

Pandemic reflections: The paradox of human rights and your right to health

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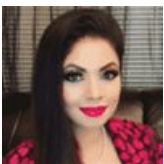
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On Friday, 18 March 2022, Regent Business School hosted an insightful webinar discussing the impact of the Covid-19 pandemic on human rights. Guest speakers, Dr Nitin Ghila (specialist medical doctor) and Ms Revana Babulall (specialist medicolegal practitioner) provided insights into our human rights during this global crisis.



Dr Ghila provided an in-depth discussion on the tensions between the state's obligations to meet public health objectives whilst trying to protect human rights. Our human rights are protected by various acts, such as the Universal Declaration of Human Rights and World Health Organisation's Constitution. The effects of the lockdowns on some of these human rights were highlighted – early on in the pandemic, these restrictions were accepted, but the long terms impact on the individual's health was concerning.

"However, South Africa, despite going into an early lockdown, failed to effectively contain the virus, as the actual rise and death rate during lockdowns was massive," said Ghila.



Ms Babulall, by quoting various laws and acts, was able to discuss the legal implications and gave a clear explanation of the difference between managing the pandemic under the Disaster Management Act and the general application of the Constitution. Babulall was critical of "healthcare professionals' failure to treat Covid-19 patients when suitably protected with the necessary PPE, a clear violation of the World Medical Association International Code of Medical Ethics." Emphasis was placed on the fact that a person's rights

are protected by the Constitution, hence decisions to receive a vaccine must always be voluntary and made without any undue influence.

Discussions further explored the worker's rights, the contentious issue of mandatory and mass vaccinations against Covid-19, drawing many comments from the viewers.

A poll launched during the webinar highlighted the differing opinions amongst the audience about:

1. The restrictions imposed by the Covid-19 pandemic response violate the rights of an individual: 66% agreed, 29% disagreed, and 3% were unsure.
2. Vaccine mandates are necessary in the workplace: 45% agreed, 45% disagreed, and 8% were unsure how to respond.



Dr Nivisha Parag, head of Health Care Management at Regent Business School deftly moderated the discussion, providing overall commentary on efficacy and management of the pandemic. "Whether to be vaccinated or not to be is an individual choice and no persons should be coerced into making a decision," said Parag. Parag summed up the discussion by saying: "Every worker is obliged to comply with the employer's workplace plan, which can include mandatory vaccinations to ensure that employers do not breach their obligations to ensure that workplaces are free of health and safety risk, an ongoing debate."

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