

# Introduction

## What is the purpose of this guide?

The World Health Organisation says that health is a state of complete physical, mental and social well-being.<sup>1</sup> Health is one of the most basic needs of all human beings.

International law tells us that we have the right to enjoy the highest possible standard of health. However, around the world there are people whose basic health needs are not respected. There are many reasons for this.

Sometimes, stigma and negative beliefs about some people in society may drive healthcare workers and decision-makers to discriminate against people. Laws and policies can also sometimes get in the way of people enjoying their right to health and their human rights. In other cases, it may be because the country does not have enough resources to provide adequate healthcare services to the community.

Some groups of people face particular risks of being discriminated against or mistreated when they use healthcare services. They experience unique challenges in accessing justice when this happens.

The Joint United Nations Programme on HIV and AIDS (UNAIDS) considers men who have sex with men, sex workers and their clients, injecting drug users and transgender persons as the 4 main groups at risk of being exposed to HIV and at risk of discrimination, stigma and unfair treatment in their societies ("key populations"). Other people who may be vulnerable to discrimination in healthcare include people with disabilities, lesbian, gay and bisexual people, women, people living in rural areas, and people who are economically disadvantaged.

There may be many reasons why we don't get the highest possible standard of health. But as users of healthcare services, we should demand that we are treated equally, fairly, and with respect. Healthcare facilities should not abuse our human rights. We need to create a culture of respect for the human rights of both healthcare users and healthcare workers.

One of the ways that we can do this is by complaining when our rights are violated. This guide gives you information about how you can do this by giving you the following information:

1. The rights you have when you use healthcare services.
2. How to deal with violations of your health rights.
3. How to make a complaint about discrimination or poor services in healthcare.
4. How community organisations can support people who complain.
5. Additional information on healthcare complaints processes in Botswana, Malawi and Zambia and how to complain to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund).

The guide focuses on key populations and other people who may experience vulnerabilities.

This guide covers making complaints about healthcare in the public sector or at government healthcare facilities. Particular information about complaints processes is given for Botswana, Malawi and Zambia.

## Who should use this guide?

This guide is for anyone who has a complaint about healthcare services. If you are unhappy about the quality of healthcare services you received or were neglected, mistreated or discriminated against, you can use this guide.

The guide can also be used by community-based organisations, support groups, health advocacy organisations, paralegals, healthcare workers, community leaders, and the friends and families of healthcare users.

<sup>1</sup> Constitution of the World Health Organisation (1946) 14 UNTS 185, available at: [http://www.who.int/governance/eb/who\\_constitution\\_en.pdf](http://www.who.int/governance/eb/who_constitution_en.pdf).