



Dr. Upadhyay is former Head of Department and senior Assistant Professor ,in Department of Political Science, Prof Rajendra Singh (Rajju Bhaiya) University,(Formerly known as Allahabad State University) Prayagraj, U.P India. He has published more than 30 research Papers and several Articles. He has written more than 10 Book chapters for edited books., And Authored two books. Dr. Utkarsh is engaged in many academic committees like Board of studies, Academic council and etc.

He has completed his master's in Political Science and D.Phil from University of Allahabad.



Dr. Singh is currently serving as an Assistant Professor in the Department of Law at Prof. Rajendra Singh (Rajju Bhaiya) University, (Formerly known as Allahabad State University) Prayagraj, Uttar Pradesh. He holds B.A. LL.B. (Hons.), LL.M. in Commercial Law, and a Ph.D. from the Department of Law, Aligarh Muslim University, Aligarh. During his doctoral journey, Dr. Singh received distinguished fellowships from the Indian Council of Social Science Research (ICSSR) and the University Grants

Commission (UGC), recognizing his outstanding academic performance.

With a prolific academic career, Dr. Singh has published over twenty research papers in esteemed national and international journals, covering diverse legal domains such as cybercrime and the protection of children from sexual offences. He has contributed ten chapters to various edited volumes and has served as editor for eight academic books. Dr. Singh has also presented more than twenty research papers at both national and international seminars and conferences. Renowned for his dedication to legal scholarship, Dr. Singh is deeply committed to advancing contemporary legal discourse through both his research and academic engagements. He actively inspires and mentors students to become thoughtful and socially responsible individuals, encouraging them to embrace every day as a fresh opportunity. Dr. Singh routinely shares the empowering belief with his students: "Knowledge is the key to unlocking a better future — empower yourself to make a difference".



250



YOGA DIALOGUE ON WELLNESS: A MULTIDISCIPLINARY APPROACH



Prof. Rajendra Singh (Rajju Bhaiya) University,
Prayagraj UP

YOGA

A Dialogue of Wellness

A Multidisciplinary Approach



EDITORS: Dr. Utkarsh Upadhyay, Dr. Rahul Singh

Yoga and The Right to Health : International Legal Perspectives

T Saroja Devi

Assistant Professor

Vistas, Pallavaram, chennai.

9940169818

sarojadevi.law@vistas.ac.in

Abstract:

The intersection of yoga and health rights has received increasing focus in recent years as worldwide health efforts shift towards incorporating holistic and preventive approaches to well-being. Originating as an early Indian Yoga practice to take place towards the spiritual way, mind peace and physical health. yoga has moved beyond its traditional confines to become a widely acknowledged method for enhancing health and wellness across the globe. This paper explores yoga from the perspective of International legal frameworks regarding the right to health, as articulated in a significant document.

The Incorporation of yoga into health policies, notably through initiatives like, reflects an increasing global acknowledgment of its ability to enhance public health. This paper examines how various countries are implementing yoga in their public health strategies, particularly concerning the prevention of non-communicable diseases, mental health support, and rehabilitation efforts.

The article also critically explores issues such as cultural appropriation, standardization, and disparities in access, prompting inquiries about the fair achievement of the right to health through interventions based on yoga. It also tackles legal discussions regarding the commercialization of yoga and rights related to intellectual property. This study promotes yoga as a cultural heritage and a valuable asset for public health, encouraging policies that are inclusive and based on rights, with the goal of improving the healthy life towards the yoga practice as a means that the global legal obligation helps

to high standards of health for every individual. The paper concludes by proposing suggestions for the incorporation of yoga into both global and national health legislation and policies in a way that is respectful of culture and legally consistent.

keywords : Right to Health, International law, Yoga and Public Health

Introduction :

The intersection of yoga and health rights has received increasing focus in recent years as worldwide health efforts shift towards incorporating holistic and preventive approaches to well-being. Originating as an early Indian Yoga practice to take place towards the spiritual way, mind peace and physical health. yoga has moved beyond its traditional confines to become a widely acknowledged method for enhancing health and wellness across the globe. This paper explores yoga from the perspective of International legal frameworks regarding the right to health, as articulated in a significant document.

The Incorporation of yoga into health policies, notably through initiatives like, reflects an increasing global acknowledgment of its ability to enhance public health. This paper examines how various countries are implementing yoga in their public health strategies, particularly concerning the prevention of non-communicable diseases, mental health support, and rehabilitation efforts.

