

HEALTH AND HUMAN RIGHTS: AN INTERNATIONAL JOURNAL  
VOLUME 10 NUMBER 2 2008

CRITICAL CONCEPTS

ALICIA ELY YAMIN, EXECUTIVE EDITOR

- 1 Beyond compassion: The central role of accountability in applying a human rights framework to health  
*Alicia Ely Yamin*
- 21 Litigation as a strategy to hold governments accountable for implementing the right to health  
*Siri Gloppen*

- 37 "Rights" and wrongs: What utility for the right to health in reforming trade rules on medicines?  
*Lisa Forman*
- 53 Judicial activism in the Argentine health system: Recent trends  
*Victor Abramovich and Laura Pautassi*

HEALTH AND HUMAN RIGHTS IN PRACTICE

EVAN LYON AND VIVEK MARU,  
EXECUTIVE EDITORS

- 67 Wòch nan soley: The denial of the right to water in Haiti  
*Monika Kalra Varma, Margaret L. Satterthwaite, Amanda M. Klasing, Tammy Shoran-ick, Jude Jean, Donna Barry, Mary C. Smith Fawzi, James McKeever, and Evan Lyon*
- 91 Women's reproductive rights in the Amazon Basin of Ecuador: Challenges for transforming policy into practice  
*Isabel Goicolea, Miguel San Sebastián, and Marianne Wulff*

- 105 Relative response: Ranking country responses to HIV and AIDS  
*Chris Desmond, Evan Lieberman, Anita Alban, and Anna-Mia Ekström*
- 121 Limitations on human rights: Are they justifiable to reduce the burden of TB in the era of MDR- and XDR-TB?  
*Andrea Boggio, Matteo Zignol, Ernesto Jaramillo, Paul Nunn, Geneviève Pinet, and Mario Raviglione*
- 127 Sex and the Global Fund: How sex workers, lesbians, gays, bisexuals, transgender people, and men who have sex with men are benefiting from the Global Fund, or not  
*Susana T. Fried and Shannon Kowalski-Morton*

## **ABOUT THE JOURNAL**

*Health and Human Rights* began publication in 1994 under the editorship of Jonathan Mann, who was succeeded in 1997 by Sofia Gruskin. Paul Farmer, co-founder of Partners In Health, assumed the editorship in 2007. After more than a decade as a leading forum of debate on global health and rights concerns, *Health and Human Rights* began its next chapter as an online, open access publication starting with Volume 10, Issue 1.

While carrying on the journal's tradition of critical scholarship, the new *Health and Human Rights* provides an inclusive forum for action-oriented dialogue among human rights practitioners. The journal endeavors to increase access to human rights knowledge in the health field by linking an expanded community of readers and contributors. Following the lead of a growing number of open access publications, the full text of *Health and Human Rights* is freely available to anyone with internet access.

The new *Health and Human Rights* includes two sections: "Critical Concepts" and "Health and Human Rights in Practice." Critical Concepts focuses rigorous scholarly analysis on the conceptual foundations and challenges of rights discourse and action in relation to health. The Practice section hopes to bring new voices to this kind of venue — highlighting the innovative work of groups and individuals in direct engagement with human rights struggles. Complementary and mutually reinforcing, these two sections will seek to foster engaged scholarship and reflective activism. In doing so, they will open directions for informed action by and with communities to realize the full spectrum of human rights.

## **PUBLICATION POLICY**

*Health and Human Rights* welcomes unsolicited manuscripts at any time. Accepted contributions will be published in the journal's open access electronic and print versions. Articles are invited for Critical Concepts (5,000-7,000 words) and for Health and Human Rights in Practice (500-7,000 words). Authors should send their manuscripts to the Editorial Office via email to [hhrjournal@hsph.harvard.edu](mailto:hhrjournal@hsph.harvard.edu). Guidelines for authors can be found on the *Health and Human Rights* website (<http://www.hhrjournal.org>).

Views expressed in the journal are those of the authors and do not necessarily reflect the views of *Health and Human Rights* officers, editors, or other members.

