

International solidarity, human rights and life on the African continent 'after' the pandemic

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The COVID-19 pandemic has left a massive amount of disease, death, fear and despair in its stride, and will continue to seriously trouble the world even in its wake. To be sure, Africa has not been spared any of these maladies. In the result, the pandemic has posed a formidable threat to the enjoyment of human rights around the world. More specifically, as is widely recognised, the pandemic (and many of the measures taken to end it) have seriously threatened or harmed the enjoyment by billions of people across the world, the continent included, of the human rights to health, life, education, food, shelter, work, freedom of movement, liberty, and freedom of assembly. Less obvious to many is the fact that the pandemic (and the dominant responses to it) can also constitute serious harm to the enjoyment of the rights to development and democracy, and to freedom from discrimination and gender-based violence. Even more troubling is the fact that these dangers and impacts tend to be exacerbated in the Global South to which Africa belongs geo-politically and identity-wise, and in relation to the poor and the racially marginalised everywhere.

The pandemic has also highlighted, rather vividly, the intensity in our time of our interconnectedness as human beings and societies, including the sheer depth of our mutual vulnerability, one to the other. Both within and without the continent, our fortunes as Africans in and beyond this pandemic are deeply tied to the fate of other humans and populations. It is now clear to us that a COVID-19 outbreak 'over there' is also a COVID-19 problem 'right here.' As Samantha Power noted, this pandemic will not end for anyone until it ends

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for everyone.¹ This reality firmly underlines the absolute necessity of expressing and ramping up our practice of international solidarity, among state and non-state actors alike, if the enjoyment of human rights across the world is to be optimised. There is simply no way of enjoying ‘our’ human rights more fully ‘over here’ whilst the human rights of the vast majority of the world’s peoples, and thus of other Africans, who live ‘over there,’ hangs in the balance. This includes the rights of these ‘others’ to development, health, education, food, shelter, and work. Not even the much richer societies of the Global North can enjoy these human rights optimally without the rights of their indigenous peoples, poor, and racially marginalised communities being respected to a far greater extent. We are all joined to each other’s human rights hip. And not even the wealthy in our African milieus can enjoy their human rights in as full a way as they seek, without the rights of the African poor and marginalised being given far more respect.

As such, if the world ‘after’ this pandemic, including the world inhabited by Africa’s peoples, is to begin to look anything close to the vision of the good life embodied in the progressive human rights texts that have been proposed and/or agreed to for decades now, states and non-state actors must begin to take international solidarity much more seriously. States and non-state actors must pay far more heed to, and implement much more fully, the kind of international solidarity conceived in the *Draft United Nations Declaration on Human Rights and International Solidarity*.² This entails the expression of a spirit of unity among individuals, peoples, states and international organisations, encompassing the union of interests, purposes and actions and the recognition of different needs and rights to achieve common goals.³ Africa’s delegations at the United Nations (UN) have long recognised the necessity for such solidarity and supported the UN mandate that produced this Declaration. The time is now for them to champion its formal adoption by the UN Human Rights Council and General Assembly. All States should therefore adopt this draft UN Declaration on an urgent basis, as this would help to focus minds as sharply as is needed on the absolute necessity of practicing international solidarity in the struggle to realise human rights for everyone. It would also provide an additional vital soft law resource to those who wage the relevant struggle.

‘Post’ the pandemic, taking international solidarity much more seriously

¹ Samantha Power, ‘This won’t end for anyone until it ends for everyone’ New York Times, 7 April 2020, <<https://www.nytimes.com/2020/04/07/opinion/coronavirus-united-states-leadership.html>> on 3 November 2020.

² <https://www.ohchr.org/Documents/Issues/Solidarity/DraftDeclarationRightInternationalSolidarity.pdf> on 3 November 2020.

³ Article 1, Draft declaration on the right to international solidarity.

in the struggle to optimally realise all human rights the world over will require much bolder measures than the world has so far witnessed. A few examples of such actionable measures include: effective international cooperation to ensure free (or at least affordable) access for everyone in the world to any vaccines or treatments for COVID-19 no matter where in the world they were developed; and modifications, to the extent required, to national and international patent regimes to ensure such free (or at least affordable) access to COVID-19 vaccines and treatments. The African Centres for Disease Control and its national counterparts on the continent, as well as the political organs of the African Union and individual African States, should prioritise championing these objectives. They should also do more to ensure the research and development of Africa-specific COVID-19 vaccines that respond better to the diverse but more specific genetic make-up of African peoples. Such research and development activities by African scientists should be heavily prioritised as well, especially on the Pan-African cooperative level.

Further, we require structural reforms in the global economy. African states and peoples (and their allies) must do even more than they have already done to end the net outflows of finances and other resources from Global South to Global North countries so that the former can have more aggregate resources to realise the right to (sustainable) development of their peoples (e.g. by developing their health care and education systems and feeding their hungry). African states and peoples must continue to struggle for debt cancellation to be extended to poorer Global South countries, many of whom are African (or at least for the great expansion of the debt suspension regimes already in place), to help fund the anti-COVID-19 fight in those places, and ameliorate the severe economic downturns that are likely to hit most states after the pandemic – some more harshly than others. Similarly, African states and peoples should do more to cause the ending (or at least suspension) of the economic sanctions imposed on states by certain great powers, to allow them to acquire and retain the resources they desperately need to fight their pandemic-induced economic, health and other hardships. Our states and peoples must also continue to struggle as hard as they can for financial grants and more favourable terms of trade must be afforded to the vast majority of Global South countries.

As a world and as Africans, we also need to de-commodify healthcare and treat it instead as the basic human right that it is, including the setting up of schemes that offer universal access the world over to healthcare and medicines. Guaranteed income supplements should be paid to the most vulnerable people in both the world over, especially in a continent such as ours with a significantly

high ratio of people living below the poverty line (howsoever defined). This will help stem the expected steep rise during and ‘after’ the pandemic in mass unemployment, mass hunger, mass homelessness, and mass poverty.

Finally, African states and peoples should continue to champion the effort to get all states to adopt and ratify the *Draft UN Binding Legal Instrument on the Right to Development*, a draft treaty that has its origins in the praxis of African jurists, scholars and diplomats. This is imperative because an element of hard law is much needed to foster greater accountability and more firmly shape the behaviour of states and other actors toward the realisation of the right to development almost everywhere in the world. Without realising the right to development much more fully, especially in the Global South of which the continent is an integral part, an accomplishment that would be impossible in the absence of greatly enhanced international solidarity, the human rights situation in Africa and the rest of the globe ‘after’ this pandemic would not become any better than it is today.