

GNLU PRESS NOTE No. 60/2020

GNLU organized a special lecture on 'Protection of Human Rights during the Corona Crisis'

Gandhinagar, December 21, 2020: Coronavirus pandemic started as a health emergency but has quickly descended into the social and economic sphere as well. It has deepened and worsened the pre-existing human rights problems fuelled by discrimination and inequalities that existed before the pandemic.

Public health protocols have called for emergency measures that limit freedom like mobility and public assembly. But, in some cases, Governments have used the pandemic as an excuse for human rights violations – to quash dissent, to strengthen their surveillance powers far beyond what is required for public health thereby threatening the right to privacy, to harass journalists and human rights defenders or to restrict the freedom of expression, freedom of the press. The U.N. Human Rights Office has identified human rights violations in several countries.

In this backdrop, Gujarat National Law University (GNLU) organised a special lecture on one of the most important issues of the pandemic-stricken world, i.e. 'Protection of Human Rights during Corona Crisis'. The special lecture was delivered by Shri Saravanan Ganesan. Shri Ganesan currently works as a Coordinator in the Cultural Wing of the Embassy of India in Berlin (Germany).

Shri Ganesan mentioned that the International Covenant on Civil and Political Rights (ICCPR) guarantees

- Right to life
- Prohibition of torture
- Prohibition of slavery
- Right to liberty & fair trial
- Right to freedom of expression
- Right to peaceful assembly
- Prohibition of discrimination

While the International Covenant on Economic, Social and Cultural Rights (ICESCR) guarantees

- Workers' rights (right to work, remuneration, healthy working conditions)
- Right to social security and protection
- Protection of the family
- Right to an adequate standard of living
- Right to health
- Right to education
- Cultural rights.

Shri Ganesan said that the pandemic has led the world into a situation where the most basic of the rights of a human being are restricted by the various national governments to curtail the transmission of the highly contagious virus. This led to unprecedented restrictions that violated numerous human rights. He added that various economic, social and cultural rights have also been seriously affected due to the pandemic, the most important of them being the worker's rights. The pandemic induced a lot of layoffs and salary reductions, businesses were shut and there were almost nil employment opportunities. Such a situation particularly calls for state intervention in terms of social security. The right to health was also severely affected essentially because the pandemic brought the health infrastructures to the verge of collapse and access to healthcare impeded. Religious rights were affected with places of worship being closed. Education rights were affected with the classrooms going online, further creating a knowledge gap between the rich and the poor. The speaker further reiterated that the protection of human dignity is an essential aspect of human rights, even during emergency times.

Shri Ganesan emphasized the emergency provisions enumerated under the above-mentioned two covenants that render the restrictions on human rights to be acceptable in light of the pandemic situation. While restricting human rights in an emergency, Governments must ensure that emergency measures are legal, necessary for protecting public health and strictly proportionate to that aim. They should have a specific focus and a limited duration and take the least intrusive approach possible to protect public health. Further, they should not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin. He also emphasised that Governments cannot impose restrictions on the right to life, prevention of torture and slavery and the fundamental requirement of a fair trial even in times of emergency.

The lecture was followed by a Q&A session. The special lecture was coordinated by Dr RK Singh, Associate Professor of law at GNLU.

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