

**Russian NGO
Committee Against Torture**



**Restricting the rights of citizens in the member states of the
Council of Europe amid the COVID-19 pandemic**

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This review was prepared by the Staff of the Committee Against Torture on 14 April 2020.

The review consists of two sections. The first section reveals the general restrictions on human rights under the European Convention on Human Rights and Fundamental Freedoms in crisis situations.

The second section includes an analysis of the situation with restrictions on rights caused by a global coronavirus pandemic.

This review may be useful for lawyers of human rights organizations, defense lawyers, law enforcement officials and all those professionals interested in human rights issues in crisis situations.

Part I

General provisions

As it is widely known, the European Convention on the Protection of Human Rights and Freedoms (the Convention) is an international treaty enshrining basic human rights and freedoms and acting for countries of Council of Europe. The signatories and states ratifying the treaty, must comply with its provisions.

A number of rights and freedoms guaranteed by the Convention are of absolute character. This means that such rights cannot be restricted under any circumstances. For example, there is no limit to obligations to ensure rights such as:

- the right to life (Article 2 of the Convention), including obligations under the abolition of the death penalty (Articles 1, 2 and 3 of the Protocol 6, Articles 1 and 2 of the Protocol 13 to the Convention), except for death cases as a result of legitimate military action;
- Prohibition of torture, inhuman or degrading treatment or punishments (Article 3 of the Convention);
- Prohibition of slavery and servitude (Article 4 (1) of the Convention);
- Conviction for an act that was not recognized at the time of its commission Criminal Offence (Article 7 of the Convention);
- Re-conviction or criminal punishment (Article 4 of the Protocol 7 to the Convention).

As far as most of the remaining rights are concerned, their implementation may be limited. And these restrictions can take different forms.

First of all, a number of restrictions are an inalienable being part of the guaranteed rights, indicating that the relevant right does not apply to exceptional cases. For example, according to the convention language, ownership may be restricted "in the public interest" (Article 1 of the Protocol 1 to the Convention); the right to equality of spouses allows the state to take such restrictive measures, which are "necessary for "Children's interests" (Article 5 of Protocol 7 to the Convention); Right to privacy allows for restriction when interference "provided by law and is necessary in a democratic society in the interests of national security and public order, economic well-being of the

country, in order to prevent unrest crimes, for health or morality or for the protection of rights and the freedoms of others" (Articles 2, 8 of the Convention); right to freedom and personal immunity contains a whole list of exceptions, among them, for example, there is a restriction in the form of a "legitimate detention under the prevention of the spread of infectious diseases (Article 5-1(e) of the Convention).

If the law is not absolute, then in addition to the restrictions, provided directly, the Convention also contains a rule of retreat from the commitment to a special basis - namely, *in connection with the emergency circumstances*. This provision is very important in situations where people may be particularly vulnerable to possible abuses by the authorities. Such situations are of exceptional nature and are described by the European Court of Human Rights as Crisis.

Article 15 of the Convention, for example, states:

"In the event of war or other extraordinary circumstances, endangering the life of the nation, any of the High Contracting Parties may take steps to deviate from its obligations under the present Conventions only to the extent that is due to the extreme circumstances, provided that such measures do not contradict its other obligations under international law."

As can be seen from the text of Article 15 of the Convention, a deviation from the obligations respect for rights that are not absolute, is possible only if a number of conditions are met.

First, it is the existence of war or other extraordinary circumstances, endangering the life of the nation. The European Court of Human Rights (further - The Court, ECHR) defined the extraordinary circumstances as an "exceptional situation of crisis or extreme danger that affects the entire population and poses a threat to the organized society" (*see Lawless v. Ireland, No. 332/57, § 28, July 1, 1961*). At the same time, the danger should be so great that the usual measures permissible under the convention turn out to be clearly unsatisfactory. Not only the state has reason to believe that such a danger exists -- it must really exist.

Threat assessment is determined by the Court based on specific circumstances and its threshold appears to be quite low.

For example, in “A. and others v. United Kingdom”, the ECtHR regarded the threat of terrorist acts as a sufficient basis for the state's deviation from its obligations, deeming the threat "inevitable" because such attacks could be carried out "in any time." Despite the fact that at the time of the retreat from the commitments, not a single terrorist attack was carried out in the United Kingdom, the court in this case found that the requirement of danger applied in this case, with regard to future threats and "cannot be interpreted so narrowly as to oblige the state to wait for the onset of disaster, before taking steps to overcome it" (*see A. and others v. United Kingdom, No. 3455/05, §177, February 19, 2009*).

