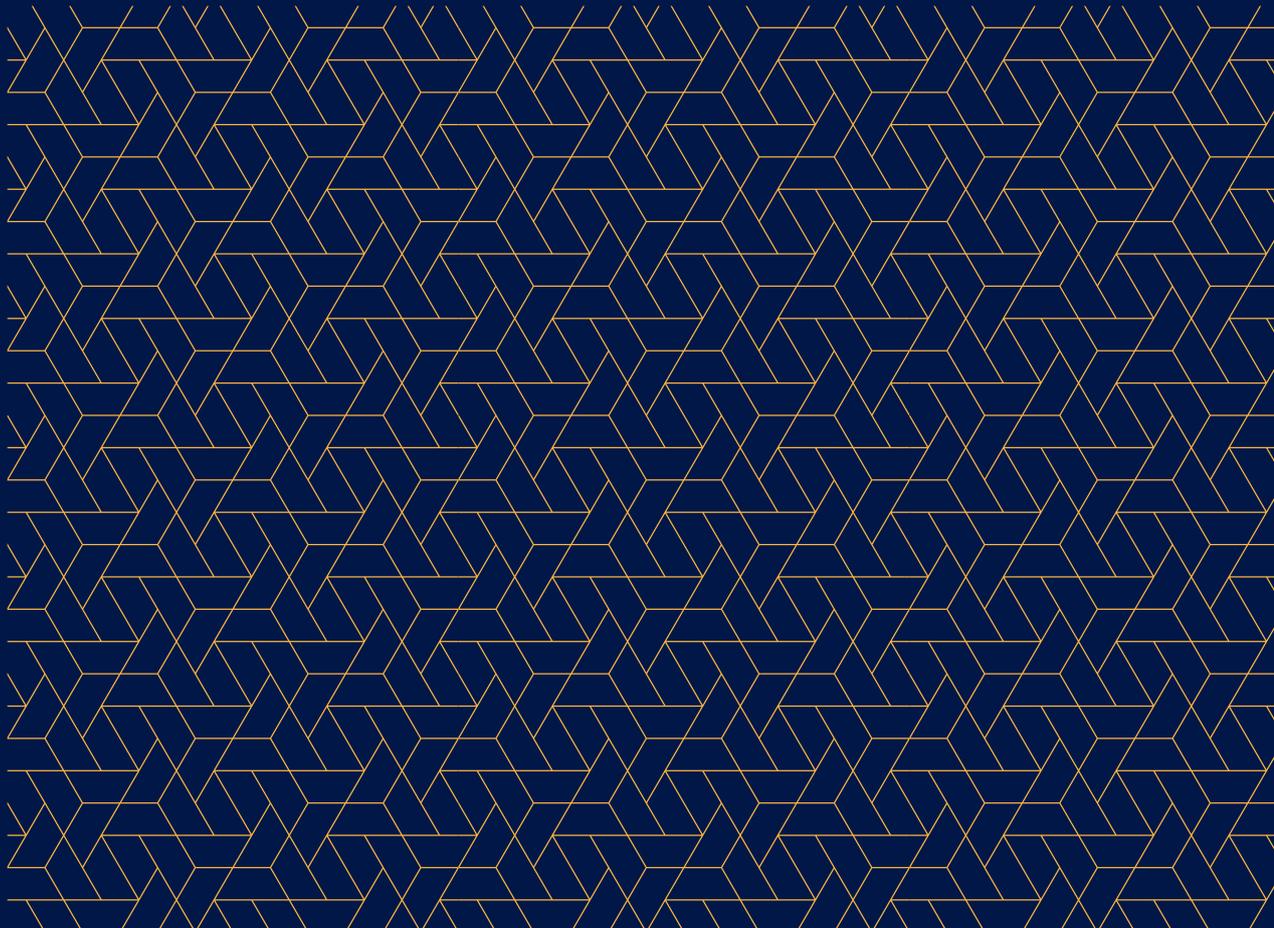


**BRIEFING NOTE**

**Impact of COVID-19  
on Security Sector  
Governance**

— May 2020



## About this Briefing Note

The unprecedented impact of COVID-19 on societies and their institutions has led to a series of extraordinary responses by governments around the world. COVID-19 has affected all dimensions of the security sector, from principles and values to cross-cutting issues, and from security providers to security overseers. The objective of this Briefing Note is to map the substantive impact of COVID-19 on security sector governance (SSG) in order to calibrate policy and operational responses, as well as to explore how this impact may be mitigated, while working towards the overarching goal of ensuring the provision of improved security for individuals, communities, and states.

The views expressed herein are those of the authors alone and do not in any way reflect the official views of the organizations and/or individuals referred to in this Briefing Note, or those of their representatives.

## DCAF – Geneva Centre for Security Sector Governance

The Geneva Centre for Security Sector Governance (DCAF) is an international foundation whose mission is to assist the international community in pursuing good governance and reform of the security sector. DCAF develops and promotes norms and standards, conducts tailored policy research, identifies good practices and recommendations to promote democratic security sector governance, and provides in-country advisory support and practical assistance programmes.

