

# RIGHT TO HEALTH IN THE BRICS' CONTEXT: DISTANCES AND PROXIMITIES

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**SOMMARIO: 1. Introduction. – 2. The place of fraternity in society and health as a “bridge to citizenship” in BRICS. – 3. The summit of the BRICS: the paths to the realization of social rights. – 4. Right to Health in the BRICS. - 5. Conclusion.**

1. The possibilities of building a BRICS beyond the economic sphere must retake some overlooked concepts, such as fraternity and solidarity. For this reason, as Resta have mentioned, solidarity has the capacity of approaching, while solitude only separates, divides. Health care can be an important bridge towards consolidating several other social rights. Therefore, health conceived as a good of society implicates in approximation, not in division. One opts to work with right to health while understanding that such right it is only given once its social determinants are effected and, thus, it is possible to speak in health as a bridge to citizenship or to more solidary or fraternal forms of life in a cosmopolitan society. In such a society, the countries of BRICS have many limitations (relative to the alluded social determinants), and, yet, every limitation can become a possibility. What one intends in the present article is to pursue a way to encounter, in the BRICS, embedment for fraternity, solidarity and hospitality, all which are unlikely and anachronic values and yet, precisely because of that, possible through the construction of bridges that allows the achievement the diverse social rights respecting the cultural, geographical and political differences. We believe that these distinctions, presented in the BRICS, are ones that do not move us away but, instead, brings us together. It is what we clearly observe in the accounts of the summits

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of the BRICS. By the end of this article, we will present, utilizing the example of the issue of HIV, how internal health policies of each country can contribute with the situation of the others.

2. Something that must be realized is that the opportunity of a regular world is only possible in this very world, furthermore, each determination of world can only be perceived in society by itself. In the same way, the indetermination of world means that it can be determined always differently: historically, the world has been defined, measured, divided and appropriated. That history can be changed: we must understand society as a place to social transformation. The differences are part of this society where events occur simultaneously and are independent from individual and local desire, and yet directly influence in our daily lives. Thus, the global treats can be solved in their own space where they rise; out of it, any solution may be inadequate. We do not have any doubt of the ambivalence of life in territories that present as many differences as in the countries from BRICS, but those differences can somehow approach us. Hence, the public policy in each country and in the BRICS group should overcome this situation looking for new ways – building new bridges – where the right of health presents itself as central to the other social rights. It's not enough reaffirm the impotence of the established mechanisms; it is also necessary to transform this ambivalence into something positive. Bearing in mind that, in the evolutionary process, we unveil antique paradoxes by creating new ones, also we resolve ambivalences creating new ambivalences.

Many theories are available to the social analysis, some intend to solve humanity's issues, without realizing that, while doing so, it is also possible, considering the other side of the form, to be creating new ones. Other theoretical postures propose a revolution. The theoretical-methodological approach we follow is based on a certain anachronism because it proposes rescuing a fundamental concept of illuminist revolution, which was not appropriately discussed. Fraternity, as stated by Resta, “was hidden in the dungeons of the French Revolution”. This phenomenon has a strong justification, since discussing fraternity, from a scientific perspective, means seeing the other as “another self”. This is not an easy or comfortable posture because it is not easy to think about the necessary social transformation.

In regards to the BRICS countries, we can ask many question – which group is this? Who is on it? Who makes the rules? Who ought to fulfill this body of law? Who says what is Law? What are the limits of national health care systems? Can the right to health be a bridge

to the effectuation of other social rights? These questions will be answered with other questions, and the key for these question-answer-questions can be a fraternal one that, as Resta says, is the nodal notch to a critical established citizenship and sovereignty, ie actual juridical system. Thus, fraternity has the function of constantly uncovering paradoxes, is a term that historically relates to the idea of brotherhood, the experience of being part of the sharing, identity and community. Resta, in order to makes us think about the role of science in the last few years, states that “the social sciences of the last 20 years did not do anything but strive to show the existence of non-rational components of rational action ”, characterized by the combination of motives and action of their cognitiva dissonance, “bounded frame of reference the ex post justifications continuum of effects and motivations, highlighting the strong disposal between action and its world of possibilities excluded, but not eliminated”. Instead, the meta-theoretical methodology used relates directly to the process of social transformation. Meta, etymologically, means transformation and succession in time. Also, theory means the action of observing. Based on the understanding that the meta-theoretical research results in the meta-theory itself, it is necessary to analyze concepts and terms that allows understanding on how the observer is located within the observation itself: there is no separation between subject and object (thesis deeply discussed by N.L.)

