td>CERDCEE</td>
<td>Committee on the Elimination of Racial Discrimination</td>
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<tr>
<td>CoE</td>
<td>Council of Europe</td>
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<tr>
<td>Committee</td>
<td>Committee on Economic, Social and Cultural Rights</td>
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<tr>
<td>Convention</td>
<td>Convention on Human Rights and Biomedicine</td>
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<tr>
<td>Rights and Biomedicine</td>
<td>Convention for the protection of human rights and Dignity of the Human Being with regard to the Application of Biology and Medicine</td>
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<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<tr>
<td>CRCCee</td>
<td>Committee on the Rights of the Child</td>
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<tr>
<td>CRPD</td>
<td>Convention on the Rights of Persons with Disabilities</td>
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<tr>
<td>CRPDCee</td>
<td>Committee on the Rights of Persons with Disabilities</td>
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<tr>
<td>ECHR</td>
<td>Convention for the Protection of Human Rights and Fundamental Freedoms</td>
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<td>ECtHR</td>
<td>European Court of Human Rights</td>
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<td>ESC</td>
<td>European Social Charter</td>
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<tr>
<td>ECOSOC</td>
<td>UN Economic and Social Council</td>
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<td>GC</td>
<td>General Comment</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<tr>
<td>HRCee</td>
<td>Human Rights Committee</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>ICPD</td>
<td>International Conference on Population and Development</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>Abbreviation</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
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<tr>
<td>OP ICCPR</td>
<td>Optional Protocol to the ICCPR</td>
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<tr>
<td>OP ICESCR</td>
<td>Optional Protocol to the ICESCR</td>
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<tr>
<td>RESC</td>
<td>Revised European Social Charter</td>
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<tr>
<td>UDHR</td>
<td>Universal Declaration of Human Rights</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNFPA</td>
<td>UN Population Fund</td>
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<td>UNICEF</td>
<td>UN Children’s Fund</td>
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<td>WHO</td>
<td>World Health Organization</td>
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