

The Impact of the Covid-19 Pandemic on Human Rights¹

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ABSTRACT

In times of emergency, it is often necessary to take exceptional and temporary measures to confront the situation while still respecting human dignity. The Covid-19 pandemic is a prime example of such an emergency, requiring all countries to take necessary measures to limit and combat its spread. While the measures taken to combat the pandemic are crucial, they have also had a significant impact on human rights. The restrictions placed on these rights raise questions about their legality, the conditions under which they can be imposed, and the need to apply them without discrimination or arbitrariness. It is important to ensure that these measures never violate certain fundamental human rights, including the right to life. In this context, it is essential to adhere to human rights principles and international law. Any restrictions placed on human rights must be based on clear and specific legal provisions, meet the criteria of necessity and proportionality, and be subject to regular review to ensure that they remain necessary and proportionate. As we continue to navigate the Covid-19 pandemic, we must remain vigilant in protecting human rights while also taking necessary measures to limit its spread.

Keywords: Covid-19 Pandemic; human rights; human rights principles; restriction of human rights; international law.

INTRODUCTION

One of the reasons that led to the establishment of the United Nations was the serious violations of human rights that were committed during the Second World War, in addition to preventing the scourge of war and that the promotion and protection of human rights is one of the main objectives of the organization, which was confirmed in the Charter of the United Nations in Article 1, which included the purposes of The United Nations is the maintenance of international peace and security and the establishment of friendly relations among nations on the basis of respect for the principle of equality, as well as Article 55 of the Charter, which included a provision for achieving the stability and prosperity necessary for peaceful and friendly relations among nations.⁽¹⁾

The researcher concludes through the reasons for the emergence of the United Nations and its goals and Articles 1 and 55 referred to above, that any violations committed during armed conflicts are considered an attack on human rights in dignity, physical integrity and security, and these rights must be protected in peacetime as well as in time Armed conflict, and what is reinforced by the researcher's conclusion in the above is Article 3 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War 1949, which included the text that people must be treated humanely in times of armed conflict without any discrimination based on gender, colour, religion and belief⁽²⁾ Also, the extermination of humankind, whether in time of peace or in time of war, is considered an international crime according to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.⁽³⁾

The researcher points out that the state of peace leads to the protection and promotion of all human rights, and this confirms the interdependence of human rights and their indivisibility, which was confirmed in Resolution No. 141/48 of the United Nations General Assembly in 1993, which indicated that promoting and respecting all human rights is considered One of the priorities of the international community, as was emphasized in United Nations General Assembly Resolution No. 130/32 issued in 1977 that all human rights and individual freedoms are indivisible and interdependent and that the full enjoyment of civil and political rights is impossible without the enjoyment of

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economic, social and cultural rights.⁽⁴⁾ In addition, the Vienna Declaration, which was issued by the World Conference on Human Rights in 1993, emphasized the principle of the indivisibility of human rights when it indicated that all human rights are universal and interdependent.⁽⁵⁾

Human rights are the most affected. In times of armed conflicts, natural disasters and crises, the same applies to the emerging corona virus (COVID-19), which appeared and spread first in the Chinese city of Wuhan on December 29, 2019 to spread later to the countries of the world. The World Health Organization has considered COVID-19 a global pandemic on March 11, 2020⁽⁶⁾, it required confronting this epidemic, which caused disruption of the economic, social and political system in all countries of the world, imposing quarantine and restricting human rights to limit its spread. There is no doubt that the outbreak of the corona virus "COVID-19" is today the main concern of all countries and international organizations, especially the World Health Organization, as the emergence of this epidemic in China in Wuhan and its spread to the countries of the world poses a great threat to all countries of the world, especially with the continuous rise in cases of infections and deaths, and with the imposition of the necessary measures to counter this epidemic, those measures have affected basic human rights by imposing restrictions on them, the impact of the measures taken under the pandemic to limit the spread of the epidemic on those rights and the extent of their legitimacy will be examined according to the following plan:

THE BASIC PRINCIPLES OF HUMAN RIGHTS

First, the philosophy of human rights

Second, the Universal Declaration of Human Rights

Human rights and the Corona epidemic

First: the right to life

Second: the right to health and food

Third: the right to work and freedom of movement

Fourth: the right to education

Fifth: the right to freedom of expression and access to information

Sixth: the right to equal rights

Seventh: the right to privacy

Eighth: the right to peace

Ninth: the extent of states' power to restrict human rights

The basic principles of human rights

This section discusses the philosophical basis of human rights in addition to the Universal Declaration of Human Rights as the basis of international law for those rights.

