

RACIAL DISCRIMINATION IN THE CONTEXT OF THE COVID-19 CRISIS

The COVID-19 crisis and its impacts are disproportionately affecting certain marginalised racial, national or ethnic communities and population groups. The pandemic has highlighted and exposed underlying structural inequalities and fundamental problems in various areas of social, economic, civil and political life, and exacerbating racism and racial discrimination, which exist in many parts of the world.¹

In addition to the devastating health consequences of COVID-19 for people of African descent and certain national or ethnic minorities, there has been a significant increase in racial verbal abuse, harassment and violence in public spaces, particularly targeting people of Asian descent in the context of the current crisis. The pandemic also put at risk the effective implementation of the 2030 Agenda, in particular its Sustainable Development Goal (SDG) 10 to reduce inequality within and among countries.

The General Assembly, in its first resolution related to COVID-19, emphasized the need for full respect for human rights, and stressed that there is no place for any form of discrimination, racism and xenophobia in the response to the pandemic.²

Under international human rights law, States must prohibit and eliminate racial discrimination in all its forms and guarantee the right of everyone, without distinction on the grounds of race, colour, descent, or national or ethnic origin.³ States must also guarantee the right of everyone to equality before the law. Although some human rights can be restricted on public health grounds, these limitations must be provided for by law, necessary, proportionate and non-discriminatory.⁴

As governments around the world begin to re-open public life and ease restrictions and quarantines, a broad range of human rights issues and concerns are arising, which could lead to further racial discrimination or adverse impacts on racial or ethnic communities and groups. These frontier issues include vaccination development, testing access and protocols; data collection and retention; “immunity passports”; surveillance and tracking tools; discriminatory treatment of survivors of the virus; and immigration policy and border control management. There are also growing concerns about economic livelihood and continued marginalisation of persons belonging to racial and ethnic groups and communities in the spheres of employment, health, education, and housing.

In order to effectively document and address manifestations of racial discrimination, there is an urgent need to ensure disaggregated data collection, in accordance with human rights norms, both during and after the COVID-19 crisis.

1. What is the impact of COVID-19 on the right to health of people of African descent, people of Asian descent, Roma and other marginalised groups?

The World Health Organization (WHO) has noted that the threat and experience of COVID-19 occurs differently for different groups. Marginalised and stigmatized groups have greater vulnerabilities and a disregard of this factor subjects them to a higher risk of infection and undermines the broader COVID-19 response.⁵ Persons belonging to racial, ethnic and religious groups are among the main groups at risk, due to their lower socio-economic status and entrenched exclusion and discrimination, making them particularly vulnerable to higher rates of infection and mortality and to unequal access to adequate medical care.⁶ Persons belonging to marginalised groups, including migrants, may

be more likely to be excluded from health care because of stigma or discrimination, or due to a lack of resources, or official documentation.⁷

The COVID-19 pandemic has aggravated long-standing structural inequalities in terms of access to healthcare facilities, goods and services. This is contrary to the human rights obligation to protect the right to health for everyone,⁸ and to promote the access without discrimination of individuals or groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance to health care.⁹ People of African descent, people of Asian descent and Roma are doing worst in the midst of the pandemic. In addition, they represent a significant percentage of - frontline workers - the nursing personnel; health aides; care workers; grocery and delivery staff; bus and transport drivers, who are more exposed to the risk of contamination, and have been making up the large numbers of contaminations and deaths in the current pandemic.

Structural inequalities and racism are manifested in access to medicines and medical procedures not related to COVID-19, and are likely also to have had an impact in each aspect of diagnosis and treatment of COVID-19, beginning with who gets access to telemedicine, then whose symptoms are taken seriously and who gets first tested for COVID-19, leading next to who gets hospitalized, and then ultimately who gets personal protection/preventive means, respiratory devices in hospitals and home care. There are also serious concerns about the potential for racial discrimination in decision-making around testing of trial vaccines for COVID-19 and ultimately around who would have access to an eventual vaccine.

At every stage of this process, the ability of people to seek care and participate in the decisions relating to their lives is affected by public health information, including whether information is available in minority languages.

The absence of testing data disaggregated by race or ethnicity obscures the ways this crisis affects racial and ethnic groups. Where disaggregated data is available, stark racial disparities are evident. For example, there are now a number of studies that document that people of African descent have higher infection and mortality rate.¹⁰ In addition, their situation is aggravated by several underlying health conditions that enhance risk and vulnerability to the COVID-19 virus.¹¹ These underlying health conditions are often symptoms of prevalent structural racism.