When it comes to considering deviations in accordance with the Article 15 of the Convention, the Court grants national authorities broad discretion to decide on the nature and amount of retreating measures needed to prevent an emergency Situation. However, ultimately it is up to the Court to assess whether these measures are "strictly binding."

In particular, where a retreat from fundamental rights of convention, such as the right to freedom and personal integrity, the Court must ensure that the measure was fully justified by the special circumstances of the emergency situation and that adequate safeguards had been provided against any abuse. (*see A. and others v. the United Kingdom, No.3455/05, §184, February 19, 2009*).

Let's take a closer look at how this works in cases of interference in the right on freedom and personal integrity.

In the recent case of *Bas v. Turkey* (*see Bas v. Turkey, No. 66448/17, 3 March 2020*) the complainant claimed that he had been deprived of freedom in violation of domestic law and in the absence of reasonable suspicion a crime committed by him. Interference in the applicant's right to freedom was exercised during the period of state of emergency in Turkey declared in connection with the attempt to coup d'etat in 2016. The Turkish government has stated that the fact that the applicant is detained should be assessed in the light of the circumstances that led to the declaration of a state of emergency (§ 140 of the Judgment).

The Court rejected the arguments of the authorities and considered that the detention of the complainant has nothing to do with the measures taken to deviate from the Convention during a state of emergency in Turkey. The applicant was detained on suspicion of belonging to an armed terrorist

organization, which is a crime punishable by the relevant articles of the country's Penal Code. Acting in this case the legislation has not undergone any changes during the emergency situation. The measures against which the complainant submitted his complaint, in this case were adopted "on the basis of legislation that was in force prior to, during and in fact, after the declaration of a state of emergency, and which are still applicable" (*§ 159 of the Judgment*).

In this regard, the Court concluded that the decision to place the applicant remanded in custody pending trial, which was not accepted "in accordance with the procedure, as required by law," cannot be named strictly as required by virtue of emergency situations (*§ 161 of the Judgment*).

The Court also assessed the validity of the measures and noted that pre-trial detention orders for the applicant and the evidence presented is insufficient to state that there is a reasonable suspicion of the applicant at the time of his arrest (*§ 195 of the Judgment*) and consider that the measure under consideration was strictly prescribed by the severity of the situation (*§ 200 of the Judgment*).

In an earlier case, the Court noted that the difficulties Turkey was facing since military coup attempt of July 15, 2016 is undoubtedly the contextual factor that the Court should take full account of in applying the Article 5 of the Convention. However, this does not mean that the authorities have carte blanche to detain anyone during the state of emergency without any verifiable evidence, or without sufficient factual basis, to satisfy the requirements of the validity of suspicion (*see Alparslan Altan v. Turkey, September 9, 2019, No. 12778/17, § 146*).

In this context, the Court, among other things, considers¹ whether there was enough generic legislation to eliminate the dangers of state of emergency (*see Ireland v. the United Kingdom, no. 5310/71, 18 January 1978, § 212*).

The Court also draws attention to whether the measures imposed for the legitimate purpose were used appropriately as intended (*see Lawless v. Ireland, No. 332/57, July 1, 1961, § 38*).

The retreat from the commitments is temporary, but it is not a mandatory requirement and the Court is of opinion that time period does not have to be

¹ See ECHR Guide to Article 15 of the Convention (December 31, 2019), p. 8-9 electronic version by the Link: [echr.coe.int/Documents/Guide_Art_15_ENG.pdf](https://www.echr.coe.int/Documents/Guide_Art_15_ENG.pdf)

limited with specific dates. In other words, the Court allows "the ongoing situation".

Thus, in the case mentioned above, "A. and others against United Kingdom" Court noted that its case-law does not directly include the requirement that a state of emergency be necessarily temporary, although the question of the proportionality of the response may be directly related to the duration of the state of emergency. However, lack of a clear time frame for emergency circumstances does not make deviation from obligations automatically unlawful (*see A. and Others v. the United Kingdom, No.3455/05, 19 February 2009, § 178*). Thus, the Court notes the importance of periodic control, but does not absolutize this requirement.

