

HEALTH - PUBLIC HEALTH AND PREVENTION

III. JURISPRUDENCE

ICCPR

- *Cabal and Pasini v. Australia* (1020/2002), ICCPR, A/58/40 vol. II (7 August 2003) 346 (CCPR/C/78/D/1020/2002) at para. 7.7.

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7.7 With respect to the authors' claim of a violation of their right to health, the Committee shares the State party's view that there is no such right protected *specifically* by provisions of the Covenant. The Committee considers that a failure to separate detainees with communicable diseases from other detainees could raise issues primarily under articles 6, paragraph 1, and 10, paragraph 1.^{22/} However, in the instant case the Committee considers that the authors have failed to substantiate their claim, which is therefore inadmissible, under article 2 of the Optional Protocol.

Notes

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^{22/} *Lantsova v. The Russian Federation*, Case No. 736/1997, Views adopted on 26 March 2002.

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