In some countries, people of Asian descent have been refused medical treatment and dental care.¹² Roma communities are particularly especially vulnerable as in addition to unequal access to healthcare and treatment, they may not have access to information and preventive means, and some countries have restricted access to and from Roma neighbourhoods, as a measure to prevent the spread of infection.¹³

Some recommended actions:

- Ensure equal access to healthcare and eliminate any discriminatory practices against racial or ethnic groups, including through initiating and implementing programmes and projects in the field of health for these communities, having in mind their disadvantaged situation.¹⁴
- Prioritize access to free or affordable testing, medications and needed procedures, such as ventilation, for those at higher risk, including members of racial and ethnic groups who have been disproportionately affected by COVID-19.¹⁵
- Make wider use of mobile clinics to reach out and deliver services directly to marginalised and vulnerable communities who may be cut off from access to health services.
- Distribute essential medical and preventive information in minority languages through digital and printing means.
- Involve communities and their representatives and associations, in designing and implementing health programmes and projects concerning racial and ethnic groups.

Some promising practices:

- Some positive initiatives have included distribution of information in the Roma language, including through a dedicated website; requests to local authorities to make Traveller sites safer to allow self-isolation; allocation of financial resources for the provision of medical supplies and equipment in Roma communities.¹⁶
- Some countries have temporarily granted residency rights to all migrants and asylum-seekers in an irregular situation to give them full access to the country's healthcare as the outbreak escalates, thereby reducing the risks for wider public health. Others have made all coronavirus treatment free to all.¹⁷
- In some countries, civil society organizations and local authorities are deploying mobile units staffed with doctors and cultural mediators to inform migrants and people, who are homeless or living in informal settlements, about coronavirus prevention, and to make medical examinations.
- Some governments announced relief packages to provide free food and cash transfers to the poor, vulnerable, and marginalised populations, and special health insurance for healthcare workers combating COVID-19.¹⁸
- OHCHR Regional Office for Central America, in coordination with indigenous women organizations and the Ministry of Health of Panama has facilitated access to relevant information on COVID-19 in seven official indigenous languages, through audio-visual materials and radio messages. The content includes prevention, symptomatology, and how and where to access healthcare.
- In Costa Rica, COVID-19 tests are available and provided free of charge for any person who may require it. People under quarantine receive adequate care in health facilities or regular follow-up in their respective domiciles.
- In Gabon, the Energy and Water Company started the second phase of free water and electricity across the national territory on 25 May. This measure is requested by the President in order to effectively counter the impact of coronavirus during the confinement period and will be applicable to a category of Gabonese, notably those who are considered "economically weak."
- The Maldivian authorities opened a dedicated clinic for expatriate workers, including undocumented/irregular migrants. This clinic is free of charge and no one is expected to show any identification documents. This mitigation measure was intended to allow undocumented workers to access healthcare without fear and help contain a larger outbreak.

2. What is the impact of racial discrimination within law enforcement and administration of justice during the pandemic?

During the COVID-19 crisis, people of African descent are reportedly being disproportionately controlled, harassed and profiled by law enforcement authorities, with other people being treated differently or not subjected to control at all. Prisons and other places of detention, with overcrowding and limited access to health care, enable rapid spread of the coronavirus. In several countries, marginalised groups, including people of African descent, indigenous persons and minorities, are disproportionately represented in detention and prison populations,¹⁹ and therefore exposed to greater risk of infection. Failure to address the heightened risks in places of detention, including through prisons release, also thus raises questions of racial discrimination and racial justice.²⁰

The current pandemic is also placing a strain on the general administration of justice in a number of States. Delays in legal processes and judicial proceedings due to courts' reduced capacity and closures has led in some countries to prolongation of pre-trial detention or the prolonged detention of prisoners eligible for early release, which may disproportionately affect inmates belonging to racial or ethnic minorities where they are overrepresented.

Finally, racial discrimination is manifested in who is penalized for "violating" restrictions during the pandemic, with marginalised communities facing heightened risks.

Some recommended actions:

- States should prevent, investigate, prosecute and provide effective remedies for racist or xenophobic incidents, and should keep and publish updated data relating to their efforts in these areas. Equality before the law and equal treatment before the tribunals and all other organs administering justice should also be guaranteed.²¹
- States should regularly assess the level of satisfaction among all communities concerning their relations with the police and the system of justice, including their perceptions of racial bias in policing and in the judicial system.
- States should ensure the right of individuals to an effective remedy against the perpetrators of acts of racial discrimination, including when such acts are committed by law enforcement officers or other State officials, as well as the right to seek just and adequate reparation for the damage suffered.²²
- States should ensure that any emergency measures in response to the pandemic, are designed and implemented in a manner that is free from any direct or indirect discrimination or stereotyping based on race, national or ethnic origin, gender or other status.
- States should ensure that members of racial or ethnic groups or communities are fully and equally able to benefit from measures designed to mitigate the impact of COVID-19, including releases from prisons and other places of detention.