## Contributors

This Briefing Note has been prepared by DCAF's Policy and Research Division and has benefited from discussion within the Policy and Research Department as well as from comments by colleagues across DCAF.

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Published in Switzerland in 2020 by DCAF – Geneva Centre for Security Sector Governance

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Cite as: Dawn Lui, *Impact of COVID-19 on Security Sector Governance* (Briefing Note, Geneva: DCAF 2020).

ISBN: 92-9222-512-X

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## Introduction

The security sector is often deployed as a first responder in times of emergency, triggering questions and concerns about accountability and oversight, which are an indivisible part of this process. At its core, the COVID-19 pandemic is a *public health crisis*, but its implications are both wide-ranging and far-reaching. The value of democratic governance lies in addressing not only current but also emerging security challenges; unfortunately, this pandemic has brought about developments that complicate the provision of human and national security within democratically governed, accountable, and effective security sectors. The reality is that pandemics do not affect everyone equally, but disproportionately impact the most vulnerable and under-represented groups.

Furthermore, *context* strongly shapes the impact of any emergency, as it plays a significant role in the way responses are articulated and security is provided. All states are struggling to cope with the impact of COVID-19 on their population, but this is particularly true in fragile contexts where there may be less reporting and limited testing capacities. A lack of reliable data may mean that some states are more severely impacted than reporting indicates, and thus, have yet to implement procedures for, or allocate resources towards, ensuring the health and safety of their citizens. How governments respond to challenges such as COVID-19 and its immediate threats, and how they plan for long-term recovery, will be a continuous work in progress. Nevertheless, it is important to note that this current crisis is not unique – in our lifetime, we have experienced similar emergencies, including the SARS and Ebola global health crises, which provided many lessons learned that have already informed our response to COVID-19.<sup>1</sup>

Not unlike other *emerging security challenges* (mixed migration, cybersecurity, climate change, etc.),<sup>2</sup> COVID-19 is a *transnational* or *transboundary* crisis. Moreover, it is a crisis in which domestic security providers have been called upon to carry out tasks not normally within their mandated roles and responsibilities, and multisectoral cooperation is a crucial component in delivering security to all women, men, boys, girls, and gender

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<sup>1</sup> Stephen Matlin, Albrecht Schnabel, Ilona Kickbusch, Theodor Winkler, Miriam Sangiorgio, Michaela Told, Usha Trepp, Werner Werder, “The Security Sector and Global Health Crises: Lessons and Prospects,” Global Health Centre, Graduate Institute of International and Development Studies and DCAF – Geneva Centre for Security Sector Governance (Policy Brief, June 2016); and Jonathan Sandy, Albrecht Schnabel, Haja Sovula, Usha Trepp and Raphael Zumsteg, *The Security Sector’s Role in Responding to Health Crises Lessons from the 2014–2015 Ebola Epidemic and Recommendations for the Mano River Union and Its Member States* (Geneva: DCAF 2017).

<sup>2</sup> For further elaboration, see DCAF Thematic Strategy, “Contributing to the Future SSG/R Policy Agenda” (30 September 2017).

minorities. This presents the potential for an incongruence between security sector governance and reform (SSG/R) as a *nationally* driven process and COVID-19 as a *global* crisis. Despite this, COVID-19 has been viewed as a *national* crisis in every affected country, which means that good SSG on a national level remains crucial in ensuring an accountable crisis response. As an analytical concept, SSG describes how a state's security sector operates in reality; and *good* SSG refers to the normative standard for how states *should* provide state and human security in a democracy – especially in times of crisis. Fundamentally, good SSG aspires to improve security for individuals, communities, and states, while ensuring respect for human rights and the rule of law.

The COVID-19 crisis provides an opportunity to assess the impact of an emergency on the pursuit and practice of good SSG. Hence, the *objective* of this Note is to map the substantive impact of COVID-19 on SSG in order to calibrate policy and operational responses, as well as to explore how this impact may be mitigated, with the goal to ensure improved security for all based on enhanced response capacities and framed within full respect for human rights and the rule of law. To that end, this Note outlines the ongoing and potential implications of COVID-19 on (1) *good SSG principles*, (2) *cross-cutting issues*, and (3) *security institutions*. This is followed by two more sections discussing (4) *key implications*, and (5) *conclusions*.

## Challenges to good security sector governance

Many states, in varying contexts, have taken unprecedented actions in response to COVID-19 that would have been considered unthinkable only a few months prior. In times of emergency, public decision-making often erodes longstanding principles of good SSG,<sup>3</sup> which include:

- *Accountability*: With many decisions made under the aegis of emergency powers during the COVID-19 crisis, it remains crucial that relevant authorities continue to oversee the implementation of their policies by the security sector, so as to ensure efficiency, effectiveness, legality, and respect for human rights and the rule of law, as well as to prevent further crises. Yet, as their regular functioning has been reduced, parliaments and independent oversight bodies are less able to hold security sector institutions accountable. With the right to assembly suspended in many countries, the role of civil society is also greatly curtailed; this means that governments can often push measures through as there is less opportunity for protest. In this vein, strong accountability and oversight mechanisms include crisis prevention and/or mitigation

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<sup>3</sup> DCAF – Geneva Centre for Security Sector Governance, *Security Sector Governance* (SSR Backgrounder Series, Geneva: DCAF, 2015), p 3.

prior to the crisis, as well as processes that will ensure a return to normalcy after the crisis.

