

OPEN PEER REVIEW

The Role and Responsibilities of the Government Regarding the Right to Health and Freedom with Emphasis on the Right to Access Medicine and Vaccines for Citizens

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1. Round 1

1.1. Reviewer 1

Reviewer:

In the introduction, the sentence "From the perspective of human rights principles, health means ensuring the complete physical, mental, and social well-being of the people in a society" (p. 29) would benefit from a more detailed exploration of the WHO's definition of health to support the argument with authoritative references.

The paragraph discussing accessibility in the context of health services (p. 555-570) requires a deeper examination of how economic accessibility is currently addressed in Iran, particularly for marginalized populations.

In the section "The Nature of Rights to Freedom and Health," the example of rural residents seeking COVID-19 vaccines (p. 212) could be expanded to include recent data on vaccine distribution challenges in rural Iran for empirical support.

The section "Freedom in Choosing Medical Services" mentions that patients in Iran are relatively free to choose their healthcare providers. However, this statement needs empirical backing through statistical data or recent surveys to validate this claim.

The paragraph discussing differential pricing strategies by pharmaceutical companies (p. 293) would be enhanced by analyzing Iran's vaccine procurement strategies, including COVAX participation and bilateral agreements.

In the conclusion, the sentence "The healthcare system is responsible for ensuring fair services along with the right to choose for the public" needs elaboration on the mechanisms through which the Iranian healthcare system ensures fairness, particularly in underprivileged regions.

The paragraph on the ethical dimension of access to medicine (p. 271) should include specific examples of ethical dilemmas faced by the Iranian government during the COVID-19 pandemic.

The discussion on TRIPS (p. 60) needs to address Iran's role in the Doha Declaration and its advocacy for equitable access to medicines, given its historical position on intellectual property rights.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The introduction mentions various Iranian legal sources, such as Article 29 of the Constitution and the Vision 2025 document, but it lacks a critical analysis of how these documents have been implemented in practice. Adding such an analysis would strengthen the argument.

In the section "Foundations of Freedom and Health Rights," the statement "The right to health includes individual entitlements; a person has the right to live in a healthy and safe environment" needs clarification on how this entitlement is enforced in Iran, given the challenges in public healthcare infrastructure.

The paragraph on the relationship between health and freedom (p. 82) should include comparative analysis with countries facing similar economic challenges, such as Pakistan or Afghanistan, to provide a broader perspective.

The section "Conflict Between the Right to Health and Freedom" highlights the shortage of specialized physicians in Iran. It would be useful to include recent statistics on physician emigration and its impact on healthcare accessibility.

In the discussion on the pharmaceutical supply chain (p. 82), there is a need to analyze Iran's pharmaceutical policies, especially post-COVID-19, to provide context on current challenges in medicine accessibility.

The discussion on patent rights and drug accessibility (p. 128) should address Iran's stance on international patent laws, particularly its use of compulsory licensing during the pandemic, for a more nuanced analysis.

The section on the right to access vaccines mentions Article 12 of the International Covenant on Economic, Social, and Cultural Rights. It would benefit from a critique of Iran's adherence to this obligation, especially during the COVID-19 vaccine rollout.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.