Indeed, it is worth noting the close ties between legal meta-theory and legal epistemology. See, for example, that the legal epistemology builds itself as a theory that studies the application of legal and related knowledge, with the advance of the construction of a science of law, eventually specializes fields of knowledge. The production of knowledge on a particular theme enables the differentiation of thematic fields and the consequent critical production on what was produced. Therefore, this production process creates a “theory about a theory”, a “theory of legal science” or a “legal meta-theory”. These meta-theories seek to address the problems related to legal scientificity, given that legal science becomes verifiable. The differentiating factor of the meta-theory of legal epistemology is how meta-theory surpasses the epistemological processes of understanding the nature and the justification of scientific knowledge. Furthermore, a meta-theory attempts to reconstruct the scientific activity and understand what results from it. There is a close connection between what is theoretically produced and what is possible to relate and verify empirically .

Eligio Resta, affirming his theory as a meta-theory, shows the need of aggregating multiple assumptions for the analysis of social complexity. Nowadays, we see the importance of the return of Weber’s ideas. For example, when one proposes to capture the subjective meaning of social actions through an objective method, although built in a subjective

manner, i.e., the Ideal Type. Resta, when proposing the meta-theory of Fraternal Law, revives several authors and theories using many conceptions of systemic theory. He also works, with Habermas's theory, with the conceptions of psychoanalysis, philosophy, among others. From this construction/deconstruction, the main points of this meta-theory appears as: fraternity as possibility and necessity of seeing the other as another self; pacts that are established among peers in which there is no place for a sovereign; the need to overcome the dogma of state sovereignty; nonviolence and limitless inclusion, even though we often have an inclusion that is given through exclusion. Therefore, the meta-theory of Fraternal Law presents itself as anachronistic and at the same time as a bet on the process of social transformation. In this process, the right to health is an issue that transcends boundaries of all kinds because the idea of the other as a brother does not support territorial or other boundaries. To Resta, the fraternity defended at the Enlightenment Revolution remain unheard and unresolved in relation to equality and liberty and now returns linked to the idea of globalization and to the necessity of overcoming boundaries, in which the condition dependency of everything and everyone is every day more evident. Thus, while there is a growing feeling that everything could be different from what it is, little can be effectively done to make different occur. Also, there is the thought of the connection *universali* being able to interpret the present, since our time as stated Resta, lives a decisive re-articulation on the idea of *spazi politici*, and exactly why imposes a rethink of our lexical concepts such as fraternity, which remained silent for a long time, but is now presented with more force, albeit anachronistic mode.

The meta-theory of Fraternal Law presupposes the unveiling of paradoxes, i.e. How is it possible in a cosmopolitan society still have impassable borders? Are they insurmountable? What is the function of fraternity in this game? There is a lot to ponder, but it is critical to understand what Fraternal Law means, as well as its possibilities and limitations . The fraternity, long forgotten by many, is enshrined in the Universal Declaration of Human and Citizen Rights and the International Labor Organization, and various modern constitutions. The proposal of meta-theory of Fraternal Law is to understand how the conception of Enlightenment Revolution can be implemented and analyzed in the present day, although not by its presence but by its absence. It is exactly the anachronism of fraternity, which allows the in depth analysis of the social complexity. The said theory reflects on a “meta-theoretical” proposal, which is based on the analysis of theories through themselves, where traditional overcoming between subject and object disappears, taking its place the analysis related to the social transformation process. This theoretical proposal

explains itself, or becomes even more complex, through the founding conceptions of the meta-theory presented by Eligio Resta: swearing together or, as Resta says, “co-swearing”; a law free of obsession, of an identity that legitimate; pondering about the traditional concept of citizenship, founded on friendship, nonviolence and the universal inclusion in cosmopolitan society.