3. How has COVID-19 affected equal access to education?

Widespread closure of schools and other educational and training institutions has caused an unprecedented disruption of education and training for millions of children globally. Many children and youth, particularly those belonging to marginalised racial or ethnic minority groups, do not have equal access to remote learning tools, the internet, or adequate parental support. These challenges are likely to further setback the education of these children and deepen existing racial inequalities. Children of racial and ethnic minority groups are also more dependent on schools as a source of free meals and other social services, such as mental health, sexual and reproductive health education, raising the prospect that children in these communities will face additional nutritional and health challenges.²³

Some recommended actions:

- Efforts to stop the spread of the virus and to rebuild in a sustainable and equitable manner should specifically assess and address the needs of children and young people, who are already facing racial discrimination, marginalisation and exclusion.
- States should ensure that online learning does not exacerbate existing racial inequalities, and work with entities like UNICEF to bridge the digital divide.²⁴
- States should secure alternative and multiple learning solutions, and ensure that home learning is available, including through television and radio classes, expansion of internet access, and providing computers for children and youth facing racial discrimination.
- Authorities should collect feedback and data on remote learning to understand the usage and effectiveness of different delivery channels,²⁵ including among racial and ethnic communities.
- States should put the best interests of the child first in response to the pandemic, and adjust education programmes and school meal programmes during these emergency circumstances and implementing measures to ensure that all children and youth have equal access to education and food and are not disproportionately impacted by the crisis.
- States should adopt and expand emergency food assistance programmes and other services to target children dependent on schools as a source of free meals and other social services.

Some promising practices:

- Governments have been increasing access to digital content for children, where possible. Such initiatives include negotiating with telecommunication companies to subsidize connectivity (North Macedonia), providing

free/low-cost SIM cards (Kyrgyzstan) or not charging data costs for education content (Rwanda, South Africa, and Jordan).²⁶ In Paraguay, the latter practice have ensured access for approximately 1,500,000 students.

- In some countries, governments or other education actors are delivering devices such as radios (Somaliland, Burkina Faso) and secure digital (SD) cards for mobile phones preloaded with audio content (Burundi) to families in hard-to-reach areas.²⁷

4. What is the impact of racial discrimination on the right to adequate housing during the COVID-19 pandemic?

Approximately 1.8 billion people worldwide are homeless or live in grossly inadequate housing, often in overcrowded conditions, lacking access to water and sanitation – making them particularly vulnerable to contracting the virus.²⁸ People of African descent tend to live in more densely populated urban spaces in many countries, and a disproportionate number are among those who lack access to adequate housing, including access to adequate water and sanitation facilities. These conditions complicate the needs to self-quarantine, shelter in place, and physical distance and create a heightened health risk.²⁹ In addition, the spread of misinformation, and the perpetuation of negative racial stereotypes, racism and xenophobia during the pandemic can lead to discrimination in accessing housing and in some cases, may lead to forced evictions.³⁰

The Committee on Economic, Social and Cultural Rights has recently emphasized that States parties to the International Covenant on Economic, Social and Cultural Rights should, as a matter of urgency, adopt special, targeted measures, including through international cooperation, to protect and mitigate the impact of the pandemic on vulnerable groups as well as communities and groups subject to structural discrimination and disadvantage. Such measures include, among others, imposing a moratorium on evictions or mortgage bond foreclosures against people’s homes during the pandemic and providing social relief and income-support.³¹

Some recommended actions:

- States should take immediate measures to mitigate the disproportionate impacts on racial and ethnic minority groups, such measures can include providing direct financial assistance for or deferring rental and mortgage payments; enacting a moratorium on evictions due to arrears; introducing rental stabilization or reduction measures; and, at least for the duration of the pandemic, suspending utility costs and surcharges.³²

Some promising practices:

- In Spain, a number of extraordinary measures were initiated to fight social and economic impact of COVID-19, including a moratorium on mortgage payments.³³
- In March, the United Kingdom Financial Conduct Authority, which regulates 59,000 financial services firms and financial markets in the country, issued new guidance on how they expect mortgage lenders and administrators to treat customers fairly during the pandemic, including “payment holidays”.³⁴
- UN-Habitat is helping local authorities to identify successful policy, legal measures and governance approaches to respond to the pandemic in cities, towns and communities and informal settlements so that the most vulnerable are protected.³⁵
- The Supreme Court of Brazil ordered the suspension of all legal proceedings that could result in evictions or in nullifying demarcations of indigenous lands during the pandemic.
- The UN Special Rapporteur on the right to adequate housing, has published a series of relevant Guidance Notes calling for a number of measures, including a moratorium on evictions, providing emergency housing with services for those who are affected by the virus and must isolate, and providing adequate housing including through extraordinary measures, such as using vacant and abandoned units and available short-term rentals.³⁶
- In Belgium, the ban on house evictions in the Brussels region has been extended until 31 August 2020. Put in place at the start of the lockdown mid-March, the measure means that all judicial and administrative

decisions ordering evictions are automatically suspended and that it is impossible for creditors to recover from the debtor's assets.

- New York lawmakers have banned evictions during the coronavirus outbreak and New York City is providing free legal help to anyone facing evictions and provide short-term support.

