

# COVID-19: Human Rights and International Cooperation

Friday, April 30, 2021

## PROGRAM

**8:30**            **Welcoming Remarks**

**8:45-10:45**    **Controlling COVID-19 in East Asia**

According to common stereotypes, disease in general and pandemics in particular are associated with presumably poorer regions and more authoritarian states in the world, as in the cases of the Asian Flu, the SARS epidemic, and the COVID-19 pandemic. However, three East Asian polities—the People’s Republic, Hong Kong, and the Republic of Korea—have been relatively successful in bringing COVID-19 under control. This suggests that they may to some extent serve as models from which other regions of the world can learn.

**Moderators:** **Roger Des Forges**, Professor Emeritus, Department of History, UB and **Lina Mu**, Director, Office of Global Health Initiatives; Associate Professor, Department of Epidemiology and Environmental Health, School of Public Health and Health Professions, UB

### **“From Sick Man of Asia to Sick Uncle Sam”**

**Marta Hanson**, Associate Professor, Department of the History of Medicine, Johns Hopkins University

For most of the twentieth century, the racist trope “Sick man of Asia” haunted Chinese rulers and people alike. Now, with all the healthcare problems in the U.S. that the COVID-19 pandemic has laid bare, the roles have completely reversed. “Sick Uncle Sam” is now the new focus of the world’s concern over what appears to be a declining superpower. Could the pejorative moniker “Sick Uncle Sam” now circulating in China and across East Asia, however, turn out to be a good thing for the U.S.? The power of the “sick man” label, for one, resides in accepting a sick role, opening dialogue on diagnoses, and choosing then the most appropriate therapeutic strategies. This talk will provide historical perspectives on how both the “Sick man of Asia” and “Sick Uncle Sam” tropes have been used previously both to critique problems and to motivate major transformations. Understood as discourses of weaknesses these pejorative tropes have also contained conceptual power to shift conversations toward more productive political goals and so potentially toward more effective public health ends.

### **“One Country, Two Approaches in Responding to COVID-19: Mainland China and Hong Kong Compared”**

**Chunyan Ding**, Associate Professor, School of Law, City University of Hong Kong

COVID-19 first attacked Mainland China in December 2019 and Hong Kong in January 2020. The governments of these two jurisdictions have handled and responded to the COVID-19 pandemic differently in terms of public health information disclosure, contact tracing, mandatory lockdown, testing and quarantine, and accountability for mismanagement. Although it appears that Mainland China has controlled the pandemic more effectively than Hong Kong, the approach adopted by Mainland

China is not replicable in Hong Kong because it is situated in a fundamentally different political and legal setting due to the policy of “one country two systems”. However, Mainland China’s and Hong Kong’s common experiences drawn from the 2003 SARS epidemic may explain good compliance with public health restrictions by the general public in both societies during the COVID-19 pandemic.

**“History, Democracy, and Science in the Republic of Korea’s Response to COVID-19”**

**Juhwan Oh**, Professor, College of Medicine/Hospital, Seoul National University

Although scientific knowledge was insufficient to prevent the initial outbreak and rapid spread of COVID-19 in the early phase of what became a pandemic, the Republic of Korea (ROK) effectively suppressed the outbreak. In response to the Severe Acute Respiratory Syndrome (SARS) epidemic in 2003, the ROK had established a science-oriented governmental institution, the Korean Center for Disease Control and Prevention (KCDC). After the Middle East Respiratory Syndrome (MERS) outbreak in 2015 took 38 lives out of 186 cases, the ROK conducted a comprehensive review of its national epidemic response. The ROK’s historical experiences and institutional arrangements, notably the KCDC, led it to deploy a comprehensive anti-pandemic arsenal in early 2019, including the rapid establishment of a disaster management team, swift scale-up in testing capacity through a public-private partnership, timely reallocation of diverse resources, and meticulous contact tracing to prevent asymptomatic community transmission. Filling the remaining gap between history and science, democracy embraced highly transparent risk communications, which culminated in public cooperation with new behavioral protocols without the need to implement coercive measures and/or damage the economy. The imperfect scientific knowledge then was rationally overcome by democracy-dedicated civic engagement to collectively deal with an uncertain future during a crisis as well as rapid, responsible, and humble disaster management leadership. However, innovative and timely social support, especially for those in more affected industry and business sectors, has yet to be fully secured, which may hamper South Korea’s achievement of a new normal state and may have led to a recent surge in cases.

**10:45-12:00 Roundtable -- International Cooperation in Response to the COVID-19 Pandemic: Will Nationalism and Securitization Eclipse Real Global Solidarity?**

"Global cooperation" is a catch phrase that typically promotes an image of how states collaborate positively on behalf of the public good in times of public emergency. But cooperation can have a dark side as well, with global institutions and states exploiting an emergency to secure and expand state power. Roundtable discussants will reflect on positive cooperation, for example in the rollout of vaccines, and on more concerning modes of cooperation, such as many states' securitization of response to COVID-19.

**Moderator: Satpal Singh**, Professor, Department of Pharmacology and Toxicology, Jacobs School of Medicine and Biomedical Sciences, UB

**Facilitator: Julia Hall**, human rights lawyer and Expert on Counter-Terrorism and Human Rights, Amnesty International--International Secretariat, London

**Opening Remarks: “Global Solidarity versus Nationalism: Reflections on International Cooperation in the COVID-19 Response”**

**Rajat Khosla**, Senior Director, Research, Advocacy and Policy, Amnesty International—International Secretariat, London

COVID-19 exposed the terrible legacy of deliberately divisive and destructive policies that paved the way for the devastation wrought by the pandemic. One area in which it was particularly true was in the

context of global cooperation. While time and again calls were made that *we are all in this together*, the harsh reality that the pandemic exposed was that *we are NOT in this together*. World leaders have also wreaked havoc on the international stage, hampering collective recovery efforts by blocking or undermining international cooperation, leading to death and suffering for millions around the world. From data about the pandemic, to PPE, to vaccines, it has been a story of nationalist policies overriding global solidarity. What does this mean for our collective futures, for the next pandemic and for health and human rights for everyone, everywhere?