First: the philosophy of human rights

Human rights are radically and directly related to the existence of this man himself, and the subject of human rights has faced historical development and many theories have been developed to research what man is as a living being different from other beings, and philosophical theories have discussed the rights that man should enjoy on the one hand and what duties he should adhere to others as part of a social and legal system on the other⁽⁷⁾, the most prominent philosophical theories appeared in the Greeks, Plato and Aristotle considered the human psyche to be an essential element in the existence of the essence of Man and the reason for his existence and that the entity of man, that is, the fact that man is a soul and a body, is achieved only by the living of man in society represented by the state, The individual and society are two inseparable concepts, and the life of an individual is only within a society to which he belongs, and considering an individual as part of a society necessarily means subjecting him to some restrictions and duties in exchange for enjoying rights.⁽⁸⁾

The philosophical basis of natural rights is the natural law, by which are meant the legal rules derived from nature, which are higher in terms of binding force than positive laws originating from the nature of things and deduced by the human mind⁽⁹⁾, The Theory of natural rights was crystallized in the eighteenth century and called that man has rights derived because of his nature and, They are also Rights that are not granted by the civil society represented by the state, but they are recognized as effective and it is not permissible to cancel these rights, whatever the justifications.⁽¹⁰⁾ The English philosopher Hobbes advocated absolutism on the basis that the state of nature generates only a state of chaos, while Jean-Jacques Rousseau took the theory of the social contract and considered that the compatibility

between power and the people is through a social contract in which members of the people undertake to cede all their natural rights to the society or the nation and not to the ruler.⁽¹¹⁾

The researcher concludes that the development of societies and the development of relations between states, whether in peacetime or in time of armed conflict, has contributed to the development of human rights due to the need to recognize new rights commensurate with the development, protection and promotion of these rights witnessed by societies and states, for example, the right to litigation has become guaranteed by the state. At the time of the armed conflict, international rules have also emerged that are consistent with the development witnessed by countries in various fields, including the Prohibition of certain types of weapons that contradict human rights, in addition to the rules for protecting the rights of victims of armed conflicts from the wounded and prisoners.

Second: the Universal Declaration of Human Rights

The Universal Declaration of Human Rights, issued in 1948, forms the basis of international human rights law, as the United Nations devoted its efforts after this declaration to transform the principles set forth in it into international treaties represented by the International Covenant on Civil and Political Rights 1966 and the International Covenant on Economic, Social and Cultural Rights 1966, which were adopted by the UN General Assembly.⁽¹²⁾ The Universal Declaration of human rights consists of an introduction and 30 articles, in the introduction of the declaration stated the reasons that prompted the member states to issue such a declaration, pointing out that the recognition of the inherent dignity of all members of the human family and their equal and inalienable rights is the foundation of freedom, justice and peace in the world and that the forgetting of these rights has led to barbaric acts that hurt the human conscience.⁽¹³⁾ Through the texts of the Universal Declaration of human rights, the researcher explains that Articles 1 and 2 of the declaration are characterized by generality because they express the inherent equality between humans and the human social recipe based on brotherhood, and through the texts of the declaration, the researcher divides the categories of rights and freedoms guaranteed by the declaration into⁽¹⁴⁾

1. The category of civil and political rights, which includes the human right to life, freedom, dignity, equality before the law, the Prohibition of slavery, torture and persecution, the right to marriage, the right to property, the right to nationality, the right to asylum, freedom of belief, expression, assembly, election, Association, the right to hold public office and participate in the management of Public Affairs, articles 3-21 provided for this category of rights.
2. The category of economic, social and cultural rights, which includes the right to Social Security, the right to work, protection from unemployment, the right to rest, Trade Union and cultural freedoms, the right to an adequate standard of living to maintain health and well - being, the human right to education and the right to enjoy an international social order under which the rights and freedoms set forth in the declaration are fully realized, as well as the duties and responsibilities of the individual towards society, this category is provided for in Articles 22-30.