The Court also takes into account the geographical coverage of the crisis Situation. Thus, in *Lawless v. Ireland*, the Court described "exceptional crisis situation,... that affects the entire population" (*see Lawless v. Ireland, July 1, 1961, No. 332/57, §28*).

However, this standard was subsequently somewhat weakened. So, in *Aksoy v. Turkey*, the Court found in its analysis of the crisis situations that the relevant events may affect the entire population only in part of the state (southeastern region of Turkey) and that deviation from obligations may be limited to this part of the territory (*see Aksoy v. Turkey, 18 December 1996, No. 21987/93*).

However, if action is taken outside the territory where was declared a retreat, then such a retreat would not be legitimate, and the government will not be able to rely on it to justifications for their restrictive measures (*see Sakik and others v. Turkey, 26 November 1997, § 39*).

Finally, there is a formal requirement: to retreat from Article 15, on the basis of Article 15 measures and reasons for their adoption, as well as the date of the termination of such measures and to re-applying of the Convention in full, the Secretary-General of the Council of Europe should be informed (Article 15 (3) of the Convention). Such an alert should follow in short timeframe. Measures taken before the official notification of the retreat from obligations will not be taken into account by the Court.

Despite the general approach of the "broad field of discretion" of the state and a high level of confidence in the assessment of the situation by national authorities, this approach is not unlimited.

For example, in the so-called "Greek case" concerning restrictions citizens' rights under the "black colonel" regime, the Commission, which was functioning as a Court, found that on the basis of the evidence she has obtained there were no grounds for any emergency situation that would justify Greece's retreat from compliance with human rights (*see Commission report of 9 April 1992, the Greek case, §§159-165, §207*).

In connection with the above, it is logical to suggest a slightly different situation: no official state of emergency is declared by the state within the country, but in reality rights are limited with some, perhaps more lenient measures than might be assumed would be in place under the state of emergency, but imposed on the same principle and for the same purposes. Does this mean that such an "unofficial" crisis situation will be equated by the Court to an emergency situation in justification of restrictions imposed or, conversely, will be automatically rejected by court because of insufficient "officiality" within the country?

The fact is that the state retreat under Article 15 of the Convention does not depend on declaring of the official status of a state of emergency or any similar regime at the national level. The state could count on the legality of retreating from its obligations in the crisis situation, only in case if the government informs the Council of Europe, in due course, about deviation from compliance with rights, even if there is no official declaration of state of emergency.

But, as has been shown before, any measures in which the authorities notify the Council of Europe of the retreat from its obligations, must have a clear basis in domestic law to protect against arbitrariness and should be strictly necessary to deal with a specific crisis in country. These measures do not imply actions that would go against the requirements of legality and proportionality. Any interventions that do not meet the given criteria would constitute human rights violation.

The situation is hampered by the fact that the Court is not competent to assess legality and proportionality of restrictive measures imposed by the state, as long as the Court does not receive an individual or interstate complaint of human rights violations caused by introduced measures. This inevitably causes a delay in controlling by the international body of the measures undertaken by the state, sometimes the assessment of proportionality or necessity may take a few years.

Part II

The COVID-19 pandemic as a factor influencing to deviate from human rights obligations

In the context of pandemic² coronavirus infection, the issue of restriction of the rights and freedoms of citizens seem very relevant.

Today, due to the coronavirus pandemic nine countries³ notified the Secretary-General of the Council of Europe about deviation from the obligations of Article 15 of the Convention.

Thus, the Armenian⁴ authorities reported that in response to the global outbreak and spread of the COVID-19 virus the country declared a 30-day state of emergency throughout the country on March 16, 2020 and the measures taken during the state of emergency may include deviation from the convention's obligations. From the text presented the decision by the authorities to declare a state of emergency shows that the measures may include restrictions on rights such as:

- The right to personal freedom;
- The right to free movement;
- Ownership rights;
- Other rights and freedoms as needed and established by law.

Estonia⁵ also reported a retreat from its commitments vis-a-vie the Convention. From March 12, 2020 to May 1, 2020 (unless another decision is adopted) the government has declared an emergency regime in the country to combat the spread of coronavirus. The measures undertaken by the Estonian authorities include distance learning and ban on public meetings. All visits are cancelled to the social welfare agencies, hospitals and detention facilities. March 14, 2020 additional restrictions on travel to some Estonian islands have been imposed. Restrictions have also been placed on leisure activities. On March 15, 2020, a decision was taken to limit crossing into Schengen area, temporarily border controls have been introduced.