When dealing with health as a "bridge" for citizenship we are not ignorant of the complexity that surrounds the provision aspect of the right to health. Thus the contributions of Ferrajoli in this aspect are relevant. The author emphasizes that the right to health is expensive, but is much more valuable to the State to propitiate him than neglect it, because this neglect creates an exclusion. This is what the author says about the "complexity" of the right to health in relation to its scope: “the right to health takes shape as a typical molecular right. This includes on one side a negative right immunity, providing the prohibition of injuries: that the air and water are not polluted, that adulterated food won’t be put on the market, in short that does not cause damage to health ”. On the other hand, this includes a positive right, typically social, the health provision. The proposal of the Welfare State was to incorporate the social question, which caused an eminently finalistic character, offering an interventionist and promotional feature. In this case the Welfare State assumes the functions assigned directly to its main actor: the individual.

The constitutionalization of the right to health, where it occurred, was an attempt to reduce complexity, because to the extent that a right becomes positive, in theory, to comply with the social demand for complexity reduction, but when you positivate it, it will increase it’s complexity, because, from that, we have a range of actions that constitute an obligation for the State, and it creates a number of rights. With positivization of the right to health, as well as any other rights, we need to build a structure capable of accounting for the realization of this right and the possibility of claiming it in court. That is, it becomes even more complex. This analysis does not exclude other possibilities of observation, for example, the importance of social movements and the democratization process in countries. Although, at first, the BRICS countries were identified only by economic development and political power in their respective regions, currently, this group is in a position where maintaining economic identity is no longer sufficient, so topics like protection and realization of human rights are fundamental and should become a priority in these countries agenda. So that as Cintra suggests: “in an increasingly interdependent world, peace, prosperity and human dignity does not only depend on actions nationwide and international cooperation for development is key to the establishment of a more just and peaceful international order” .We can then ask:

BRICS countries are willing to promote an agenda that establishes conditions for economic development that take into account the protection of human rights? When you look at the official meetings of this group, we can say that yes, there is a provision for this and possibly this is the differential in relation to other groups, such as Mercosul and the European Union. Then, we will analyze the results of the meetings of the BRICS countries.

3. We will describe the summits, highlighting how these meetings "open" ways to build "bridges" to the realization of rights. The group of countries that form the BRICS, until now, had six summits. In each of these meetings the representatives of each country signed statements. It should be noted that the first summit took place in Russia on June 16, 2009; the second summit took place in Brazil, in April 15, 2010; the third summit, held in China in April 14, 2011 and featured the entry of South Africa into BRICS ; the fourth summit, which took place in India on March 29, 2012; the fifth summit, which took place in South Africa, on March 27, 2013; Finally, the sixth summit, which took case in Brazil in July 15, 2014.

At the first summit, it is clearly expressed the will of the BRICS countries to reform international financial institutions and to reflect the changes in the world economy. The main concern in 2009 was related to the situation of the world economy, already in regard to human rights, the BRICS condemns terrorism and reaffirms its commitment to increase cooperation between our countries in areas of social concern and to strengthen efforts to provide international humanitarian assistance and reduce the risk of natural disasters .The second summit, on the other hand, underlines the necessity of matching the global governance in all relevant areas of transformations without stating, however, not knowing which of these areas would be. It also reaffirm the need for a comprehensive reform of the UN, with a view to making it more effective, efficient and representative, so that it can deal with contemporary global challenges more effectively. With this, the BRICS countries underline their support for a multipolar, equitable and democratic world order based on international law, equality, mutual respect, cooperation, coordinated action and collective decision-making of all States . In addition, they claim that the global economic situation improved and attach to emerging economies an important role in the resumption of economic growth and therefore believe they can play an even larger and more active role, commit to work together with other countries to reduce imbalances in global economic development and promote social inclusion. To do so, call upon reforming the financial

architecture and argue that the IMF and the World Bank urgently need to address their legitimacy deficits .

