

Special procedures and COVID-19

A human rights response to the pandemic

As of 7 August 2020

Special procedures have taken various initiatives in relation to COVID-19 with the objective to stress the importance of adopting a human rights approach in addressing the crisis. The principles of non-discrimination, participation, empowerment and accountability in particular need to be applied. Particular attention should be paid to people in vulnerable situations. Universal human rights principles must prevail over the spread of fake news, prejudice, discrimination, inequalities and violence.

A **general call** stressing that “everyone has the right to life-saving interventions” was initiated by the Special Rapporteur on the right to health and issued by more than **60 mandate holders**. They stressed that the COVID-19 crisis cannot be solved with public health and emergency measures only; all other human rights must be addressed too.

Special procedure mandate holders have issued various recommendations to States and other stakeholders through various public actions, such as guidance tools, dispatches, trackers, videos or press releases, and they stand ready to assist. Mandate holders are also addressing these issues through their communication procedure and their reports to the Human Rights Council and the General Assembly.

Guidelines, dispatches, open letters and other reference tools have been released on the following themes:

- COVID-19 response and recovery free from violence and discrimination based on sexual orientation and gender identity (*Independent Expert on sexual orientation and gender identity*);
- the impact and consequences of the COVID-19 pandemic on trafficked and exploited persons (*Special Rapporteur on trafficking*);
- persons affected by leprosy (*Special Rapporteur on leprosy*);
- negative impact of unilateral sanctions during the state of emergency (*Special Rapporteur on unilateral coercive measures*);
- prison overcrowding (*Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence*);
- impact on LGBT communities around the world (*Independent Expert on sexual orientation and gender identity*);
- protecting informal settlements, homeless, renters and mortgage payers, prohibition of evictions, and financialization and the future (*Special Rapporteur on adequate housing*);
- responding to the crisis without halting freedoms of assembly and of association (*Special Rapporteur on the rights to freedom of peaceful assembly and of association*);
- government responses to the pandemic that affect civic freedoms and human rights (*Special Rapporteur on counter-terrorism and human rights*);
- disability considerations during the outbreak and disability-inclusive social protection (*Special Rapporteur on disabilities*);
- economic, financial, monetary, fiscal, tax, trade and social policies (*Independent expert on foreign debt*);

- keeping the judiciary functioning during the crisis (*Special Rapporteur on the independence of judges and lawyers*);
- the use of force by law-enforcement personnel (*Special Rapporteur on summary executions*);
- racial equity and racial equality in providing health services for all (*Working Group on People of African Descent*).

92 press statements,¹ of which 53 have been issued individually and 39 collectively, have been released covering a wide range of topics, including: *the severity of the current crisis; excessive use of force; suspension of guarantees; consequences of the state of exception; rise of discrimination, hate crimes and incitement to hatred; migration, asylum and trafficking in persons; care, training and guidance for caregivers; poverty; intersectionality; disproportionate impact of the crisis on women in many interrelated areas of their lives; requirements for and arbitrary use of emergency measures; necessity of and meaning of a human rights-based approach; connections with SDGs; principles of non-discrimination, participation, empowerment, accountability, non-retrogression; impact of measures requesting people to stay home; availability of equipment; domestic violence against women; access to justice; access to information; protection of journalists; right to association and assembly at the workplace; right to privacy; financial aid; financial stimuli and similar measures; business enterprises and private industry; unilateral sanctions; culture in response to COVID-19; access to reproductive health services; access to services for victim of gender-based violence; women and girls; children; persons with disabilities; older persons; lesbian, gay, bisexual, trans and gender diverse persons; people of African descent; victims of violence; migrants, asylum seekers and trafficked persons; internally displaced persons; persons who use drugs; persons deprived of liberty, future policies; international cooperation; human rights situations in Cambodia, Central African Republic, Democratic People's Republic of Korea, Eritrea, Islamic Republic of Iran, Israel and the Occupied Palestinian Territory, Myanmar.*

127 communications² have been sent to States and non-State actors.

Two reports, on disease pandemics and the freedom of opinion and expression, and on the impact of the COVID-19 crisis on the right to education, have been released respectively by the *Special Rapporteur on freedom of opinion and expression* and the *Special Rapporteur on the right to education*. 15 mandate holders are currently planning to issue reports on COVID-19.

A **joint questionnaire**, prepared by a group of 12 special procedure experts, has been sent out to collect information on the impact of the pandemic on the enjoyment of human rights.

A **call for submission** of all relevant information on the increase of gender-based violence against women and domestic violence in the context of the COVID-19 has been issued by the *Special Rapporteur on violence against women*.

Informational videos, a podcast, a talk and social media-based campaigns have also been shared online in response to COVID-19:

¹ As of 7 August 2020.

² As of 7 August 2020.

- a statement delivered by the *Special Rapporteur on racism* at a webinar (Addressing Contemporary Forms of Racism: Challenges Posed by the Pandemic and the National Responses) has been made available;
- a video advisory on 10 key principles for human rights compliant responses to COVID-19 has been issued by the *Special Rapporteur on the rights to freedom of peaceful assembly and of association*;
- a podcast featuring the *Special Rapporteur on racism* warning against the rise of xenophobia has been made available;
- a talk on “Beyond the outbreak: cultural rights during and after the pandemic” has been delivered by the Special Rapporteur on cultural rights;
- a video campaign focusing on hand washing, access to sanitation as a measure to prevent the disease, and COVID-19, water and gender equality has been issued by the *Special Rapporteur on water and sanitation*;
- a video campaign with a call for a global ban on evictions and recommendations concerning informal settlements has been launched by the *Special Rapporteur on adequate housing*;
- a social media campaign aimed at sharing trends and recommendations issued by Special Procedures in relation to COVID-19, including an open letter addressed to the LGBT community, has been launched by the *Independent Expert on sexual orientation and gender identity*.

All information is available on the Special Procedures COVID-19 web page:
<https://www.ohchr.org/EN/HRBodies/SP/Pages/COVID-19-and-Special-Procedures.aspx>