



# Using law for action on Universal Health Coverage and NCDs

## A CHANCE NOT TO BE MISSED: USING LAW FOR ACTION ON UNIVERSAL HEALTH COVERAGE AND NONCOMMUNICABLE DISEASES AT THE UN HIGH-LEVEL MEETING ON UHC 2023



- This is a critical opportunity for noncommunicable disease (NCD) advocates to mobilise action and political leadership to renew countries' efforts towards UHC – delivering quality health services people need without facing financial hardship
- Countries are expected to adopt a new set of commitments to hasten implementation of UHC by 2030
- Progress towards UHC has stalled and in some countries reversed following the devastating impacts of the COVID-19 pandemic
- Commitments made by countries to realise UHC by 2030 under the historic 2019 UN Political Declaration on UHC are at risk of not being met unless urgent action is taken
- Action on UHC must include actions to address the NCD burden – the two agendas are interlinked
- Law plays a key role in the design, implementation, and governance of health systems, impacting how healthcare is delivered across the continuum for people living with NCDs and other health conditions and their carers
- Law is essential to progress UHC and action on NCDs as many commitments made by countries to progress UHC can only be achieved through law
- Health is a fundamental human right and UHC is crucial to attaining that right. The role of law in advancing UHC must be reflected in the 2023 UN Political Declaration on Universal Health Coverage to ensure Health for All

## WHAT IS UNIVERSAL HEALTH COVERAGE?

- Universal Health Coverage (UHC) is a political commitment that governments have made to their citizens. It is grounded in the fundamental human right to health – that all people have a right to achieve the highest attainable standard of physical and mental health.
- UHC means that everyone can access quality health services where and when they need them without facing financial hardship. UHC includes health protection and promotion services, as well as disease prevention, treatment, rehabilitation and palliative care, across the life-course.
- Since the adoption of the WHO Constitution in 1946 and the Universal Declaration of Human Rights in 1948, countries have committed to realising the right to health for all. As part of this, in 2015 UN Member States committed to achieving UHC as Target 3.8 of the Sustainable Development Goals by 2030 and they reaffirmed this commitment at the first UN High-Level Meeting on UHC in 2019 under the 2019 United Nations Political Declaration on Universal Health Coverage.
- UHC builds on countries' basic healthcare packages and primary healthcare systems. It has 3 key goals and a focus on equity, marginalised communities, and fair access to healthcare:
  1. Equity in access – expanding access to healthcare so everyone can access it, not just those who can pay for it
  2. Quality healthcare services – services should be safe and effective
  3. Financial risk protection – the cost of healthcare services should not put people at risk of financial hardship
- Each country must shape its UHC package according to the needs of its people, but UHC requires all countries to invest public finances into health systems and addressing the social and commercial determinants of health that create and influence health inequities.
- Healthy societies are needed for social and economic prosperity. UHC drives other Sustainable Development Goals beyond health – UHC can lift people out of poverty, promote gender equity, and protect against public health and environmental crises.

## WHY UHC MATTERS TO TACKLING NCDs?



Today, **at least 50% of the global population does not have full coverage for essential health services.** Almost **two billion people** face catastrophic or impoverishing healthcare costs.

Each year, **41 million people die from NCDs like cancer, heart disease and diabetes - 74% of deaths globally.** Many of these deaths are preventable. NCDs remain a public health challenge in all countries, particularly low and middle-income countries where more than three quarters of NCD deaths occur.

UHC and action on NCDs are mutually reinforcing goals – integrating NCDs into national UHC packages and health security plans can strengthen the NCD response, and given **NCDs are the leading cause of death and disability worldwide**, UHC cannot be achieved if NCDs are not included in national UHC and health security plans.

Despite some progress on advancing UHC and addressing the burden of NCDs, inequities between and within countries exist in NCD risk factor exposure, and coverage and access to NCD services across the continuum of care is inadequate. **Millions are pushed into extreme poverty each year due to out-of-pocket healthcare costs** and financing for NCDs has stagnated.



COVID-19 set back every country's effort towards UHC and has had a disproportionate impact on people living with NCDs – **an estimated 60-90% of COVID-19 related deaths were in persons with one or more NCDs.** 92% of countries experienced disrupted essential health services, but countries with more advanced UHC systems responded better to the COVID-19 pandemic.



