

UPDATE

Report of the UN Special Rapporteur on the right to the highest attainable standard of health: Commentary on COVID 19

Ebenezer Durojaye

In his last report to the UN General Assembly, Dainius Pūras building on previous reports calls for a rights-based approach to the COVID 19 pandemic, that recognises the indivisibility and interdependence of all rights. According to him a rights-based approach to health challenges requires the “recognizes that inequality and discrimination are major contributors to poor health outcomes’. He notes that effective response to a pandemic require that states ensure access to information for vulnerable and marginalised groups. In particular, the report notes that any attempt to curtail the enjoyment of human rights with a view to responding to a pandemic, must be done in accordance with international norms and standards. In addition, the decision-makers must be held accountable for any violations that may result from such actions.

Reinstating the 3As and Q, the report notes that access to goods and services in the context of COVID 19, must be available, accessible, acceptable and of good quality to all. The report calls for solidarity among states with a view to addressing the pandemic. In this regard; richer states are enjoined to support poorer ones to address the COVID 19 pandemic. According to the Special Rapporteur, the pandemic has exacerbated inequality and discrimination in the world. It is therefore, important that any measures aimed at addressing the pandemic must give attention to the plights of disadvantaged groups in the world. Thus, the report calls for equitable development and distribution of COVID 19 vaccines that is accessible and affordable to all. The reports commented on the impact of corruption in addressing the pandemic. It ends by making concrete recommendations to states and other stakeholders in addressing the pandemic.

Here is the link to the report <https://undocs.org/A/75/163>

Ebenezer Durojaye is a Professor of Law and Head of the Socio-economic Rights Project at the Dullah Omar Institute, University of the Western Cape, Cape Town.