The article also critically explores issues such as cultural appropriation, standardization, and disparities in access, prompting inquiries about the fair achievement of the right to health through interventions based on yoga. It also tackles legal discussions regarding the commercialization of yoga and rights related to intellectual property. This study promotes yoga as a cultural heritage and a valuable asset for public health, encouraging policies that are inclusive and based on rights, with the goal of improving the healthy life towards the yoga practice as a means that the global legal obligation helps to high standards of health for every individual. The paper concludes by proposing suggestions for the incorporation of yoga into both global and national health legislation and policies in a way that is respectful of culture and legally consistent.

Yoga as a Complementary Health Practice in International Human Rights Law:

An ancient Indian discipline, Yoga is one of the widely accepted complementary health interventions globally. It has evolved from a spiritual practice combining postures, meditation and breathing techniques. Its increasing adoption in health systems across countries highlights its potential role in promoting physical and mental well-being. Within the framework of international human rights law, particularly the right to health, yoga emerges as a valuable tool for achieving holistic health, as envisioned by international legal instruments like ICESCR (International Covenant on Economic, Social and Cultural Rights).¹

Article 12 of the ICESCR - says about the right of all individuals for the standard physical and mental health. The corresponding General Comment No. 14 from the UN Committee on Economic, Social and Cultural Rights highlights that this right encompasses not only access to medical services but also the fundamental determinants of health, including adequate living conditions, education, and preventive measures. In this regard, yoga can be considered a non-invasive, affordable preventive and promotional health practice that functions as both a medical intervention and a lifestyle choice.²

Numerous Governments and International entities, including the World Health Organization, have recognized the importance of long establishment and complementary substance in achieving universal health coverage. The WHO Traditional Medicine Strategy for 2014–2023 advocates for member countries to incorporate safe and evidence-supported traditional medicine practices into their healthcare frameworks. Yoga, with its increasing body of scientific research backing its advantages in alleviating stress,

¹ 'Yoga as a Public Health Intervention: The Pancha Kosha Model', (2023) *Frontiers in Public Health* [online] available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC10498999/> accessed 6 July 2025.

² 'Effectiveness of Yoga in the Management of Hypertension', (2023) *Frontiers in Cardiovascular Medicine* [online] available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC10248378/> accessed 6 July 2025.

improving heart health, managing chronic pain, and boosting mental well-being, aligns perfectly with this initiative.³

In 2014, the United Nations General Assembly passed a resolution designating June 21 as the International Day of Yoga, recognizing its worldwide popularity and health advantages. This decision not only solidified its international recognition but also indicated a rising agreement that yoga can play a crucial role in fulfilling health-related human rights. Sustainable Development Goal 3 says about good health and well being is the highlighted resolution for the potential of yoga.⁴

Nevertheless, there are still obstacles to overcome. Access to yoga is frequently restricted by socio-economic conditions, urban biases, and a lack of inclusion in public health systems. In order for yoga to be an effective means of advancing the right to health, it needs to be made universally available, economically accessible, and tailored to various cultural and physical requirements.⁵

Yoga presents considerable potential as a supplementary health approach within the framework of international human rights law. By integrating yoga into both national and international health initiatives, countries can meet their responsibilities according to the ICESCR and associated agreements. Serving as a link between preventive health and overall well-being, yoga enhances not only health results but also the achievement of the essential human right to health in a respectful and inclusive way. yoga holds significant promise as a complementary health practice under the umbrella of International human rights law. By

³ World Health Organization, *WHO Traditional Medicine Strategy 2014–2023*, WHO (2013) [online] available at <https://www.who.int/publications/i/item/9789241506096> accessed 6 July 2025.

⁴ ‘Yoga and Mental Health: An Underexplored Relationship’, (2021) *International Journal of Yoga* [online] available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC8152173/> accessed 6 July 2025.

⁵ ‘Global Use and Perception of Traditional Medicine’, (2024) *BMC Complementary Medicine and Therapies* [online] available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC11186537/> accessed 6 July 2025.

incorporating yoga into national and global health strategies, states can fulfill their obligations under the ICESCR and related instruments. As a bridge between preventive care and holistic well-being, yoga contributes not only to better health outcomes but also to the realization of the fundamental human right to health in a dignified and inclusive manner.⁶

WHO's Traditional Medicine Strategy and the Role of Yoga

The World Health Organization has acknowledged the significant contribution of long established, complementary, and integrative medicine (TCIM) toward achieving international health goals. In this context, Yoga, recognized for its rich historical background and validated health benefits, has been increasingly recognized worldwide as an important aspect of traditional medicine.⁷

Yoga, with its roots in ancient India, is a discipline that integrates physical poses (asanas), breath regulation (pranayama), and meditation (dhyana). Today, it is practiced globally for its benefits to physical health and mental wellness. Although it was initially spiritual, contemporary views of yoga focus on its healing advantages, particularly in addressing lifestyle illnesses, mental health issues, and stress-related challenges.