## WHAT DOES LAW HAVE TO DO WITH UHC?



- Law can take many forms including legislation, court cases, contracts, regulations and decrees, administrative orders, and customary laws.
- Effective use of law is central to realising UHC and the right to health as law plays a key role in the design, implementation, and governance of health systems, impacting how healthcare is delivered across the continuum for those living with NCDs and other health conditions.
- Law can also help address the underlying social and commercial determinants of health that underpin existing inequities that make UHC so necessary. Human rights law provides a powerful framework for countries to implement UHC in a person-centred manner.
- The rule of law is also essential for UHC to give the public confidence that countries will be held accountable to their commitments and that UHC is delivered in a fair and inclusive way. And sometimes, laws that are impeding efforts to achieve UHC need to be reformed, such as laws that discriminate against people or impede access to pain relief.
- Creating and implementing effective laws for UHC must also involve a whole-of-government and whole-of-society approach to make sure that UHC related laws are responsive to peoples' needs and achieve their aims.
- While law is a necessary tool to advance UHC, the law is most effective when used together with other strategies including effective education, advocacy, and health literacy campaigns.
- Despite the importance of law to advance UHC, many countries are yet to adopt and implement UHC related laws and gaps in legislation, policy and implementation persist.
- When used to protect, promote, and advance the right to health, law can be a powerful way to drive action towards UHC and help people live healthier lives, and for societies and economies to be more resilient.

**Many commitments countries have made to achieve UHC can only be achieved using law. Laws are used to formalise commitments to goals like UHC, driving action towards it. Law is linked to UHC in several ways as law can be used to:**

- Set targets and raise funds for healthcare services
- Protect the rights of people living with NCDs and their carers
- Provide financial protection to support people living with NCDs and other illnesses
- Set quality and professional standards for health service providers to ensure safe healthcare
- Regulate the costs of medicines to make them more affordable
- Promote gender equity in the design and delivery of healthcare and social protections
- Ensure the community are part of the decision-making process for UHC
- Regulate industries that harm health
- Create environments that promote health such as clean air and water, and parks and sports facilities
- Provide for housing and social protections such as income security

## THE OPPORTUNITY - WHY IS THE 2023 HIGH-LEVEL MEETING ON UHC SO IMPORTANT?



- On 21 September 2023, political leaders of all 193 UN Member states as well as UN officials, civil society organisations and others will gather at the United Nations General Assembly to attend the second UN High-Level Meeting on UHC. There they will review progress towards targets set at the first High-Level Meeting on UHC and agree to a new set of commitments and actions to accelerate UHC through a UN resolution that will establish a second Political Declaration on UHC. The 2023 Political Declaration on UHC will provide a framework to guide action on UHC at national, regional and global levels.
- The Covid-19 pandemic, other health and humanitarian crises, climate change impacts and economic challenges makes UHC an urgent need. All countries can take steps towards UHC, regardless of their resource availability.
- Realising UHC is ultimately a political choice and a matter of shared will. With coordinated and concerted efforts, the promises made by world leaders can be transformed into tangible actions to improve lives and communities.
- The 2023 UN High-Level Meeting on UHC is a major opportunity to galvanise the highest political support for UHC and to recommit to action-oriented goals to achieve it by 2030.
- Leaders must recognise the essential role of law in advancing UHC, and the need to share knowledge of how to effectively do this, in the 2023 UN Political Declaration on Universal Health Coverage to ensure health and wellbeing for all is achieved.

*The McCabe Centre supports the UHC2030 Movement Action Agenda and the UHC advocacy priorities of the Union for International Cancer Control, NCD Alliance, and Women in Global Health.*

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## ABOUT THE MCCABE CENTRE FOR LAW AND CANCER

The McCabe Centre for Law & Cancer is the only centre of its kind in the world advancing law to prevent cancer and to protect people affected by it. Through world-leading research and capacity building programs, the McCabe Centre upskills lawyers and policymakers to use law as an effective tool to prevent and control cancer, and other noncommunicable diseases. The McCabe Centre is a World Health Organization (WHO) Collaborating Centre for Law & Noncommunicable Disease and the designated

WHO Framework Convention on Tobacco Control Knowledge Hub on legal challenges to the Convention's implementation. Established in 2012, McCabe Centre is a joint initiative of Cancer Council Victoria, the Union for International Cancer Control (UICC) and Cancer Council Australia, based in Melbourne, Australia with Regional Coordinators in the Pacific, Asia and Africa.

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