- *Transparency:* As events occur more rapidly than can be reported, with many policy decisions being made behind closed doors and public debates cancelled or postponed, information is not always freely available and accessible to the populations affected by these decisions and their implementation. Public trust in institutions,<sup>4</sup> particularly in those providing frontline security, is crucial to ensuring that state-led crisis responses are met by popular buy-in.
- *Rule of law:* Many governments have declared states of emergency or have imposed martial law as a response to the pandemic; some have activated exceptional constitutional legal tools to apply restrictions via decisions subject to fewer controls, such as through executive decrees; and others have taken decisions that go beyond the constitutional framework. In some contexts, governments (both local and national) have not indicated an end date for the measures they have imposed or have vowed to prolong them, creating an uncertainty that extends to laws and other regulations. However, legal instruments and acts should continue to be well-known by the public, enforced impartially, and consistent with the domestic constitutional order, human rights norms, and international standards.<sup>5</sup>
- *Participation:* During times of crisis, political leaders tend to consult primarily with those who hold senior posts in national institutions, in the name of expediency. As a result, decision-makers (mostly men) from dominant socio-economic and ethnic groups tend to be overrepresented in decision-making bodies, resulting in biased decisions that overlook the expertise of many people serving on the frontlines of the crisis and fail to mitigate the unintended consequences of policies on marginalized groups. With many public meetings and assemblies suspended, the opportunity for participation is diminished.
- *Responsiveness:* Blanket emergency-led decisions are often insensitive to the different security needs of women, men, boys, girls, and gender minorities. In some contexts, the ability to adhere to lockdown or quarantine rules represents a privilege afforded only to certain groups. Moreover, centralized systems of governance, often

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<sup>4</sup> Statement of Nancy Lindborg during “Coronavirus and Conflict: The Security Sector Response” (United States Institute of Peace online event, 15 April 2020). Online recording available at: <<https://www.usip.org/events/coronavirus-and-conflict-security-sector-response>> accessed 17 April 2020.

<sup>5</sup> Damien Cave and Abdi Latif Dahir, “How Far Should Police Go in Enforcing Coronavirus Lockdowns?” (*The New York Times*, 2 April 2020) <<https://www.nytimes.com/2020/04/02/world/australia/coronavirus-police-lockdowns.html>> accessed 17 April 2020.

coupled with a poor and neglected periphery, are among the challenges usually made more apparent and acute during times of crisis.

- *Effectiveness*: Many institutions are working remotely, are stretched thin, or are tasked with activities outside their usual day-to-day work. This makes it challenging for all institutions to fulfil their respective roles, responsibilities, and missions to the high professional standard expected in times of normalcy.
- *Efficiency*: In many contexts, public resources initially intended for other purposes have been redirected towards bolstering public healthcare systems, supporting broader efforts to “flatten the curve,” and stimulating the economy. The capacity to articulate efficient responses through better strategic planning, including the definition of priorities and the structure of services, will be crucial to ensuring that existing systems are not overwhelmed during a crisis. Whether institutions are making the best possible use of public resources in fulfilling their respective duties will be dependent on the proper functioning of oversight and accountability institutions.

## Repercussions for cross-cutting issues

Within the context of SSG, the two major cross-cutting issues impacted by COVID-19 are:

- *Gender equality*:<sup>6</sup> Reporting has indicated a spike in domestic abuse cases worldwide.<sup>7</sup> In some places, reports of domestic violence rose by as much as one third after lockdown measures were implemented. At the same time, the justice and security sector response to these incidents may be weakened or even disrupted. Moreover, because women’s participation in the labour market is often in the form of temporary employment, their ability to access social safety nets such as health insurance, paid sick and maternity leave, pensions, and unemployment benefits may be severely constrained.<sup>8</sup>
- *Human rights*: COVID-19 disproportionately affects the most vulnerable and neglected people in society, both medically and economically. Persons on low incomes, in isolated rural areas, with underlying health conditions or disabilities, and older people

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<sup>6</sup> See the Gender & Security Division’s “Gender Dimensions of COVID-19” (April 2020) for a detailed discussion on this topic.

<sup>7</sup> European Parliament, “COVID-19: Stopping the rise in domestic violence during lockdown” (*European Parliament*, 7 April 2020) <<https://www.europarl.europa.eu/news/en/press-room/20200406IPR76610/covid-19-stopping-the-rise-in-domestic-violence-during-lockdown>> accessed 9 April 2020.

