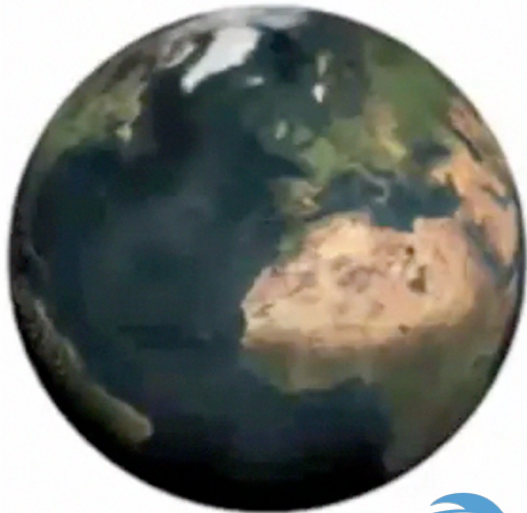


Human Rights Challenges in Global Health Governance Advancing Human Rights in Ongoing Global Health Law Reforms



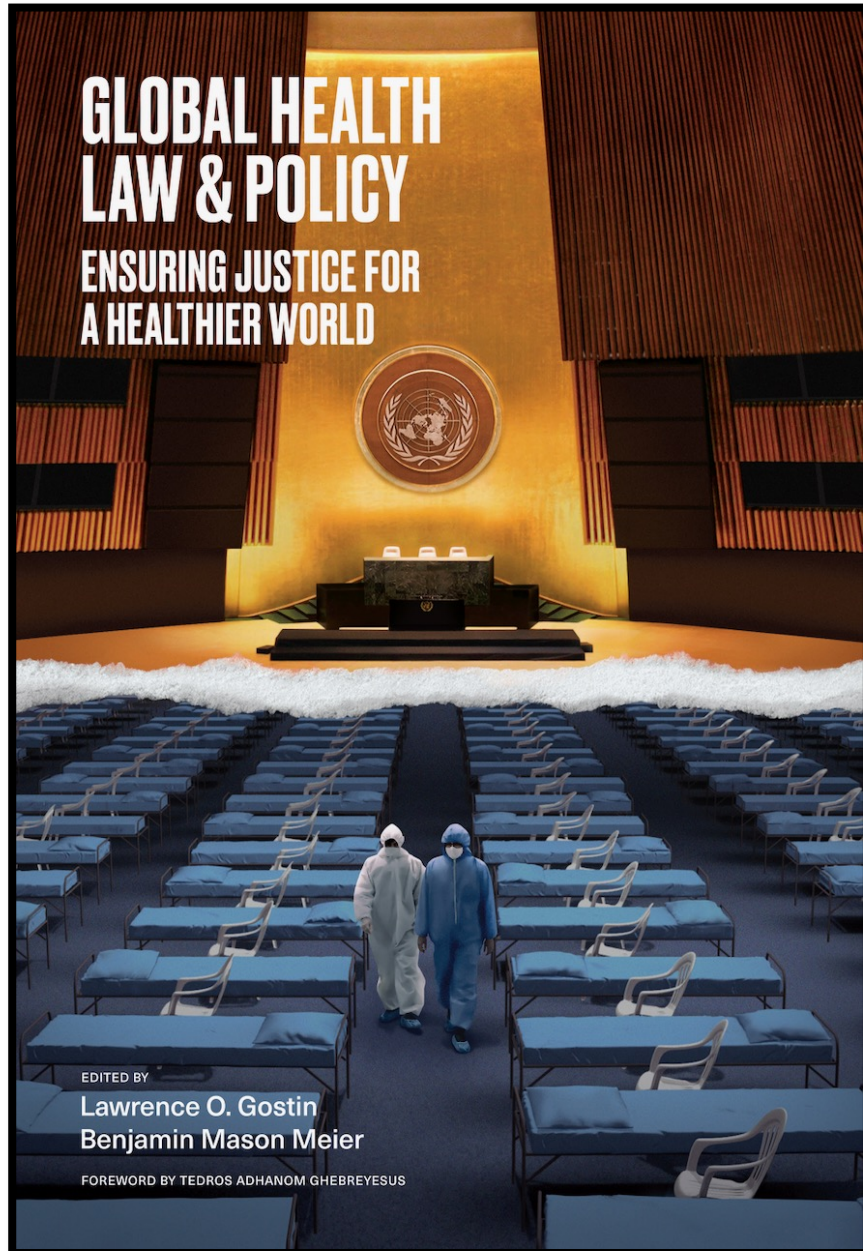
THE UNIVERSITY
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INSTITUTE
FOR NATIONAL & GLOBAL HEALTH LAW
GEORGETOWN LAW

Global
Health Law
Consortium



Benjamin Mason Meier, JD, LLM, PhD
Global Health and Welfare Forum
7 November 2023



Advancing Global Health Governance –

Implementing Human Rights through Global Governance

Violating Human Rights

– Violations of Human Rights Highlight Weaknesses of Global Health Law

Reforming Global Health Law

- IHR Amendments
- Pandemic Accord

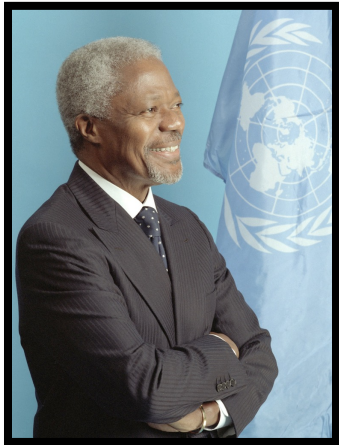
A Venn diagram with three overlapping circles. The top-left circle is pink and labeled 'International Law'. The top-right circle is yellow and labeled 'Human Rights'. The bottom circle is blue and labeled 'Global Health'. The central intersection of all three circles is shaded orange and labeled 'Health & Human Rights'. There are also three pairwise intersections: pink and yellow (orange), pink and blue (purple), and yellow and blue (green).

