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# Equitable Access to Care at Times of Crisis: what Future for the Right to Health in Italy?

Rossella De Falco\*<sup>1</sup>

<sup>1</sup>University of Padova, Human Rights Centre 'Antonio Papisca' – Italy

## Abstract

Equitable access to healthcare is an essential component of the right to health, as enshrined by Art. 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Economic reforms, though, can severely undermine healthcare accessibility worldwide, exacerbating health inequities and threatening universal healthcare coverage (UHC). Bearing this in mind, it is urgent to analyse the human rights' implications of post-2008 fiscal consolidation measures, and this paper attempts to do so through a case study of the Italian NHS at times of crisis. Starting from a chronological summary of the draconian fiscal cuts undertaken by the Italian government over the 2010-16 period, this paper yields a positive correlation between the contraction in public health spending and rising levels of out-of-pocket payments (OOPs). Combined with the downsizing of healthcare staff and facilities, such a latent shift from the public to the individual of healthcare costs might be impinging on the enjoyment of the right to health in Italy. To verify this, unmet medical needs due to cost, waiting lists or distance are scrutinised in detail. These indicators are based on microdata from the EU-SILC dataset. Moreover, EU-SILC's data are disaggregated by income quintile, labour status, educational attainment and country of birth, allowing to unmask potential sources of both vertical and horizontal discrimination. By the same token, geographical inequalities in accessing care are highlighted through the regional data provided by the Italian National Statistics Office (ISTAT). In the concluding sections, the analysis of the aforementioned descriptive statistics leads to the detection of a potential backsliding in the enjoyment of the right to health in Italy during the economic crisis, with the most vulnerable groups bearing the heaviest burden of fiscal adjustment. However, economic crisis cannot be an excuse to withdraw resources from rights' progressive realisation. Mindful of this, the last section will briefly consider the Italian government's conduct in light of its human rights' obligations. In fact, according to the recently released UN OHCHR's Guidelines on the Human Rights Impact Assessment of Economic Reforms, human rights law obliges states to choose the least restrictive policy during financial crisis. Austerity, however, is and it has always been, avoidable, with its deleterious effects on long-term unemployment and output being highlighted by heterodox and orthodox economists alike. Therefore, alternatives to austerity, such as enhancing the progressivity of taxation, combating illicit financial flows, boosting productivity, debt cancellations or debt sustainability assessments must be considered in order to ensure the realisation of socio-economic rights. Ultimately, embedding respect for human rights in the implementation of economic reforms might be an effective tool to protect and fulfill the human right to the highest attainable standard of physical and mental health from regressive policy-making and excessive fiscal contraction.

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\*Speaker

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