

Intergenerational equity briefing

Review of social determinants of health and the health divide in the WHO European Region







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the health divide in the WHO European Region

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Purpose

The aim of this briefing paper is to examine the case for intergenerational equity as a framing principle for the review of social determinants of health and the health divide

in the WHO European Region and to set out examples of processes and mechanisms for realizing intergenerational equity.

Definitions

In this context, intergenerational refers to relationships and transactions between generations. These include not only today's younger and older generations but also those not yet born – the future progeny of people who are alive today. Equity refers to the idea of fairness or justice between different

generations. There is wide-ranging literature on the subject, indicated briefly below.

This paper focuses on equity between present and future generations (not yet born). Nevertheless, the evidence and arguments set out below apply equally to equity between living generations.

Relevance to health inequalities

The review focuses on identifying the determinants of health and how these may be addressed. The aim is to realize the vision for 2020 of a "WHO European Region in which all people are enabled and supported in achieving their full health potential and well-being and in which countries, individually and jointly, work towards reducing inequalities in health in the Region and beyond" (1).

Against this background, two important dynamics are well documented: the transmission of health risks between generations and the impact of changes in the natural environment on current and future generations.

Transmission of health risks between generations

Health and its determinants can be – and often are – transmitted between generations. Morbidities such as obesity and hypertension, as well as behaviours that put health at risk, such as smoking, recur in successive generations. Certain health determinants such as poverty and poor education can pass from one generation to the next and, for complex reasons, intensify in the process (2). Contributing factors include: socioeconomic background; location, culture and tradition; education and employment; income and wealth; lifestyle and behaviour; and genetic disposition.

A child's health is strongly influenced by the socioeconomic status of its parents, which can in turn affect the type of location and cultural circumstances in which the child grows up as well as opportunities for

education and employment, income levels, social and economic security, lifestyle choices and habits and experience of inequality. These factors all affect health and can be mutually reinforcing. They may over time influence genetic disposition to some diseases, although genetic inheritance of many types of ill health has not been traced to these determinants.

Such patterns of transmission are important for addressing health inequalities because they profoundly influence the distribution of determinants of health. As Hilary Graham and Michael Kelly have pointed out, "tackling the determinants of health inequalities is about tackling the unequal distribution of health determinants" (3). These determinants "are themselves socially determined. The labour market and education system

which structure access to employment are powerfully influenced by the wider society. So, too, are the inequalities associated with socioeconomic position, gender, ethnicity and sexuality.” Public policies can “act directly on the environments to which we are exposed, the habits we develop and the

health-care systems to which we turn in times of need” (3). Sustainable reduction of health inequalities thus requires action to stop children from inheriting health risks from their parents and grandparents and passing them on to their own offspring.

Impact of changes to the natural environment

The second dynamic is that the condition of the earth’s natural environment can be a powerful determinant of health – directly and indirectly. Global warming, loss of biodiversity, pollution of air, land and water, depletion of natural resources: these may all negatively influence health now and – increasingly – in the future. The effects may be cumulative and, in some cases, irreversible. The people who are relatively poor and powerless are likely to suffer first and most. These points have been documented in the report of the Task Group on Sustainability and Community (4). (One example: global warming can precipitate droughts and subsequent crop failures in some locations, leading to loss of livelihoods, poverty and poor nutrition for people who live there, which in turn can weaken the health of pregnant women in those populations, whose children are more likely to be sickly in infancy and childhood, and less likely to grow up to be healthy and robust parents.) Where the aim is to tackle health inequalities, a

priority must therefore be to safeguard natural resources and to minimize the negative effects of environmental damage – especially for those who are poor and powerless – and to avoid reaching a tipping point where some or all aspects of environmental damage spiral into irreversible decline.

