Introduction & List of Country Reports

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As states of emergency are declared throughout the world in response to the spread of COVID-19, concerns arise as to the use – and potential abuse – of power in a time of crisis. In this Symposium, comparative country reports examine the use of emergency powers from the perspective of democracy, human rights, and the rule of law.

This Symposium is hosted by Verfassungblog and Democracy Reporting International under the re:constitution program supported by Stiftung Mercator, and coordinated by Joelle Grogan.

Country Reports

Albania – Some Exceptional Extraordinary Measures
Argentina – Executive vs Legislative Branch
Australia's State of Emergency
Austria: Rule of Law Lacking in Times of Crisis
Bangladesh's Unofficial Emergency
Belarus – The State of Denial Amidst a Military Parade
Belgium – When a Health Crisis Replaces a Political Crisis
Botswana – Constitutionalism in a Time of Crisis
Brazil – Authoritarianism Without Emergency Powers
Bulgaria – An Excuse to Solidify Autocracy?
Cameroon – An Ordinary Legal Framework for an Extraordinary Situation
Canada the Good?
Chile – A Constitutional Authoritarian Temptation
China – Fighting Two Enemies
Colombia – A Problem and a Modest Proposal
Croatia – On Legal Form and Constitutional Safeguards in Times of Pandemic
Cyprus – A Tale of Two
Czechs and Balances
Denmark – Something is Forgotten in the State of Denmark
Ecuador – Constitutionalism and Covid-19
Egypt –Putting the Poison in the Honey
Estonia – State of Emergency
European Union – Testing the Limits of EU Health Emergency Power
Finland – Best Practice and Problems
France – From One State of Emergency to Another
Georgia's Coronation of an Orwellian Doublethink
Germany – The German Struggle
Ghana – COVID-19, Constitutionalism and Emergencies
Greece – Coronavirus Crisis-Law
Guatemala – Challenges Beyond Public Health
Hong Kong – Fear of Unaccountability vs Fear of a Pandemic
Hungary's Orbánistan
Iceland's Rule of Common Sense …and Law
India's Executive Emergency
Indonesia's Battle Over the Meaning of Emergency
Iran – A Constitutional Analysis
Ireland's Response to COVID-19
Israel's Perfect Storm
Italy – Adjusting Along the Way
Japan's Soft State of Emergency: Social Pressure Instead of Legal Penalty
Kenya – Excessive Law Enforcement
Latvia – Precaution Above All
Lithuania – Quarantine Through the Prism of Human Rights and the Rule of Law
Luxembourg – The Protection of Health Must Take Precedence
Malaysia and the Return of Rule by Law
Malta – Maltese Response: Slow at First but Steady and Effective
Mauritius – Rescuing Human Rights in Mauritius

Mexico – Emergency Powers
The Netherlands: Of Rollercoasters and Elephants
Nepal – An Ordinary Response?
New Zealand – Lockdown Bubbles
Nigeria – A Worthy Sacrifice for Public Health?
Norway's Fight Against the Virus and the Rule of Law
Peru – Quarantine, State of Emergency, State of Enforcement, and the Pandemic
Philippines' Dalliance with Authoritarianism
Poland – An Emergency By Any Other Name?
Portugal – Coping with COVID-19
Romania – Between Corona Crisis and Constitutional Crisis
Russia – With Scepter and Corona
Serbia – Saving the Nation or Securing the Re-Election?
Singapore's Legislative Approach
Slovakia: Change of Government under COVID-19 Emergency
Slovenia – Business as Usual, but to the Unusual Extremes
South Africa – State of Disaster
Spain – Beyond the State of Alarm
Sweden and COVID 19: A Constitutional Perspective
Switzerland – Concentration of Powers in the Federal Executive
Taiwan's Proactive Prevention
Thailand – Health Before Rights and Liberties
Turkey – Fighting COVID-19
Ukraine – Legal Pragmatism or Constitutional Outbreak?
United Kingdom – Right Restrictions or Restricting Rights
United States of America – A Nearly Failed State
Venezuela – States of Emergency without Rule of Law
Viet Nam – When Non-Emergency Measures Equal Emergency Measures
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General Commentary on Democracy, Human Rights, and the Rule of Law

A "Marshall Plan" for Rule of Law in Europe
Dissecting Covid-19 Derogations
International Human Rights Law and COVID-19 States of Emergency
Human Rights – The Essential Frame of Reference in the Global Response to COVID-19
Democracy and the Global Emergency – Shared Experiences, Starkly Uneven Impacts
The Rule of Law Stress Test: EU Member States' Responses to COVID-19
Impacts of COVID-19 – The Global Access to Justice Survey
States of Emergency
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Post-Script to the COVID-19 and States of Emergency Symposium

A Note from the Convenor

The 'COVID-19 and States of Emergency' Symposium is jointly hosted by the Verfassungsblog and Democracy Reporting International under the re:constitution program supported by Stiftung Mercator.

From 6 April to 26 May 2020, the Symposium reported on states of emergency and measures taken in response to COVID-19 in 74 countries, analysing legal measures and the use of emergency powers which impact nearly 80% of global population. The country reports were accompanied by eight commentaries on democracy, human rights, and the rule of law in times of COVID-19.

The Symposium involved the work of over 100 contributors from across the world, who produced the highest quality reports despite working under pandemic conditions and with near-impossible editorial deadlines. Such a wide range of representation could not have been achieved without the invisible support of a network of academics, NGOs, human rights advocates, judges, and legal professionals who reached out to become involved, or connected us with in-country experts.

A great debt of thanks to our hosts: the Verfassungsblog and its Editor in Chief, Max Steinbeis; and to Michael Meyer-Resende and Jakub Jareczewski at Democracy Reporting International, the hosting of which could not have taken place without the generous support of Stiftung Mercator.

A final, and personal, thanks for the incredible work to my co-editors, Sinthiou Buszewski and Evin Dalkilic: I look forward to finally sharing that bottle of wine with you – *in person*.

ABOUT THE AUTHOR

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