5. How is racial discrimination affecting food security and access to water in the current COVID-19 crisis?

Globally, structural racial discrimination creates or exacerbates food insecurity for millions of people every day.³⁷ During the pandemic, the sudden lack of income as well as lockdown and other measures restricting the movement of people in certain areas has resulted in a sharp increase in food prices, causing people of African descent, people of Asian descent, Roma/Travellers, migrants and many other marginalised groups to struggle even more to put food on the table.³⁸ In addition, school closures³⁹ have led to the cancellation of school meals, which are often the only source of nutrition for children in poor households among which racial minorities are disproportionately represented.

Racially marginalised groups also disproportionately lack access to adequate water and sanitary protection, often due to poor housing conditions.⁴⁰ Whether in rural or urban settlements, they often live in areas that have the most precarious infrastructures and lack basic services such as water supply. Lockdowns and other measures restricting the movement of people to curb the spread of COVID-19 make access to water and sanitation even more difficult, especially for those who depend on collective water distribution such as people living in slums⁴¹ and Roma, Gypsy and Travellers.⁴²

Some recommended actions:

- States should ensure that food is accessible and available in quantity and quality that is sufficient to satisfy the dietary needs of all people, with particular attention to those who are marginalised, or are subject to racial discrimination. This includes ensuring the proper functioning of food production and distribution in view of preventing shortages and price increase, expanding emergency food assistance programmes and social protection programmes, as well as mobilizing food banks and community-based groups to deliver food.
- States should also ensure that safe water and sanitation facilities are accessible for all, including indigenous peoples, people of African descent, people of Asian descent, Roma, Gypsy and Travellers, refugees, migrants and asylum seekers, and other racial minorities. Water supply must be safe and adequate and in sufficient quantity to cover both usual personal and domestic uses, and extra uses required to comply with sanitary and hygiene recommendations to reduce the risks of contamination.

Some promising practices:

- Several countries have taken measures to protect smallholder farmers and their agricultural productivity in order to keep food shortages to a minimum and prevent increase in food prices.⁴³
- Several countries have expanded their food assistance programmes, including by lifting eligibility conditions to food assistance programmes that represent major barriers in the context of lockdowns and by ensuring that school meals can be served during closures.⁴⁴
- A number of countries have taken measures to provide emergency water supplies to densely populated and impoverished areas.⁴⁵
- The High Court in Harare recently issued a provisional order, in favour of the Combined Harare Residents Association ordering the City of Harare to provide safe, regular and adequate water to residents during the period of lockdown and/or its extension. The residents were claiming violations of their constitutional rights to water, health care and life. They argued that for them, to be fully able to comply with the governmental COVID-19 regulations, measures must be urgently put in place to ensure access to water at home or at some nearby water points.

6. How does racial discrimination exacerbate the negative impact of the COVID-19 crisis on the right to work, to adequate standard of living and to livelihoods of racialized groups and communities?

Racial and ethnic minorities, migrants are disproportionately represented among those who are more exposed to adverse labour market outcomes. According to The International Labour Organization (ILO), the pandemic is a major economic and labour market shock, which will have long-term impacts in terms of unemployment and underemployment, as well as in terms of the quality of work.⁴⁶ Studies show that racial discrimination in the world of work increases during an economic downturn.⁴⁷

In many countries, people belonging to racial groups and communities, as well as migrants are overrepresented in occupations that are more exposed to the risk of contamination in the current pandemic. Health aides, care workers, grocery and delivery personnel, bus and transport drivers, and domestic workers are frontline workers during the pandemic.⁴⁸ The majority of them are women. A lack of protective measures and equipment in workplaces, which directly affects the occupational health and safety of those workers, has been reported.⁴⁹

Lockdowns and other measures, which restrict the movement of people, have a disproportionate impact on workers in precarious employment situation, self-employed, informal workers, and workers of the so-called 'gig' economy, among which racial minorities and migrant workers are overrepresented in many countries.⁵⁰

In every country, large numbers of people have been laid-off and for those who cannot carry out their activities remotely, such as drivers, street vendors and seasonal workers and workers of the service industry are facing unemployment or severe underemployment.⁵¹ Evidence shows that workers in precarious and informal jobs are often not eligible for the benefit and compensation schemes governments offer following the employment restrictions in place during the COVID-19 pandemic, putting them at risk of falling into extreme poverty.⁵²

Some recommended actions:

- States should ensure availability and accessibility of social protection for all to compensate for the lack of earnings due to the pandemic, including workers in precarious employment situation, informal workers, the self-employed, daily labourers, domestic workers and those who are not in a position to meet their basic needs because of the pandemic.
- States should adopt fiscal stimulus and social protection packages aimed directly at those least able to cope with the crisis to mitigate the longer term economic and social consequences of the pandemic.
- States should also ensure that protective measures and equipment are available to all workers to guarantee occupational health and safety in the workplace, including by adapting work arrangements and by providing quality protective equipment without distinction.

