



Summary of 2nd e-Discussion “Accountability, Rule of Law and Human Rights” SDG 16 Trends and Emerging Issues in the Context of COVID-19

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Background: This e-Discussion has highlighted that the COVID-19 pandemic has affected issues related to accountability, rule of law and human rights, including:

- Exacerbation of existing **societal fault lines**, further highlighting pre-existing challenges and inequalities.
- The need for strong institutions to deliver public services has led to a consequent rise in **concentration of power in the executive branch**, often used to silence dissent, infringe upon human rights, and constrict people’s ability to participate in the public space, thus **undermining institutions responsible for oversight and accountability**.
- **Corruption** in the management of the pandemic and **coercion** in the enforcement of measures meant to curb the virus from spreading further not only hinder vaccination efforts, but also undermine trust and legitimacy in government leaders and democratic institutions. Attempts by some governments to leverage the pandemic to introduce repressive legislation and curb media freedoms and other civil liberties have only eroded democratic governance.
- **Dis- and misinformation, or “Infodemic”** is a growing concern which has been instrumental in undermining trust and transparency, eroding basic democratic principles, increasing polarization, and affecting functioning of institutions.
- Quick innovative solutions to fight the pandemic have raised ethical questions about **technology use without adequate checks and balances**, leading to **privacy breaches, lack of data protection** and growing opportunities to the **surveillance state**. Related article: [“In a global pandemic, do we still have a right to privacy?”](#)

Recommendations:

- Need for collaborative and cooperative **institutional frameworks**, and **consensual institutional arrangements** which strengthen representative institutions and open the system through participatory mechanisms.
- **Information and communication technologies (ICTs)** which assist decision-making and political participation, bringing together citizens and representatives and improving levels of **transparency, responsiveness and accountability**. Potential **risks**, such as unequal access to technology, must be kept in mind in order not to exacerbate inequalities, which in turn can be addressed through ICTs by improved access to information. In addition, Governments can renew the social contract, reduce corruption, and rebuild trust through the use of technology. However, the use of ICTs must be complemented by the promotion of a collective voice, in order to guarantee that access to information also leads to action.

- **Access to reliable data can increase trust in government institutions** and overall improve **social accountability**, i.e., how most populations interface with government on a daily basis at the local level and can meaningfully be involved in decisions that affect their lives. For data to have a positive effect, it must be:
 - **Digestible and understandable**, taking into account digital infrastructure, literacy, education, accessibility and inclusiveness in order to reach those consistently left behind;
 - **Open and accessible** in order to close the gap in availability of data;
 - **Collected, communicated, and used by a diverse ecosystem of data producers**, including governments, civil society, and academia, in order to be effective against misinformation.
- **National Human Rights Institutions (NHRI)** must be supported so that they can fulfil their essential role in ensuring accountability, and are able to actively safeguard the space for other human rights defenders, as well as function as part of a holistic human rights approach that *“leaves no one behind”*
- **Emphasize the role of Civil Society Organizations** in connecting more marginalized communities who are often left behind to local and national governments, as well as filling data gaps, providing relevant programming, and advocating for groups not otherwise seen or heard.
- **Improve substantially State capacities** for the provision of public services, and to counter exclusion and organized crime.

The Danish Institute for Human Rights has drafted some **criteria** for what a **good practice in times of COVID-19** might be, from an accountability, rule of law and human rights perspective:

1. People-centred approaches
2. Acknowledge differences and vulnerabilities
3. Prioritization of transparency and access to information
4. Favour inclusion and participation
5. Quantify the impact and respond to evidence and necessities
6. Limit limitations (decisions must be sustained on data and communicated clearly; e.g., balance the need to postpone elections)
7. Reasonably balance rights in conflict.

Examples of good practices:

- NHRI of **Mali** conducted monitoring visits of places of deprivation of liberty in Mopti and utilized these reports as an advocacy tool to improve the conditions for detainees during the COVID-19 pandemic.
- Automated Case Management System for the NHRI of **The Gambia** to respond to increased demand for the NHRI to monitor, investigate, and report human rights situations
- In South Korea, **Seoul Metropolitan Government** utilizes online platforms to publicly release/update COVID-19-related information, including through the use of pre-existing emergency text alert system originally designed to provide information on natural disaster, crisis, air pollution, etc.
- **Seoul Metropolitan Government** developed a fact-checking online platform with the aim of easing public fears by thoroughly verifying misinformation.
- In **Korea**, an E-Procurement system provides services to public bidders to help overcome red tape and corruption
- In **India**, Bhoomi touch-screen kiosks in government offices facilitate land registration and help avoid corruption.
- In **India**, an initiative by the civil society organization Janaagraha mobilizing citizens to reveal government corruption with the use of ICTs culminated in the reforming of the motor vehicle department to eliminate potential demands for bribes.
- The [Coalition of Cities for Digital Rights](#), an initiative launched by **Amsterdam, Barcelona** and **NYC**, and later adopted by 50+ cities in the world, published a [set of recommendations](#) to guide city leaders, urban managers and other stakeholders as they use technology in response to crises such as COVID-19. These recommendations provide a framework that places human rights at the centre, providing guidance on how to involve the beneficiaries of technology and how digitalization can be managed and monitored to promote inclusive access and positive impacts for all in urban communities.