Tackling health inequalities requires preventing the underlying determinants, some of which are embedded in the natural environment, from being passed from generation to generation. The framework of the review already commits to taking action across the life-course and for whole populations and to addressing the needs of younger and older generations. What remains to be clarified is whether the vision for Health 2020 extends to future generations so that they too can achieve their full health potential and well-being. If so, this begs the question of how – and how far – potential conflicts between the interests of different generations can be reconciled.

Should the vision for Health 2020 extend to future generations?

To address this question, we first examine the immediate rationale and then its legal and philosophical underpinnings before

considering some of the main arguments against intergenerational equity and how to balance the arguments for and against.

Immediate rationale

In setting out its vision for Health 2020 (1), WHO acknowledges a substantial legacy of efforts to improve health and well-being, from its original definition of health in 1946, to goals set in 1977 for levels of health to be achieved by 2000. It takes

note of circumstances changing rapidly over time and the need for long-term planning. Sustainability is one of the values on which the new policy is based. This term is usually traced to *Our common future* (5), which defines it as “development that meets the

needs of the present without compromising the ability of future generations to meet their own needs". The very act of planning forward to 2020 suggests an interest in those unborn at the start of the policy. It is thus strongly

Legal underpinnings

The Preamble to the Universal Declaration of Human Rights asserts that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world". The reference to all members of the human family has a temporal dimension, which brings all generations within its scope. The reference to equal and inalienable rights affirms the basic equality of these generations in the human family. The United Nations Charter, the International Covenant on Civil and Political Rights, the Declaration on the Rights of the Child and many such documents endorse this approach. In an article on the needs and interests of future generations, the Declaration on the Responsibilities of the Present Generations toward Future Generations approved by the

Philosophical underpinnings

Edmund Burke, who described the state as a partnership, observed that "as the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living but between those who are living, those who are dead and those who are to be born" (8).

John Rawls (9) famously argued that justice is best defined as the product of self-interested judgements made by people under a "veil of ignorance" that obscures their own and others' living, political and economic circumstances and their location in time. Applying this thought experiment, he found that two principles were agreed on. First, that "each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others" (9). Second, that "social and economic inequalities are to be arranged so that they are both (a) to the greatest expected benefit of the least advantaged and (b) attached to positions and offices open

implied that the WHO's health policy, Health 2020, has a fundamental commitment to improving health and well-being for future as well as current generations. There is, however, no explicit statement to this effect.

United Nations' Educational, Scientific, and Cultural Organization (UNESCO) in 1997 (6) provides: "The present generations have the responsibility of ensuring that the needs and interests of present and future generations are fully safeguarded."

The Declaration of the Principles of International Cultural Co-operation provides that "each culture has a dignity and value which must be respected and preserved" and that "all cultures form part of the common heritage belonging to mankind". As Edith Weiss has noted, if current generations assume the right to exploit natural and cultural resources at the expense of the well-being of future generations, this contradicts the purposes of the United Nations Charter and countless international human rights documents (7).

to all under conditions of fair equality of opportunity" (9).

Under the veil of ignorance, participants in Rawls' thought experiment have no clue about the generation they belong to, whether it is past, present or future, poor or wealthy, agricultural or industrial. According to Rawls (9), "The life of a people is conceived as a scheme of cooperation spread out in historical time. It is to be governed by the same conception of justice that regulates the cooperation of contemporaries." When participants were asked how much they would save for their children, taking account of how much they think it appropriate for their own parents to have saved for them, they could give no weight to position in time. As Rawls (9) puts it, "there is no ground for their using today's discount of the future rather than the future's discount of today". What is saved and passed on is not only economic capital but also the knowledge and culture, techniques and skills that make

just institutions possible. Each generation is entrusted with realizing and preserving a just society in the future. So a balance must be struck between saving for the future and distributing in the present to benefit the least advantaged, so as not to compromise the prospects for passing on the fruits of culture and civilization to future generations: that,

according to Rawls, is the point at which justice is attained (9).

