

# A human rights perspective for an international treaty on preparedness and response to pandemics



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## Objectives

Within the legislative production regarding the different national and international responses to the covid-19 pandemic, we identified the absence of a human rights perspective that could provide protection to the vulnerable populations, fight gender and race discriminations and violence, and support the promotion of access to health technologies and to international assistance. Amongst the several proposals of a transformation to the current system of preparedness and response to pandemics, we sought to identify those which would consider a human rights perspective not only to the protection of vulnerable populations but also in terms of institutional evolution regarding the current global health architecture.

## Methodology

We applied a document research to recollect the main proposals of a convention, a treaty or an international instrument on preparedness and response to pandemics. We classified the proposals into four categories: technocratic arrangements; transparency and control mechanisms; coercive powers; and mechanisms for political coordination. We defined as main proposals those which were found repeatedly throughout diverse working documents as well as in the reviewed literature. We also defined as main proposals those deemed innovative for the institutional evolution within the global health framework.

## Discussion and main results

During the covid-19 pandemic, measures taken by national States had an inequitable impact on the health and welfare of vulnerable populations. Apart from these inequalities, even with the implementation by WHO of initiatives for the promotion of access to health technologies, such as the ACT and the COVAX Facility, the vaccine doses rested concentrated in developed countries. It was called “a moral catastrophe and a sanitary apartheid”. This situation could lead the world into other epidemic outbreaks. In order to avoid this scenario, we proposed that WHO needs “teeth” to demand Member States to strengthen vigilance and establish a series of independent evaluations as well as new mechanisms for the declaration of global health emergencies and the establishment of periodic review such as those of the human rights system. At the same time, WHO could adopt sanctions against States that fail to comply and create a Global Council on Health Threats.

## Conclusions

In order to guarantee a human rights approach to the system of preparedness and response to pandemics, there needs to be political engagement. At the national level, Member States need to commit to implementing best practices and policies to protect their population against health threats whilst adopting measures that minimize social, economic and health effects on vulnerable individuals. On the global level, States need to comply with internationally recognized rules and decisions agreed upon in common grounds in global fora, such as the WHO or another Global Agency. Transparency and accountability to those regulations could support security of every society, including those most burdened by vulnerabilities.

## References

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