Some promising practices:

- Several States have developed guidance on workplace related measures to reduce the risk of contamination by the coronavirus, especially by front-line workers such as health aides, grocery and delivery personnel, bus and transport drivers.⁵³
- Most States have put in place wide-ranging economic support measures to compensate for loss of income related to the outbreak and mitigate the impact on workers and their families, including supplementing wages, providing fixed sum compensation to employees who have been made redundant, support for self-employed, support for people with caring responsibilities, extending paid sick leave and unemployment benefits, as well as direct cash transfers and in-kind benefits.⁵⁴
- Several States have implemented measures to support workers in precarious and informal employment situations, such as domestic workers. The Wallonia Government in Belgium announced 23 million Euros in

support for the domestic cleaning sector. The Spanish government has also introduced special benefits for domestic workers affected by the economic crisis.⁵⁵

- Several States have implemented measures to support workers in precarious and informal employment situations, such as domestic workers.⁵⁶
- A number of States have taken measures to relax or suspend restrictions on working hours in sectors that face additional pressure in the current pandemic, with potential consequences for the right to fair and just working conditions.⁵⁷
- In Honduras, the Ministry of Development and Social Inclusion announced that 40 million lempiras would be allocated to assist indigenous peoples affected by the pandemic.
- Since the end of March, the Russian Government has issued a series of financial decisions for the COVID-19 response. These include bonuses paid to health workers and employees of secondary and tertiary care hospitals who are involved in the COVID-19 emergency response. The bonuses range from 20% to 100 % of the regular monthly wage, exempt from tax. A presidential decree was also issued outlining additional insurance guarantees for healthcare workers. Doctors, ambulance drivers, and other mid-level and junior medical personnel who contract coronavirus while on the job are now eligible for a one-time insurance benefit.

7. What are the consequences of the COVID-19 crisis on trafficking in persons and modern slavery?

Many factors currently contribute to the increase in trafficking and modern slavery, but the most important factor is the sharp increase in unemployment created by the COVID-19 related restrictions on economic activities around the world. ILO has reported that 1.25 billion workers will suffer job losses, which translates to 38% of the global workforce, which may render more persons vulnerable, and push them to turn to risky or exploitative employment. Furthermore, Europol warns that closed borders and increased vulnerabilities shifted smuggling activities from air to land and sea routes and may increase human trafficking for sexual and labour purposes. It also alerts that that the socio-economic affect of COVID-19 may trigger a wave of irregular migration.⁵⁸

Domestic workers are at high risk of being exploited due to nature of their job, where in some countries, confinement is the norm of their daily life, but has been exacerbated due to the crisis. In some countries, arrests have been carried out by law enforcement based on reported cases of advertisements posted on social media, offering some domestic workers – primarily women of African descent – for sale. In many cases, domestic workers are not paid their wages due to closures, leaving their families in desperate situations unable to cover the most urgent basic needs. The current crisis may create an environment where labour exploitation is widespread, as employees may be forced to abide by policies and working conditions imposed by employers, in fear of losing their jobs.

Some recommended actions:

- States should continue taking necessary measures to prevent, combat and punish contemporary forms of slavery, forced labour and human trafficking during the pandemic.
- States should enforce labour protective measures and alternative social protection schemes to protect the most vulnerable, including migrants.
- States should also adopt special measures to allow migrant workers, including domestic workers, to transfer money to their families at their countries of origin.
- States should continue to enable labour inspectors to undertake their oversight tasks in monitoring the conditions of work and providing the support needed to migrant workers, including domestic workers and the most marginalised and vulnerable amongst them.

8. What are the manifestations of religious discrimination during the pandemic?

The current pandemic is exacerbating discrimination, xenophobia and intolerance directed against religious groups, which often compounds with discrimination on racial or ethnic grounds. An upsurge in incitement to hatred and scapegoating of religious or belief communities for the spread of the virus has been reported.⁵⁹ There are also reports that derogatory language and the propagation of conspiracy theories have increased by up to 30% on major social media platforms since the start of the pandemic. People belonging to religious groups have been targeted by verbal abuse, death threats, physical attacks and experienced segregation and discrimination in accessing public services, as well as the denial of vital health services. Religious communities in some countries have also allegedly been accused of spreading COVID-19 within countries or bringing it from abroad.

Besides this disinformation, extremist and racist organizations have reportedly instructed their followers to “spread the disease” including among ethnic and religious minorities, and others. There are reports that inmates of certain religious communities are detained in overcrowded wards in some places of detention, increasing their risk to the pandemic. Concerns have been raised as well about limitations on the ability to carry out burial rites, in accordance with their religious traditions, in cases of those who have died or are suspected to have died because of contracting the virus.