Amartya Sen (10) argues that the principle of universalism, applied in the context of sustainability, reflects a basic belief that the interests of future generations should receive the same kind of attention that is



afforded to those in the present generation. “We cannot abuse and plunder our common stock of natural assets and resources leaving the future generations unable to enjoy the opportunities we take for granted today ... The demand of ‘sustainability’ is, in fact, a particular reflection of universality of claims – applied to the future generations – vis-à-vis us.”

For Sen, sustainability requires that future generations, no less than present ones, enjoy capabilities to lead lives they deem worth living. Sustaining deprivation is not an acceptable goal. But nor should our anxieties over the prospects of future generations overlook the pressing claims of less privileged people today. Universalism requires that both be attended to.

Len Doyal and Ian Gough support the idea of universalism extending across generations in *A theory of human need* (11,12). They establish a philosophical and empirical basis for understanding that all human beings have two basic needs, which they identify as health and autonomy: these prevail in all populations, regardless of time, place or other conditions. They identify a common set of universal requirements or intermediate needs – such as food and shelter – that are required in all cases to meet these universal needs. Although basic needs and intermediate needs are constant, the means by which needs are satisfied always vary according to circumstance. A key point is that health and autonomy are needs shared by all generations, implying a universal and enduring right to the satisfaction of those needs, not just now but in the future (11,12).

Nicholas Stern, in his review of *The economics of climate change* in 2006 (13,14), argues that climate change raises issues of justice within and between generations and points to a double inequity. The actions of rich countries, today and in the past, have been largely responsible for climate change, whose adverse effects are borne most heavily by those least responsible,

including poor countries today and – most notably – future generations, who can bear no responsibility at all. “Rich countries have special responsibility for where the world is now, and thus for the consequences which flow from this difficult starting point, whereas poor countries will be particularly badly hit.”

This makes intra- and intergenerational equity central to questions about climate change and how it affects health.

In the language of economists, climate change is a negative externality. Those who emit – or whose actions cause emissions – of greenhouse gases contribute to climate change which, in turn, imposes costs on the world and on future generations. The emitters are not confronted by the full consequences of their actions. They therefore have little or no economic incentive to reduce their emissions and are rarely required to do anything to compensate the people who are adversely affected. Further, the climate has all the characteristics of a public good. Those who do not pay for it cannot be excluded from enjoying its benefits, and one person’s enjoyment does not diminish the capacity of others to do likewise. In the absence of public policy, markets tend to fail to provide the right quantity of public goods because there are inadequate incentives or price signals for private actors to provide them.

Stern cites climate change as “the greatest and widest-ranging market failure ever seen”, exacerbated because, unlike other externalities, it is diffused and global, long-term and persistent, uncertain, high-risk and potentially irreversible (15). “Our actions over the coming few decades could create risks of major disruption to economic and social activity, later in this century and in the next, on a scale similar to those associated with the great wars and the economic depression of the first half of the 20th century. And it will be difficult or impossible to reverse these changes ... The earlier effective action is taken, the less costly it will be.”

Some arguments against

It is beyond the scope of this paper to provide a detailed account of all countervailing arguments to the proposition of equity

between generations. We can only offer a rough indication of some of the more prominent issues for debate.

Market solutions

Exponents of a free-market approach assert that freely functioning markets that are unconstrained by international law or government action will produce outcomes that are inherently fair. What are required, therefore, are not state interventions aimed at promoting intergenerational equity but extended property rights over land and other natural resources, so that individuals can take self-interested actions to safeguard the value of what they own. John Brätland, an exponent of this view (16), argues that “just as the modern day research in intergenerational equity ignores the importance of individual human action, it also tends to turn a blind eye to the boundaries established by ethically established rights of private property”. Environmental goods

should be brought into the market by assigning property rights over them so that preferences for them can be registered and they can in principle be exchanged. Accordingly, externalities such as pollution can be eliminated, such as when the owner of polluted land charges the polluter, thereby compensating for damage and possibly deterring it in future. When environmental goods cannot be brought into actual markets, it is necessary to construct shadow prices that indicate how much individuals would be willing to pay for them. This approach probably requires state intervention but would nevertheless be more reliable, it is argued, than decisions taken by people (for example through democratic elections) who do not have a direct interest in the consequences.