- 
- 75** UNIVERSAL
DECLARATION OF
HUMAN RIGHTS
-
- DIGNITY, FREEDOM & JUSTICE FOR ALL**



Human Rights in Global Governance

Mandate for Mainstreaming



UN Secretary-General Kofi Annan

- Cross-Cutting Approach
- Rights-Based Approach
- Common Goals for Global Health Advancement

“The cause of human rights has entered a new era. For much of the past 60 years, our focus has been on articulating, codifying and enshrining rights. That effort produced a remarkable framework of laws, standards and mechanisms – the Universal Declaration, the international covenants, and much else. Such work needs to continue in some areas. But the era of declaration is now giving way, as it should, to an era of implementation.”

- Kofi Annan (2005).

Human Rights Limitations in COVID-19 Response

Outbreak Notification



Violative Nationalist Responses



December

January

February

March

April

- Weaknesses of Right to Health and Social & Economic Rights
- Limitations of Civil & Political Rights to Promote Public Health
- Obligations of International Assistance & Cooperation

Global Solidarity?



Strengthening Human Rights in Global Health Law: Lessons from the COVID-19 Response

Global Health Law

Juliah Russo de Mesquita,
Amy Kaplanski, and
Benjamin Meier

Keywords: Human Rights, Global Health, COVID-19, World Health Organization, China, Disease

Abstract: While human rights law has evolved to provide guidance to governments in enacting health rights in public health emergencies, the COVID-19 pandemic has challenged the foundations of human rights in global health governance. Public health responses to the pandemic have undermined international human rights obligations to realize (1) the right to health and life, (2) human rights that underlie public health, and (3) international assistance and cooperation. As governments prepare for revisions of global health law, new opportunities are presented to harmonize global health law and human rights law, strengthening rights-based governance to respond to future threats.

About This Column

Lawrence O. Gostin and Benjamin Meier serve as the section editors for Global Health Law. Professor Gostin is University Professor at Georgetown University and the Executive Chair of the Center for Global Health Law at Georgetown University. Law Center and Director of the World Health Organization Center for Global Health Policy and the University of North Carolina at Chapel Hill and the Center for Global Health Law at the University of North Carolina at Chapel Hill. Professor Meier is a Professor of Global Health Law at the University of North Carolina at Chapel Hill and the Center for Global Health Law at the University of North Carolina at Chapel Hill.

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Human Rights at the Forefront of the Global Response

World Health Assembly Res 73.1

...calling 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” (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



Reforming Global Health Law

- **New Legal Mechanisms under WHO Governance**
 - Amending IHR
 - Developing Pandemic Accord



Developing a Pandemic Accord

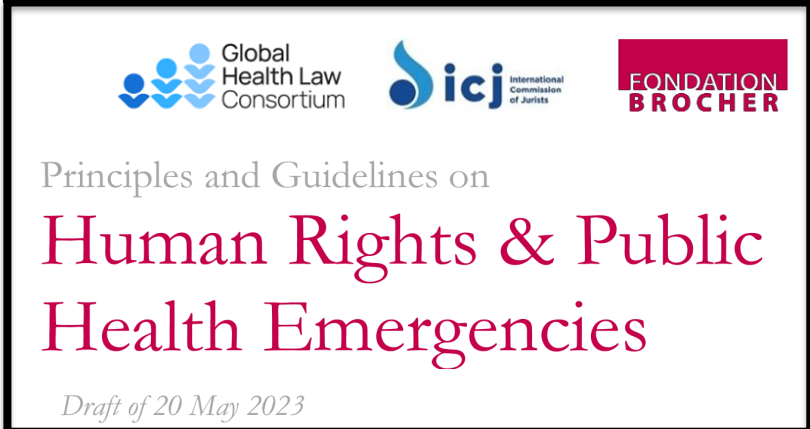


– Global Health Governance Limitations in the COVID-19 Response

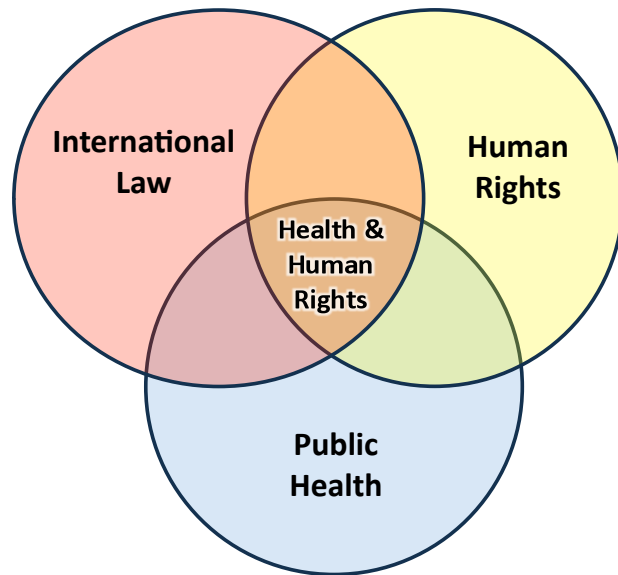
- Human Rights Violations
- WHO Weaknesses

– Global Health Law in Transition

- Developing New Authorities
- Strengthening WHO
- Advancing Human Rights



A Rising Imperative for Human Rights in Global Health Law



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