Importantly, in 2010, the BRICS statement devotes a part of the development in social context, highlighting the Millennium Declaration of the United Nations and the need to achieve the Millennium Development Goals (MDGs) . So this year, start to show more clearly the topics as development, social rights, reducing inequality, solidarity and some concrete measures such as technical cooperation and financial support, as a way of contributing to the achievement of sustainable social development, with social protection, full employment and decent work. Work policies and programs, with special attention to vulnerable groups such as the groups such as the poor, women, youth, migrants and people with disabilities . Therefore, it is from the second summit that we can start talking about an agenda of cooperation that also seeks to implement social rights. In this sense, it is also the first time that occur sectoral initiatives aimed at strengthening cooperation . The protocol signed by Brazil's Supreme Federal Court, the Russian Federation Supreme Court, the Supreme Court of India and the Supreme People's Court of China aims to establish mutual cooperation through the exchange of information, and disclosure of activities in within their respective powers .This agreement is an important step towards cooperation on the protection of human rights, since it provides for holding conferences, seminars and other technical and academic meetings on judicial practice, human rights, the promotion of access to justice, the use of alternative dispute resolution methods, settlement and protection of minors, in addition to the rapprochement between their magistrates .

In the third summit, one realizes that the discourse aims to strengthen cooperation ties for the BRIC as a group that plays an important role on the world stage, in order to express that: “It is the strong shared desire for peace, security, development and cooperation that united the BRIC countries, with a population of about 3 billion people from different continents. The BRICS aims at contributing to the development of humanity and establishing a more just and equitable world ”. Without, however, be restricted to this group, because at the same time, claim that cooperation is inclusive, with no element of confrontation and is open to engagement and cooperation with third-countries.

Under international law, they express concern about terrorist threats and the turmoil in the Middle East, North and West Africa. Thereby reinforcing the principle that the use of force should be avoided as well, “that the independence, sovereignty, unity and territorial integrity of each nation should be respected ”. However, at no time, the statement makes

explicit mention of human rights, it only mentions that they believe that growth and development are essential to fighting poverty and achieving the Millennium Development Goals and eradicating extreme poverty and hunger “is a moral imperative, social, political and economic development of humanity and one of the biggest global challenges the world faces today, especially the least developed countries in Africa and other continents” . This demonstrates that the BRICS believe in the premise that only a growing or developed country is capable of addressing issues related to human rights. By the third summit, BRICS presents for the first time, an action plan, which lays the foundation for cooperation within the countries. For the objective proposed in this paper, we present two actions: first, one linked to the field of human rights stands, out in the action plan proposed by the BRICS declaration in 2011, which is, the objective of “Implementing the Protocol intent between the Supreme Courts of the BRICS ”, signed in 2009, during the second summit.

Well, the first conference arising from this Protocol took place in March 2011 and lasted twelve days. Nevertheless, specifically regarding human rights, the schedule of activities devoted only a day in the theme, with the aim of identifying the areas in which they develop actions of human rights, as well as programs and mechanisms for information sharing and cooperation between the Supreme Courts of the BRICS. Furthermore, we intended to verify recent projects in the area of human rights . The second action concerns the right to health issue. Specifically, the year 2011 was a highlight, as is the first time that the term “public health” appears in the statements, in the following manner: “We underline our firm commitment to strengthen dialogue and cooperation in the fields of social protection, decent work, gender equality, youth and public health, including the fight against HIV / AIDS” .