Future uncertainties

It has been argued on practical and philosophical grounds that the future is too uncertain: we cannot plan ahead to safeguard the interests of future generations because we cannot anticipate the long-term consequences of our actions, which may do more harm than good. And while we have our own ideas about what constitutes harm and good, we cannot predict the preferences of future generations or what they would consider to be in their own interests; nor (obviously) are they able to choose what we do now that will affect their interests (17).

Another perspective on uncertainty suggests that we cannot owe a duty to future generations, because our current actions to uphold that duty will change future populations so that those who experience the consequences of our action are different individuals from those who would have existed had we not intervened: “although they may be the beneficiaries ... we could not have owed a duty to them because they were not probable persons at the time we claimed that we had a duty” (18).

Future rights

It is argued that unborn generations cannot be held to have rights to equitable treatment now, because they cannot claim them or vote to change them in the present (19); nor can they seek restitution from past generations.

Some conclude that, in the absence of enforceable rights, duties and obligations towards future generations are weak and inconsequential, rendering the concept of equity meaningless (17).

Humans and other species

Among environmentalists, there have long been arguments about the place of humans on the planet, which some regard as a brief and destructive episode. From this perspective, intergenerational equity for the human species could undermine prospects for other species, whose future is arguably

no less important (18). Safeguarding the future of the natural environment in all its complexity may thus take precedence over trying to secure a future for the human race that is premised on justice between present and future generations.

Finding a balance

Although these arguments are worth some consideration, they must be weighed against others set out earlier – most notably:

- international treaties that already commit to fairness between generations;
- the review's own emphasis on sustainability;
- the call for equal distribution of determinants of health, which includes preventing the transmission of health risks between generations;

- the long-term, global and potentially catastrophic effects of climate change and environmental degradation;
- the case for temporal neutrality in understanding justice; and
- the universal and enduring nature of human needs.

How to deal with conflicts of interest between generations remains a challenge. This brings us to the second area (identified above) requiring clarification.

How can different claims and interests be reconciled?

The concept of intergenerational equity implies that the claims and interests of different generations may conflict or compete with one another. Deciding how to reach a fair balance between them involves taking all relevant factors into account and judging them according to chosen criteria. It does

not imply treating generations in exactly the same way. It is a matter of judgement rather than science. This section first examines processes for understanding and addressing competing claims and interests and then sets out examples of mechanisms operating in the WHO European Region.

Processes for understanding and addressing conflicts of interest

Discounting

The process of discounting is an economic tool that enables costs and benefits to be compared at different points in time. This is undertaken routinely in private transactions, and various market-determined discount rates can be derived. The Stern review and others have argued that conventional approaches to discounting are inappropriate for weighing up the effects on the well-being of future generations of very large and, for all practical purposes, irreversible changes to the environment.

It is nevertheless useful to have some metric to make such comparisons and to determine how much it is worth investing today to prevent damages in the future. There are two main arguments for discounting social costs and benefits incurred in the future. The first is pure time preference, the belief that consumption now is preferable to consumption in the future. The second argument is that future generations will have higher incomes on average than current generations and therefore the utility of an

extra unit of consumption will be less in future than in the present. Stern accepted the second argument but rejected the first on ethical grounds. The discount rate adopted for the Stern review has proved controversial among some economists who consider it too low because it ignores time preference factors they normally take into account (20). Yet others considered the discount rate too high, on the ground that it underestimates the future impact of climate change, and indeed in 2008, Stern revised his assertion that the concentration of greenhouse gases must be kept between 450–550 parts per million to less than 500 (21) – requiring even tougher preventive action.

