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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

**Argentina, Azerbaijan,* China,* Eswatini,* Namibia, Pakistan, Russian Federation,*
Somalia, South Africa,* Turkey* and Zimbabwe*: draft resolution**

44/... The central role of the State in responding to pandemics and other health emergencies, and the socioeconomic consequences thereof in advancing sustainable development and the realization of all human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction of any kind,

Guided by the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations,

Recalling all relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also General Assembly resolution 74/270 of 2 April 2020, on global solidarity to fight the coronavirus disease 2019 (COVID-19), and 74/274 of 20 April 2020, on international cooperation to ensure global access to medicines, vaccines and medical equipment to face COVID-19, and President's statement PRST 43/1 of 29 May 2020 on the human rights implications of the COVID-19 pandemic,

Expressing its solidarity to all countries affected by the pandemic, as well as its condolences and sympathy to all families of the victims of COVID-19,

Reaffirming that each State should take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources with a view to achieving progressively the full realization of the rights recognized in the International Covenant on Economic, Social and Cultural Rights by all appropriate means, including in particular the adoption of legislative measures,

* State not a member of the Human Rights Council.



Recalling the Vienna Declaration and Programme of Action, which affirms that all human rights are universal, indivisible, interdependent and interrelated, and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Reaffirming the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, which requires States to take the necessary steps to prevent, treat and control epidemic, endemic, occupational and other diseases, and to create the conditions that would assure medical service and medical attention to all in the event of sickness,

Recalling that States emphasized in the Vienna Declaration and Programme of Action and the 2005 World Summit Outcome that they bear the responsibility, in conformity with the Charter, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction of any kind such as race, colour, sex, language, disability, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that the 2030 Agenda for Sustainable Development is guided by the purposes and principles of the Charter, including full respect for international law, and is grounded in the Universal Declaration of Human Rights, international human rights treaties, the United Nations Millennium Declaration and the 2005 World Summit Outcome, and is informed by other instruments, such as the Declaration on the Right to Development,

Deeply concerned at the morbidity and mortality caused by the COVID-19 pandemic, the negative impact on the enjoyment of all human rights, including physical and mental health and social well-being, the negative impact on the economy and society and the consequent exacerbation of inequalities within and between countries,

Recognizing that the poor and the most vulnerable people are the most affected, and that the impact of the pandemic will have repercussions on development gains, hampering progress in the achievement of the Sustainable Development Goals,

Recalling the Declaration on the Right to Development, which recognizes that States have the right and the duty to formulate appropriate national development policies that are aimed at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom,

Reaffirming the fundamental role of the United Nations system in coordinating the global response to control and contain the spread of COVID-19 and in supporting Member States, and in this regard acknowledging the crucial leading role played by the World Health Organization,

Emphasizing the importance of human rights in shaping the response to the pandemic, both for the public health emergency and the broader impact on people's lives and livelihoods,

Expressing deep concern at the stigmatization, xenophobia, racism and discrimination, including racial discrimination, surfacing in the COVID-19 pandemic in many parts of the world, and stressing the need to combat it,

Recognizing the importance of international cooperation and effective multilateralism in helping to ensure that all States, in particular developing States, have in place effective national protective measures, access to and flow of vital medical supplies, medicines and vaccines, in order to minimize negative effects in all affected States and to avoid relapses of the pandemic,

Welcoming the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications, studies, training and information activities on related issues, including through new information and communications technology,

Recognizing that the 2030 Agenda has been accepted by all States and is applicable to all, taking into account different national realities, capacities and levels of development and respecting national policies and priorities, and that the Sustainable Development Goals and their targets are universal and involve the entire world, developed and developing States alike,

1. *Underscores* the central role of the State in responding to pandemics and other health emergencies, and the socioeconomic consequences thereof in advancing sustainable development and the realization of all human rights;

2. *Reaffirms* the importance of international cooperation, in particular during times of health emergencies and pandemics, on the basis of mutual respect, in full compliance with the principles and purposes of the Charter of the United Nations, with full respect for the sovereignty of States while taking into account national priorities;

3. *Also reaffirms* that emergency measures taken by States in response to the COVID-19 pandemic must be in accordance with States' obligations under applicable international human rights law;

4. *Stresses* the need for States to collaborate with all relevant stakeholders, to take collective action in response to pandemics and health emergencies, and the socioeconomic consequences thereof, in advancing sustainable development and the realization of all human rights;

5. *Calls for* universal, timely and equitable access to and fair distribution of all quality, safe, efficacious and affordable essential health technologies and products, including their components and precursors required in the response to the COVID-19 pandemic as a global priority, and the urgent removal of unjustified obstacles thereto, in accordance with the provisions of relevant international treaties, including the provisions of the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and its flexibilities, as confirmed by the Doha Declaration on the TRIPS Agreement and Public Health;

6. *Emphasizes* the importance of timely, equitable and unhindered access to safe, affordable, effective and quality medicines, vaccines, diagnostics and therapeutics, and other health products and technologies necessary to ensure an adequate and effective response to the pandemic, including for the most vulnerable people affected by armed conflict, extreme poverty, natural disasters or climate change, and of the urgent removal of unjustified obstacles thereto;

7. *Recognizes* the role of extensive immunization against COVID-19 as a global public good for health for preventing, containing and stopping transmission in order to bring the pandemic to an end, once safe, quality, efficacious, effective, accessible and affordable vaccines are available;

8. *Reiterates* the critical importance of the means of implementation of the 2030 Agenda for Sustainable Development, while being mindful of the impact of high debt levels on States' ability to withstand the impact of the pandemic and other health emergencies, and the socioeconomic consequences thereof, in advancing sustainable development and the realization of all human rights;

9. *Requests* the United Nations High Commissioner for Human Rights, working within existing efforts across the United Nations system, and in consultation with States, to conduct a needs assessment, in particular for developing countries, to support their efforts to promote and protect human rights and fundamental freedoms in responding to pandemics and other health emergencies, and the socioeconomic consequences thereof, in advancing sustainable development and the realization of all human rights, and to submit a report thereon to the Human Rights Council at its forty-seventh session during an interactive dialogue, and to provide an oral update to the Council at its fiftieth session, also during an interactive dialogue;

10. *Decides* to remain seized of the matter.