² The World Health Organization on 11 March 2020 described the COVID-19 situation as Pandemic.

³ <https://www.coe.int/en/web/conventions/full-list/-/conventions/webContent/62111354>

⁴ <https://rm.coe.int/16809cf885>

⁵ <https://rm.coe.int/16809cfa87>

The authorities noted that some of these measures may lead to deviation from certain obligations, in particular from:

- Right to personal freedom and personal integrity;
- The right to a fair trial;
- The right to respect for private and family life;
- Freedom of assembly and association;
- Property rights;
- The right to education;
- Freedom of movement.

Georgia⁶ is also among the countries that have exercised the right to deviate from their obligations under the Convention. On March 21, 2020, state of emergency for 30 days throughout the country was announced. The Government is taking measures such as: suspending educational process, transferring public servants to remote work, gradual restriction of air and ground movement, the establishment of quarantine procedures and self-isolation, closure of ski resorts, the cancellation of various large-scale cultural and sport events, the closure of a number of shopping facilities, suspension of visits to prisons, etc.

Georgian authorities said restrictive measures are limited the following rights:

- The right to freedom and personal integrity;
- The right to respect for private and family life;
- Freedom of assembly and association;
- Property rights;
- The right to education;
- Freedom of movement.

Interestingly, in 2006, Georgia also used the right to deviation from commitments due to the spread of avian influenza⁷ restricting people's rights, such as property rights and freedom of movement.

The Latvian⁸ authorities, in accordance with Article 15 of the Convention, have retreated from its obligations through the announcement, from March 12 to April 14, 2020. The state of emergency throughout the country due to the

⁶ <https://rm.coe.int/16809cff20>

⁷ <https://rm.coe.int/0900001680650951>

⁸ <https://rm.coe.int/16809ce9f>

pandemic coronavirus infection was declared. The Latvian government has introduced measures such as: suspension of schooling, restricting access to hospitals, social care facilities and places of detention, the abolition of all public events, restricting the movement of people. Application these measures gives grounds for a derogation from the following obligations:

- The right to respect for private and family life;
- Freedom of assembly and association;
- The right to education;
- Freedom of movement.

The Republic of Northern Macedonia⁹ notified the Council of Europe of retreat from their obligations under the Convention and on 18 March 2020 declared a state of emergency throughout the country for a period of 30 days. The Government has publicly stated that some human rights and fundamental freedoms may be temporarily restricted indefinitely. Measures taken by the Government include: suspension of regular training and its replacement with remote home training, restricting public gatherings, closing museums, theatres and cinemas for visitors, cancellation of performances and conferences, suspension of international passenger air travel, special regime movement throughout the country, as well as additional restrictions on any movement. The use of these measures may affect implementation of the following rights and freedoms under the Convention:

- The right to respect for private and family life;
- Freedom of assembly and association;
- The right to education;
- Freedom of movement.

Republic of Moldova¹⁰ announced decision to declare state of emergency on 17 March 2020 as a critical measure to fight the spread of COVID-19. The state of emergency was imposed for 60 days, from March 17 to May 15, 2020. Measures already in place or planned for a gradual implementation, entail, or may entail, restrictions on the basic rights and freedoms, including: establishing a special entry and exit regime to and from the country, the special regime of movement within the country, suspension of activities of educational institutions, introduction of quarantine regime and ban on organizing mass events. According to the authorities, the implementation of the measures may

⁹ <https://rm.coe.int/16809e1288>

¹⁰ <https://rm.coe.int/16809cf9a2>

affect the implementation of the following rights and freedoms under the Convention:

- Freedom of assembly and association;
- The right to education;
- Freedom of movement.

Albania¹¹ reported to the Council of Europe on 11 March 2020 that the country has declared epidemic of coronavirus and subsequently a number of steps were undertaken. However, the further increase in the number of infected persons required the adoption of additional measures. Special administrative measures were introduced on 15 March for the duration of the COVID-19 quarantine.