<sup>8</sup> Isabelle Durant and Pamela Coke-Hamilton, “COVID-19 requires gender-equal responses to save economies” (*UNCTAD*, 1 April 2020) <<https://unctad.org/en/pages/newsdetails.aspx?OriginalVersionID=2319>> accessed 9 April 2020. See also, Alisha Haridasani Gupta, “Does Covid-19 Hit Women and Men Differently? U.S. Isn’t Keeping Track” (*The New York Times*, 3 April 2020) <<https://www.nytimes.com/2020/04/03/us/coronavirus-male-female-data-bias.html>> accessed 17 April 2020.

living alone or in institutions will be among the most affected, as well as refugee and migrant populations.<sup>9</sup> In the process of triggering emergency powers, some states have notified international institutions of their intention to pursue permissible restrictions of, or in some cases derogations from, their international human rights obligations.<sup>10</sup> Such limitations on individual rights, if any, must be in accordance with existing laws and aligned with the principles of legality, necessity, and proportionality.<sup>11</sup> Also, increased surveillance on the population represents an avenue by which privacy rights can easily be abused.<sup>12</sup> The rights of security actors themselves remains a prominent issue as well. For instance, in many contexts, there is a lack of personal protective equipment (PPE) available for security providers, placing them at great risk in the daily conduct of their shifting roles and responsibilities.

## Changes in the role of, and implications for, security institutions during a pandemic

**Security providers:** In response to COVID-19, many security actors have been tasked with responsibilities that are not typically part of their day-to-day activities. In addition to the rights of security providers, many questions persist as to whether they have the proper structures, training, and equipment (in addition to PPE), and the normative or legal frameworks and institutions, to deal with pandemics.

- **Armed forces:** In many contexts, armed forces are being deployed to support domestic police functions and health authorities, as well as to monitor border restrictions. These and other new tasks, while technically within the scope of their legally mandated responsibilities, are unusual. This has been the case in varying systems of governance, from consolidated democracies to autocratic regimes. States are facing similar challenges in many cases, but in some contexts, the impact may be

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<sup>9</sup> United Nations Human Rights: Office of the High Commissioner, “Coronavirus: Human rights need to be front and centre in response, says Bachelet” (*OHCHR*, 6 March 2020)

<<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25668&LangID=E>> accessed 9 April 2020.

<sup>10</sup> Martin Scheinin, “COVID-19 Symposium: To Derogate or Not to Derogate?” (*OpinioJuris*, 6 April 2020)

<<https://opiniojuris.org/2020/04/06/covid-19-symposium-to-derogate-or-not-to-derogate/>> accessed 14 April 2020.

<sup>11</sup> OHCHR, “‘States responses to Covid 19 threat should not halt freedoms of assembly and association’ - UN expert on the rights to freedoms of peaceful assembly and of association, Mr. Clément Voule” (*OHCHR*, 14 April 2020)

<<https://www.ohchr.org/EN/NewsEvents/>

[Pages/DisplayNews.aspx?NewsID=25788&LangID=E](https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25788&LangID=E)> accessed 27 April 2020.

<sup>12</sup> Elizabeth Beattie, “We’re watching you: COVID-19 surveillance raises privacy fears” (*Al Jazeera*, 3 April 2020)

<<https://www.aljazeera.com/news/2020/04/watching-covid-19-surveillance-raises-privacy-fears-200403015854114.html>>

accessed 9 April 2020; Terra News, “Kazakhstan uses drones to patrol capital city during COVID-19 lockdown” (*TerraDrone*,

9 April 2020) <[https://www.terra-drone.net/global/2020/04/09/kazakhstan-drones-patrol-coronavirus-covid-19-](https://www.terra-drone.net/global/2020/04/09/kazakhstan-drones-patrol-coronavirus-covid-19-lockdown/)

[lockdown/](https://www.terra-drone.net/global/2020/04/09/kazakhstan-drones-patrol-coronavirus-covid-19-lockdown/)> accessed 17 April 2020.

felt more severely than in others. In addition, infection rates are rising within the ranks of many militaries (although data is limited), due to high-density shared living spaces, a lack of resources, and tasks such as patrolling streets and disinfecting public spaces.<sup>13</sup>

- *Civil defence*:<sup>14</sup> Civil protection forces are often among the first to be deployed during emergencies, to support the government in their provision of assistance to the population in times of crisis. They play a vital role in providing logistical support to, or backstopping, all other security actors. Since the outbreak of COVID-19, the tasks of these forces have ranged from providing first-aid, to relocating residents, to delivering medical equipment and essential items and setting up temporary isolation centres, among others.<sup>15</sup> Similar to armed forces, civil defence forces have had to take on roles and responsibilities outside their typical scope of activities, and for which they may not be adequately prepared. This has the potential to result in increased vulnerability for these forces and the populations they are tasked to assist.
- *Public law enforcement*: Since the outbreak of the pandemic, patterns of crime have changed.<sup>16</sup> Law enforcement agencies are playing a key role in both supporting the implementation of public health measures to contain the outbreak (e.g., restricting movement, imposing public order, facilitating contact tracing, securing the delivery of emergency supplies, and engaging in public messaging) and preventing specific criminal activities arising from new circumstances (including intimidation or attempts to deliberately spread contamination, the sale of fake and counterfeit medical products, fraud and scam schemes, and cybercrime<sup>17</sup>).<sup>18</sup> The gaps left by these forces in addressing crime more generally, as a result of their efforts to prioritize new tasks,

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<sup>13</sup> Tangi Salaün, Sabine Siebold, and Luke Baker, “Europe’s armed forces face a war against coronavirus as military infections rise” (*World Economic Forum*, 7 April 2020) <<https://www.weforum.org/agenda/2020/04/coronavirus-european-armed-forces/>> accessed 14 April 2020.