Some recommended actions:

- States, religious leaders and civil society should promote solidarity and messages of anti-discrimination, and combat incitement to hatred through engagement and education.
- States should encourage the creation of collaborative networks between governments and religious groups to build mutual understanding, promote dialogue and inspire constructive action towards shared policy goals and the pursuit of tangible outcomes, in the fields of education, health, conflict prevention, employment, integration and media education. Building such trust between governments and religious groups can play a critical role in delivering non-discriminatory health interventions.⁶⁰
- Leaders should respond unequivocally to discrimination and attacks directed at religious groups as it threatens stability and security, and increases hate crimes.

Some promising practices:

- The African Union Peace and Security Council on 14 April 2020, adopted a communique on the impact of the coronavirus outbreak on peace and security in Africa, encouraging community leaders and those of various religious organizations, among others, to fully support and complement all efforts being deployed by their governments in fighting against COVID-19.⁶¹
- The Committee on the Elimination of Racial Discrimination against Women (CEDAW Committee) refers to “peer-to-peer learning webinars, in collaboration with Religions for Peace and other partners to explore how various faith communities can scale up collaboration around the diverse challenges posed by COVID-19 with a human rights-based approach with respect to women and girls.”⁶²
- UNICEF and Religions for Peace have joined forces to launch a global Multi-Religious Faith-in-Action COVID-19 Initiative to raise awareness of the impacts of this pandemic on children, to counter all forms of stigma and discrimination associated with transmission of the disease with active promotion of attitudes and behaviours to uphold the dignity and rights of all people.⁶³
- OHCHR has supported the Beirut Declaration and its 18 commitments on “Faith for Rights”⁶⁴ and the #Faith4Rights Toolkit⁶⁵ to assist governments, religious leaders, faith actors, civil society and national institutions in acting on positive obligations to advance human rights-based discourse, and to strengthen solidarity.

Conclusion

The COVID-19 pandemic has exposed and magnified racial discrimination and inequalities on a wide scale. Amidst the economic and social dislocation of the COVID-19 pandemic, there is still concern over a lack of sufficient solidarity with developing countries that need support in responding to the crisis that it has brought about.⁶⁶ While the focus in the midst of the pandemic crisis has been on the right to health and access to health services, other key issues including human rights, inequality and development must also be front and centre particularly in the recovery period ahead.

¹ <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>

² General Assembly, Global solidarity to fight the coronavirus disease 2019 (COVID-19) A/RES/74/270, 2 April 2020; available at: <https://undocs.org/A/RES/74/270>

³ International Convention on the Elimination of All Forms of Racial Discrimination, articles 1 and 5. See also the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

⁴ OHCHR, Guidance on Emergency Measures and Covid-19 available at https://www.ohchr.org/Documents/Events/EmergencyMeasures_COVID19.pdf

⁵ WHO, Addressing Human Rights as Key to the COVID-19 Response, available at <https://www.who.int/publications-detail/addressing-human-rights-as-key-to-the-covid-19-response>

⁶ The United Nations Secretary General's report on COVID-19 and Human Rights: We are all in this together, available at https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf

⁷ <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>

⁸ Including ICESCR, art. 12, ICERD art. 5 (e, iv), ICPMW art.28.

⁹ Durban Action Plan para. 101

¹⁰ <https://www.chicago.gov/city/en/sites/covid-19/home/latest-data.html>

¹¹ United Nations Working Group of Experts on People of African Descent (WGEPAD), "Statement on COVID-19: Racial equity and racial equality must guide State action, available at

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25768&LangID=E>

¹² European Union Agency for Fundamental Rights (FRA), Coronavirus pandemic in the EU - Fundamental Rights Implications - Bulletin 1, available at <https://fra.europa.eu/en/publication/2020/covid19-rights-impact-april-1>

¹³ *Ibid.*

¹⁴ See in this regards also the Committee on the Elimination of Racial Discrimination, General recommendation XXVII on discrimination against Roma (2000).

¹⁵ UNAIDS, Rights in the time of COVID-19, available at https://www.unaids.org/sites/default/files/media_asset/human-rights-and-covid-19_en.pdf

¹⁶ FRA, Coronavirus pandemic in the EU - Fundamental Rights Implications - Bulletin 1, available at <https://fra.europa.eu/en/publication/2020/covid19-rights-impact-april-1>

¹⁷ United Nations Secretary-General's report on COVID-19 and Human Rights: We are all in this together, available at https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf

¹⁸ <https://pib.gov.in/PressReleaseFramePage.aspx?PRID=1608345>

¹⁹ Paragraph 25 of the Durban Declaration and Programme of Action available at: <https://www.un.org/WCAR/durban.pdf>

²⁰ The UN experts' statement, "US Government urged to do more to prevent major outbreaks of COVID-19 in detention centres", available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25912&LangID=E>