In addition, on March 24, 2020, the authorities decided to introduce a special regime of ongoing disaster to contain the spread of the virus COVID-19 throughout Albania. The Albanian authorities indicated that the number of restrictive measures include: the gradual restriction of air, land and sea traffic, suspension of the studies at the schools, establishment of quarantine procedures and self-isolation, restriction on public events, restriction of the Property rights, special regulation of the provision of public services and court proceedings.

Romania¹² reported that on March 16, 2020, a state of emergency throughout the country was announced. Initially the state of emergency lasts 30 days with possible later extension. Some of the measures taken in this context are related to deviations from the commitments of the Convention. The Romanian authorities later informed the Secretary General about the Additional Measures undertaken by the government¹³. No specific restrictions and measures were communicated by the authorities in the notice to the Secretary General of the Council of Europe.

Serbia¹⁴ declared a state of emergency on March 15, 2020. The authorities noted that the measures taken by the Republic of Serbia contain certain retreat from some of the provisions of the Convention. No specific restrictions and

¹¹ <https://rm.coe.int/16809e0fe5>

¹² <https://rm.coe.int/16809cee30>

¹³ <https://rm.coe.int/16809e16bf>

¹⁴ <https://rm.coe.int/16809e1d98>

measures were mentioned by the authorities in the Notice to the Secretary General.

Thus, most of the states that have taken advantage of Article 15 of the Convention and declared a retreat from its obligations in the human rights in the wake of the coronavirus pandemic. The state of emergency regime has been announced in most of the countries and relevant notifications were presented to the Council of Europe, describing the measures undertaken, also listing those rights under the convention that are limited or may be limited. Governments also submitted relevant documents and described the domestic legislative framework, on the basis of which restrictions have been imposed.

The extent of the response to the COVID-19 varies considerably from state to state. Since it appears that the measures of exceptional nature in the current situation may indeed require a partial withdrawal from several commitments of the convention there should be some kind of international monitoring of the situation.

It is important to properly assess whether the deviations suggested or implemented by the authorities are correct and correspond to the needs stemming from the specifics of the situation. The states must have an opportunity to come up with an adequate assessment of this issue and it is "an important feature of the system allowing the Convention to continue to be applied and its oversight mechanism even in the most critical moments."¹⁵

Russia is not yet among the countries that have declared a retreat from their obligations under Article 15 of the Convention and notified the Council of Europe Secretary General. However, restrictions on a number of rights under convention in Russia and its regions have been de facto already introduced to varying degree due to the spread of coronavirus.

Thus, in almost all Russian regions, the so-called "regime of high alert" is introduced due to the pandemic. This mode can restrict rights such as:

- The right to freedom and personal integrity;
- The right to a fair trial;
- The right to respect for private and family life;
- Freedom of speech;
- Freedom of assembly and association;

¹⁵ CM Reply to PACE recommendation 2125 (2018).

- The right to education;
- Freedom of movement.

Currently, the nature of the restrictions imposed by the Russian "High Alert regime " are not subject to provisions of Article 15 of the Convention because the Russian authorities have not issued any official statement on this matter. Accordingly, any intervention triggered by the "high-alert regime" cannot be justified by the authorities under procedures of Article 15 of the Convention.

However, as indicated in section one of this review, the Convention itself directly allows for restrictions on most of its rights - for example, on the basis of the "need for a democratic society in the interests of national security and public order, "legitimate detention of persons in order to prevent the spread of infectious diseases" et al. It is obvious that the conditions of the global pandemic of coronavirus may well match these definitions.

It is important that the restrictive measures imposed in the country are in line with the criteria developed by the Court in its practice. It is also important to recall that the authorities still have the duty to respect the absolute nature of human rights provided by Convention, even in the face of a pandemic, for example, the right to freedom from torture and ill-treatment and the right to life (in the part in which this right is not subject to restriction under the Convention) shall remain non derogation under any condition.

Moreover, the protection of these rights in the face of the coronavirus pandemic needs to be strengthened in favour of compliance - in particular, implementation of positive obligations of the state to protect people under public care, as well as seriously ill patients, the disabled or the elderly people, from the risks of this deadly disease and any possible pandemic-related suffering. This means that the state must not only refrain from violations in this field, but also actively take effective actions to protect the lives and health of citizens, as well as to prevent any kind of ill-treatment that may result from pandemic, whether direct or indirect.

