

GOVERNING COUNCIL STATEMENT

26 June 2020

The COVID-19 pandemic (the pandemic) has significantly impacted on all aspects of public life, spanning health, social, economic and political spheres, as well as exacerbating inequalities. Hundreds of thousands of lives have been lost. The pandemic has also put democracy at risk in many countries around the globe. In some cases, measures to address the pandemic are being misused to restrict civil liberties, centralize power, manipulate electoral processes, reverse gender equality gains, and expand exclusionary practices against marginalized groups and persons. Emergency measures may be necessary to protect public health, but they should be evidence-based, proportionate to the public health risk and short in duration, and reconsidered regularly as the situation evolves, with the aim of leaving democratic procedures and human rights in full force. They should also be weighed against other potential consequences for people and the society at large.

External threats from authoritarian influences are exploiting this situation by spreading disinformation and misinformation, which risks weakening democratic governments and societies, and undermining the rules-based international order.

Democratic systems of governance built on respect of human rights strong institutional capacity, transparency and trust have the best basis to overcome crises and build back sustainably.

Twenty years ago, this month, 106 nations adopted the Warsaw Declaration, and recognized the universality of democratic values, founding the Community of Democracies, with the idea that democracy does not move only from triumph to triumph, but will continue to address changing situations and new challenges. Democracies should respond to the pandemic through renewed adherence to democratic principles as outlined in the Warsaw Declaration.

International solidarity and continued cooperation among governments, electoral management bodies, international and regional organizations, civil society, private sector and academia are necessary, now more than ever if we are to fully understand the scope of the crisis and implement an effective recovery. The democratic principles of the Warsaw Declaration should guide our response and recovery from the pandemic.

Ensuring free and fair elections (Principle 1). The role of credible and independent electoral authorities is crucial, since they are in charge of the organization of the elections, and they aim to guarantee the protection of the political and electoral rights of citizens and resolve controversies that arise in electoral matters, providing stability to democracies. During the pandemic, they have an important role in determining when and how an election should take place, to uphold democracy and prevent the spread of the virus. In addition, during elections, civil society plays a major role, along with electoral institutions, in monitoring the legitimacy of the results. In this regard, members of the Community of Democracies reaffirm their commitment to support the role of electoral management bodies and civil society in their respective countries.

Ensuring the right of every person to equal access to public service (Principle 2) and to equal protection of the law without any discrimination (Principle 3) is crucial during crises. It is especially important to ensure that existing health and social protection programmes are maintained, in particular for women and girls and persons belonging to marginalized, vulnerable or minority groups. Members of these groups should be consulted in policymaking on the response and building back afterwards.

Times of crisis are particularly detrimental to vulnerable peoples, among them conflict-affected populations living under already dire humanitarian conditions with extremely poor, or non-existent public services, including health-care systems. Elimination of any impediments to the delivery and access of humanitarian assistance to the residents living in conflict-affected zones, while respecting States' international obligations, is of utmost importance for alleviating their heavy plight.

Public access to information is crucial during crises. It is critical for governments to issue transparent, accurate and timely information and to respect the right of every person to freedom of opinion and of expression, including to exchange and receive ideas and information through any media (online and offline), regardless of frontiers (Principle 4).

Internet access is essential to ensuring that information reaches those affected by the virus. Governments should end and prevent any internet shutdowns, ensure the broadest possible access to Internet services, and take steps to bridge digital divides, including the gender gap.

Free and independent media contributes to an informed society, which is particularly important during the pandemic. (Principle 7). This cannot be achieved without respect for the right of the press to

collect, report and disseminate information, news, and opinions, subject only to restrictions necessary in a democratic society and prescribed by law.

Governments should end any restrictions on journalists and media workers from reporting on the COVID-19 crisis, and address disinformation by providing reliable information.

Every person has a right to equal access to education (Principle 6). This is especially important in time of crises and social lockdown. Continuity of education should be secured, focusing also on ensuring appropriate remote/online learning for all.

Civil society is a key partner of governments in responding to crises, as it plays a vital role in raising awareness, disseminating information, framing inclusive policies, advocating for the protection and promotion of human rights and fundamental freedoms, providing much needed support to vulnerable communities, and holding governments accountable. Civil society organizations are also critical for governments to understand the views, effects, and policy responses to the disease in marginalized and vulnerable communities.

During this time when physical assemblies and gatherings have, in some cases been restricted, freedom of peaceful assembly and association (Principle 9) must be ensured online as well as offline, in order to enable the continued engagement of civil society and citizens.

The right of every person to respect for private family life, home, correspondence, including electronic communications, free of arbitrary or unlawful interference, should be respected during challenging times. (Principle 8)

Crises may require extraordinary measures. Nevertheless, in democracies these measures must be compatible with the respect of human rights, the rule of law and the constitution. The Warsaw Declaration emphasizes that elected leaders should uphold the law and function strictly in accordance with the constitution and procedures established by the law (Principle 13).

Transparent and participatory government institutions that are fully accountable to the citizenry (Principle 16) are vital to build trust in an emergency. Measures taken concerning crises in a country, including information on specific limitations and requirements placed on individuals, should be

designed in collaboration with civil society, disseminated and explained, and subjected to judicial and parliamentary oversight ensuring checks and balances.

While the rapid spread of COVID-19 and its consequences to public health and the global economy remain an enormous challenge, democracies are best equipped to mobilize and ensure that all elements of society work together, adapt to new circumstances, and maximize inclusive joint efforts, including full and meaningful participation of women and youth in decision making, to deal with the crisis while ensuring that “all human rights, civil, cultural, economic, political and social be promoted and protected” (Principle 19).

Assisting each other in economic and social development, including eradication of poverty, during this time, is an essential contributing factor to the promotion and preservation of democratic development. Democracy, with its openness and accountability, is best suited to protect public health, while ensuring protection of human rights and fundamental freedoms at the same time.

In this context, it is essential that democracies lead by example and act in strict conformity with their human rights obligations. Any emergency measures implemented to address the pandemic should be strictly necessary for the protection of public health, lifted as soon as practicable, and should not be used as an excuse to silence, target, or harass members of the population.

Times of crisis can also be an impetus for change. The mobilization of civil society, innovations to democratic processes, and demands for reformed institutions and increased accountability point to opportunities for positive developments emerging from the pandemic.

On the occasion of the 20th anniversary of the Warsaw Declaration, we reaffirm our commitment and immutable support for its principles. We will continue to heed the call to promote democracy and to speak against trust-eroding factors.