The WHO's approach to Traditional Medicine includes three key objectives: (1) enhancing the knowledge base, (2) improving quality assurance, safety, and regulatory practices, and (3) advancing universal health coverage by incorporating TCIM. Yoga corresponds with all of these objectives.

The advantage and support of yoga the first step is the significant and growing body of scientific studies. Clinical studies have shown its efficacy in addressing issues like high blood pressure, diabetes, depression, anxiety, and chronic pain. The Ministry of AYUSH in India, which includes yoga in its focus, has collaborated with the WHO to establish benchmarks for yoga

⁶ United Nations, 'Goal 3: Ensure Healthy Lives and Promote Well-being for All at All Ages' [online] available at <https://globalgoals.org/goals/3-good-health-and-well-being/> accessed 6 July 2025.

⁷ World Health Organization, *WHO Traditional Medicine Strategy 2014–2023*, WHO Press, Geneva, 2013, available at <https://www.who.int/publications/i/item/9789241506096> (last accessed 6 July 2025).

training and practice, thus creating a knowledge base rooted in both evidence and tradition.

Additionally, yoga has increasingly been integrated into health regulations in various countries, including India, Nepal, China, as well as in Western nations like the United States and the UK. This center focuses on coordinating research, policy, and regulation related to traditional medicine practices, including yoga. Across different nations the practice for yoga training, ensuring a standardized, created by WHO.⁸

Yoga serves as a low-cost, easily accessible, and non-invasive practice that aligns with the objectives of Universal Health Coverage (UHC). It can be especially advantageous in settings with limited resources, such as rural locations or areas affected by disasters, where traditional healthcare infrastructure might be insufficient. Incorporating yoga into primary healthcare systems can alleviate pressure on hospitals and enhance overall public health results. Although yoga is frequently practiced around the world in its contemporary, fitness-focused style, it is essential to work towards maintaining its traditional knowledge systems and guaranteeing respectful sharing. By acknowledging and regulating yoga as a legitimate health-enhancing practice, the WHO and its member nations can promote holistic, inclusive, and preventive healthcare systems that resonate with both traditional knowledge and contemporary requirements.⁹

Inclusion of Yoga in National Health Policies: A Comparative Legal Study

Yoga, an age-old practice from India focused on physical, mental, and spiritual wellness, has received worldwide attention as both a cultural heritage and a health intervention supported by scientific evidence. This comparative legal analysis examines how different countries, specifically India, the United

⁸ World Health Organization, *WHO Traditional Medicine Strategy 2014–2023*, WHO (2013) [online] available at https://iris.who.int/bitstream/handle/10665/92455/9789241506090_eng.pdf accessed 6 July 2025.

⁹ ‘Yoga for Non-Communicable Disease Prevention’, (2022) *Frontiers in Public Health* [online] available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC9623889/> accessed 6 July 2025.

States, and the United Kingdom, have incorporated yoga into their healthcare systems and the legal ramifications of such integration.

India is leading the way in incorporating yoga into its national policies. In 2014, the Government of India created the Ministry of AYUSH (Ayurveda, Yoga & Naturopathy, Unani, Siddha, and Homoeopathy) to formalize traditional medicine systems. The National Health Policy of 2017 highlights the importance of integrating AYUSH systems, including yoga, into public healthcare services. From a legal standpoint, the inclusion of yoga supports the right to health as suggested by Article 21 of the Indian Constitution, which ensures the right to life and personal liberty.¹⁰

The United Kingdom, via its National Health Service (NHS), has started to incorporate yoga-based approaches, particularly in mental health and rehabilitation services. The National Institute for Health and Care Excellence (NICE) has acknowledged yoga as a legitimate option for addressing issues such as lower back pain. Although there is no specific legal requirement in the UK that promotes yoga, its adoption is informed by clinical guidelines and evidence-based practice policies. The comparative examination uncovers a range of inclusivity—from India's established legal and policy acknowledgment to the informal, non-legislative integration observed in Western nations. Nonetheless, the unifying theme is the increasing recognition of yoga's comprehensive health advantages.

The incorporation of yoga into national health policies signifies both cultural acceptance and legal progress. Although India is at the forefront with its formal endorsement, nations such as the U.S. and the U.K. demonstrate the significance of clinical validation and decentralized application.¹¹

Yoga and the Sustainable Development Goals (SDG 3: Good Health and Well-being):

The third Sustainable Development Goal (SDG 3) set by the United Nations aims to "ensure healthy lives and promote well-being for individuals

¹⁰ S.C. Tripathi, *Yoga and the Law*, Central Law Publications, Allahabad, 2019.