The profound uncertainties associated with climate change and its potentially catastrophic consequences push economic analysis to its limits and bring ethical questions into sharp relief. Philosophers and many economists have long argued that, when it comes to decisions that have social consequences, “anything other than a zero

rate of pure time preference is unethical” (22). Sen and others have argued that cost–benefit analysis cannot cope with questions of rights and responsibilities owed to future generations and that the pursuit of intergenerational equity should

take precedence over economic efficiency. These debates highlight the inadequacy of calculating future costs and benefits without taking ethical considerations into account and the pivotal role of equity in addressing conflicts of interest between generations.

Rights and duties

The case for a human rights–based approach to tackling the social determinants of health is set out in detail by the cross-cutting Task Group on Equity, Equality and Human Rights (23). The Task Group’s report does not specifically address the rights of unborn generations. Nevertheless, if human rights extend to future generations, according to the principle of intergenerational equity, then ways must be found to uphold the rights of current generations without jeopardizing those of the future and vice versa.

The establishment of social and economic rights (which include rights relating to health and its social and economic determinants) is perhaps best understood as a work in progress: freedoms and entitlements are supposed to evolve and strengthen over time as resources and politics allow. Nevertheless a set of core obligations relating to health applies to all states without exception, according to the International Court of Justice. These include providing inclusive access to health-related services, to essential food, shelter, water and pharmaceuticals, and policies “addressing the health concerns of the whole population” (24).

Emerging rights to health and its determinants – and these core obligations – can in some cases be enforced through courts of law, although this happens less often than via quasi-judicial, political and social means of accountability. Specific remedies (restitution, compensation or rehabilitation) are sometimes available, but individuals and groups who assert their rights more commonly achieve results indirectly – for example, by changing the climate of opinion or putting pressure on government to change policies, priorities or resource allocation in a more favourable direction (24).

The idea that freedoms and entitlements evolve over time does not sit comfortably with the idea of fairness between generations, since there is no certainty that resources and policies will become more supportive in the future. There is, however, an emerging body of legal theory and practice relating to intergenerational equity, which has mainly focused on safeguarding the natural environment for future generations. A paper prepared for the Human Rights Clinic at Harvard Law School in 2008 (25) provides a useful summary of legal and quasi-legal mechanisms.



The authors point out that rights and duties have a strong normative impact that elevates the interests of future generations. Rights carry weight not only because of their formal status and applicability but also because of their use in balancing against other conflicting rights and interests (25). “Some argue that every duty has a corresponding right, suggesting that a duty toward future generations would mean that future generations in turn have a right. Numerous legal sources establish a duty for present generations to act. Some sources specifically recognize the existence of rights of future generations ... Legal systems also advance intergenerational equity through the concepts of guardianships or trusteeships, which partly overlap with the duty/rights framework.”

Deliberative dialogue

Deliberative dialogue offers a means of considering wicked problems in extended and informed conversations between citizens. At its best, it can work as an antidote to populist politics and market choices and enhance representative democracy. Most political systems tend towards short-term decisions that focus on living generations. Even in more mature democracies, elections give voice to the immediate concerns of the voting public. Future generations do not vote. Meanwhile, markets coordinate isolated and (supposedly) instrumentally rational actors; they do not require public debate or communicative reason (26). Nor do they explain the reasons why particular values are attached to goods and resources.

Deliberative dialogue, by contrast, can enable participants to scrutinize information, explore ideas, debate with others and change their minds about things. As such, it is a useful process for considering how current actions

Legal mechanisms that offer opportunities to protect the interests of future generations are summarized as follows (25).