What distinguishes the Universal Declaration of Human Rights is that human rights and freedoms have been codified in the declaration in a single document in a clear and simplified manner and at a global level, and the declaration has been issued by almost unanimous approval and approval, 48 countries voted on it and no country voted against the declaration⁽¹⁵⁾, in addition, the Universal Declaration of Human Rights is characterized by the fact that the rights and freedoms contained in it stem from the inherent dignity of Man and that it has become a universal reference for human rights to be issued with the approval of the majority of member states of the United Nations organization its commitment has been declared in many constitutions and national legislations of countries. Also, many international treaties have detailed the principles contained in it and enshrined them in their preambles⁽¹⁶⁾. The researcher believes that by detailing the various human rights contained in the declaration, this declaration can be considered as a detail of the general provisions contained in the UN Charter on human rights.

Regarding the legal value of the Universal Declaration of Human Rights, the declaration was issued in the form of a recommendation by the United Nations General Assembly and was not issued in the form of an international treaty that restricts the member states of the United Nations or the peoples of the world who agreed on it with specific obligations, which sparked controversy and discussion about its legal value, so two trends of jurisprudence emerged in this regard, the first trend strips the declaration of any legal value as general principles issued in the form of a recommendation and therefore has no binding character, and, As for the second trend, it was argued that the declaration has a mandatory force lower than that of the treaty, but higher than that of the recommendation.⁽¹⁷⁾

The researcher believes that the Universal Declaration of Human Rights has the same legal force as the Charter of the United Nations, as Article 56 of the charter obliges the member states of the United Nations to do individually or collectively what they must do in cooperation with the United Nations to realize the purposes set out in Article 55 of

the charter⁽¹⁸⁾, the most important of these purposes is respect for Human Rights and fundamental freedoms, respect and protection of human rights guaranteed by the Universal Declaration of human rights is an obligation human beings and their fundamental freedoms are among the purposes of the United Nations.

HUMAN RIGHTS AND THE CORONA EPIDEMIC

In this requirement, the impact of the Corona epidemic on the human right to life, the human right to health and food, the human right to work, freedom of movement, the right to education, the right to freedom of expression and access to information, the right to equality and the right to privacy, in addition to the right to peace, will also be examined on the extent of the power of states to restrict human rights.

First: the right to life

The right to life is the most important human right, as it is ahead of all other rights and is subordinate to it in terms of importance, so States must preserve people's lives and protect them from the arbitrariness of state authorities⁽¹⁹⁾, as the public authorities in the state do not have the right to empty human rights, including the right to life from its content and infringe on them except in exceptional cases, such as the protection of public order in the state, security, public morals or the rights and freedoms of others.⁽²⁰⁾

One of the basic principles that must be followed in order to ensure the protection of human rights in general and the human right to life in particular is the principle that the basis of human rights is human dignity, and this principle was stipulated in the preamble of the Universal Declaration of Human Rights agencies: "since recognition of the inherent dignity of all members of the human family, and of equal and inalienable rights, constitutes the basis of freedom, justice and peace in the world"⁽²¹⁾, as well as this principle was stipulated in the first article of the same declaration, where this article stated: "all people are born free equal in dignity and rights. They are endowed with reason and conscience and they should treat each other in a spirit of brotherhood".⁽²²⁾

The text shows the right to life in the article 3 of the Universal Declaration of Human Rights 1948, which states: "Everyone has the right to life, liberty and personal security". The provision on this right is also in the International Covenant on Civil and Political Rights of 1966 in Article 6, which states that "everyone has the inherent right to life, and this right must be protected by law. No one should be arbitrarily deprived of life". The international covenants that have confirmed this right are the European Convention on Human Rights and fundamental freedoms in 1950 in Article 2, and the American Convention on Human Rights in 1969 in its Article 4. Human rights, including the right to life, apply both in peacetime and in times of armed conflict in general. The right to life is inherent to a person and this right has no value if a person lives in a state of waste of his human dignity, there is no value to a life that does not receive the necessary protection for the human body and psyche and prevent those who exercise power from abusing it through acts of physical and psychological torture or the imposition of cruel, inhuman and degrading human dignity punishments.⁽²³⁾

According to the World Health Organization, the number of deaths due to the corona epidemic has exceeded fifteen million people in all countries of the world, and the number is still increasing, which threatens human life and robs his right to life at every moment, and even the most developed and strong countries in terms of health institutions and the economy such as the United States, the United Kingdom, Italy and Germany have not escaped the danger of this epidemic, but it is one of the countries that witnessed the death of thousands of its citizens every day.

