



# 1 ENSURING THAT THE NEW LEGAL MEASURES RESPECT HUMAN RIGHTS

**COVID-19 emergency measures restricting human rights and freedoms, such as prohibitions of public gatherings and stay-at-home orders, must comply with international human rights norms and standards, including those related to the rights to freedom of peaceful assembly and of association.**

Covid-19 measures are provided in law in accordance with constitutional procedures and requirements, are drafted unambiguously, are accessible and publicly available to consult.

Yes  No  Not applicable

Covid-19 legal measures clearly articulate the specific COVID-19 threats that they are seeking to address.

Yes  No  Not applicable

Emergency measures are necessary and proportionate to address those specific Covid-19 threats, meaning the restrictions imposed are the least intrusive available, are appropriate and narrowly tailored to achieve their protective function and are strictly limited in scope to respond to the situation in a non-discriminatory manner.

Yes  No  Not applicable

Restrictions of movement and gatherings have exemptions to ensure civil society actors, particularly journalists, trade unions, legal professionals, human rights defenders, and organizations providing humanitarian assistance and social services, can continue to operate during the emergency, consistent with health protocols and guidelines. These exemptions are clearly communicated to the police and security services in order to ensure that they are adhered to and respected.

Yes  No  Not applicable





## 2 ENSURING THAT THE PUBLIC HEALTH EMERGENCY IS NOT USED AS A PRETEXT FOR INFRINGEMENTS OF RIGHTS

As governments step up to respond to the public health emergency, they must ensure that measures adopted aim to protect public health without targeting other rights, and ensure that they are not geared at cementing control and cracking down on oppositional figures and human rights defenders.

The State has officially notified derogations of the rights to peaceful assembly and association to international and regional organizations, according to relevant treaty provisions.

Yes  No  Not applicable

Judicial and parliamentary checks and balances to the Executive branch are in place and continue to operate to ensure accountability and transparency of measures imposed. In particular, judicial review and access to a legal remedy in case of human rights violations is guaranteed during the emergency.

Yes  No  Not applicable

Covid-19 emergency measures affecting the right to peaceful assembly have a limited time frame and are renewed only when strictly necessary to address relevant public health threats.

Yes  No  Not applicable

When authorities object to requests to hold an assembly during the emergency, they notify organizers in a timely manner, in writing, of the justification for the restriction. Organizers can appeal such decisions through judicial or administrative proceedings.

Yes  No  Not applicable

When dispersing public gatherings deemed in breach of restrictions refrain from the excessive use of force and mass detentions. Emphasis is placed on de-escalation, communication and negotiation. All those detained without appropriate grounds have access to effective judicial remedies.

Yes  No  Not applicable

The use of less lethal weapons, which specifically effect the respiratory system, including for instance tear gas, is avoided as much as possible in accordance with the increased risks posed in the context of Covid-19.

Yes  No  Not applicable

Any police officers facilitating public assemblies have adequate personal protective equipment, for their own protection and that of assembly participants.

Yes  No  Not applicable

Any action directed at exploiting Covid-19 measures to attack, harass and persecute civil society actors, political opponents and journalists is prohibited by law and fully investigated by competent authorities.

Yes  No  Not applicable



### 3 DEMOCRACY CANNOT BE INDEFINITELY POSTPONED

While the priority in times of health emergency is protecting public health, participation in the conduct of public affairs remains a guiding principle for governments. Temporary suspension of elections in the face of the crisis may be an option; however, States must examine all alternatives to ensure continued citizen's participation in the conduct of public life throughout the crisis.

Government decision-making regarding whether to hold elections in the context of the Covid-19 emergency, and all stages of the elections process, is transparent and is in consultation with all stakeholders. Any decision to postpone or to hold an election can be challenged and is subject to review by an independent judiciary.

Yes  No  Not applicable

States genuinely engage in consultation and dialogue with civil society actors, political parties and election officials in all decision-making regarding elections, especially decisions to postpone or carry out elections as a result of the Covid-19 emergency.

Yes  No  Not applicable

Postponement of an election is only undertaken when there is publicly provided evidence of its necessity when appropriate and in consultation with political parties and civil society.

Yes  No  Not applicable

States strive to ensure the timely and safely carrying out of elections, including using alternative voting procedures such as mail-in ballots where there is capacity to do so in an effective and safe manner.

Yes  No  Not applicable

States adopt measures to ensure that any alternative voting procedures do not have the effect of disenfranchising any voter or call into question the integrity or outcome of the vote.

Yes  No  Not applicable

State provides relevant information, including about election preparations, new voting methods, health precautions that will be taken, changes in polling locations, vote counting procedures and changes in elections date to the public, through multiple modes of communication and in collaboration with civil society.

Yes  No  Not applicable

Civil society, political parties and election authorities are not prevented from designing and carrying out alternative methods of political campaigning, voter outreach and monitor election processes, consistent with health protocols and recommendations.

