

COVID-19 | How the Inter-American Commission on Human Rights is responding to the pandemic

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With Covid-19, human rights bodies are needing to re-think their priorities and working methods. In a first ever webinar, ex and current members of the Inter-American Commission on Human Rights spoke to the Commission's efforts to keep relevant and effective in the face of the region's huge challenges.



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With over 1000 people tuning in, on 7 May an Inter-American Commission on Human Rights (IACHR) 'all stars' team of ex and current Presidents and Commissioners spoke to the IACHR's response to the Covid -19 crisis. Along with outlining rapid preventative responses, they highlighted a range of issues that the crisis has brought to the fore that the IACHR will need to address.

The pandemic has highlighted the deep inequalities in the region, said the Commissioners, with some governments taking a more authoritarian approach including in issuing a 'state of emergency' or 'health emergency' by decree with little oversight. Those States with weaker institutional 'counterweights' risk faring worse in dealing with the crisis. With States frequently seen to be paralyzed in finding appropriate responses, civil society has sought to fill the vacuum, reassert democratic values and use public space at a local level to demand rights.

With this context in mind, the IACHR acted as a 'space of conversation and commonsense' speaking rationally against 'falsehoods', said ex - IACHR President Grossman. The purpose of the IACHR, agreed Commissioners, was to save lives, place victims and the most vulnerable at the heart of all responses, and work to strengthen democratic institutions and processes.

On the IACHR's response to the crisis so far:

By mid-March the Commission had established a Rapid and Integrated Responses Coordination (SACROI, by its Spanish acronym) [SACROI Covid-19](#) - a specialist task force - which is monitoring responses from States, and identifying urgent cases for precautionary measures. The IACHR has received a multitude of requests for precautionary measures - designed to ensure a rapid response in serious and urgent situations - during the crisis.

Resolution 1/2020 '[Pandemic and Human Rights in the Americas](#)', adopted by the Commission in mid-April, provides wide-ranging policy recommendations for States. The IACHR states that human rights defenders and journalists' work and movement should not be restricted as they 'perform a key function during a public health emergency by reporting on and monitoring the actions of the State.' It has also issued a series of statements on the protection of the most vulnerable.

Commissioners highlighted the importance of the role of civil society in assisting the Commission with its work, including in providing up to date information. They urged States to recognize the value of expert advice to 'imagine' an appropriate response and urged civil society to provide states with recommendations that were as concrete as possible to encourage implementation.

On what the IACHR needs to do now:

'Covid-19 has shone light on problems that we have 'accepted' and shouldn't have', said ex-IACHR President Cavallaro. With that in mind, Commissioners discussed the need to 're-conceptualize' some of their work, including on the rights to health and to water and sanitation, in regard to people in detention, and on the issue of a living wage or universal basic income.

The ex and current Commissioners also noted that:

- Increased poverty as a result of Covid-19 could well lead to social disturbance which States may seek to control with force. The Commission will need to be vigilant and warn of disproportionate responses.
- Economic hardship may provide the pretext for arguments for privileging one right over another. The Commission could assist by applying a human rights approach to navigating competing interests
- States of emergency won't end automatically and the Commission needs to keep vigilant. 'The crisis isn't an opportunity for the State to do whatever it likes!' said Commissioner Piovesan.
- The Commission will need to work with CSO to prioritise cases related to victims of the current crisis seeking redress.
- The Commission should step up its accompaniment of States in the formulation of public policy based on best practice.
- The Commission should increase interactions within financial entities – such as the World Bank and the Inter-American Development Bank – that will have a role in States' economic recovery and need to be urged to work in line with the respect of human rights. The responsibility of businesses was also cited.
- The Commission should send cases to the Inter-American Court of Human Rights, so it can act in 'real time' in regard to the crisis.
- The impact of the Commission ultimately lies with the implementation of its recommendations, and coordination with civil society is key to that, as is retaining a permanent line of communication open with States. Next month the Commission will launch its 'follow-up system' with an emphasis on assessing the impact of its work.

Conclusion:

'Will Covid-19 change the world? Will we see police States established in the region? It is still unclear,' said Commissioner Urrejola Noguera, reflecting the depth of ongoing uncertainty.

Overall though, Commissioners ended on a note of optimism and resolve. Along with dangers, the pandemic provided opportunities to redefine approaches, they said. Those seeking to drive back human rights protections will seek to make the most of the moment – was the argument – but the Commission must do the same.

'We must be on the offensive not the defensive,' concluded Cavallaro.

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Photo: IACHR