**Opening Remarks: “Exceptionality: A Typology of COVID-19 Emergency Powers”**

**Fionnuala Ní Aoláin**, Regents Professor and Robina Chair in Law, Public Policy and Society, Law School, University of Minnesota; Professor, School of Law, Queen’s University of Belfast; Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Office of the United Nations High Commissioner for Human Rights

The outbreak of a pandemic has stretched State capacity across the globe. It has revealed both the robustness and fragility of systems of public health, education, transportation, economy, welfare, and security. The pandemic poses a classic emergency challenge to States, but there has been no shortage of exceptional responses to the crisis. These have included the physical lockdown of millions of people, mandates to return millions from urban to rural communities, restrictions on expression that challenge government management of the crisis (“fake” news), mandatory labor production quotas, data tracking of the movement of persons, extensive border controls, and numerous political and legal controls that are far-reaching and function at a wholesale and retail level. Assessment of the scale, impact and long-term significance of such emergency practice is nascent. This talk offers a preliminary assessment of the legal forms and consequences of the resort to exceptional power and widespread emergency practices. It focuses on the types of emergency power practice that have emerged during the pandemic as well as the impact of these powers on the protection and promotion of human rights across the globe.

**12:00-1:00      Lunch Break**

**1:00-3:00      Pandemics, Health and Human Rights in Africa**

In Africa, nation-states have mobilized past experiences of containing HIV AIDS and Ebola by combining modern and indigenous medical knowledge systems. They have done so even as they faced financial and technological limitations, as well as new variants of COVID-19.

**Moderators: Ndubueze Mbah**, Associate Professor, Department of History, UB and **Tia Palermo**, Associate Professor, Division of Health Services Policy and Practice, Department of Epidemiology and Environmental Health, School of Public Health and Health Professions, UB

**“COVAX, TRIPPS and AstraZeneca: Challenges Facing African Countries in Responding to COVID-19”**

**Catherine Kyobutungi**, Executive Director, African Population and Health Research Center, Nairobi, Kenya

This talk will analyze challenges faced by African countries in accessing vaccines for COVID-19, including vaccine supplies related to COVAX (COVID-19 Vaccines Global Access) and patent protections under TRIPS (Agreement on Trade-Related Aspects of Intellectual Property). It will explore the international

COVAX initiative and high-income countries' failure to fully buy into this initiative. It will show how they undermined the only initiative through which low- and middle-income countries (LMIC) have a chance to access vaccines. They did this by purchasing and pre-booking almost all of the global supply while simultaneously blocking LMIC requests to waive patent rights under TRIPS for vaccine manufacturing. The speaker will examine the implications of this shortage of vaccines, including the fact that most LMICs won't be able to reach herd immunity before two more years pass than would otherwise be the case. This wholly unnecessary delay will allow more mutations and variants to develop, threatening the health even of vaccinated populations. The speaker will conclude with personal reflections on experiences in Kenya and neighboring countries, including efforts at prevention and the roll-out of vaccines.

**“Public Health, Politics, and Human Rights in Sierra Leone: Encounters with an Ebola Epidemic (2013-2015) and a Coronavirus Pandemic (2020)”**

**Tamba M'bayo**, Associate Professor, Department of History, West Virginia University

Sierra Leone has a long history of human rights failings displayed over time through colonial legacies, structural adjustment programs, exploitative resource extraction, civil conflict, rural poverty and deficient healthcare services. More recently, the Ebola epidemic (2014-2015) and coronavirus pandemic (2020-2021) have drawn attention to the continuum of human rights violations in the country. Focusing on both disease outbreaks, this presentation discusses how the declaration of public health emergency, closure of international borders, travel restrictions, lockdowns, curfews, quarantines, and limitations on social gatherings and funeral services all came under public scrutiny due to their potential for instigating human rights abuses. Several incidents during both disease episodes raised poignant questions about human rights abuses as well as revealed ample evidence of limitations in protecting human rights in the country.

**“Weaponizing COVID-19 as a Pretext for Human Rights Violations in Africa”**

**Mausi Segun**, Executive Director, Africa Division, Human Rights Watch

Even before the spread of COVID-19 to Africa, many African governments barely tolerated free speech or media freedom, both basic pillars of the right to freedom of expression. The global pandemic seems to have strengthened the hands of authoritarian leaders who have enacted emergency laws and other measures with broad and vaguely worded enforcement powers that go beyond the restrictions allowed by human rights law. Mausi Segun will discuss how governments have exploited these measures to shut down critical and independent voices, including those of activists, journalists, media outlets and opposition politicians, and the advocacy opportunities to push for change.

**3:00 Closing Remarks**



Sponsors: Alison Des Forges Memorial Committee; University at Buffalo: Baldy Center for Law & Social Policy; Confucius Institute; Department of Comparative Literature; Gender Institute; Humanities Institute; James Agee Chair in American Culture; Office of Global Health Initiatives, School of Public Health and Health Professions; Office of the Vice Provost for International Education

This symposium honors the life and work of human rights activist Alison Des Forges (1942-2009).

For more information, visit <https://www.alisondesforges.org/>