With respect to the Fourth Summit, held in New Delhi, India, on March 29, 2012 , we identified that the discourse remains basically the same of 2011. Thus, it is used as given prominence to demonstrate the importance of group, in fact that these countries represent 43% of the world population. With this, reiterated the claim on the broadening of representation of these countries in global governance institutions, especially in the Security Council of the UN and the IMF. In addition reinforcing this new global scenario especially the peripheral countries, the bloc said that while the BRICS have recovered the international crisis relatively quickly, the prospects for growth around the world have been affected by market instability, especially in the euro zone .The fourth summit first considered the possibility of establishing a new Development Bank aimed at mobilizing resources for infrastructure projects and sustainable development in countries of the BRICS and other

emerging economies and developing countries. Regarding the issue of human rights in International Law, countries there were concerns about the situation in Syria and call for the immediate end to all violence and human rights violations in that country, support to Afghanistan and recognition of Iran's right to peaceful use of nuclear energy and the commitment to the alleviation of the humanitarian crisis that still affects millions of people in the Horn of Africa . In terms of concrete initiatives, the fourth summit highlights the concern for the Right to Health: “Most countries of the BRICS confront many similar challenges in the field of public health, including universal access to health services, access to health Technologies, including medicines, the costs are increasing, and the rise of the costs with transmitted and non-transmitted diseases. We recommend that the meetings of Ministers of Health of BRICS, which first took place in Beijing in July 2011, are from now on, institutionalized in order to face these common challenges more efficiently in terms of cost, more equitable and sustainable way” .

The fifth summit, held in 2013 , completes the first cycle of Summits BRICS and reiterates many issues addressed in previous summits on more equitable development and a more inclusive global growth. Thereby, this statement brings numerous issues concerning the world economy, as well as a critique of political actions adopted in Europe, the USA and Japan, because of its negative side effects on other economies. On the other hand, states that the BRICS are satisfied with the finding that the establishment of a new Development Bank is feasible and viable . The instruction for a feasibility and viability study were held, had been given to the finance ministers of BRICS, as already mentioned, during the Fourth Summit, held in 2012, in the Plan of Action of New Delhi, which referred to the need for "meeting of Experts on the New Development Bank”. The agreement was finally signed in 2014, with this new Development Bank for the purpose of mobilizing resources for infrastructure projects and sustainable development, either in the BRICS or other emerging economies, all in reason, mostly that these countries “continue to face significant financing constraints to address infrastructure gaps and sustainable development needs. With this in mind, we are pleased to announce the signing of the Agreement establishing the New Development Bank (NDB), with the purpose of mobilizing resources for infrastructure and sustainable development projects in BRICS and other emerging and developing economies (...).” . Still, on the issues of human rights, is expressed in the report of the fifth summit the concern over the deteriorating security and humanitarian situation in Syria and the condemnation of increased violations of human rights and international humanitarian law, as a result of continued violence. In addition, countries call upon the international community to help

Israel and Palestine to work toward a two-state solution and present issues again as the commitment to Afghanistan and the nuclear issue in Iran, the concern over the deteriorating humanitarian issues in Mali, with the ongoing instability in the Democratic Republic of Congo. Finally reaffirming the commitment to work together to achieve the millennium goals. .

Finally, with regard to the sixth summit just held in Brazil, we can say that was marked by a new way of agreement between countries institution, especially when dealing with the creation of the Development Bank of the BRICS . The unfolding of this proposal falls mainly on countries whose latent social inequalities reverberate in political and diplomatic level. One could cite the work on the development of social policies aimed at combating drugs, the reduction of gender inequalities, the smoothing of economic and social inequalities from the enforcement of human rights, whose implementation has been further complicated from the recognition of new / old rights and the consequent institutional swelling inherent to population growth and the extension of life expectancy. Such questions are very related to matters of public health policies, certainly one of the main points of progress made since the first summit.

