

## Emergency Measures

- Governments have to take difficult decisions in response to COVID-19. International law allows emergency measures in response to significant threats – but measures that restrict human rights should be proportionate to the evaluated risk, necessary and applied in a non-discriminatory way. This means having a specific focus and duration, and taking the least intrusive approach possible to protect public health.
- When states of emergency are declared, states that are parties to the International Covenant on Civil and Political Rights should meet their legal obligation to provide formal notification through the UN Secretary-General. Regional human rights treaties include similar obligations.
- With regard to COVID-19, emergency powers must only be used for legitimate public health goals, not used as a basis to quash dissent, silence the work of human rights defenders or journalists, deny other human rights or take any other steps that are not strictly necessary to address the health situation. Some rights cannot be restricted even during a state of emergency (nonderogable), including the principle of non-refoulement, the prohibition of collective expulsion, the prohibition of torture and ill-treatment, the right to freedom of thought, conscience and religion, and others.
- Governments should inform the affected population of what the emergency measures are, where they apply and for how long they are intended to remain in effect, and should update this information regularly and make it widely available.
- As soon as feasible, it will be important for Governments to ensure a return to life as normal and not use emergency powers to indefinitely regulate day-to-day life, recognising that the response must match the needs of different phases of this crisis.
- [View Emergency Measures and COVID-19: Guidance \(PDF\)](#)