<sup>14</sup> Civil defence forces typically do not appear on broadly-accepted lists of SSG actors. Nevertheless, it has become evident that civil defence forces are playing an integral role in the states’ responses to COVID-19, and thus require further examination in the context of implications for SSG.

<sup>15</sup> Civil Defence/Cosaint Shihbhalta, “COVID-19 Report, 14th April 2020” (14 April 2020) <<https://www.civildefence.ie/covid-19-civil-defence/>> accessed 14 April 2020; Jo Timbuong, “Each household to receive face masks soon” (*The Star*, 9 April 2020) <<https://www.thestar.com.my/news/nation/2020/04/09/each-household-to-receive-face-masks-soon>> accessed 17 April 2020.

<sup>16</sup> INTERPOL, “Preventing crime and protecting police: INTERPOL’s COVID-19 global threat assessment” (6 April 2020) <<https://www.interpol.int/News-and-Events/News/2020/Preventing-crime-and-protecting-police-INTERPOL-s-COVID-19-global-threat-assessment>> accessed 14 April 2020.

<sup>17</sup> Cybercrime as an emerging security challenge will be addressed in a separate briefing note.

<sup>18</sup> INTERPOL, “INTERPOL issues international guidelines to support law enforcement response to COVID-19” (26 March 2020) <<https://www.interpol.int/News-and-Events/News/2020/INTERPOL-issues-international-guidelines-to-support-law-enforcement-response-to-COVID-19>> accessed 14 April 2020.

may mean that alternative governance structures are required to ensure that existing forces are not stretched too thin.

- *Border guards and customs authorities:* Since the outbreak of COVID-19, many states have closed their borders, prohibiting the entry of non-nationals into their territory.<sup>19</sup> This has led to an increase in the personnel deployed to various entry points via land, air, and sea to address the cross-border trafficking of persons and goods. Moreover, postal operators, customs authorities, and transport and delivery services are struggling to handle the considerable increase in incoming and outgoing goods caused by a sharp rise in global e-commerce.<sup>20</sup> Potential security concerns associated with this growth of e-commerce and other trade include online fraud and personal data protection.
- *Intelligence services:* Intelligence agencies play a key role in keeping their countries safe, especially during a crisis. In the case of the COVID-19 pandemic, this includes providing policymakers with assessments about the spread of the virus and its impact, sometimes by uncovering information others want to keep secret; countering disinformation campaigns; and conducting surveillance.<sup>21</sup> When it comes to surveillance, governments are increasingly reliant on digital technologies to implement social controls that minimize contact between people, and to carry out contact tracing or track down the source of infection.<sup>22</sup> Questions remain concerning the institutions that are supervising and leading data gathering in tracking individuals via apps and other remote technologies.<sup>23</sup>
- *Penal and corrections institutions:* Overcrowded detention facilities represent high-risk settings for COVID-19 transmission. To pre-emptively prevent outbreaks, some states have released detainees held for minor offences, or those who have served two-thirds of their sentences.<sup>24</sup> Despite these measures, many institutions continue to

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<sup>19</sup> Andrea Salcedo, Sanam Yar, and Gina Cherehus, "Coronavirus Travel Restrictions, Across the Globe" (*The New York Times*, 7 April 2020) <<https://www.nytimes.com/article/coronavirus-travel-restrictions.html>> accessed 9 April 2020.

<sup>20</sup> Taxation and Customs Union, "Guidance on Customs issues related to the COVID-19 emergency" (*European Commission*, 8 April 2020) <[https://ec.europa.eu/taxation\\_customs/covid-19-taxud-response/guidance-customs-issues-related-covid-19-emergency\\_en](https://ec.europa.eu/taxation_customs/covid-19-taxud-response/guidance-customs-issues-related-covid-19-emergency_en)> accessed 9 April 2020.

<sup>21</sup> Calder Walton, "Spies Are Fighting a Shadow War Against the Coronavirus" (*Foreign Policy*, 3 April 2020) <<https://foreignpolicy.com/2020/04/03/coronavirus-pandemic-intelligence-china-russia/>> accessed 14 April 2020.

<sup>22</sup> Adam Ladders, Tim Miller, and Jeannie Paterson, "The Cost to Freedom in the War Against Covid-19" (University of Melbourne, 5 April 2020) <<https://pursuit.unimelb.edu.au/articles/the-cost-to-freedom-in-the-war-against-covid-19>> accessed 14 April 2020.

<sup>23</sup> Ronen Bergman, "Israel's Not-So-Secret Weapon in Coronavirus Fight: The Spies of Mossad" (*The New York Times*, 12 April 2020) <<https://www.nytimes.com/2020/04/12/world/middleeast/coronavirus-israel-mossad.html>> accessed 17 April 2020.

