



INTERNATIONAL WEBINARS AND LIVE EVENTS

WILL HUMAN RIGHTS SURVIVE COVID19?

Forum Asia, CIVICUS, IDEFEND, PAHRA– 08 May 2020

Moderated by [Shamini Darshni Kaliemuthu](#) – Executive Director of FORUM-ASIA:

[Joseph Cannataci](#) – UN Special Rapporteur on the Right to Privacy:

Is there a line between **human rights and health**? No, they are part of the **same well-being format**. Is it worth being alive if one is not free?

Long before the pandemic, my mandate have been working on **privacy of medical data**. Big debate today with **tracing apps**. We have a lot of work going on related to tracing apps.

In their responses to COVID19, countries around the world should be guided by the principles embedded in the **Data protection Convention**: measures should be **necessary, proportionate** and **respect the law**. Necessary does not mean “nice to have”, it means “must have”. Those are key elements to take in account during the **COVID19 crisis**.

Surveillance is critical: the key question to ask is “does my country have a law which enables the respect of these principles of **law, necessity, and proportionality**?” Every country has special services and intelligence services which carry out surveillance. Does my country have an **independent oversight authority monitoring surveillance** by intelligence services?

ID management is not only important in the context of COVID19, it is very important for all aspect of society. COVID19 must not be used as an excuse to hinder people’s **right to privacy**.

What is needed between **security and human rights is synergy**, not balance. What governments need to do is: **maximum privacy and maximize healthcare**. It is useless to put every citizen under surveillance if you do not carry out test to people.

Civil society has a very important role to play in raising awareness and keeping the possibility of **discussion about critical issues**. When **parliamentarians are reminded** about important issues, they must take it in account in their work. I invite civil society to get in touch with me and my mandate, we can help to **design solutions** to enter in contact with parliamentarians in each country.

[Dr Nymia Pimentel Simbulan](#) – Chair Person PAHRA :

In Philippines, **the use of war as a framework** or as a metaphor to describe the response against COVID19 is very dangerous. It influences how the problem is perceived, it **changes our perception** of the key actors and the methods in addressing the problem. It emphasizes the **fake reality** that the virus can be defeated if people follow the law and accept the restrictions of human rights.

It implies the **use of state violence**, harassment, and obedience to authorities. It leads to more power to public officials and **abuses of authority leading to violations of human rights** such as enforced disappearances, corruption in the distribution of government funds, torture, restriction of freedoms.

Implications for human rights in the future in Philippines: High rise of **poverty** due to unemployment; Increased **violations of children rights** due to drop out in schools; **Worsening of domestic violence**; Further **shrinking of democratic space** and repression against freedom of expression and movement

Tasks of human rights defenders: Conduct campaigns; **Intensify human rights work** and dissemination of human rights material; **Increase human rights education** in all sectors; Intensify lobby work in Parliament.

Susan Wilding – Head of Geneva Office CIVICUS:

1 month after the declaration of pandemic, CIVICUS monitored **alarming trends for human rights**. We documented restrictions, detention of activist or disseminating critical info, crackdown on human rights defenders, disproportionate use of emergency power. Prominent concerns:

- **Use of states of emergencies** beyond the principle of necessary and proportionality. We have good examples from the past when state consolidate power when countering terrorism.
- **Crackdown on human rights defenders**. New challenges for civil society organizations. There is a grey area in terms of human rights norms when we talk about online activities and online freedom of expression. It is very important that civil society push for online freedoms.
- **Right to privacy**: if nothing is done, it can lead to a new era of surveillance. Surveillance companies are granted access to private data of citizens, this is a serious concern.
- **Lack of access to justice** and protection during the pandemic.

Role of states: states need to ensure that surveillance measures are **lawful and proportionate**. States need to ensure that increased collection of personal data is only use for the **purpose of the pandemic**. States should ensure that public official **enforce the law** and do not abuse power. States should ensure any law to combat the pandemic are **not discriminating** and respectful of human rights.

Role of the public: to **remain aware**. It is important to keep attention on the importance of maintaining human rights and protecting fundamental freedoms during the crisis. Civil society has a big role to play.

Rin Fujimatsu – Advocacy Director, Progressive Voice:

Shrinking democratic space in **Myanmar**:

- With COVID, increasingly difficult for **independent journalist** to conduct their work
- Beginning of COVID19 pandemic: government designated Arakan Army as **terrorist organization**.
- More than **200 websites were blocked** by the government, to combat fake news. But many of these websites were independent media blog that could spread the information and raise the situation on COVID19 implications for local communities.
- **Harassment of human rights defenders** when questioning the government's response.
- **Amendment, to increase surveillance**, limit the spread of information, limit communication

Situation in Rakhine state: **Civil war is killing people much more than COVID**. This is going on in Rakhine state since many years. We are seeing internet restrictions being imposed by the government.

COVID19 **exacerbated the situation already bad for human rights**. The military will use this to expand their power. We must concentrate on justice and accountability for victims of **human rights violations**.

Sandun Thudugala – Head of Programmes, Law and Society Trust:

Military is doing most of the actions regarding to the COVID19's response in Sri Lanka. They oversee the COVID response. How is this affecting ethnic minorities? **Huge hate speech online campaigns**, even from mainstream media, **against Muslims communities**. They are targeted and named responsible for the current crisis.

Many **activists have already been arrested**.. **Freedoms and basic human rights have been suspended**. **Religious rights** are threatened. **Economic and social rights**: exposed the crisis of economic rights in Sri Lanka. **Health system** have been weakened in the past years and we see the consequences now.

The fact that rulers in Sri Lanka are **using the COVID to strengthen power** as been largely accepted by the population in the country. This is very concerning. The challenge we are facing is much bigger than COVID. The trend of **using national security measures to threaten human rights** has started before COVID and will continue after.