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UNITED NATIONS HUMAN RIGHTS – COVID-19: States should
not abuse emergency measures to suppress human rights

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COVID-19: States should not abuse emergency measures to suppress human rights – UN experts

GENEVA (16 March 2020) – UN human rights experts* today urged States to avoid overreach of security measures in their response to the coronavirus outbreak and reminded them that emergency powers should not be used to quash dissent.

“While we recognize the severity of the current health crisis and acknowledge that the use of emergency powers is allowed by international law in response to significant threats, we urgently remind States that any emergency responses to the coronavirus must be proportionate, necessary and non-discriminatory,” the experts said.

Their appeal echoes the recent [call by the UN High Commissioner \(https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25668&LangID=E\)](https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25668&LangID=E) for Human Rights to put [#HumanRights \(https://twitter.com/hashtag/HumanRights?src=hash\)](https://twitter.com/hashtag/HumanRights?src=hash) at the centre of [#CoronavirusOutbreak \(https://twitter.com/hashtag/CoronavirusOutbreak?src=hash\)](https://twitter.com/hashtag/CoronavirusOutbreak?src=hash) response.

Declarations of states of emergency, whether for health or security reasons, have clear guidance from international law, the UN experts said. “The use of emergency powers must be publicly declared and should be notified to the relevant treaty bodies when fundamental rights including movement, family life and assembly are being significantly limited.”

“Moreover, emergency declarations based on the Covid-19 outbreak should not be used as a basis to target particular groups, minorities, or individuals. It should not function as a cover for repressive action under the guise of protecting health nor should it be used to silence the work of human rights defenders.

“Restrictions taken to respond to the virus must be motivated by legitimate public health goals and should not be used simply to quash dissent.”

Some States and security institutions may find the use of emergency powers attractive because it offers shortcuts, the experts said. “To prevent such excessive powers to become hardwired into legal and political systems, restrictions should be narrowly tailored and should be the least intrusive means to protect public health.”

Finally, in countries where the virus is waning, authorities must seek to return life to normal and must avoid excessive use of emergency powers to indefinitely regulate day-to-day life, they said.

“We encourage States to remain steadfast in maintaining a human rights-based approach to regulating this pandemic, in order to facilitate the emergence of healthy societies with rule of law and human rights protections,” the UN experts said.

ENDS

* *The UN experts: The [Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism \(http://www.ohchr.org/EN/Issues/Terrorism/Pages/FionnualaNiAolain.aspx\)](http://www.ohchr.org/EN/Issues/Terrorism/Pages/FionnualaNiAolain.aspx), Ms Fionnuala D. Ní Aoláin; the [Special Rapporteur on extrajudicial, summary or arbitrary executions \(https://www.ohchr.org/EN/Issues/Executions/Pages/SRExecutionsIndex.aspx\)](https://www.ohchr.org/EN/Issues/Executions/Pages/SRExecutionsIndex.aspx), Ms Agnes Callamard; the [Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression \(https://www.ohchr.org/EN/Issues/FreedomOpinion/Pages/OpinionIndex.aspx\)](https://www.ohchr.org/EN/Issues/FreedomOpinion/Pages/OpinionIndex.aspx), Mr David Kaye; the [Special Rapporteur on](https://www.ohchr.org/EN/Issues/FreedomOpinion/Pages/OpinionIndex.aspx)*

the situation of human rights defenders

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