**49th session of the Human Rights Council**

**Panel discussion on ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the COVID-19 pandemic**

*Concept note (as of 9 March 2022)*

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| **Date and venue:** | **Thursday, 10 March 2022, 9 to 11 a.m.  Room XIX, Palais des Nations, Geneva and online platform (Zoom)**  *(to be webcast live and archived at* [*https://media.un.org/en/webtv*](https://media.un.org/en/webtv)*)* |
| **Objectives:** | This panel discussion will focus on the human rights implications of the lack of affordable, timely, equitable and universal access and distribution of COVID-19 vaccines and the deepening inequalities between States. It will examine obstacles to universal access to COVID-19 vaccines, and promising practices and effective strategies adopted by States and other stakeholders in addressing them as well as the challenges of growing inequalities and divergent recoveries from the pandemic. The panel discussion will provide opportunities for dialogue and sharing commitment for actions by States, civil society and other relevant stakeholders to ensure affordable, timely, equitable and universal access vaccines in the context of pandemics. |
| **Chair:** | **H.E. Mr. Federico Villegas**, President of the Human Rights Council |
| **Opening statements:** | **Ms. Michelle Bachelet**, United Nations High Commissioner for Human Rights  *(video message)*  **H.E. Mr. Juan-Carlos Holguín**, Minister for Foreign Affairs and Human Mobility of Ecuador *(video message)*  **H.E. Mr. Jeyhun Bayramov**, Minister of Foreign Affairs of Azerbaijan *(video message)*  **Dr. Tedros Adhanom Ghebreyesus**,Director-General of the World Health Organization *(video message)* |
| **Panellists:** | * **Mr. Farid Ahmadov**, Associate Professor of Law and Co-founder of the Law Program at ADA University, Azerbaijan *(video message)* * **Ms. Attiya Waris**, Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights * **Mr. Thomas Cueni**, Director-General of the International Federation of Pharmaceutical Manufacturers and Associations (IFPMA) * **Ms. Gita Sen**, General Coordinator of Development Alternatives with Women for a New Era (DAWN) *(video message)* |
| **Outcomes:** | The anticipated outcome of this meeting includes the identification of opportunities for international cooperation with respect to global vaccine equity and towards integrating human rights-based approaches into health emergency preparedness, response and recovery efforts. |
| **Mandate:** | In its [resolution 46/14](https://undocs.org/A/HRC/RES/46/14), the Human Rights Council decided to convene at its forty-ninth session a half-day panel discussion on the human rights implications of the lack of affordable, timely, equitable and universal access and distribution of COVID-19 vaccines and the deepening inequalities between States, including the related vulnerabilities and challenges and the impact on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. |
| **Format:** | The panel discussion will be limited to two hours. The opening statement and initial presentations by the panellists will be followed by a two-part interactive discussion and conclusions from the panellists. A maximum of one hour will be set aside for the podium, which will cover the opening statement, panellists’ presentations and their responses to questions and their concluding remarks. The remaining hour will be reserved for two segments of interventions from the floor, with each segment consisting of interventions from 12 States and observers, 1 national human rights institution and 2 non-governmental organizations.  The list of speakers for the panel discussion will be established through the online inscription system and, as per usual practice, statements by high-level dignitaries and groups of States will be moved to the beginning of the list. Each speaker will have two minutes to raise issues, pose questions and share information and experience. Delegates who have not been able to take the floor due to time constraints will be able to upload their statements on the online system to be posted on the HRC Extranet. |
| **Accessibility:** | In an effort to render the Human Rights Council more accessible to persons with disabilities and to promote their full participation in the work of the Council on an equal basis with others, the panel will be webcast and made accessible. International sign interpretation and real-time captioning in English will be provided. During the event itself, participants can access live English captioning on the StreamText web page (<https://www.streamtext.net/player?event=CFI-UNOG>). Hearing loops are available for collection from the Secretariat desk. Hearing loops are available for collection from the Secretariat desk. Oral statements may be embossed in Braille from any of the six official languages of the United Nations, upon request and following the procedure described in *The accessibility guide to the Human Rights Council for persons with disabilities* (available on  <https://www.ohchr.org/EN/HRBodies/HRC/Pages/Accessibility.aspx>). |
