Part III Taking action:
Working with the right to health

Chapter 7
MONITORING THE RIGHT TO HEALTH

Keys to Chapter 7

key information:
• NGOs have an important role to play in monitoring government compliance with their obligations arising from the right to health;
• Monitoring is essential to the realization of the right to health – the identification of inadequacies in laws, policies and practices marks the first step towards changing them;
• In selecting a monitoring strategy, NGOs should choose their focus in light of community needs, available data and enforcement mechanisms, as well as their own strengths, priorities, and advocacy goals;
• Important areas for monitoring include compliance with core obligations and obligations concerning non-discrimination and vulnerable groups, as this is where violations often occur;
• The results from monitoring can be used broadly in targeted advocacy campaigns and to strengthen pre-existing NGO activities.

key questions:
• What legally-binding obligations has the government assumed in relation to the right to health?
• To what extent can health-related problems in the community, and particularly among vulnerable groups, be linked with gaps or shortcomings in the government’s compliance with these obligations and/or international standards of the right to health?
• What are the central advocacy goals of your NGO?
• What kind of health and human rights monitoring strategy(ies) would be most effective for your NGO to address the above inadequacies and achieve its defined objectives?

key action points:
• Identify concrete monitoring objectives;
• Collect appropriate data;
• Assess government compliance with specific obligations;
• Identify barriers to the implementation of relevant laws, obligations and commitments;
• Undertake advocacy to facilitate change.
7.1. A BASIC INTRODUCTION

7.1.1. What is meant by monitoring?

Monitoring is the process by which NGOs and other parties can systematically keep track of actions (or inaction) by governmental bodies, institutions and other relevant authorities in order to identify:

- the extent to which the right to health is being implemented;
- barriers and obstacles that exist to its implementation; and
- actual or potential violations.

*Information is key to monitoring.* Monitoring involves systematically collecting information about an existing situation and evaluating it against the standards that have been set for the right to health. In other words, monitoring involves assessment of how well governments meet their obligations to respect, protect and fulfil the right to health, as set out in international standards, constitutional safeguards or other national laws that have been introduced to protect health status and to prevent discrimination that is adverse to health.

Effective monitoring requires accurate and systematic fact-finding and analysis of information. Finding reliable data, understanding how to recognise information that is relevant to the right to health, and linking it to specific government obligations are all important elements of monitoring.

Systematic monitoring involves three basic processes:

1. identifying which kind of data is relevant and how to find it;
2. collecting such reliable and valid data; and
3. analysing and interpreting the data (for example, to determine patterns and trends).

After completing these processes, NGOs can take action based on the results. Monitoring is, therefore, an essential part of human rights advocacy.