²¹ Articles 5(a) and 6 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

²² Article 6 of the ICERD

²³ [Inter-agency Statement on Youth and COVID-19](https://www.ohchr.org/Documents/Issues/Youth/COVID-19_and_Youth.pdf)

https://www.ohchr.org/Documents/Issues/Youth/COVID-19_and_Youth.pdf

²⁴ Committee on the Rights of the Child,

https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1_Global/INT_CRC_STA_9095_E.pdf

²⁵ *Ibid.*

²⁶ UNICEF, Promising practices for equitable remote learning emerging lessons from COVID-19 education responses

in 127 countries (2020), available at: <https://www.unicef-irc.org/publications/1090-promising-practices-for-equitable-remote-learning-emerging-lessons-from-covid.html>

²⁷ *Ibid.*

²⁸ <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25727&LangID=E>

²⁹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25768&LangID=E>

³⁰ The Committee on Economic, Social and Cultural Rights stated in its General Comment No. 7 that forced evictions are prohibited by international law (E/1998/22, annex IV).

³¹ The Committee on Economic, Social and Cultural Rights, “Statement on the coronavirus disease (COVID-19) pandemic and economic, social and cultural rights”, para.15, available at: <https://undocs.org/E/C.12/2020/1>

³² <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25727&LangID=E>

³³ https://www.garrigues.com/sites/default/files/documents/covid19_royal_decree_82020_0.pdf

³⁴ <https://www.fca.org.uk/consumers/mortgages-coronavirus-consumers>

³⁵ https://unhabitat.org/sites/default/files/2020/04/final_un-habitat_covid-19_response_plan.pdf and

https://unhabitat.org/sites/default/files/2020/04/covid19_policy_and_programmatic_framework_eng-02.pdf

<https://www.ohchr.org/EN/Issues/Housing/Pages/COVID19RightToHousing.aspx>

³⁷ WGEPAD, “Statement on COVID-19: Racial equity and racial equality must guide State action,” 3 April 2020, and A/HRC/27/68/Add.1. According to information received, the COVID-19 crisis directly affects the right to food for communities of African descent in Brazil, Colombia and the French Overseas Departments and Territories.

³⁸ According to the World Food Programme, some 265 million people in low- and middle-income countries will be in acute food insecurity by the end of 2020 unless swift action is taken (<https://www.wfp.org/news/covid-19-will-double-number-people-facing-food-crises-unless-swift-action-taken>, accessed 27 April 2020). See also: Committee on World Food Security, “Impact of COVID-19 on Food Security and Nutrition” 24 March 2020, available at:

http://www.fao.org/fileadmin/templates/cfs/Docs1920/HLPE_2020/New_HLPE_paper_COVID_EN.pdf.

³⁹ According to United Nations Food and Agriculture Organization (FAO), more than 160 countries have implemented nationwide closures of schools, impacting over 87 percent of the world’s student population, FAO, “COVID-19 and the risk to food supply chains: How to respond?” 29 March 2020, available at: <http://www.fao.org/3/ca8388en/CA8388EN.pdf>

⁴⁰ See, for instance, WGEPAD, “Statement on COVID-19: Racial equity and racial equality must guide State action,” 3 April 2020. The WGEPAD and the Special Rapporteur on contemporary forms of racism have noted structural discrimination in access to water and sanitation affecting racial minorities, including people of African descent, indigenous peoples, Roma, Amazigh and migrant workers, in Argentina (A/HRC/35/41/Add.1), Bolivia (A/HRC/23/56/Add.1), Brazil (A/HRC/27/68/Add.1), Morocco (A/HRC/41/54/Add.1, Panama (A/HRC/27/68/Add.1) and Spain (A/HRC/39/69/Add.2 and A/HRC/23/56/Add.2).

⁴¹ See, for instance, UN News “Water access critical to beating back COVID-19 spread in slum areas” 23 March 2020, available at: <https://news.un.org/en/story/2020/03/1060042>

⁴² See, for instance, Council of Europe Commissioner for Human Rights “Governments must ensure equal protection and care for Roma and Travellers during the COVID-19 crisis” 7 April 2020 (<https://www.coe.int/en/web/commissioner/-/governments-must-ensure-equal-protection-and-care-for-roma-and-travellers-during-the-covid-19-crisis>, accessed 27 April 2020)

⁴³ UN Food and Agriculture Organization, “COVID-19 and the risk to food supply chains: How to respond?” 29 March 2020.

⁴⁴ See, for instance, measure taken by the United-States Food and Nutrition Service (<https://www.fns.usda.gov/disaster/pandemic/covid-19>, accessed on 27 April 2020)

⁴⁵ United Nations Secretary-General’s report: “COVID-19 and Human Rights: We Are All in Together” April 2020.

