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FACULTY OF LAW



LEGAL TRADITION AND NEW LEGAL CHALLENGES

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Book of Abstracts

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HUMAN RIGHTS IN STATE OF EMERGENCY: IN THE LIGHT OF THE CORONAVIRUS CRISIS

During a state of emergency governments need flexibility to address emerging threats and to exercise all power in the state to alleviate the situation. In certain emergencies, depending on the characteristics of the causative agents of such a condition, certain progressive policies must be adopted rapidly. The rapid adoption of such policies may well be the start of a much broader process curtailing human rights. Emergency measures could be abused and at the times become permanent which provide basis for widespread human rights violation and may even provoke a transformation to a totalitarian regime.

This paper will consider respect for human rights in global pandemic caused by coronavirus (COVID-19). Many countries have declared a state of emergency in their territories due to the global virus infection, but have otherwise defined the measures envisaged in response to the situation. Such measures directly relate to people who have thus been denied certain human rights. The work will analyze and compare this effects of specific measures taken in individual countries. Human rights protections were designed for moments such as certain global pandemia. They contain specific exemptions for situations in which the state needs to contain the spread of infectious disease. Has the way to fight coronavirus made them less relevant?

This paper will attempt to provide answers to the questions which are of great importance in the above context. Which human rights are directly affected by the measures adopted by the authorities of many countries in the fight against the pandemic? Do the general measures (considering a wide range of constraints-from general warnings to ordered isolations, from individual levels to the levels of entire cities and states) adopted by states to combat the COVID-19 pandemic disproportionately violate apropos

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strengthen the rights of certain (vulnerable) groups of people? Which are the systemic impacts within states that were in a state of emergency on human rights?

Keywords: human rights, state of emergency, state measures, infection disease, policies.

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