Yes  No  Not applicable

All the guarantees for fair, equitable, transparent and credible election are publicly put in place before the vote happens.

Yes  No  Not applicable



## 4 ENSURING INCLUSIVE PARTICIPATION BY CIVIL SOCIETY

**Active citizenship is key in times of crisis. Civil society must be regarded as an essential partner of governments in responding to the present crisis, in terms of helping to frame inclusive policies, disseminating information, building shared and cooperative approaches, and providing social support to vulnerable communities.**

State authorities publicly recognize the role of civil society, including human rights defenders and trade unions, as an essential partner in responding to and recovering from the Covid-19 emergency crisis.

Yes  No  Not applicable

States do not impose, in law or practice, undue restrictions for individuals to form associations even during Covid-19.

Yes  No  Not applicable

Civil society enjoys an enabling environment to participate in the design and implementation of effective public health strategies, disseminating information, building shared and cooperative approaches, and providing social support to vulnerable communities amid Covid-19 emergency.

Yes  No  Not applicable

Civil society is free to seek, receive and use resources from national, foreign and international sources. The criminalization or delegitimization of the activities by civil society on account of the origin of their funding is prohibited.

Yes  No  Not applicable

Civil society organizations delivering vital social services and humanitarian assistance have access to emergency public funding while preserving their independence. These funding programs should be transparent, fair and accessible on equal basis to civil society organizations.

Yes  No  Not applicable

States adopt measures to ensure participation of women and women's organizations in covid-19 response and recovery decision making these measures recognize and accommodate for women's special circumstances and care work.

Yes  No  Not applicable





## 5 **GUARANTEEING FREEDOM OF ASSOCIATION AND ASSEMBLY ONLINE**

The rights to freedom of peaceful assembly and of association apply online just as they do offline. Digital spaces indispensable for individuals to exercise their rights to freedom of assembly and of association during Covid-19. Ensuring an open, free and accessible internet free should be a priority, including refraining from restrictions such as internet shutdowns or online censorship.

Universal access to the internet, including social media platforms, to exercise their rights to freedom of peaceful assembly and association is guaranteed in law and practice.

Yes  No  Not applicable

The internet and mobile phone connection are constantly available, and States refrain from undue restrictions such as internet shutdowns.

Yes  No  Not applicable

States put in place measures to increase access to internet and mobile technologies among the entirety of the population and ensure that it is affordable during the Covid-19 crisis.

Yes  No  Not applicable

Specific measures or programs are adopted to ensure low-income and marginalized communities and groups, including women and girls, can remain connected.

Yes  No  Not applicable

Taxes on social media are repealed or at least suspended during the pandemic.

Yes  No  Not applicable

The State works with private Telecommunication companies to reduce fees and waive all fees related to an inability to pay and device use and lift limits around data, voice and text allowances, for at least the duration of the Covid-19 pandemic.

Yes  No  Not applicable

The right to privacy is respected and protected and access to private communications and data are only applied when provided by law and demonstrated to be necessary and proportionate to a specific Covid-19 related threat defined in the law.

Yes  No  Not applicable





## 6 PROTECTING WORKPLACE RIGHTS TO FREEDOM OF ASSOCIATION AND ASSEMBLY

The crisis underscores the need for workplace protections and measures that ensure the right to health of all employees. In no cases may employees be fired for organizing, nor for speaking up as to the need for enhanced protection and safety at their workplaces. Where particular companies are unable to provide these benefits, the State must step in to ensure workers' rights are protected.

States and employers recognize the vital role of trade unions and other workers' organizations in crisis response and in planning, implementing and monitoring measures for recovery and resilience.

Yes  No  Not applicable

States inform and consult with representative organizations of employers and workers to the laws, regulations and policies to address and mitigate the impact of Covid-19 on workers and the workplace, and to ensure their effective implementation. This includes the designation of any category of worker as "essential".

Yes  No  Not applicable

Covid-19 is designated as an occupational disease and States adopt occupational safety and health regulations accordingly. States and employers respect the right of workers to remove themselves from a work situation that they have reasonable justification to believe presents an imminent and serious danger to their life or health, without fear of discipline or dismissal.

Yes  No  Not applicable

States ensure that all workers are freely able to organize and form trade unions, without retaliation, as collective agency is even more important in such a crisis. This includes migrant workers and workers in the informal

economy and under non-standard/precarious forms of employment.

Yes  No  Not applicable

Workers and trade unions are able to hold meetings, issue publications and conduct activities around Covid-19. They are also able to criticize government or employer responses to Covid-19 without fear of reprisals of any kind, including civil or criminal charges.

Yes  No  Not applicable

State ensures that the right to strike can be exercised without fear of reprisals. While the right to strike may be restricted during an acute national emergency, such restrictions should only be for a limited period and to the extent strictly necessary to meet the requirements of the situation.

