



**STATEMENT BY CENTRE FOR HUMAN RIGHTS, FACULTY OF LAW,
UNIVERSITY OF PRETORIA, TO THE 2020 ECOSOC HIGH LEVEL
SEGMENT (HLS) FOR NGOS IN CONSULTATIVE STATUS WITH ECOSOC
ON THE THEME OF THE 2020 HIGH-LEVEL POLITICAL FORUM (HLPF) ON**

**“ACCELERATED ACTION AND TRANSFORMATIVE PATHWAYS:
REALIZING THE DECADE OF ACTION AND DELIVERY FOR
SUSTAINABLE DEVELOPMENT”**

28 April 2020

While the effect of COVID-19 on all the SDGs has been and is being documented and examined across the world, the Centre for Human Rights, University of Pretoria, draws attention to the importance of SDG 16 – anchored on the principle of the rule of law – in these times.

The standard government response has – understandably – been to enforce severe restrictions on freedom of movement, in situations generally referred to as ‘lockdowns’. However, grave concerns have already arisen that some of the measures adopted by the governments are disproportionate, and involve the use of excessive force, lack transparency, misuse emergency regulations, and that the restrictions are serving as a smokescreen behind which governments are engaging in repressive practices.

It is crucial that the rule of law, accountability, transparency, and access to information are maintained in this period. It is only when these principles are observed that a people-centred approach, responsive to the most vulnerable, will be able to ensure that “no one is left behind”.

Lockdowns should not have a more severe effect on the right to life or other fundamental rights due to excessive securitisation. In the enforcement of lockdown regulations, the role of law enforcement

ought to be aimed at persuasion where possible, and coercive measures only a last resort, while also adhering to the recommended practices such as physical distancing.

Emergency measures must conform with the principles of legality, necessity, proportionality, precaution and non-discrimination. These measures should be reviewed continuously and reasons for their imposition provided.

It is now more important than ever that oversight is ensured through the judiciary, the legislature and independent human rights institutions. Human rights defenders must not be prevented from doing their work. Reinforcing human rights monitoring during this period will create conditions that would enhance the realisation of all the SDGs.

In a time of closure, transparency and access to information is of increased importance. Government institutions should where necessary continue to operate virtually, and in doing so, ensure that accessibility is allowed and increasingly entrenched. The public should be given access to information that underlies government's decisions about steps it takes to contain COVID-19. Full and accurate information dispels myths and misconceptions. The press should be allowed to operate freely.

Even – or particularly – during periods of crisis governance processes should involve civil society, to ensure more accountable, responsive, inclusive, participatory and representative decision-making.

Looking beyond the pandemic, COVID-19 could provide a prism through which we may more closely examine and improve underlying defects and faultiness related to the rule of law, to not only deal better with future disasters, but also to allow for conditions that enhance the realisation of Agenda 2030.

Thank you.

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