Second: the right to health and food

Charles-Edward Winslow, an American scientist specializing in public health, defines public health as the Prevention of diseases, health protection and prolongation of life; by combating infectious diseases, early diagnosis, providing treatment and providing health-related social services.⁽²⁴⁾ based on the above definition, Public Health aims at equality among all groups in receiving treatment and preventing diseases, as well as living longer. Public health is also defined as "diagnosing and treating health problems existing in society while assessing the needs of the healthy environment and improving it through the organized efforts of society, and the individual participates in these efforts through: Environmental Health, the fight against infectious diseases, health education, work on early diagnosis and preventive treatment of diseases".⁽²⁵⁾

The Constitution of the World Health Organization defines health as a complete state of physical, mental and social integrity and not just the absence of illness or disability.⁽²⁶⁾ Article 12 of the International Covenant on economic, social and Cultural Rights states that the right to health is the right to the enjoyment of the highest standard of physical

and mental health. The researcher believes that the right to health is the enjoyment of physical, mental and psychological health by a person, protecting him from everything that prevents his enjoyment of this right, and providing treatment in case of illness.

The International Covenant on Economic, Social and Cultural Rights has emphasized the human right to the enjoyment of the highest standard of physical and mental health. It has also stressed that states are responsible for the health of their people by taking all necessary measures to ensure public health, and that they should take measures to fully guarantee this right by preventing and combating various diseases, including epidemic diseases, and creating conditions aimed at ensuring medical services and care for all in case of illness.⁽²⁷⁾ The International Covenant on Civil and Political Rights also allows states to place restrictions on certain rights and freedoms in exceptional cases and temporarily, provided that these restrictions are necessary to protect National security, maintaining order and public safety, protecting public health and morals, or protecting the rights and freedoms of others.⁽²⁸⁾ In order to ensure the protection of public health, the individual must have a fundamental role as the target of protection, through his health awareness, his commitment to prevention measures and contribute to their success or failure.⁽²⁹⁾

The right to health is considered one of the fundamental rights of the organism, which is confirmed by the World Health Assembly, the general organ of the World Health Organization, when in its Resolution No. 123/41 of 1970 it noted that the right to health is a fundamental right of the human being⁽³⁰⁾, Article 25/1 of the Universal Declaration of Human Rights of 1948 explained: "Everyone has the right to an adequate standard of living for the health and well-being of himself and his family, including food, clothing and housing". Article 2 of the International Covenant on Economic, Social and Cultural Rights also stated in 1966: "the states parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, as well as to the continuous improvement of living conditions".

According to Article 2 of the International Covenant on Economic, Social and Cultural Rights mentioned above, there are three obligations on states to ensure the right to food, namely:

1. The duty to respect the right to food means respecting the right of peoples to permanent sovereignty over their natural resources in order to meet food needs.
2. Duty to protect the right to food: it is intended to prevent activities that negatively affect food security.
3. The obligation to realize the right to food means the supply of disadvantaged groups in society by ensuring them adequate food.

Today, we find that the human right to health as well as the right to food are at risk due to the corona epidemic all over the world, not only in a specific region, city or country, in addition to the rapid and continuous spread, The increase in international travel and trade has contributed to the emergence of health threats and risks at the international level. The forty-eighth World Health Assembly in 1995 called for a fundamental revision of the international health regulations. The International Health Regulations (2005) were adopted and entered into force on June 15, 2007. The purpose of the Health Regulations (2005) is "to prevent, protect against, combat and counter the international spread of the disease by taking public health measures, commensurate with and limited to the risks to public health, while avoiding unnecessary interference in international traffic and international trade". Since the Regulations (2005) are not limited to certain diseases, they are intended to remain relevant and applicable for many years in order to keep pace with the emergence and development of new diseases.⁽³¹⁾

