April 9, 2020

IMMEDIATE PRESS STATEMENT ON COVID-19 HEALTH EMERGENCY

Monrovia- Distinguished members of the press, the Independent National Commission on Human Rights (INCHR) notes with gratitude, the robustness which has characterized the working of our concerted national health team comprised of the National Public Health Institute of Liberia (NPHIL) and the Ministry of Health (MoH). The evidence is glaring that such concerted effort has transitioned our nation not only to a heightened awareness level but also to an appreciable prevention level of COVID-19 using and emphasizing compliance with all the health protocols. This effort is laudable on the part of the Government and the INCHR joins the voices of reason to call on all our citizens and residents alike to respect and abide by all regulations aimed at keeping the population safe.

The INCHR’s Act of 2005 provides that, ‘the Commission shall have general competence to protect and promote human rights in the Republic of Liberia according to the provision of the Act, the Constitution of Liberia, and other relevant laws of Liberia.’ This broad mandate gives the Commission authority to oversee all matters that anchor on human rights throughout the Republic of Liberia. Art. 4 (3) empowers the Commission ‘to submit to the Government, Senate and any other competent body, on an advisory basis, either at the request of the authorities concerned or on its own motion, opinions, recommendations, proposals and reports on any matters concerning the protection and promotion of human rights.

The INCHR therefore recommends the followings:

a. The Government’s declaration of the state of emergency(SOE) (public health emergency) should uphold the principle of legality and rule of law. The declaration and subsequent coming into force of the state of emergency should
ensure transparency and prevent arbitrary derogation. INCHR, calls on the National Legislature that its Resolution authorizing the President to enforce the SOE, to clearly spelt out those rights to be affected. The suspension or derogation of rights under international human rights standards, should be expressed and not implied. This will allow INCHR and other human rights groups to monitor and ensure that the enforcement is strictly in line with public health;
b. That we appreciate the call for the military to assist in the enforcement of the public health emergency, however, the Commission states emphatically that when the military is called to perform “law enforcement functions”, it is equally held liable for any violation of international human rights and humanitarian laws.
c. That health facilities are made accessible to all Liberians and residents without discrimination. The government should initiate a low-cost targeted program for poor and disadvantaged persons to access medical facilities;
d. The Government in collaboration with international partners, develops communication/awareness strategies to inform the population about COVID-19 and its response; as much as possible the communication strategy should include languages/messages that are easily understood by Liberians and residents. This means also that persons living with disabilities, including those with hearing and listening impairment, are considered in this messaging.
e. The Government’s approach should be gender-sensitive, especially women. Priority for testing pregnant women with COVOD-19 symptoms, isolation of pregnancy wards from COVID-19 and extra care for women in delivery should be considered. The protection of Sexual Reproductive Health Rights of women is critical during this time of the pandemic. Access to safe delivery, use of contraception, treatment of STIs should be made available at all times.
Hence, the Government should ensure that there is enough information for women to access hospital maternity facilities without fear and the misconception about the spread of the COVID-19.

f. Adequate safe water reduces the risk of diseases. With global health authorities’ recommendations about hand-washing, the Government should ensure adequate supplies of safe water. In this regard, the Government should suspend the payment of or reduce bills for water supply and ensure that communities have water at all times for hand-washing, consumption, cooking and domestic hygienic use.

g. The government should consider as a priority the issue of those held in prison facilities. The decongestion of prisons will help mitigate the spread of COVID-19 since detention facilities are not feasible for distancing and isolation. The applicable criminal procedure law regarding bail and alternative non-custodial measures should be encouraged and enforced.

h. The Economic and social impact of the COVID-19 is colossal. Measures such as stay-home and social distancing have a serious economic impact, especially for vulnerable people. The Government's recent pay-leave for non-essential staff is a welcome development. However, the sky-rocketed prices of basic commodities in the face of these measures are unbearable. The government should discuss means to reduce the prices of basic commodities such as rice, transportation, etc.

i. Those who are affected and survivor of COVID-19 stand the risk of stigmatization and discrimination. The government must design appropriate strategies with civil society to address stigmatization by applying the relevant laws. Awareness and education of the virus are critical to the reduction of stigmatization and discrimination.
The Independent National Human Rights Commission (INCHR) consistent with its mandate, avails itself to the Government in whatever feasible way to help in awareness-raising and technical support that will guide the Government in the application of human rights-based approach in the planning and programming of the fight against COVID-19 at this crucial period, so that no one is left behind.

Distinguished members of the press, I thank you.