On 7 April 2020, The Secretary-General of the Council of Europe, Maria Pejchinovic Buric presented to the member states of the Council of Europe, relevant tools on human rights, democracy and rule of law during the CRISIS caused by COVID-19. In this case, the document noted that, in the context of the current pandemic, patients' access to quality medicines is more important than

ever.¹⁶ This important guarantee must be carefully respected by the authorities today. Lack of such access can be seen as a failure to comply with positive obligations of the state.

The toolkit also notes that states are requested to inform the public of the known risks associated with the pandemic and measures to prevent the spread of the disease.

In addition, it is important for states to comply with an absolute ban on ill-treatment in places of deprivation of liberty. On March 20, 2020 the European Committee for the Prevention of Torture (CPT) has published "The principles of the treatment of persons in places of deprivation of liberty, in the context of the coronavirus pandemic (COVID-19)." These principles are recommended for application in police departments, penitentiary institutions, immigration detention centres, psychiatric hospitals and social care facilities, as well as in various specialized institutions established recently, where individuals are quarantined due to the spread of the COVID-19 virus. This document emphasizes that the government's protective measures should not lead to inhuman or degrading treatment of people in those places of deprivation of liberty. The CPT also insists that the authorities should respect the important principles such as:

- The need to take all possible measures to protect health and security for all persons in places of deprivation of liberty. Acceptance of such measures shall also protect the health and safety of staff;
- The importance of having relevant staff in place, staff should be provided with professional support in terms of protection of their health and security, as well as receive relevant training to be able to continue to perform their tasks in the places of deprivation of liberty;
- Because close personal contact contributes to the spread of virus, all the authorities should agree to take measures to alternatively release people from detention. In addition, the authorities should resort more often to alternatives of imprisonment especially in pretrial cases, as well as reducing prison terms, parole and probation. They should re-consider the need to continue involuntary placement of persons in psychiatric hospitals, consider the possibility of discharge or provision of a community health-care assistance to

¹⁶ Page. 5 of the doc: <https://rm.coe.int/sg-inf-2020-11-respecting-democracy-rule-of-law-and-human-rights-in-th/16809e1f40>

people in social security institutions. Also, the authorities should refrain as much as possible from detention of migrants;

- The need to focus on special needs persons in places of deprivation of liberty, and in particular vulnerable groups and groups at risk - elder people and those with known chronic diseases. This includes, among other things, screening for COVID-19 and providing access to intensive care for those in need. In addition, persons in places of deprivation of liberty, should receive additional psychological support;

- Any restrictions on contact with the outside world, including visits, must be compensated by increased access to alternative means of communication (such as phone or voice over the Internet);

- In cases of isolation or quarantine of persons with confirmed or suspected COVID-19 infection a meaningful contact with other people on a daily basis should be guaranteed;

- States must continue to grant access monitoring authorities to all places of deprivation of liberty, including those where individuals are quarantined.¹⁷

It is worrying that the deviations caused by the pandemic may affect the right to freedom and personal integrity. The Article 5.1 (e) states that a reason for placing a person in deprivation of liberty is considered as a preemptive measure to tackle the spread of infectious diseases.

Before resorting to such measures, the authorities must ensure a respective legal framework and "consider whether measures that amount to deprivation of liberty are strictly necessary vis-a-vie any less stringent alternatives. Duration of deprivation of liberty and how it is implemented in practice are important in this context..."¹⁸. Prolonged police custody or lengthy judicial review of the issue of deprivation of liberty may lead to human rights violations.

Fundamental ban on detention without legal grounds or timely judicial review, as well as the need for providing detainees with basic procedural safeguards, such as access to a doctor, lawyer or next of kin must be under the scrutiny of the authorities under the current circumstances.

¹⁷ <https://rm.coe.int/16809cfa4d>

¹⁸ See Page 6 e-document by link: <https://rm.coe.int/sg-inf-2020-11-respecting-democracy-rule-oflaw-and-human-rights-in-th/16809e1f40>

States also "continue to have a common obligation to ensure that trials correspond to the fundamental principles of justice."¹⁹

The authorities need to respect these principles and be guided by them in the designing and application of restrictive measures in the face of the coronavirus pandemic. The measures taken should not only be aimed at combating pandemic caused by the COVID-19 virus, which is certainly the most important goal, but also to protect the democratic order from threats and ensure that human rights are respected at the highest level in times of crisis.

¹⁹ IBID