The aim and scope of the International Health Regulations (2005) is to "prevent, protect against and control the international spread of the disease, provide a public health response and reduce the obnoxious disruption of global transport and trade". In addition to strengthening contacts between the World Health Organization and countries. The International Health Regulations require countries to notify who in all cases of public health emergency, and the Health Regulations (2005) are legally binding on who member states that have not rejected these regulations and are also binding on non-member states of the organization because they have agreed to abide by them.⁽³²⁾ The Public Health Organization has declared an international state of emergency, which means that the right to health is at risk and this right must be protected, which requires continuous cooperation between the World Health Organization and countries through the implementation of health regulations and providing information about the epidemic, the extent of its spread, methods of treatment and other preventive and curative measures, The majority of countries have also declared a state of emergency in order to respond to the covid-19 pandemic and have taken measures that have affected human rights, for example, despite the inclusion in the constitutions of the EU countries of provisions ensuring that emergency

situations are not abused and thus prevent human rights violations, these rights have been violated.⁽³³⁾ to the extent that excessive force and violence were used to prevent the widespread spread of the epidemic.⁽³⁴⁾

Third: The right to work and freedom of movement

Article 6 of the International Covenant on Economic, Social and Cultural rights. You acknowledge that everyone has the right to the opportunity to earn a living through work. Also, Article 23/1 of the Universal Declaration of Human Rights, which recognizes that everyone has the right to work and the right to protection from unemployment.

The impact of the corona epidemic on the human right to work, quarantine leads to work stoppage and a negative impact on the standard of living in the long term⁽³⁵⁾, and it is likely that 25 million people in the world will lose their jobs because of it, according to the International Labor Organization, especially in the transport and tourism sector, in addition to reducing working hours and laying off temporary workers, leading to unemployment and a decrease in the standard of living.⁽³⁶⁾

Article 13 of the Universal Declaration of Human Rights, which states that "everyone has freedom of movement and residence within the borders of each state". As stated in Article 12/1 of the International Covenant on Civil and Political Rights: "everyone within the territory of a state, within that territory, has the right to freedom of movement and freedom to choose his place of residence".

In order to reduce the spread of the corona epidemic and contain it in order to reach its elimination, as it is a global epidemic, it is moving rapidly and increasingly and may take people's lives, most countries have declared a state of emergency and have placed restrictions on some rights such as the imposition of quarantine or isolation that restricts freedom of movement, impose a curfew, close shops and restrict the freedom of movement of people as a preventive measure against the spread of the epidemic. quarantine, curfew and social distancing measures are necessary solutions in order to contain the corona epidemic; because they reduce the number of infections, which prompted most countries to impose a travel ban or restrictions were imposed on it, where " 45% of its borders were completely or partially closed in the face of Tourists -passengers are not allowed to enter; 30% or partially suspended international flights completely-all flights were suspended; 18% denied entry to travelers from specific countries or passengers who passed through certain destinations; 7% applied various measures, such as quarantine or self-isolation for 14 days and visa procedures.⁽³⁷⁾ in addition, recreational facilities have been closed, cultural and sports activities have been postponed, and penalties have been imposed on violators of these measures.⁽³⁸⁾ the restriction of the right of movement is consistent with the protection of public health, but the continuation of the corona epidemic for a long time and the accompanying psychological and economic crises caused protests against these measures in some countries, such as France and the United Kingdom.

Fourth: the right to education

Paragraph 1 of Article 26 of the Universal Declaration of Human Rights states: "Everyone has the right to education. Education must be provided free of charge, at least at the primary and basic levels. Primary education is compulsory. Technical and vocational education shall be open to the public. Higher education shall be accessible to all according to their competence," as stipulated in Articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights.

The speed and scale of educational disruption as a result of the spread of the corona virus has affected millions of students around the world, its repercussions have affected students and communities as a whole, It was necessary to continue education and students receive information without being in classrooms at universities through the use of communication technology through electronic learning (Electronic Learning) as one of the modern means of education that relies on the use of modern communication mechanisms from a computer, its networks and Multimedia, as all educational institutions have been closed from universities, schools and kindergartens in order to prevent the epidemic and ensure teachers, students and the universe The professor is an educator, teacher, trainer and pedagogue. E-learning has been accompanied by several problems that have led to inequality in the right to education, as not all students have the internet in some countries, in addition to computers and smartphones, as well as the lack of adequate qualification for distance education for faculty members and students.⁽³⁹⁾

Fifth: The right to freedom of expression and access to information

Paragraph 2 of Article 19 of the International Covenant on Civil and Political Rights states : "Everyone has the right to freedom of expression. This right includes his freedom to seek, receive and transmit various kinds of information and ideas to others, regardless of borders, whether in written or printed form, in artistic form or by any other means of his choice" governments must ensure that all individuals have access to information and disseminate it in all languages in order to make it easy to understand and communicate to everyone, including people with visual or hearing impairments, as well as those with limited reading abilities or those who do not know how to read, as well as children, and they must deal transparently with the corona pandemic, avoid false information and encourage participation in obtaining correct information and publish it.⁽⁴⁰⁾