<sup>24</sup> Reuters, "Coronavirus: Indonesia frees 18,000 inmates, as it records highest death toll in Asia behind China" (*South China Morning Post*, 2 April 2020) <<https://www.scmp.com/coronavirus/asia/article/3078172/coronavirus-indonesia-frees->

face significant challenges related to poor hygiene conditions and limited access to healthcare for detainees.<sup>25</sup> More broadly, pre-existing challenges related to the absence of normative frameworks that facilitate the efficient, transparent, and equitable application of alternatives to punishment by imprisonment or deprivation of freedom can be exacerbated during a crisis.

- *Private security companies:* In certain contexts, the private security industry is being recognized as a key part of the sector,<sup>26</sup> and is providing support to state security providers, including in medical facilities. In addition to being given new and unfamiliar roles, there remain significant concerns in fragile contexts regarding training, vetting, and oversight of private security that may come more into focus due to pandemic-related activities. Like other security actors, these personnel face heightened risk due to inadequate training and provision of PPE.

**Security management and oversight bodies:** During an emergency, many of the regular oversight functions of overseers are severely curtailed by limitations on their ability to conduct work as in times of normalcy. These cross-cutting restrictions impact all security management and oversight bodies and have serious implications for the oversight of security actors that have been granted heightened emergency powers and/or given tasks outside their regular responsibilities. Beyond these immediate difficulties, there is also the additional challenge of safeguarding a return to normalcy, including by supervising the return of security providers to their previously assigned roles and tasks as well as by ensuring they do not hold onto emergency powers acquired in times of crisis, the latter of which is often more difficult than anticipated. In the long term, existing deficiencies identified in the context of this pandemic must be addressed, to ensure the institutional readiness of overseers for similar crises in the future.

- *Independent oversight mechanisms:*<sup>27</sup> In many contexts, the work of existing oversight mechanisms has decreased due to a lack of capacity to rapidly adapt to

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[18000-inmates-it-records-highest-death](#)> accessed 9 April 2020; Parisa Hafezi, “Iran temporarily frees 85,000 from jail including political prisoners” (*Reuters*, 17 March 2020) <<https://www.reuters.com/article/us-health-coronavirus-iran-prisoners/iran-temporarily-frees-85000-from-jail-including-political-prisoners-idUSKBN21410M>> accessed 17 April 2020.

<sup>25</sup> Julie Gaubert, “Coronavirus: Inmates in France hit out over prison hygiene amid COVID-19 fears” (*EuroNews*, 26 March 2020) <<https://www.euronews.com/2020/03/26/coronavirus-inmates-in-france-hit-out-over-prison-hygiene-amid-covid-19-fears>> accessed 9 April 2020.

<sup>26</sup> New Zealand Security Magazine, “COVID-19: Is private security an essential service?” (DEFSEC, 24 March 2020) <<https://defsec.net.nz/2020/03/24/covid-19-alert-levels/>> accessed 17 April 2020. See also, New Zealand Security Magazine, “Security deemed essential” (DEFSEC, 25 March 2020) <<https://defsec.net.nz/2020/03/25/security-deemed-essential-service/>> accessed 17 April 2020.

<sup>27</sup> This includes national human rights commissions, parliamentary commissioners, Ombuds institutions (general and defence), statutory inspector generals, etc.

changes on the ground.<sup>28</sup> At the same time, continuous shifts in the roles and responsibilities of various security providers, alongside restrictions on the conduct of their work due to COVID-19, are increasing pressure on oversight mechanisms to fulfil their functions.

- *Executive and government ministries:* COVID-19 threatens to erode trust in public institutions, especially if citizens view their respective authorities as mishandling the response to the crisis or lacking transparency as to the scope of this response.<sup>29</sup> Nevertheless, some executives appear to be receiving a boost in popularity for their seemingly robust responses to the pandemic. As existing resources have been reallocated towards managing the global public health crisis, public financial management systems will need to be responsible and flexible, while ensuring value for money and minimizing fraud and corruption.<sup>30</sup> With fewer occasions to exercise independent oversight due to COVID-19-related restrictions, security actors face less accountability for their conduct.
- *Parliaments or legislatures, and specialized committees:* The functioning of parliaments around the world during a pandemic can be broadly divided into three types: (1) *continuing to meet physically*, but with restrictions such as fewer sittings of sessions or committees, and with some MPs and staff working remotely; (2) *continuing to meet virtually* using remote working methods, though issues of security and authentication may arise; or (3) *not meeting at all*, perhaps because they are in recess, but also due to a lack of political will or technical capacity.<sup>31</sup> In all three of these contexts, parliamentary oversight functions are limited and can no longer ensure that resources are properly allocated and used, or compel individuals to testify, provide information, or conduct site inspections, etc. These challenges affect the legislative process itself, for an executive may choose to step in to fulfil these functions. Any such intrusion by an executive into the established legislative processes of a parliament has a serious impact on accountability, as it is parliaments (and not the executive) that represent the voice of the people.

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<sup>28</sup> Guy Lamb, "OPINION: Fear and policing in the time of Covid-19" (*News24*, 3 April 2020)

<<https://www.news24.com/Columnists/GuestColumn/opinion-fear-and-policing-in-the-time-of-covid-19-20200403>> accessed 17 April 2020.