- Courts can interpret the law to recognize the importance of intergenerational equity, grant standing to sue to those seeking to represent future generations and provide a check on the actions of governments with regard to future generations.
- Ombudsmen can review and advise on environmental policies with intergenerational equity in mind; they can also serve as mediators between governments and the representatives of future generations.
- Guardians can represent future generations, since they represent other voiceless people in specific situations, such as negotiations and litigation.

affect future generations and weighing up the relative merits of current and future claims to fair treatment (27). It can take many forms, but the critical features of this approach are that:

- everyone is treated with equal respect;
- discussions are facilitated to ensure that everyone has a fair chance to participate;
- those involved become as well informed as possible about the matters for discussion;
- those involved can call for more information and evidence;
- those involved have sufficient time to scrutinize evidence and other information and to discuss the issues at stake;
- people, even where they have fixed opinions at the outset, will be expected to feel able to change their minds; and
- it aims to identify areas of agreement and difference between the participants and to build consensus rather than to reach a majority verdict.

Mechanisms for realizing intergenerational equity: working examples

We set out below several working mechanisms for realizing intergenerational equity. We touch briefly on constitutional declarations and judgements of the International Court of Justice. We then turn to institutions designed for the purpose that were operating in the WHO European Region when this was written. Where the latter are concerned, we have not had the opportunity

to scrutinize them closely, so the examples are offered to indicate what might be achieved rather than to provide a considered appraisal of their actual performance. Our review of relevant literature suggests that these examples are as relevant and useful as any we could find outside the European Region, so we have not included any others.

Several judgements by the International Court of Justice have acknowledged that present generations should safeguard the interests of future generations.

- In the case of *Denmark v. Norway* decided in 1993 by the International Court of Justice, Judge Christopher Weeramantry wrote in his concurring opinion (28) that respect for “elemental constituents of the inheritance of succeeding generations dictated rules and attitudes based upon a concept of an equitable sharing which was both horizontal in regard to the present generation and vertical for the benefit of generations yet to come”.
- Three years later, the International Court of Justice applied these precepts in its Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, whose

impact on future generations the Court considered to be an important factor. The majority recognized that the “destructive power of nuclear weapons cannot be contained in either space or time ...

Further, the use of nuclear weapons could be a serious danger to future generations” (29).

- In 1997, in a case before the International Court of Justice concerning the Gabčíkovo-Nagymaros Project of locks and dams on the Danube river, Judge Weeramantry chronicled the concern for future generations across several continents: “... land is never the subject of human ownership, but is only held in trust, with all the connotations that follow of due care, wise management, and custody for future generations” (25).

Finland's Committee for the Future

The Committee for the Future is one of 16 standing committees of Finland's Eduskunta (parliament). It has 17 members who are members of parliament and represent different political parties. The Committee was established in 1992 when the Eduskunta adopted a resolution requiring that the government provide it with a report on long-term developments and options for the country. It was subsequently agreed that the government would submit a similar futures report at least once during each electoral cycle, and in 2000 the Committee was made permanent. Its overall task is “to conduct an active and initiative-generating dialogue with the government on major future problems and means of solving them” (30).

The Committee is described as uniquely open and innovative. It claims to hold debating forums across Finland, to employ iterative research methods, new data technologies and comparative international studies and to listen to “young people as well as older and experienced individuals in the public discussion” (31). It gives particular attention to “factors that pervade Finnish society” (31) and has multiple networks that bring together national and international researchers, provide access to expert resources and create a forum for the discussion of future-related issues and themes. Democracy, says the

Committee, “cannot be realised simply by accepting changes that have already taken place” (30); accordingly, the Eduskunta has a duty “to observe the changing world, analyse it, and take a view in good time on how Finnish society and its political actors should respond to the challenges of the future” (30). Specific tasks include:

- preparing documents for the Eduskunta, including its response to the government's futures reports;
- issuing statements to other committees on future matters when requested to do so;
- debating future development factors and development models;
- analysing research regarding the future, including methods; and
- serving as the parliamentary body responsible for assessing technological development and the impact of science and technology on society.

The government's futures reports, the themes of which are chosen by the Prime Minister, are delivered early in the term of an Eduskunta, so that there is time for the Committee to develop a response and for debate in the Eduskunta to take place. The topics of these reports have included major global, environmental and other structural challenges; the effects on Finland of European development; factors in Finland's

competitiveness and success; and regional development (31). The theme of the futures report for the 2007–2011 electoral cycle was climate and energy.