Some governments have exercised restrictions on these rights, which represent a dedication to transparency, and with the beginning of the emergence of cases of coronavirus infection, the local police in China forced a doctor to deny his published warning about the spread of a virus similar to the SARS virus that appeared in 2003, which is a violation of the right to information and freedom of expression, and some governments have prevented journalists from obtaining information about the development of coronavirus and the number of infections, as happened in Italy and the Czech Republic, in addition to not giving correct data on the number of infections and deaths, as happened in France.⁽⁴¹⁾

Sixth: The right to equal rights

Article 1 of the Universal Declaration of Human Rights States: "all people are born free and equal in dignity and rights. They are endowed with reason and conscience and must treat each other in a spirit of brotherhood," as stated in Article 2 of the same declaration : "everyone has the right to enjoy all the rights and freedoms mentioned in this declaration, without discrimination of any kind, in particular discrimination on the grounds of race, color, sex, language, religion, political and non-political opinion, national or social origin, wealth, birth or any other status".

Both of the above Articles require equal rights, including the right to provide health care to all people, but this right has been affected by the corona pandemic, some groups have been deprived of it, such as inmates, refugees and migrants, as international reports have pointed to the spread of the virus among these groups due to the lack of health services and severe congestion.⁽⁴²⁾

In addition, during the corona epidemic, some countries practiced discrimination against the elderly over the age of 65, as these people faced difficulties in meeting their basic needs and imposed home quarantine without providing them with appropriate compensation, such as financial support, providing them with free medicines or providing the necessary assistance to maintain their health and safety.⁽⁴³⁾

The disparity in the level of progress between countries in the field of basic services, health care, Social Security, labor and education has led to disparities in their response to the corona virus, and this disparity also exists in one country, causing harm to vulnerable groups such as low-income people, the elderly, people with disabilities and women.⁽⁴⁴⁾

Seven: the right to privacy

Paragraph 1 of Article 17 of the International Covenant on Civil and Political Rights states: "No person shall be subjected, arbitrarily or unlawfully, to interference with his privacy, family affairs, home or correspondence, nor to any illegal campaigns affecting his honor or reputation" of the human right to privacy, this right caused by the corona epidemic violated for reasons of limiting the spread of the epidemic and its spread, Digital data and artificial intelligence have been widely used in many countries such as China, South Korea, France, Germany, Italy and Poland to track confirmed and suspected cases of infections such as " GPS tracking data, bank card transactions, travel records, videos".⁽⁴⁵⁾ the procedures for tracking cases of coronavirus infection make it possible to monitor the movements of people and interfere with their privacy, and may allow for monitoring the political inclinations and trends of individuals if they continue to be applied for a long time.⁽⁴⁶⁾

Eighth: the right to peace

The issue of peace and war is considered a fundamental issue in the whole world and at all times and shows the importance of peace from the fact that it is considered the basis for securing all other human rights such as the right

to life, health, education, expression of opinion and other rights that can only be provided by the existence of peace⁽⁴⁷⁾ as a safe and stable condition that allows a person to practice his life and secure his livelihood away from danger⁽⁴⁸⁾ states in time of armed conflict focus on supporting the army and security services, which causes poverty, malnutrition, disease, deprivation of education and other human rights and ultimately leads to the disruption of the development process in the Warring States, which are also Rights The basic of man.⁽⁴⁹⁾

Therefore, the basic condition for the well-being and development of states and the full implementation of fundamental rights and freedoms is the renunciation of wars, and the establishment of permanent peace on Earth is the first condition for the survival of the human race, and the second article of the declaration of the right of peoples to peace 1984 imposed an obligation on states to protect this right and encourage its implementation, and what guarantees the exercise of peoples' right to peace according to Article 3 of the declaration is the elimination of wars and the settlement of disputes by peaceful means.⁽⁵⁰⁾

The researcher believes that peace is an essential pillar for the life of current generations as well as future generations in all societies, and that work to avoid armed conflicts is considered the basis for protecting human rights and achieving development, which in turn leads to a rapprochement in the standard of living among different peoples and leads to avoiding the causes of resorting to armed conflicts, and armed conflicts lead to depriving a person of his right to life because of the human losses resulting from armed conflicts, in addition to depriving him of other basic rights such as the right to health and the right to education. With regard to the corona virus, it is a threat to peace and security of countries, because it threatens health security, food security and environmental security, considering man one of the natural elements of the environment, if he is infected with the epidemic, it means an imbalance in the environmental balance and a threat to the environment.

