

CONFERENCE “LATVIA AND EUROPE AFTER VIRUS”

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Dear colleagues,

I will focus on the human rights dimension of the anti-pandemic measures – and possible consequences after the end of the pandemic. Mainly on the basis of the work done by the Council of Europe Parliamentary Assembly Committee on Legal Affairs and Human Rights I have an honour to chair. I will briefly mention some key points.

European states have responded to the pandemic in different ways. Some have introduced special measures without declaring a state of emergency. Most have declared a state of emergency as the basis for emergency measures. And a considerable number have also derogated from their obligations under the European Convention on Human Rights. Latvia was the very first to declare derogations. Legal experts expressed concerns about these measures, in particular, because they exclude a possibility to challenge restrictions of fundamental freedoms introduced in the course of anti-COVID measures before the Strasbourg court.

A state of emergency gives additional authority to the government and introduces special procedures for making laws. Several governments tend to exercise unlimited powers. The role of the other branches of government, namely parliament and the judiciary, must be safeguarded, and the activities of journalists, political activists and civil society must not be suppressed.

It is crucial to make sure that the state of emergency does not last longer than the emergency itself. The constitution, the ordinary law and the institutions of state must return to normal as soon as possible.

The situation of vulnerable groups is of special concern. This includes older persons, persons with disabilities, Roma, national minorities, migrants at sea, prisoners and immigration detainees.

We face a flood of information, misinformation and disinformation about the disease, the situation in different countries and the measures taken by national authorities. On the one hand, people need accurate information, but on the other, they can legitimately have different or critical points of view. The authorities must prevent dangerous misinformation, but - without violating freedom of expression.

Many courts conduct 'virtual hearings'. Rule of law and effectiveness of judiciary must be ensured even under the conditions of emergency.

Personal data must be protected in the course of fighting pandemic. The so called 'tracking apps' aimed at limiting the spread of coronavirus cause concerns of the data protection experts. In Latvia, using these apps is voluntary, on the other hand, in this case effectiveness of such apps becomes dubious.

Last but not least, the situation in various detention facilities, including prisons, psychiatric hospitals, centres for irregular migrants deserves serious attention.

This is just a short and incomplete list of human rights issues caused by the emergency measures. It is of vital importance to ensure that all fundamental rights are fully restored after the "virus era", this must be a priority for social democrats in Europe.

Thank you.