In addition, the Committee has assumed an active role in generating independent initiatives and drafts its own reports on Finland's future. A key aim of the Committee has been to revitalize democracy, for which it has produced a range of proposals, including (30):

- setting up futures juries that would facilitate public debate on the key questions pertaining to the future;
- creating a “living conditions in the Finland of the future” body that would have the right and obligation to intervene on behalf of future generations, if necessary taking legal action;

Hungary's Parliamentary Commissioner for Future Generations

Hungary instituted a Parliamentary Commissioner for Future Generations in 2007 (its legal successor in 2012 was the Office of the Commissioner for Fundamental Rights). It was one of four ombudspersons elected by the unicameral Hungarian Parliament (19). At the beginning of 2010, the Commissioner had received more than 400 petitions from the public and completed 97 investigations, many of which focused on planning, noise and air pollution. The Commissioner's reports, following investigation, were submitted to the relevant public bodies; he was also involved in legislative consultations and proposals.

The Commissioner's task was “to ensure the protection of the fundamental right to [a] healthy environment” (33). Potential candidates had to be lawyers, to have extensive experience with environmental law and to meet a strict set of personal characteristics as well as stringent guidelines that precluded conflicts of interest. Defending the interests of future generations was an important focus of the Commissioner's mandated advocacy and investigative powers.

Once selected, the Commissioner was required to monitor legislative developments and proposals at the state level to ensure that they would not pose a severe or irreversible threat to the environment. This included providing opinions to members of

- launching a project to prevent a widening of the intergenerational gap and strengthen multigenerational democracy; and
- beginning preparatory work for the gradual development of global democracy to safeguard the planet's ecosystems.

One commentator (32) points out that – although it is extremely difficult to get people of different political persuasions to discuss issues relating to the future, much less to formulate policies jointly – the Committee has made that possible in Finland and provides an inspiration for other parliaments. According to the Inter-Parliamentary Union (32), the work of the Committee “reminds parliamentarians that they can indeed take the initiative to influence their country's future and thinking about it, if only they have the confidence to exercise the powers they already possess”.

parliament and to other entities that sought to take actions affecting the environment. The Commissioner had the right to conduct investigations; his or her role was not limited to the national government but included the ability to review the actions of municipal and other local governments and to provide them with advice. In terms of sanctions, after an investigation the Commissioner could order that an action be stopped or modified and could bring a case to court if deemed necessary.

Frequent exchanges with citizens about their concerns were said to ensure broad acceptance of the Commissioner's role in civil society. A primary goal of the first incumbent, Sándor Fülöp, was to provide civil society with legal support in developing sustainable projects and solutions. The Commissioner's mandate primarily focused on environmental concerns, although cultural heritage was another issue explicitly mentioned.

The position enjoyed a significant degree of independence, with broad jurisdiction and guidelines for investigations as well as the ability to investigate and sanction public institutions. Powers were more limited for defending the social and economic interests of future generations: the Commissioner could do little to influence major decisions about public spending.

Israel's Commission for Future Generations

In March 2001 the Knesset, Israel's parliament, established a Commission for Future Generations (34). This operated with a five-year mandate as a unit of the Knesset that sought to defend the needs and the rights of future generations, with specific focus on creating "a dimension of the future that would be included in the primary and secondary legislation of the State of Israel" (35).

The Commission's scope included natural resources, education, health, technology, law, development, demography and any other matter of special concern to future generations as determined by the Israeli Constitution, Law and Justice Committee. It had the authority (35):

- to voice opinions on bills, secondary legislation and regulations of interest to future generations;
- to provide the Knesset with recommendations on any issue the Commission considered relevant to the rights of future generations;
- to demand any information from institutions "subject to inspection by the State Comptroller", such as ministers, state

- corporations and local authorities; and
- to request from a parliamentary committee reasonable time to collect data and prepare an evaluation regarding certain bills or secondary legislation with particular relevance to future generations.

