

United States Senate

March 20, 2020

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Ave., N.W.
Washington DC 20500

Dear Mr. President:

I write to urge your Administration to introduce a United Nations (UN) Security Council resolution to declare pandemics a threat to international peace and security, and require action by member nations to address that threat as soon as the Security Council reconvenes. Disease knows no borders. The quick spread of COVID-19 to more than 100 countries demonstrates that no country is immune to what the World Health Organization (WHO) has now declared a pandemic. The United States has a seven-decade track record of mobilizing successful international cooperation through its position on the UN Security Council to confront military, political, and health-related threats. Now is the time for the United States to demonstrate American leadership in the global fight against COVID-19, not engage in inward-facing xenophobia.

In the aftermath of World War II, the United States led the drafting of the UN Charter, which gave a 15 Member UN Security Council the primary power to determine what constitutes an “international threat to peace and security.”¹ Chapter 7 of the UN Charter authorizes the Security Council to take binding action to address any threats to peace and security that spill over borders. “Marshalling the full power of the federal government” to combat the COVID-19 pandemic, as you pledged on March 11, should include your Administration’s leveraging the U.S. position on the Security Council to lead the international effort to confront the threat of, and harm caused by, pandemic disease, particularly COVID-19.²

A U.S.-led Security Council resolution should establish binding commitments for UN-member nations to align their health preparedness frameworks with best international practices and reiterate the responsibility states have to protect the health of stateless refugees and those who face extreme humanitarian need. To ensure that member nations fulfill those obligations, the resolution should have three principal elements.

First, the resolution should affirm that pandemics, which disrupt global commerce, imperil vulnerable displaced persons, and exacerbate humanitarian need, pose a threat to international peace and security, and should require steps to mitigate those harms. Just as the Security Council is charged with responding to traditional threats such as repelling an invading military force or enforcing a cease-fire, so too can it respond to the unconventional — as it swiftly did to combat violent extremism in the aftermath of 9/11. A Security Council resolution designed to combat pandemics should therefore mandate that all countries develop appropriate and effective national measures, including, but not limited to, changes in domestic law that

¹ UN Charter, Art. 23-24, 39 (1945), <https://www.un.org/en/charter-united-nations/>.

² Donald J. Trump, *Remarks by President Trump in Address to the Nation*, The White House (Mar. 11, 2020), <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-address-nation/>.

facilitate the early detection of novel diseases and reduce the risk of their spread to other countries.

Second, a resolution should affirm the responsibility of all UN Member States to protect refugees and asylum seekers, international displaced persons (IDPs), and the food insecure — all of whose circumstances leave them especially vulnerable to pandemics. Today, 70 million people are displaced globally, 25 million of whom are refugees unable to return safely to their countries of origin. Many refugees and IDPs live in close quarters in camps that have little or no capacity to address a COVID-19 outbreak or another health emergency. Specifically, the Security Council should mandate a global giving campaign to approved UN aid organizations or host governments whose people or hosted populations are already suffering from acute need.

Third, a resolution should mandate that, in the event of a declared health emergency, all countries ensure on-the-ground access by WHO officials, as well as require that all countries transparently disseminate timely public-health information to the WHO and to their own people. The resolution should create a committee that receives regular reports on the degree to which each UN member nation is fully implementing this mandate and on their compliance with obligations to take appropriate and effective domestic measures to curb the spread of novel diseases.

Your Administration still has an opportunity to be a global leader in the fight against COVID-19. It is only through U.S.-led global action that we will overcome this challenge and be better positioned to face the inevitable and indiscriminate global health emergency of tomorrow. Benjamin Franklin once said that “an ounce of prevention is worth a pound of cure.”³ The United States must lead the Security Council in the adoption of measures that can save countless lives and limit instability, to the benefit of all nations.

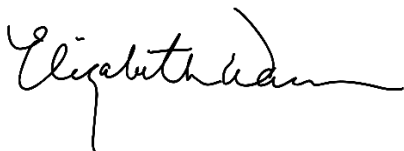
Sincerely,



Edward J. Markey
United States Senator



Richard Blumenthal
United States Senator



Elizabeth Warren
United States Senator



Benjamin L. Cardin
United States Senator

³ *Ounce of Prevention, Pound of Cure*, University of Cambridge (October 9, 2012).
<https://www.cam.ac.uk/research/news/ounce-of-prevention-pound-of-cure>



Jeffrey A. Merkley
United States Senator



Tina Smith
United States Senator

CC:
The Honorable Mike Pompeo
Secretary of State
U.S. State Department
2201 C St N.W.
Washington D.C. 20520