

Human Rights Council, 46th Session
Item 8 General Debate
Action Canada for Population and Development

President,

Action Canada makes this statement on behalf of the Sexual Rights initiative, International Women's Rights Action Watch Asia Pacific, the Center for Reproductive Rights and the Cairo Institute for Human Rights Studies.

In the Vienna Declaration States agreed to develop and encourage respect for human rights and fundamental freedoms for all, without distinction, and urged the eradication of all forms of discrimination.

For over a year, and particularly in the course of this Council session, civil society organisations have repeatedly called on states to use a rights-based approach to the COVID-19 pandemic. We have repeatedly drawn attention to the ways in which many states have chosen to use the pandemic to roll-back on rights obligations and commitments and institute harsh laws, policies and penalties against human rights defenders, dissidents, opposition parties and so on. The ways in which states have responded to the COVID-19 pandemic have fed on and deepened existing racialized, classed and gendered inequalities – both within and between states.

We are now confronted with obscene displays of vaccine nationalism, vaccine 'diplomacy' which are laying bare the collusion between rich states and pharmaceutical corporations and their total disregard for the 90% of the world's population who will be forced to the back of the queue. During this session, in response to initiatives that sought to pursue a rights-based approach to ensuring equitable access to vaccines, which necessarily requires an end to big pharmaceutical monopolies, and if not an end to TRIPs at the very least the waiver, rich states have chosen to instead defend intellectual property and cite their contributions to the COVAX program as their alibi. We dispute in the strongest terms that the barriers resulting from intellectual property regimes are not an issue requiring scrutiny by the Human Rights Council. Indeed, it appears to us that human rights are universal, indivisible and inalienable, EXCEPT when big pharmaceutical companies have life-saving drugs, medicines and technology. Then human rights are to be bargained away because the profits to be made take precedence over lives. The HRC needs to decide whose side it is on - the side of people (and their rights) or the side of pharmaceutical profits. The decision it takes will send a message to all the peoples of the world. If the HRC is to remain relevant and fulfil its mandate, it must respond to what is and will continue to be one of the greatest human rights challenges of the century.