This confirms the above-mentioned opinion of the researcher is what is included in the declaration of the right to peace, which was adopted by the UN General Assembly on December 19, 2016, where the declaration confirmed that everyone has the right to enjoy peace, human rights and development and access to them as the pillars on which the UN system was founded, and denying the right of access to these three pillars is a denial of the existence of the United Nations itself.⁽⁵¹⁾

Ninth: The extent of states' power to restrict human rights

In light of the outbreak of the corona epidemic, most countries have restricted human rights and freedoms, and the meaning of this restriction of human rights and freedoms is to interfere with these rights and freedoms stipulated by international or domestic law,⁽⁵²⁾ Are states entitled to restrict these rights and freedoms and is this right absolute or is it restricted by certain conditions and what are these conditions.

Article 4 of the International Covenant on Civil and Political Rights contained the answer to these questions, which stated as follows:"

1. In exceptional cases of emergency threatening the life of the nation, the existence of which has been officially declared, the states parties to the present Covenant May, to the extent strictly required by the situation, take measures derogating from their obligations under the present Covenant, provided that such measures are not incompatible with their other obligations under international law and do not involve discrimination whose sole justification is race, colour, sex, language, religion or social origin.
2. This provision does not permit any violation of the provisions of Articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18.
3. Any state party to the present Covenant which has exercised the right of derogation shall immediately inform the other states parties, through the secretary-general of the United Nations, of the provisions to which it has derogated and of the reasons for doing so. On the date on which she terminates the non-compliance, she must inform her about it again and in the same way".

The aforementioned article 4 of the International Covenant on civil and political rights allows states to derogate from their obligations to respect the rights of Human terms are:

1. Legality is the existence of a provision that allows states to restrict human rights, and this provision is Paragraph 1 of Article 4 of the International Covenant on Civil and Political Rights mentioned above.
2. The existence of a state of emergency that threatens public order, fundamental values and state security.

3. A state of emergency is officially declared by a state that is in a state of emergency.
4. Necessity and proportionality means that the measures taken by the state are necessary and proportionate to the gravity of the situation to which it is exposed, so these measures will be more severe the more the situation becomes more serious, and the secretary-general of the United Nations must be informed of these measures immediately and the reasons for taking them.
5. The measures must be temporary and end with the end of the situation or situation that justified resorting to them.
6. The measures taken should not contradict the state's obligations under international law.
7. The reason for restricting rights and freedoms should not be discrimination based on origin, religion, language, sex or color.
8. There are rights and freedoms that paragraph 2 of Article 4 prohibits restricting, even in the presence of the above-mentioned conditions of restriction, and these rights are:

First - Immunity rights: as there are certain types of rights that the state may not deviate from even if a state of emergency is declared, and the most important of these rights are the right to life (Article 6)⁽⁵³⁾ and the prohibition of acts of torture and inhuman or degrading punishments (Article 7)⁽⁵⁴⁾, the prohibition of slavery and servitude (Article 8)⁽⁵⁵⁾, the prohibition of imprisonment for breach of a contractual obligation (Article 11)⁽⁵⁶⁾, freedom from the retroactive effect of the law in criminal offenses (Article 15)⁽⁵⁷⁾, and the right to legal personality (Article 16)⁽⁵⁸⁾ and respect for freedom of thought, conscience and religious belief (Article 18).⁽⁵⁹⁾

The expansion of the list of human rights that may not be violated in exceptional circumstances is a welcome expansion in the international conventions on human rights, especially with the emergence of non-traditional rights such as the right to a clean environment, the right to development, the rights of the child, the family and the rights of minorities, and with the violation of these rights by modern wars.

Second - The rights contained in the four Geneva Conventions of international humanitarian law: Even in a state of public emergency or war, states are not allowed to derogate from their obligations under the four Geneva Conventions, so there is no arbitrary attack on the right to life or the integrity of the body, in addition to a range of other rights to protect The human being in conditions of arrest, detention, criminal trials, and protection of money and property.