⁴⁶ <https://www.ilo.org/global/topics/coronavirus/lang--en/index.htm>

⁴⁷ https://www.ilo.org/global/publications/world-of-work-magazine/articles/WCMS_165284/lang--en/index.htm

⁴⁸ See, for instance, WGEPAD, “Statement on COVID-19: Racial equity and racial equality must guide State action,” 3 April 2020; ILO, “Migrant domestic workers around the globe” available at: http://www.oit.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/briefingnote/wcms_490162.pdf

⁴⁹ See, for instance, European Trade Union Confederation “Briefing Note: Occupational Safety and Health” 15 April 2020 https://www.etuc.org/sites/default/files/publication/file/2020-04/20200417_COVID%2019%20Briefing%20occupational%20safety%20and%20health.pdf; UNIA in Switzerland

<https://www.unia.ch/fr/monde-du-travail/de-a-a-z/coronavirus/que-faut-il-faire>

⁵⁰ WGEPAD and the UN Special Rapporteur on contemporary forms of racism have noted that racial minorities being overrepresented in these sectors in 17 countries, out of the 25 country visited since 2010 (A/HRC/15/18; A/HRC/33/61/Add.2; A/HRC/21/60/Add.1; A/HRC/24/52/Add.1; A/HRC/24/52/Add.2; A/HRC/27/68/Add.1; A/HRC/30/56/Add.2; A/HRC/33/61/Add.1; A/HRC/36/60/Add.1; A/HRC/36/60/Add.2; A/HRC/39/69/Add.2; A/HRC/42/59/Add.2; A/HRC/17/40/Add.2; A/HRC/20/33/Add.1; A/HRC/23/56/Add.1; A/HRC/35/41/Add.1; A/HRC/35/41/Add.2; A/HRC/41/54/Add.2). See also, FRA, “Second European Union Minorities and Discrimination Survey – Main results” (2017), available at:

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2017-eu-midis-ii-main-results_en.pdf; FRA, “Being Black in Europe” (2018), available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-being-black-in-the-eu_en.pdf

⁵¹ The International Labour Organization estimates that 1.25 billion workers, representing almost 38 per cent of the global workforce, are employed in sectors that are now facing a severe decline in output and a high risk of workforce displacement and that two billion people work in the informal sector (mostly in emerging and developing economies) and are particularly vulnerable to sudden income loss (International Labour Organization “ILO Monitor: COVID-19 and the world of work. Second edition,” 7 April 2020, available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/briefingnote/wcms_740877.pdf (accessed on 27 April 2020)

⁵² See, for instance, International Trade Union Confederation, “Putting people first,” 27 March 2020, available at: <https://www.ituc-csi.org/putting-people-first> (accessed 26 April 2020); FRA, “Coronavirus Pandemic in the EU – Fundamental Rights Implications”, March 2020 (https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin_en.pdf).

⁵³ See, for instance, the United States Occupational Safety and Health Administration, “Guidance on Preparing Workplaces to COVID-19,” March 2020, at available: <https://www.osha.gov/Publications/OSHA3990.pdf>; the Swiss Federal Office of Public Health, “New Coronavirus: Recommendations for the workplace,” available at:

<https://www.bag.admin.ch/bag/en/home/krankheiten/ausbrueche-epidemien-pandemien/aktuelle-ausbrueche-epidemien/novel-cov/empfehlungen-fuer-die-arbeitswelt.html>

⁵⁴ For detailed information on measures implemented in each country, see ILO’s website on Country Policy Response, at:

<https://www.ilo.org/global/topics/coronavirus/country-responses/lang-en/index.htm>.

⁵⁵ FRA, “Coronavirus Pandemic in the EU – Fundamental Rights Implications”, March 2020,

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-coronavirus-pandemic-eu-bulletin_en.pdf

⁵⁶ *Ibid.* For example, the Wallonia Government in Belgium announced 23 million euros in support for the domestic cleaning sector. The Spanish government has also introduced special benefits for domestic workers affected by the economic crisis.

⁵⁷ *Ibid.*

⁵⁸ <https://www.europol.europa.eu/newsroom/news/migrant-smugglers-and-human-traffickers-to-become-more-ruthless-and-quiet-says-new-europol-report>

⁵⁹ UN Special Rapporteur on freedom of religion or belief, “UN expert warns against religious hatred and intolerance during COVID-19 outbreak,” 22 April 2020, available at:

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25814&LangID=E>

⁶⁰ Paragraph 7 (a) of resolutions A/73/164 and A/HRC/40/25 on Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief.

⁶¹ <https://undocs.org/en/S/2020/324>

⁶² CEDAW Committee, “Call for joint action in the times of the COVID-19 pandemic”, 21 April 2020, available at:

https://www.ohchr.org/Documents/HRBodies/CEDAW/Statements/CEDAW_statement_COVID-19_final.doc

⁶³ <https://www.unicef.org/press-releases/launch-global-multi-religious-faith-action-covid-19-initiative>

⁶⁴ <https://www.ohchr.org/EN/Issues/FreedomReligion/Pages/FaithForRights.aspx>

⁶⁵ <https://www.ohchr.org/Documents/Press/faith4rights-toolkit.pdf>

⁶⁶ <https://news.un.org/en/story/2020/04/1062972>