The Commission functioned primarily as an advisory or consultative body, restricted to the legislative work of the Knesset. It lacked legal authority to propose bills, carry out inquiries or adjudicate disputes. It could, however, claim the right to issue an informed opinion or to postpone a decision by parliament. This amounted to an informal power of veto, similar to the effect of a filibuster (34).

The Commission is said to have challenged business as usual in a troubled region, providing a voice for future generations in policy-making across environmental, economic, and social concerns. The approach of Commissioner Shlomo Shoham has been described as "visionary", providing "a commendably systemic and integrative perspective" (36). However, the Knesset did not reappoint after the Commission's first term ended in 2006.

Subcommittee on the Future Development of Latvia

The Subcommittee on the Future Development of Latvia was established in 2003, comprising 13 members representing all groups in the Saeima (Latvia's parliament). The submission from the Latvian Parliament describes its tasks as follows (31):

- to draft a single document for Latvia's future development, including formulating the vision of Latvia in 15–20 years, which would facilitate Latvia's sustainable development and improve the social welfare and safety of each member of society;
- to develop cooperation with different public institutions, scientists, youth and other members of society and work together to seek out opportunities to ensure Latvia's more rapid development and competitiveness; and
- to organize and listen to lectures on various themes that are important in science and economics and thus to serve as a useful source of information for achieving goals set by the members of parliament.

The Sustainable Development Commission in the United Kingdom

The Sustainable Development Commission was established in 2000 as a non-departmental public body with up to 20 expert commissioners appointed by the Prime Minister. Its role was to advise, build capacity and scrutinize the decisions and actions of the four governments of the United Kingdom. It played a key role in

building consensus about the meaning of sustainable development (such as living within environmental limits, promoting a strong healthy and just society, achieving a sustainable economy, promoting good governance and using sound science responsibly), and in developing the sustainable development strategy of the

Government of the United Kingdom, *Securing the future*, published in 2005 (37). Although it was not explicitly or exclusively charged with defending the interests of future generations, this was strongly implicit in its overarching responsibility for sustainable development. Its declared aim was to help answer the following key questions.

- How can government support a transition to a sustainable economy?
- How can government ensure that our society stays within environmental limits, while creating sustainable places?
- How can government ensure that policies reduce disadvantage rather than having a disproportionate impact on sections of our society?
- What can government do to support

action in communities and business that encourages changes to people's behaviour and which enables more sustainable lives?

- How can government better organize itself to deliver more sustainable outcomes?

In its own words, the Sustainable Development Commission has “worked with government, business, and the public and third sectors on some of the most important challenges and ‘wicked issues’ being tackled by government”, covering a range of areas including the built environment, business and consumption, climate change and energy, economics, education, food, health, local and regional government, natural resources and transport. The coalition government abolished the Commission in 2011.

Conclusions

This paper has explored the case for intergenerational equity as a framing principle for the review. It has summarized the legal and philosophical underpinnings as well as processes and mechanisms for realising intergenerational equity in practice. It sets out some of the key countervailing arguments and concludes that these should be weighed against other considerations.

From the material set out above, there are three overriding reasons why intergenerational equity should feature as a framing principle. First, there is a strong

grounding in international treaties and case law that endorses this approach. Second, it is impossible, in practical terms, to address the underlying causes of health inequality without tackling the transmission of health risks between generations, and this inevitably includes transmission between the present and future generations. Third, the potentially catastrophic nature of environmental threats to human health and well-being should place the question of intergenerational equity at the heart of this endeavour.

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The WHO Regional Office for Europe

The World Health Organization (WHO) is a specialized agency of the United Nations created in 1948 with the primary responsibility for international health matters and public health. The WHO Regional Office for Europe is one of six regional offices throughout the world, each with its own programme geared to the particular health conditions of the countries it serves.

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Intergenerational equity briefing

Review of social determinants of health and the health divide in the WHO European Region

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