Yes  No  Not applicable

Employers do not refuse to bargain or abrogate agreements currently in force as a result of COVID-19. In the case of a full or partial shutdown as the result (in whole or in part) of Covid-19, employers consult with the union on measures to avert or minimize any terminations and measures to mitigate the adverse effects of any terminations on the workers concerned.

Yes  No  Not applicable

## 7 FREEDOM OF EXPRESSION MUST BE ENSURED



The public health emergency underscores the need for full respect for the right of access to information; the need to protect and ensure the vital work of journalists; the necessity of ensuring that any deployments of surveillance technology comply with State's human rights obligations. There is no justification to restrict freedom of expression in times of a public health emergency.

Access to public information is guaranteed by law, according to international human rights norms and standards.

Yes  No  Not applicable

State proactively provides to the general public reliable and accessible information related to the health crisis, including information regarding the impact of the pandemic and laws and policies being adopted to counter it.

Yes  No  Not applicable

The rights of civil society actors, journalists and human rights defenders, to freely seek, receive and impart ideas and information on all aspects related to the health crisis are ensured.

Yes  No  Not applicable

State adopts measures to counter disinformation online around health emergencies. These measures are respectful to the rights to freedom of opinion and expression and are not used as excuse to criminalize dissent and criticism or to suppress the ability of activists, journalists, and citizens to freely express their views on topics related to the health crisis.

Yes  No  Not applicable

State refrains from taking any measures to limit or sanction expression, including any protest or petition, critical of government responses to Covid-19.

Yes  No  Not applicable

Social media and telecommunication companies do not limit or deny access to any user at the request of a government on the basis of the user's legitimate criticism of the government's response to Covid-19.

Yes  No  Not applicable





## 8 CIVIL SOCIETY'S PARTICIPATION IN MULTILATERAL INSTITUTIONS MUST BE SECURED



Multilateral institutions remain a key space in which civil society actors can advocate and bring human rights situations needing international community's attention during Covid-19. The United Nations and multilateral organisations must ensure civil society can continue to participate, through different means, in all policy decisions, including those related to the Covid-19 response.

Civil society organizations can participate in all policy decisions related to the Covid-19 response at the UN and multilateral organizations.

Yes  No  Not applicable

The UN continues to make available broadcasts and archival footage of open sessions of UN human rights bodies and other meetings, and where feasible, facilitates civil society's participation via video link.

Yes  No  Not applicable

UN Agencies and bodies undertake proactive outreach to civil society organizations, with due consideration to adapting online meetings and consultations to the security needs of human rights defenders and the challenges in exercising freedom of association online.

Yes  No  Not applicable

UN Country Teams expand their engagement with civil society around Covid-19 responses and human rights, both to ensure the effectiveness of UN/government partnerships and interventions, and to monitor potential restrictions on civil society in the context of Covid-19.

Yes  No  Not applicable





## 9 **INTERNATIONAL SOLIDARITY IS NEEDED MORE THAN EVER**

**Covid-19 health crisis cannot be overcome by governments alone, and societies need strong civil networks to act alongside governments to address the common challenge. National and international funding should be strengthened to enhance our collective capacity to address the impacts of Covid-19.**

States in the international community recognize the key role many civil society organizations play in addressing covid-19 challenges and commit to defend civic space in the context covid-19 emergency.

Yes  No  Not applicable

Foreign and international funding is accessible to civil society organizations, including to informal associations and civil society groups that serve the most marginalized and at-risk populations. States refrain from any arbitrary or unlawful acts that deprive civil society organizations of those resources.

Yes  No  Not applicable

Laws that unduly constrict civil society's ability to access to foreign and international funding are repealed.

Yes  No  Not applicable

The international donor community offers flexible financing arrangements, long term support or core funding directed towards ensuring civil society organizations can effectively address covid-19 challenges.

Yes  No  Not applicable

International Financial Institutions mobilize resources to support immediate unemployment benefits and income support to the millions of workers who have lost employment, as well as to support governments, in consultation with trade union organizations, in the establishment of robust social protection schemes to cushion the blow of future crises.

Yes  No  Not applicable





## 10 FUTURE IMPLICATIONS OF COVID-19 AND RESPONDING TO POPULAR CALLS FOR REFORM

The year 2019 was marked by unprecedented wave of protests around the world, with demonstrators demanding more justice, equality, human rights and steps to protect the environment. The Covid-19 pandemic is expected to exacerbate the already fragile order in some countries. It is vital in this context that States' responses to the crisis take citizens' demands fully into account, and that States take measures to enhance rights protection and fulfillment.

State's covid-19 response and recovery plans address popular calls for democratic governance, respect for human rights, equality, an end to austerity, and meaningful steps to combat climate change and widespread corruption.

Yes  No  Not applicable

Public authorities specifically address the needs and rights of populations whose situation has deteriorated due to the crisis.

Yes  No  Not applicable

Covid-19 recovery and prevention measures are designed, developed and implemented with the participation of civil society, including youth groups and women-led civil society organizations, women's rights movements, minority and indigenous communities.

Yes  No  Not applicable

