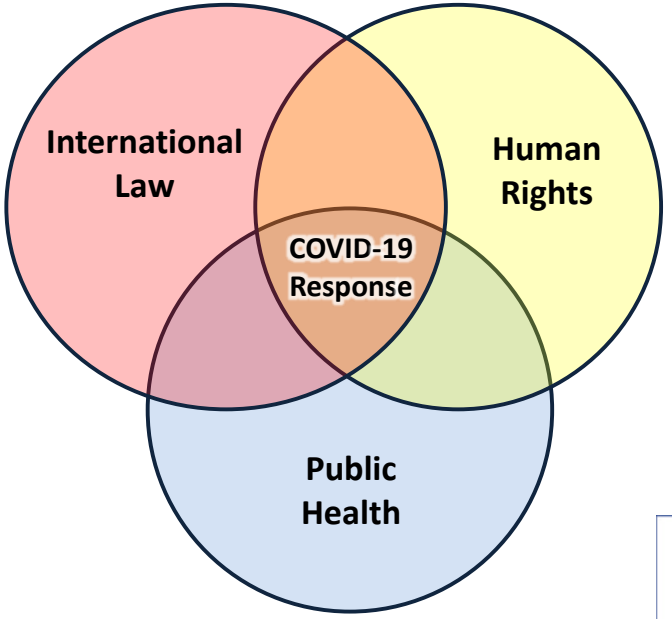
Human Rights Dimensions of the COVID-19 Pandemic

Independent Panel on Pandemic Preparedness and Response



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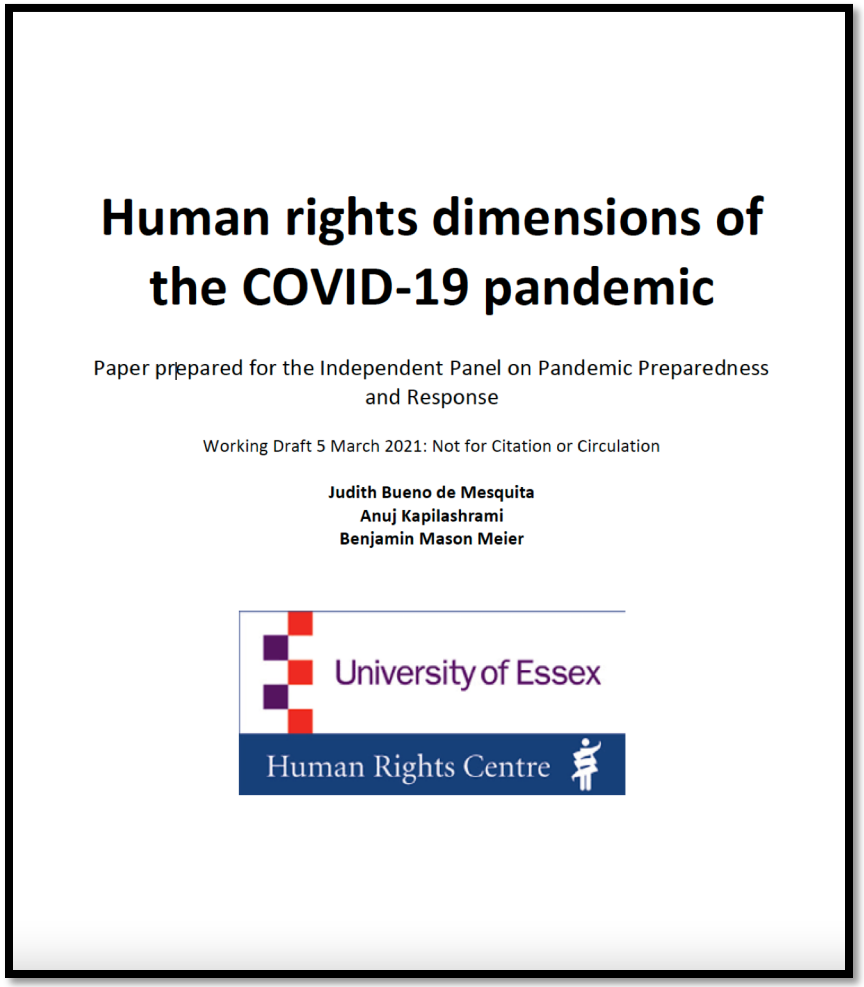
University of Essex
Human Rights Centre

THE UNIVERSITY of NORTH CAROLINA at CHAPEL HILL



Human rights dimensions of the COVID-19 pandemic

Paper prepared for the Independent Panel on Pandemic Preparedness and Response

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Session 1

Human Rights Law – Framework for Pandemic Responses

Human Rights Impacts – From COVID-19 & State Responses

Session 2

Human Rights Strengthening – Recommendations for State & WHO Governance

Human Rights at the Forefront of the Global Response

World Health Assembly Res 73.1

- Called on States to "to implement national action plans…..ensuring respect for human rights and fundamental freedoms and paying particular attention to the needs of people in vulnerable situations, promoting social cohesion, taking the necessary measures to ensure social protection and protection from financial hardship, and preventing insecurity, violence, discrimination, stigmatization and marginalization" (WHA, 2020).