<sup>29</sup> United Nations Secretary-General, "Secretary-General's remarks to the Security Council on the COVID-19 Pandemic [as delivered]" (9 April 2020) <<https://www.un.org/sg/en/content/sg/statement/2020-04-09/secretary-generals-remarks-the-security-council-the-covid-19-pandemic-delivered>> accessed 14 April 2020.

<sup>30</sup> Srinivas Gurazada, Jens Kromann Kristensen, Mirja Channa Sjoblom, Moritz Piatti, and Khuram Farooq, "Getting government financial management systems COVID-19 ready" (*World Bank Blogs*, 20 March 2020) <<https://blogs.worldbank.org/governance/getting-government-financial-management-systems-covid-19-ready>> accessed 14 April 2020.

<sup>31</sup> Inter-Parliamentary Union, "How to run a parliament during a pandemic: Q and A" (1 April 2020) <<https://www.ipu.org/news/news-in-brief/2020-04/how-run-parliament-during-pandemic-q-and>> accessed 14 April 2020.

- *Judicial authorities:* The judiciary plays an essential role in securing the rule of law by ensuring that actions of the other branches of government respect the rule of law; a role that is particularly important during and in the aftermath of a crisis. Where an executive has claimed far-reaching emergency powers, a great risk of deliberate abuse of power for improper motives exists, as well as an undermining of human rights and rule of law processes that extends well beyond the crisis.<sup>32</sup> Reports indicate that judicial operations have changed in many places, with restrictions on courtroom activities, the adoption of remote work, and in some cases, virtual audiences.<sup>33</sup> The subject matter of judicial cases may also shift towards specific crimes in the midst of the COVID-19 crisis. For example, rates of domestic abuse and racial discrimination have been on the rise.<sup>34</sup> In contexts where martial law has been imposed, the functioning of courts has been severely curtailed, offering limited opportunity for judicial review of actions and decisions taken by the executive. Moreover, in times of crisis, there may be an increase in the establishment of military or exceptional courts, which often do not provide the same spectrum of individual rights and protections as civilian courts.
- *Civil society:* The curtailing of human rights and fundamental freedoms affects and diminishes the role of civil society organizations (CSOs) and their ability to operate, for they can no longer exert pressure on governments or voice their concerns through the same channels – including concerns related to the gender-differentiated impact of COVID-19 – due to a heightened risk of sanctions and restrictions on their rights, among other limitations. However, women’s organizations can and should play an important role in shaping responses that address the specific vulnerabilities of women and girls. In some contexts, there have been reports of neighbourhood communities coming together to fill gaps in local governance and provide support to those most affected.
- *Media:* Transparency in data, information transfer, and press freedom has been a key aspect of the ongoing COVID-19 pandemic. In some contexts, the media faces

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<sup>32</sup> Matt Pollard, Mathilde Laronche, and Viviana Grande, “COVID-19 Symposium: The Courts and Coronavirus (Part I)” (*OpinioJuris*, 3 April 2020) <<http://opiniojuris.org/2020/04/03/covid-19-symposium-the-courts-and-coronavirus-part-i/>> accessed 14 April 2020.

<sup>33</sup> Paulo Roberto Dornelles Junior, “Report on world’s judicial activity during the coronavirus pandemic” (International Association of Judges, 26 March 2020) <<https://www.iaj-uim.org/news/report-on-worlds-judicial-activity-during-the-coronavirus-pandemic/>> accessed 14 April 2020.

<sup>34</sup> Eoghan Macguire, “Anti-Asian hate continues to spread online amid COVID-19 pandemic” (*Al Jazeera*, 5 April 2020) <<https://www.aljazeera.com/news/2020/04/anti-asian-hate-continues-spread-online-covid-19-pandemic-200405063015286.html>> accessed 24 April 2020; Agency Report, “COVID-19: Nigerian govt. condemns racial discrimination in China” (*Premium Times Nigeria*, 23 April 2020) <<https://www.premiumtimesng.com/coronavirus/389499-covid-19-nigerian-govt-condemns-racial-discrimination-in-china.html>> accessed 24 April 2020.

increasing restrictions on transparent reporting due to potential government sanctions.<sup>35</sup> The health and safety considerations of COVID-19 limit not only the capacity to report, but also the space for media (as well as CSOs) to conduct their day-to-day work of providing vital information to the public, holding governments accountable for their actions, and serving as a voice by which the population and civil society can engage with authorities.

- *Private sector:* Accountability mechanisms initiated and managed by the private sector, such as contracts and other agreements, or codes of conduct with public and private security to protect operations and people, can promote adherence to human rights obligations, require minimum standards of training and vetting, and ensure high standards of duty of care. In fragile contexts affected by COVID-19, the private sector can thus have significant leverage to influence the effectiveness of security provision, apply health and safety arrangements to security personnel, and at the same time, reduce the risk of security providers exposing communities to infection.