This new perspective is critical, especially in health. We give an example to facilitate understanding. It is estimated that 46% of incidents related to people affected by tuberculosis live in countries belonging to the bloc and about 40% of the mortality from this disease occur in these countries . Unlike other countries, Brazilian policy of treating this disease allows greater control of the substances used in the treatment, as accentuates the Bulletin of the World Health Organization, since the drugs are free and treatment policy decreases the risk of incomplete treatment. However, we observe that countries like China and India, who long ignored the recommendations of international organizations, achieved a series of breakthroughs. As an example, we refer to the fact that China has deployed more than 3,000 centers for the monitoring of incidents related to tuberculosis, according to the Bulletin, and India implemented a system of electronic notification of disease that allows a greater capacity for government action and geographic visualization of the demands. Although each country has different points to be clashes, its' the whole confrontation that stands out. The Development Bank that will allow other emerging countries also receive resources, transmutes into a new possibility to foster the reduction of poverty and expand the capacity of investment in public policy, given that the "development" is not restricted to economic and structural, but advances linked to the full implementation of the rights related to social determinants. This means moving towards the realization of the rights. Furthermore, from

the statements of the domes we can observe, even if narrowly, the BRICS countries are willing to commit to an agenda of human rights protection. However, the vast majority of issues relating to human rights concerns violations witnessed in countries outside the BRICS, and very little is said about the guarantee of these rights at the national level in each country.

4. There's no speaking of a "natural affinity" between the countries that composes the BRICS, but every of them have undeniable achievements in several fields – being, for instance, social or economic – that could be object of cooperation . It must be understood that each country, in its singularity, has very different and complex cultural, economic, political and religious issues. However, we identify in the right to health some issues that might, in fact, shorten the distances between local realities and fortify the effectuation of human rights through caring and attending to health that, despite presenting peculiar local questions, may overcome many differences. To speak of health implies to speak of life, and the presuppositions of life have common aspects to every country in their individual forms. Certainly, through health – the right to health – it is possible to advance the consolidation of what has been searched since the first summit: dialog and cooperation. In this sense, there has been at least ten reunions made by the BRICS since 2006, among multiple international events or specifically organized to have a discussion, between Heads of States or Ministers of Health of each country, regarding precisely themes related to health. BRICS acknowledged, in several manifestations as a group, that cooperation might contribute to a better development and social protection for their own subject population. Right to health, in its turn, amongst social rights, gains space in the cooperation agenda of BRICS fundamentally since 2010 and, therefore, presents itself as a possibility for searching a new model of cooperation that contributes to the effectuation of human rights.

This has been materializes in a few actions, as it was stated in the records of the BRICS's Ministers of Health Reunions. An example of that is the account of the meetings occurred in Beijing, in 2011, that points towards the necessity of fortifying the political systems of health as a way to secure the social and economic developments. Furthermore, the subject has gained attention in the agenda of cooperation of the BRICS specially since the declaration of the 5th Summit of BRICS in Durban, occurred in march/2013, at South Africa, in which the countries highlighted their concerns with non-transmissible diseases and their global threat and acknowledged the necessity of more research regarding the socioeconomic determinants that cause such diseases in the states members of the BRICS. Plus, the ministers also renewed the efforts of facing the continuous challenge brought by the HIV virus. It must be noted as being relevant to this work the fact that the BRICS

renewed their compromise with enforcing the international cooperation in the sector of health.

Another important aspect to be noted is the position assumed by the ministers in the defense of having a reform in WHO with the purpose of establishing a new global health governance, establishing new priorities and programs, as well as effectuating new managing reforms. In its turn, regarding the effective results, there is a compromise of countries with the promotion with the access to quality, effective, safe and fair priced medication and vaccines along with the compromise signed to permit the transfer of technology and capacitation of people who work in the field of health . Let's see, for example, the case of progressive expansion of HIV treatment, specially the encouragement of new antiretroviral therapies, a proposed debated in the Encounter of BRICS's ministers of Health (Beijing, 2011), representing a tendency of investments in the fields of prevention and treatment. It is estimated that the countries that belong to the bloc have invested 120% more, in comparison to the previous year, in policies related to HIV, contributing for that, only in 2011, 1,4 million people, or about 20% more , have access to the apparatus responsible for treatment and prevention. In this case, preceding the expansion of access is the expansion of financial availability and of capacity of investing. Although Brazil foments its own action in the treatment of the virus, its signature in pacts of the United Nations enrolled it to raise HIV related investments which, if properly added the other countries contributions, should totalize about 25 billion dollars until 2015, and it reveals that HIV/AIDS is more than a acknowledged problems in the current world, becoming a problem to be contained.

