Petition to Governments, the United Nations, and the World Health Organization to launch a process towards negotiating a global treaty on the right to health, the Framework Convention on Global Health (FCGH)

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The right to health is universally guaranteed through international human rights law, yet billions of people lack access to a full range of essential health services, while other needs fundamental to human health, from clean water, nutritious food, and adequate sanitation to a healthy, clean, and safe environment remain out of reach for large swaths of the world's population. The right to health is to be enjoyed equally by all, yet COVID-19 and the climate crisis lay bare a truth that we must confront directly: people living in lower-income countries, and people everywhere who are poorer or experience marginalization, have less – or even no – access to quality health services, the underlying determinants of health, and the social, economic, political, and natural environment required for good health. The right to health is universal, but the reality of health is deeply unequal, with unconscionable health inequities among and within countries.

The right to health points the way to health equity. Governments, and all organs of society, must be accountable for upholding this right, long inscribed in international law but often not translated into people's lived experiences, laws, and policies. If governments were to fully incorporate this right in their policies and practices, domestically and as they may affect people in other countries, the immense health inequities of today could be relegated to the past.

Our governments are now negotiating a treaty to enable countries to prevent, prepare for, respond to, and recover from pandemics of infectious diseases. We also need a treaty to respond to the pandemic of health inequities. That treaty would reinforce and enhance accountability around the right to health and its core principles, setting us on the path towards a healthier, more resilient, more just, more equal world. Just such a treaty has been proposed: a Framework Convention on Global Health (FCGH), which would be grounded in the right to health and aimed at closing national and global health inequities.

The Framework Convention on Global Health would establish clear standards and new mechanisms to:

- implement key human rights principles in health, including equality, participation, accountability, and international cooperation and assistance;
- resource the right to health, and;
- ensure accountability to the right to health in all sectors and for all actors, and from local to global levels.

A multi-faceted regime of national and global accountability, empowering marginalized community as well as governments committed to the right to health, would help ensure effective treaty implementation and genuine, rapid progress on the right to health and health equity.

Accordingly, we, the undersigned organizations, call upon our governments and the leaders of the World Health Organization and United Nations to take the measures necessary to initiate processes towards beginning to negotiate an FCGH, the right to health treaty as outlined above. Either organization would be appropriate, WHO because of the proposed treaty's focus on health and historically the focus of advocates for an FCGH, or the United Nations, as the organization that has historically been the forum for negotiating and adopting human rights treaties. Whichever organization launches the FCGH process should act in close coordination with the other.

In particular:

We call for **our governments** to advance the FCGH through all appropriate forums, including the World Health Organization and United Nations:

- Through a World Health Assembly resolution, commit to begin negotiating the FCGH once the negotiations on the pandemic treaty have been completed and that treaty has been adopted.
- Through a World Health Assembly or WHO Executive Board resolution, support immediate creation of a multi-stakeholder working group to pave the way for negotiations on the FCGH.
- Develop, sponsor, support, and vote for a UN General Assembly or UN Human Rights Council resolution calling for the United Nations and its agencies to cooperate with WHO in developing an FCGH, and for the United Nations itself to launch a timely process to negotiate the FCGH.
- Create regional and global momentum towards the FCGH by supporting WHO and UN action on the FCGH through other regional and international forums, such as resolutions of regional economic communities and other regional and multilateral groupings.

We urge the **WHO Director-General, Tedros Adhanom Ghebreyesus**, to use his powerful platform and good offices to advocate for the negotiation and adoption of the FCGH. We further call upon Dr. Tedros to establish a multi-stakeholder working group to explore the possible scope and key elements of the FCGH in order to lay the groundwork for negotiations even in the absence of a resolution from the World Health Assembly or WHO Executive Board.

We call upon the **UN Secretary-General, António Guterres**, the **UN High Commissioner for Human Rights, Volker Türk**, the President of the UN Human Rights Council, **Václav Bálek**, and the **UN Special Rapporteur on the right to health, Tlaleng Mofokeng**, to use their influential platforms to advocate for negotiations on and the adoption of the FCGH. We further encourage the **UN Secretary-Genera**l to engage the WHO Director-General on the best way forward for an FCGH, including action they might take jointly or that the Director-General might take directly, such as through launching a timebound high-level multi-stakeholder task force to explore the possible scope and key elements of the FCGH in order to lay the groundwork for negotiations.