CONCLUSION, RESULTS AND SUGGESTIONS

All international charters, the most important of which is the Charter of the United Nations, the Universal Declaration of Human Rights and the two international covenants on human rights, have all emphasized human rights and the need to ensure the enjoyment of them at all times and for every human being because of his humanity and dignity, as well as many international resolutions, including those issued by the UN General Assembly on the interdependence, complementarity and universality of human rights, and through what has been discussed in this study, the following can be noted:

1. The Corona epidemic poses a threat not only to the right to life and the right to health, but to all human rights, and international cooperation is required to protect these rights by taking preventive and curative measures that restrict human rights and prevent them from moving and doing their work and affecting the food supply. Taking this measure is that it was imposed for the benefit of the human being himself, whether individuals or states, meaning that it is necessary to protect the interests of states and individuals, as it is an exceptional case and disappears with the disappearance of the reasons for its imposition, which is the Corona epidemic. .
2. The necessity of coordination between countries and the World Health Organization in order to exchange experience in best practices regarding imposing restrictions on human rights and freedoms, while agreeing on unified international standards for the measures and procedures that must be imposed to confront any new epidemic, not just the Corona epidemic.
3. Governments must ensure that health workers have access to the necessary equipment to protect against the epidemic, in addition to providing social protection for the families of those whose work the epidemic causes death or injury, and that informal workers should be included in this protection.
4. Ensuring the continuity of humanitarian aid provided by the United Nations and its agencies to countries affected by the Coronavirus. Governments must also provide the necessary assistance to people with low incomes and low

wages of their citizens to mitigate the economic effects of the Corona virus on them due to procedures, quarantine, closing institutions and banning roaming. Mechanisms must also be found to avoid Their exposure to loss of income may in turn prevent them from committing to quarantine to contain the spread of the epidemic.

5. Given that prisons are closed places and are usually overcrowded with inmates, which makes the chances of the epidemic spreading among inmates high, governments should work to reduce the number of inmates in prisons, especially those who are more vulnerable to contracting the virus, such as the elderly and those who suffer from certain diseases, as well as those imprisoned for fewer crimes Dangerous, such as violations, for example, by issuing amnesty decisions for inmates as well as conditional release

6. In addition to the aforementioned results, we have noticed from the experiences of countries in which the epidemic has spread, what the doctors have reached from severe exhaustion due to their continuous work and the absence of additional medical cadres that work in rotation or relieve them of effort, and as a proactive step in order to prepare medical cadres capable of facing the epidemic in the event of an outbreak We suggest mobilizing the students of medical colleges and making room for those who want them only from the sixth stage or the fifth and sixth stages to contribute to the service of their people and their country under the following conditions:

1 Those students who wish to submit a written application via email to their colleges, accompanied by a written approval of their parents, to inform these students of the seriousness of their upcoming mission.

2 Enrolling these students in special short courses to confront the epidemic through e-learning by their professors as well as by doctors who faced the epidemic in hospitals. The course also includes teaching them how to protect themselves from the epidemic while working.

3 After the end of the course, these students are subject to an examination in the same mechanism as the course.

4 Students who have passed the exam work as physician assistants and under their supervision, as an intern and as a donor.

5 The period spent by these students in charitable work is taken into consideration when calculating the duration of the practical (practical) aspect of the study.

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53. Article 6 of the International Covenant on Civil and Political Rights stipulated that:

"1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.

3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.

5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.

6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant".

54. Article 7 of the International Covenant on Civil and Political Rights stipulated that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation".

55. Article 8 of the International Covenant on Civil and Political Rights stipulated that: "1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. 2. No one shall be held in servitude".

56. Article 11 of the International Covenant on Civil and Political Rights stipulated that: "No one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation".

57. Article 15 of the International Covenant on Civil and Political Rights stipulated that: "1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of the lighter penalty, the offender shall benefit thereby.

2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations".

of the International Covenant on Civil and Political Rights stipulated that: "Everyone shall have the right to recognition everywhere as a person before the law".

58. Article 16 of the International Covenant on Civil and Political Rights stipulated that: "Everyone shall have the right to recognition everywhere as a person before the law".

59. Article 18 of the International Covenant on Civil and Political Rights stipulated that:

"1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions”.