

UPDATE

Statement by the CESCR on Covid-19 and Its Human Rights Implications

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On 6 April 2020, the Committee on Economic, Social and Cultural Rights (CESCR) released a statement on the impact of Covid-19 and its implications for the enjoyment of economic, social and cultural rights. The Committee urges states to act within a human rights framework that recognises their commitment to international obligations when enforcing measures to curb the transmission of the virus.

The Committee highlights the indivisibility and interdependence of all human rights, and the effects of COVID-19 on all spheres of life – including the economy, social interaction, education, and production. While the pandemic is essentially a ‘global health threat’, the Committee notes that it is directly affected by housing, food, and water. The statement illustrates how marginalised groups are disproportionately affected by the pandemic, and notes that ‘no one should be left behind in taking the measures necessary to combat this pandemic’. The Committee also recognises the threat of the pandemic on deepening gender inequalities, as women are still largely burdened with the care of the young, old and sick.

The Committee reiterates that states are obligated to take measures to mitigate the effects of the pandemic. They have to ensure that the emergency measures taken are reasonable, proportionate and in line with international human rights standards. These measures should be based on the best available scientific evidence and aimed at ensuring the fulfilment of human rights obligations, particularly public health. Accordingly, the Committee calls on states to use their maximum available resources to respond to the pandemic equitably.

Interestingly, the Committee notes that ‘health-care systems and social programmes have been weakened by decades of underinvestment’ and consequently are ‘ill-equipped to respond effectively ...with the intensity of the current pandemic’. With this in mind, the Committee urges states to adopt appropriate measures focusing on the public health system, decent work, social protection, sanitation, food and water.

In doing so, states are urged to protect marginalised groups, provide accurate and accessible information about the pandemic, and increase international assistance and co-operation in consideration of ‘fragile countries’ and extraterritorial obligations.

The Committee highlights that these measures are necessary both for immediate purposes as well to ensure that ‘the world is better prepared for future pandemics and disasters’.

For more information, visit <https://undocs.org/E/C.12/2020/1>

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