

Adopting a rights-based approach: Why are legal frameworks key to coordinated prevention, preparedness and response accross health and social protection systems?

4-5 October 2023

**Hybrid event at ILO, Geneva
ILO, P4H, SPARKS Network, WHO**

5 October 2023

**Prof. Stéphanie Dagon
University of Geneva
Faculty of law, Faculty of medicine**

The new pandemic treaty: key principles and objectives

1. What are the principles considered and recognised today as the central principles that should guide the actions of States and of the international community in the context of epidemics and pandemics prevention, preparedness and response ?
2. What is the content of these principles?

Report of the Member States Working Group on Strengthening WHO Preparedness and Response to Health Emergencies (SSA2/3) 23 Nov. 2021

a) Equity

«Member States agree that **equity is critically important** for global health both as a principle and as an outcome” (p.3)

f) Resilient and rapid response to pandemics

by enhancing surge capacity, through striving to achieve **universal health coverage** and health system strengthening, which includes the enhancement of primary health care, the health workforce and **social protection**. (p.4)

(e) Anchoring the new instrument in all the principles found in the WHO Constitution (Preamble), including the principle of non-discrimination and the right to the enjoyment of the highest attainable standard of health.(p.5)

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Equity is the central value

“Recognizing that all lives have equal value, and that therefore **equity should be a principle, an indicator and an outcome** of pandemic prevention, preparedness and response «



Art. 4.4 4. Equity – The absence of **unfair, avoidable or remediable differences**, including in their capacities, among and within countries, including between groups of people, whether those groups are defined socially, economically, demographically, geographically or by other dimensions of inequality, is central to equity. .

- 1992 Whitehead, *The concepts and principles of equity in health*
- 2023, WHO, *Global report on health equity for persons with disabilities*

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Measures to be adopted to attain health equity (§34)



Reiterating the determination to achieve health equity through

- *resolute action on social, environmental, cultural, political and economic determinants of health*
- *ensuring access to health and proper food, safe drinking water and sanitation, employment and decent work and*
- *social protection*

Human rights and the principle of non-discrimination

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Art. 4-2 The right to health - The enjoyment of the highest attainable standard of health, defined as a state of complete physical, mental and social well-being, is one of the fundamental rights of every human being without distinction of age, race, religion, political belief, economic or social condition.

**General Comment n° 14 (2000), UN committee on
Economic, social and cultural rights**

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13. Rights of individuals and groups at higher risk and in vulnerable situations – Nationally determined and prioritized actions, including support, will take into account communities and persons in vulnerable situations, places and ecosystems. **Indigenous peoples, persons belonging to national or ethnic, religious or linguistic minorities, refugees, migrants, asylum seekers, stateless persons, persons in humanitarian settings and fragile contexts, marginalized communities, older people, persons with disabilities, persons with health conditions, pregnant women, infants, children and adolescents**, for example, are disproportionately affected by pandemics, owing to social and economic inequities, as well as legal and regulatory barriers, that may prevent them from accessing health services.

Concluding remarks on the potential pandemic agreement

- **Links between equity, human rights and UHC**
- **The way forward**