## Key implications of COVID-19 for SSG

COVID-19 clearly presents a number of interconnected implications that relate to context and opportunities (1, 2 & 7), the role of security actors (3 & 4), and technological developments (5 & 6):

1. **Context matters:** While COVID-19 is a global crisis, some states are disproportionately affected by the pandemic. All states are struggling to address COVID-19, but fragile states with limited capacities for reporting, testing, and enforcing social distancing measures may be more severely affected than is currently known. On a national level, blanket emergency-led decisions are often insensitive to the different security needs of women, men, boys, girls, and gender minorities. In the Global North, the pandemic has also highlighted a lack of preparedness in the response of many states, and disparities in the measures adopted subsequent to its outbreak. The security context of each state, alongside national and local civil-military relationships, shapes domestic responses vis-à-vis the involvement of the security sector in crisis response. Given the global nature of the pandemic and its cross-border effects, international actors will need to rearticulate their support to states in their responses to this crisis to avoid long-lasting and/or spillover effects in other domains.

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<sup>35</sup> OSCE Representative on Freedom of the Media, “OSCE concerned about decree against ‘fake news’ in Republika Srpska, Bosnia and Herzegovina, and calls on authorities to withdraw it” (14 April 2020) <<https://www.osce.org/representative-on-freedom-of-media/450115>> accessed 14 April 2020.

2. **Multisectoral character:** During a pandemic, many elements of everyday life are affected, including access to health, as well as food, economic, and personal security. Many states are under pressure to deliver a cohesive crisis response to COVID-19, which requires collaboration across a spectrum of sectors, including the security sector. The health sector has, in particular, required support (ranging from logistical to technical) from various actors and institutions, in order to ensure its continued provision of services to those in need.
3. **Shifting role of security providers:** Numerous security providers have been tasked with responsibilities outside their usual scope of duties. Despite the rapidly changing tasks of security providers, they must continue to carry them out in a fair and non-discriminatory manner. Here, context remains paramount as previous political instability and existing fragility can create propitious conditions for inadequate performance by security sectors, and for potential instrumentalization by political actors. Moreover, given the shifting responsibilities of security providers, the overall preparedness and capacity of the sector to deal with other unforeseen or corollary issues may be limited.
4. **Reduced role of overseers:** The adoption of emergency powers and the implementation of measures in response to COVID-19 requires heightened scrutiny by existing, or newly created, oversight mechanisms. Indeed, this is essential to maintaining popular trust in the security sector. However, there is a general slowdown of the functioning of oversight mechanisms, which are unable to conduct their work at usual capacity due to limited functionality, the suspension of meetings, etc. Civil society and the media have also experienced restrictions on their ability to protest and/or report on government action. In the process of returning to normalcy, oversight and accountability mechanisms will be crucial to ensuring that security actors with temporarily changed roles and responsibilities return to their regular, legally-mandated activities.
5. **Lack of reliable data:** Initially, reports were mixed and provided contradictory information as to the severity of the outbreak and the speed and mechanisms of transmission of COVID-19, making it difficult for security actors to anticipate and respond to the pandemic. A patchwork adoption of preventive measures, incomplete responses, and a lack of clarity regarding the measures that were adopted has contributed not only to increased infections and death tolls but also to increasing distrust among citizens in their governments and security actors. Moreover, reliable data concerning the health and safety of individuals within security institutions is lacking, representing another gap in which information necessary to inform an effective and well-coordinated response remains limited. In this vein, pre-existing

linkages with fragility and context will resurface, as this lack of data is not a new problem in many states. Where SSG/R struggles already existed, states will find their challenges amplified in this pandemic. Still, it is paramount that gender-differentiated data on the direct impact of the disease is collected, as well as on the indirect impact of the responses that are implemented.

6. ***Acceleration of digitalization:*** In many countries, activities have been taken online to alleviate the impacts of COVID-19 on daily life. Digital voting, reporting of crimes, and complaints filing for some Ombuds institutions are examples of how activities have been rapidly transformed from an in-person model to a digital one. In parallel, a number of states have increased data monitoring (notably through “tracing” apps) and can invoke emergency powers to censor (dis-)information. This naturally raises concerns regarding the collection, use, and dissemination of personal information, and how best to ensure adequate data protection in the long term.
7. ***Opportunities for positive change:*** Moments of crisis represent opportunities for rapid change. Progress, aided by new legislation, can be achieved in a short time and have lasting impact, affecting future governance both in times of crisis and normalcy. Positive change may spill over to other domains as well, for instance by revitalizing action in the climate and environmental sectors with the aim to prevent similar global crises in the future. International and regional cooperation has been enhanced on health research, crisis preparedness, and efforts to develop community resilience, with great potential for future collaboration.

## Conclusion

The unprecedented impact of COVID-19 on societies and their institutions has led to a series of extraordinary responses by governments around the world. The pandemic has touched all parts of the security sector, affecting principles and values, cross-cutting issues, security providers, and security overseers. Oversight and accountability institutions are under extreme pressure to ensure that security actors are operating in accordance with the rule of law and human rights, and also to preside over an eventual return to normalcy. As a result, there is a continued clear need to pursue and expand this analysis of the impact of COVID-19, and pandemics in general, on SSG/R. This means not only examining immediate emergency responses, but also managing longer-term consequences and developing steps that can be taken in the future to mitigate the shocks of a similar crisis and alleviate pressures on security sector providers, with the ultimate goal of ensuring the provision of improved security for individuals, communities, and states.