However, the perspectives deriving from the compromise with extension of investment does not mean an excessive weakening of public finances, if they are accompanied by a directive attaining to the simplification of the access to treatment. The formation of new agreements foreseeing the industrial production of medications related to the struggle against HIV, adopted in 2011, represents an important example of that. The Brazilian state, while making possible the production of certain medicaments in Brazil, ends saving a substantial amount of resources that, later, can be invested in other social policies. In this specific example, Brazil saved about 650 millions of reals in buying medications related to the HIV treatment. More than that, it made possible for the movement of capital to reach about 400 million reals . In the perspective of the pacts related to the BRICS, that is important because, having in sight that it goes beyond providing a greater possibility of the population accessing its rights, such attitudes mean fortifying the internal economy of the very country, which is one of the main goals linked to the bloc.

By the other hand, it is noticeable that the agenda still lacks actions focusing the integral development of health care systems, more specifically, retrieving the focus from diseases and adopting the extended concept of health that, by its turn, demands social and economical developments. This is considered one of the main challenges of the group, in the sense that is required to public health programs focuses on the community and not only individuals, because it is a right acknowledge for all. As have sad Scaffardi, “the force with which events are occurring within the BRICS is probably the result of the approach adopted. It has not set up a radical group whose goal is to revolutionise or overturn global governance; instead a legal network has been created”. So, “having identified a need for reform, it tackles the status quo in a gradual way and on several fronts. The process has been sketched out from a virtuous angle, although the distances to be covered to achieve progressive implementation targets remain considerable”. Furthermore, overcoming this challenge require long term actions, specially given the facing of social determinants and the necessity of intersectoral actions. In short, it is through public policies that is permitted social conditions for effecting the right to health. Such right, in its turn, runs through social determinants which facing can be boosted by a fraternity based cooperation. In this sense, we defend the necessity of fomenting the acquaintanceship considering and promoting several dimensions involving society, in which the economical cannot occupy the core of this cooperation. It is believed that the fact of health integrating the cooperation agenda of BRICS can be the link between countries through fraternity, taking seriously human rights.

5. In this article, we’ve worked with the possibility of the assumption of fraternity being a link between countries in the context of BRICS. We observe that what bonds more frequently, when it comes to a group of countries, is the economic bound; but, just as the BRICS present meaningful differences with other forms of organization, we believe that we can overcome the impositions laid by the economic system. Obviously we acknowledge the difficulties for implementing such assumption, because fraternity puts in question the form of operation of the various social systems. We also know, as says Eligio Resta, that humanity can only be threatened by humanity itself; or, if until today, we’ve worked “for War”, we can also work “for peace”. Lucia Scaffardi is right when she states that these singular “forces” acting in the development of the BRICS are forces not for war, but for peace. A more fraternal living, which certainly can be observed in the acts and actions we are promoting, and that we will promote, regarding the effectuation of the right to health. As seen, from BRICS’s summits declarations, an essentially political discourse can be identified. The countries see themselves as a group intending to contribute to the

development of humanity and for the establishment of fairer, more egalitarian world. Yet, it is possible to comprehend that the BRICS intends the establishment of a more egalitarian world in the sense that these emerging countries desire greater participation and voice in the international community. In this sense, it is clearly observed that the discourse é directly turned to the United Nations and, mainly, the reform of the UN's Security Council and the global financial architecture, when stating that these countries have contributed in a relevant way for world peace, security e stability through reinforcing multilateralism and promoting a greater democratization of international relations. In this way, the promotion of the right to health is directly linked to the promotion of the other human rights. Therefore, the same is complemented by these and vice-versa, in a way that the right to health in an intersectoral and transdisciplinary right and, so, from right to health, it's possible creating a "bridge" towards effectuating human rights.

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