| **Background:** | The failure to ensure equitable, affordable, fair, safe, timely, and universal access to COVID-19 vaccines directly affects the right to life and the right to the highest attainable standard of health of millions of people. The consequences on the enjoyment of economic, social and cultural rights of vaccine delays are equally profound. Lack of access to vaccines is also driving sharply divergent economic recoveries, reversing hard won progress on the Sustainable Development Goals and pushing developing countries further behind.  Access to a COVID-19 vaccine that is safe and effective is an essential element of the right of everyone to the highest attainable standard of physical and mental health. States have an obligation to take all the necessary measures, as a matter of priority and to the maximum of their available resources, to guarantee all persons’ access to vaccines against COVID-19, without any discrimination. This includes the responsibility to take steps to eliminate obstacles to the effective production and distribution of vaccines, including vaccine hesitancy, and to protect people against human rights abuse by third parties, including businesses. Pharmaceutical companies, like all companies, have a responsibility to respect human rights as set out in the United Nations Guiding Principles on Business and Human Rights.  In its resolution 46/14, the Human Rights Council recognizes the immense logistical challenges posed by the lack of infrastructure for the distribution of vaccines in developing countries. It calls for greater assistance and building the capacities of developing countries, and to remove unjustified obstacles restricting the export of COVID-19 vaccines. Fulfilling the human rights obligations of international assistance and cooperation between developed and developing countries is crucial to ensure universal and equitable access and distribution of COVID-19 vaccines. The resolution also strongly urges all States to refrain from taking any economic, financial or trade measures that may adversely affect universal and equitable access to COVID-19 vaccines and reaffirms the right of States to use the provisions of the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and the flexibilities therein.  At the same time, while noting the uneven access to COVID-19 vaccines, the resolution called upon States, other partners and donors to urgently support funding and to close the funding gap for the Access to COVID-19 Tools Accelerator and its mechanisms such as the COVID-19 Vaccine Global Access (COVAX) Facility.  As emphasized by the High Commissioner for Human Rights, the COVID-19 pandemic has highlighted the importance to integrate human rights-based approaches into health emergency preparedness, response and recovery efforts. Any recovery also needs to address the root causes of inequality, political and economic instability and displacement.  This panel discussion will be informed by the report of the High Commissioner on the matter ([A/HRC/49/35](https://undocs.org/A/HRC/49/35)). |
| **Background documents:** | * [Human Rights Council resolution 46/14](https://undocs.org/A/HRC/RES/46/14) of 23 March 2021 entitled “Ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the coronavirus disease (COVID-19) pandemic” * Report of the United Nations High Commissioner for Human Rights on human rights implications of the lack of affordable, timely, equitable and universal access and distribution of COVID-19 vaccines and the deepening inequalities between States ([A/HRC/49/35](https://undocs.org/A/HRC/49/35), February 2022) * Report of the United Nations High Commissioner for Human Rights - summary of the full-day intersessional seminar on good practices, key challenges and new developments relevant to access to medicines and vaccines: ([A/HRC/49/34](https://undocs.org/A/HRC/49/34), February 2022) * Report on the Social Forum on good practices, success stories, lessons learned and challenges in the fight against the COVID-19 pandemic([A/HRC/49/79](https://undocs.org/A/HRC/49/79), December 2021) * Report of the Office of the United Nations High Commissioner for Human Rights on 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 ([A/HRC/47/23](https://undocs.org/A/HRC/47/23), May 2021) * Report of the United Nations High Commissioner for Human Rights on economic, social and cultural rights ([E/2020/63](https://undocs.org/e/2020/63), June 2021) * Report of the United Nations High Commissioner for Human Rights on the impact of the coronavirus disease (COVID-19) pandemic on the enjoyment of human rights around the world, including good practices and areas of concern ([A/HRC/46/19](https://undocs.org/A/HRC/46/19), January 2021) * Committee on Economic, Social and Cultural Rights, [Statement on universal affordable vaccination against coronavirus disease (COVID-19), international cooperation and intellectual property](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E/C.12/2021/1&Lang=en) (April 2021) * Report of the Independent Expert on human rights and international solidarity,on international solidarity in aid of the realization of human rights during and after the coronavirus disease (COVID-19) pandemic ([A/HRC/47/31](https://undocs.org/A/HRC/47/31), July 2021) * Final report of the Special Rapporteur on the right to physical and mental health to the General Assembly ([A/HRC/47/31](https://undocs.org/A/HRC/47/31), July 2020) * Report of the Special Rapporteur on extreme poverty and human rights entitled “[Looking back to look ahead: A rights-based approach to social protection in the post-COVID-19 economic recovery](https://www.ohchr.org/Documents/Issues/Poverty/covid19.pdf)” (September 2020) |

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