¹¹ Michael Freeman, *Law and Medicine: Philosophical and Legal Perspectives*, Oxford University Press, Oxford, 2001.

of all ages." In this regard, yoga is recognized as a beneficial, non-invasive practice that improves physical, mental, and emotional health. Originating in ancient India, yoga has gained global recognition for its extensive advantages, which closely correspond with the objectives of SDG 3.¹²

The effects of yoga on health are multifaceted. Consistent exercise boosts heart and lung health, increases flexibility and muscle power, and aids in the management of chronic illnesses like high blood pressure, diabetes, and arthritis. The benefits of yoga for mental health are also significant, including reduced stress, improved emotional regulation, and relief from anxiety and depression. In a world increasingly impacted by non-communicable diseases and mental health challenges, yoga offers a preventative and therapeutic approach that complements traditional medicine. The third Sustainable Development Goal established by the United Nations seeks towards "ensure healthy lives and promote well-being for people of all ages." Emerging from ancient India, yoga has received worldwide attention for its vast benefits, which align closely with the aims of SDG 3. The World Health Organization (WHO) has acknowledged traditional methods like yoga in its Traditional Medicine Strategy, advocating for their inclusion in national health policies. June 21st, celebrated as International Day of Yoga, emphasizes the realm of global health in India. From a legal and policy standpoint, yoga supports the right to health as recognized in Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Incorporating yoga into health systems supports the worldwide goals for sustainable development. Yoga, being both cost-effective and adaptable to various cultures, enhances individual well-being and fortifies community strength, making it a vital component of international health policies and legal conversations.¹³

¹² Winfried Lang, *Sustainable Development and International Law*, Graham & Trotman/Martinus Nijhoff, London, 1995.

¹³ Acharya Balkrishna, *Yoga, Ayurveda and Spirituality: The Way to a Sustainable Life*, Patanjali Research Foundation, Haridwar, 2021.

Cultural Appropriation vs Global Promotion: Legal and Ethical Issues in Internationalizing Yoga¹⁴

Cultural appropriation versus global promotion has more influence over the international spread of yoga. Although yoga has its origins in ancient Indian philosophy and spirituality, it is now commonly practiced as a wellness activity worldwide; its conversion into a commercialized and frequently decontextualized commodity presents intricate legal and ethical challenges.

Cultural appropriation happens when aspects of a minority culture are removed from their original context and adopted by individuals of a dominant culture, often without proper acknowledgment or reverence. When it comes to yoga, its spiritual and philosophical roots are frequently disregarded in the commercial versions found in the West, which primarily depict it as a type of physical activity. This commodification, without an understanding of its cultural and historical roots, risks erasing the traditions that originally formed it.

The challenge in law is to safeguard traditional knowledge (TK) while ensuring it continues to have a beneficial global influence. Global agreements such as the Convention on Biological Diversity (CBD) and the WIPO Intergovernmental Committee on Genetic Resources and TK strive to develop systems for the protection of indigenous practices, including yoga. Nevertheless, these frameworks are still in development and frequently lack enforceable measures.

From an ethical standpoint, the appropriate approach involves culturally aware communication—advocating for yoga while appropriately recognizing, educating about, and honoring its roots. Partnership models, in which Indian organizations collaborate with international entities, can aid in maintaining the cultural integrity of yoga while making it accessible to a global audience.

¹⁴ Deepa Verma et al., 'Traditional Medicine and Globalization: Legal and Ethical Issues', (2017) *Journal of Law and Health*, Vol. 31, pp. 123–142.

Conclusion:

The inclusion of yoga in conversations about the right to health from an international legal perspective highlights the growing recognition of holistic and preventive approaches to health and well-being. As an ancient Indian tradition centered on physical, mental, and spiritual discipline, yoga corresponds with the expanded definition of health supported by the World Health Organization — which encompasses not just the lack of illness, but a condition of total physical, mental, and social well-being.

To guarantee the fair attainment of health rights via yoga, it is essential for states to make certain that these practices are inclusive, secular, culturally aware, and supported by scientific evidence. Additionally, they must refrain from coercion and promote voluntary involvement in yoga-related programs, honoring both religious and personal liberties.

The growing acknowledgment of yoga on an international scale demonstrates its capacity to improve the right to health in a multifaceted manner. With suitable legal structures, policy backing, and cultural awareness, yoga can significantly contribute to the promotion of global public health objectives and the realization of health rights among various populations.¹⁵

¹⁵ S.C. Tripathi, *Yoga and the Law*, Central Law Publications, Allahabad, 2019.