## **EDITORIAL OFFICE**

*Health and Human Rights*  
François-Xavier Bagnoud Center for Health and Human Rights  
Harvard School of Public Health  
651 Huntington Avenue, 7th Floor  
Boston, MA 02115, USA  
Tel: (1) 617.432.0656  
Fax: (1) 617.432.4310  
Website: <http://www.hhrjournal.org>  
E-mail: [hhrjournal@hsph.harvard.edu](mailto:hhrjournal@hsph.harvard.edu)

## **SUBSCRIPTION AND PURCHASES**

Beginning with Volume 10, Number 1, single issues and annual subscriptions (2 issues per volume) can be purchased directly through the *Health and Human Rights* website (<http://www.hhrjournal.org>).

A full set of back issues of *Health and Human Rights* is available through the journal website's archives page. Users are able to access articles from the first year of publication (1994) up to the most recent issue as full-text PDF files for searching, browsing, downloading, and printing. Back issues also remain available through JSTOR, the not-for-profit online digital archive. Users at institutions that participate in JSTOR's Arts & Sciences Complement Collection can access back issues directly by visiting the *Health and Human Rights* journal information page at JSTOR. For more information on JSTOR, please visit <http://www.jstor.org>.

HEALTH AND HUMAN RIGHTS  
AN INTERNATIONAL JOURNAL

---

**Founding Editor**

Jonathan Mann 1947–1998

**Publisher**

Jim Yong Kim

**Editor-in-Chief**

Paul E. Farmer

**Co-Managing Editors**

Susan R. Holman

Alexander Irwin

**Executive Editors**

*Critical Concepts*

Alicia Ely Yamin

*Health and Human*

*Rights in Practice*

Evan Lyon, Vivek Maru

**Senior Advisory Board**

Philip Alston

*Australia*

Hina Jilani

*Pakistan*

Halfdan Mahler

*Denmark*

Henry J. Steiner

*USA*

**Editorial Board**

Sunila Abeysekera  
Cathy Albisa  
Zbigniew Bankowski  
Jacqueline Bhabha  
Agnès Binagwaho  
Manuel Carballo  
Audrey Chapman  
Lincoln Chen  
Brian E. Concannon Jr.  
Lawrence Cox  
Martha Davis  
Sheila Davis  
Alex de Waal  
Ernest Drucker  
Paul Epstein  
Richard Feachem  
Harvey Fineberg  
Julio Frenk  
Varun Gauri  
H. Jack Geiger  
Lawrence Gostin  
Sofia Gruskin

Timothy Harding  
Aart Hendriks  
Hakima Himmich  
Emmanuel Hirsch  
Howard Hu  
Paul Hunt  
Peter Kandela  
Michael D. Kirby  
Slobodan Lang  
John F. Lauerman  
Maureen Law  
Jennifer Leaning  
Stephen Lewis  
Ana Luisa Liguori  
Adetokunbo O. Lucas  
Stephen P. Marks  
Jaime Miranda  
Gerald Nagler  
Aryeh Neier  
Chidi Odinkalu  
Rakiya Omar  
Richard Parker

Geneviève Pinet  
Peter Piot  
Jacqueline Pitanguy  
Thomas Pogge  
Samantha Power  
Jon E. Rohde  
Julieta Rossi  
Barbara Rylko-Bauer  
Margaret L. Satterthwaite  
Haun Saussy  
Michael Selgelid  
Amartya Sen  
Gracelyn Smallwood  
Margaret A. Somerville  
Bryan Stevenson  
Eric Stover  
Donna Sullivan  
Daniel Tarantola  
Nahid Toubia  
Monika Kalra Varma  
Laurie Wiseberg  
Gavin Yamey

**Assistant Editor:** Curtis Peterson

**Consulting Editor:** Ann Barger Hannum

**Creative Director:** Catlin Rockman

**Administrative Director:** Patricia Spellman

**Journal Working Group**

Zoe Agoos

Arlan Fuller