The world faces a pandemic of human rights abuses in the wake of Covid-19
António Guterres

"Human rights brings dual benefits in minimising sickness and death, especially among marginalised communities…[and] to resilience and preparedness for future disease outbreaks as well as health and economic shocks"
- Dr Tedros Adhanom Ghebreyesus

"Will we seize this moment to devise ways to recover better? Will we properly apply the human rights vaccine that can help us build more resilient, prosperous and inclusive societies?"
- Dr Michelle Bachelet

Human Rights Law

Evolution of International Law

- Core human rights treaties
  - General Comment 14 on the right to health (2000)
  - Siracusa Principles on the Limitation and Derogation Provisions in the ICCPR (1984)
  - Domestic and transboundary obligations
- COVID-19: Human Rights guidance
  - OHCHR
  - UN human rights accountability processes
  - National Human Rights Institutions

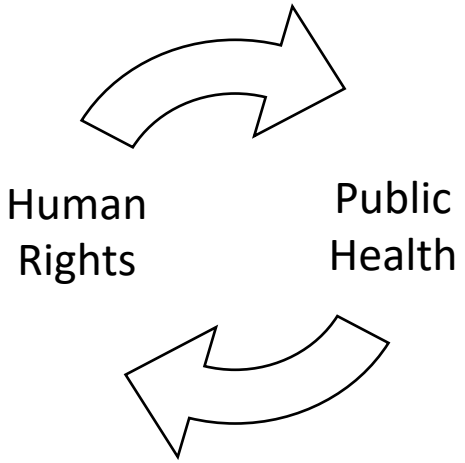
World Health Organization

- WHO Constitution
- IHR (2005)
- Mainstreaming of human rights
- WHO-OHCHR Framework of Cooperation (2017)
- COVID-19 response

The right to health must "continue to serve as a beacon for how countries respond to this and other public health emergencies"
WHO, 2020

Human Rights Impacts

1. **Right to Health & Socio-economic Rights**
2. **Limiting Civil & Political Rights to Protect Public Health**
3. **Rights-Based Governance**
4. **International Assistance & Cooperation**



Issues to Be Addressed

- What violations are we most concerned about in lockdowns?
- How do we balance public health protections and human rights limitations?
- What positive roles have/could human rights play in shaping COVID-19 responses?
- How can human rights reinforce global solidarity?

Recommendations

States

- **Right to Health and Social & Economic Rights of Vulnerable Groups**
- **Emergency Policies Comply with Siracusa Principles**
- **Ensure Non-Discrimination, Participation & Accountability**
- **Fulfil Obligations of International Assistance & Cooperation**

WHO

- **Human Rights Advisors**
- **Global Health Policy**
- **Human Rights Partnerships**

- How can the Right to Health Strengthen the Pandemic Response?
- How can States Operationalize a Rights-Based Approach?
- How can WHO Mainstream Human Rights in Global Pandemic Governance?

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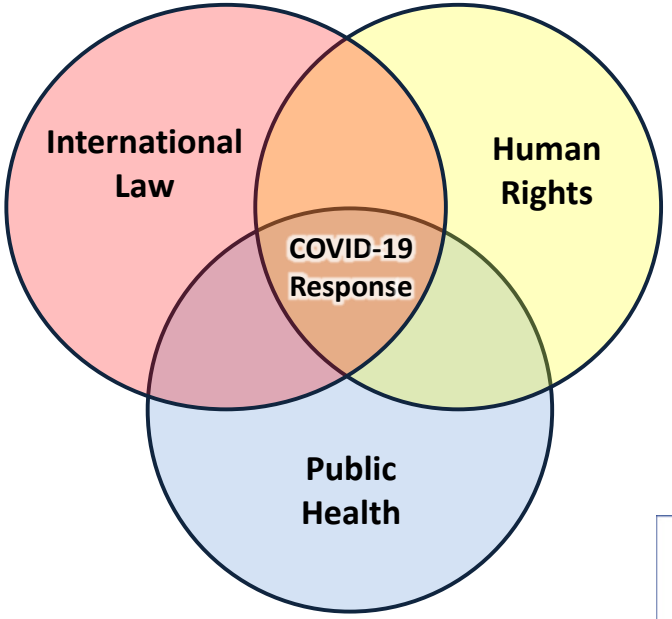

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