

라지브 나라얀. 2020. “인권의 관점으로 보는 아시아 태평양 지역에서의 코로나19 팬데믹” 『인권연구』 3(1): 67-132.

Rajiv Narayan. 2020. “COVID-19 Pandemic in Asia-Pacific Region” *Journal of Human Rights Studies* 3(1): 67-132.

[일반논문]

COVID-19 Pandemic in Asia-Pacific Region : A Human Rights Perspective

Rajiv Narayan*

Abstract

This article focuses on the human rights perspective of the COVID-19 pandemic in the Asia-Pacific Region. It highlights the impact of the COVID-19 crisis on the rights of life and health, made worse by the increased threats to the freedom from want in a climate of heightened fear. The vulnerable have become more vulnerable with the pandemic experiencing a disproportionate share of the pain and suffering, worsening poverty on the economically and socially marginalised sections of society. Millions have lost livelihoods overnight, become homeless, displaced and had to make the existential choice of fighting to survive COVID-19 or hunger. In the Asia-Pacific region, where many countries have health facilities that are highly inadequate and coping mechanisms including social nets that are weak, these vulnerable, displaced, destitute persons have had to make a million perilous journeys in desperation. On the way, they have faced abuses, verbal and physical, from law-enforcement personnel, amongst others. Many have been stranded and forced to live precariously in

* Rajiv Narayan is Director of Policy at the Madrid-based International Commission against the Death Penalty, an international organization led by 22 Commissioners from all parts of the world under the Presidency of former UN High Commissioner for Human Rights Judge Navi Pillay and its activities are supported by 23 countries from all regions of the world. He is a Visiting Professor at IE University.

limbo in make-shift camps. They face a very uncertain future with fewer jobs, lesser security. Women have had to bear the brunt in terms of higher unemployment and increased exposure to gender-based violence. Minority communities are under increased attacks with greater intolerance, at times fueled by populist majority-

community political leaders. The conditions of persons deprived of liberty, which were already of concern, have got worse. Communities in conflict

zones, refugees and asylum-seekers, migrants have become more vulnerable to the depredations of this pandemic and its aftermath. The ground has shifted beneath their feet. There has been an onset of an economic and social crises of grave proportions. The article highlights that human cost and erosion of human dignity as a consequence of the pandemic underlines the universality, indivisibility, essentiality of human rights. The unprecedented challenges during these uncertain times require that Governments and non-

State actors need to adopt holistic, human-centric, rights-centered policies and measures.

Key Words: COVID-19 coronavirus pandemic, Asia-Pacific region, increased vulnerabilities and discrimination, threats to freedoms from want and fear, marginalized sections of society

Contents

- I. An introduction
- II. Dilemmas of the imposition of emergency measures to control the spread of COVID-19
- III. Increased threats to freedom from want
- IV. Millions of perilous journeys faced by desperate people on the move
- V. Economic and social crises
- VI. An increased climate of fear
- VII. Increased use of mass surveillance tools raising concerns on interfering with privacy
- VIII. Increased discrimination and attacks against marginalised communities
- IX. Attacks on healthcare workers, officials
- X. Increased vulnerabilities for woman: worsening economic impact and gender-based violence
- XI. Worsening conditions for persons deprived of liberty
- XII. Increasing vulnerabilities of communities in conflict zones
- XIII. Conclusion

I . An introduction

The Asia-Pacific region, like most regions of the world, is facing a health pandemic (that was declared by the World Health Organisation on 11 March 2020) caused by the latest variant of Coronavirus, the Severe Acute Respiratory Syndrome Coronavirus (SARS-COV-2), and which has been termed as Coronavirus Disease 2019 (COVID-19). According to the International Committee of the Red Cross, “With the Asia-Pacific region being home to 60 per cent of the world's population - i.e. some 4.3 billion people - an uncontrolled outbreak could be devastating.”¹⁾ The pandemic has unprecedented consequences from a human rights perspective noting that its impact spans economic, social, political spheres.

This article²⁾ focuses on the human rights perspective of the COVID-19 pandemic in the Asia-Pacific region. It highlights the impact of the COVID-19 crisis, that is being treated in many countries, including in the Asia-Pacific region, as a threat to the rights of life³⁾ and health.⁴⁾ In the region, the pandemic has already

1) International Committee of the Red Cross, “ICRC operational response to the COVID-19 in the Asia-Pacific,” 23 April 2020 at <https://www.icrc.org/en/document/icrc-covid-19-response-in-asia-pacific> accessed on 22 June 2020.

2) This paper is a much longer, totally revised version of an earlier article written for the Global Asia Journal for its June edition titled “COVID-19 is Battering Human Rights: An Asia-Pacific Perspective.” The coverage and latitude made possible by the longer format of this academic piece gives the author greater opportunity to examine the multiple layers of repercussions, consequences, violations due to COVID-19 from a human rights perspective.

revealed enormous impacts causing, and will continue to cause, fundamental consequences on the rights to equality,⁵⁾ food,⁶⁾ adequate

3) For the provisions providing for the many aspects of the right to life, see UN Human Rights Committee (HRC), General Comment no.36 (2018) on Article 6 of the International Covenant on Civil and Political Rights, on the right to life (GC36), paragraphs 2 and 3, (CCPR7C7GC/36, 30 October 2018,) p.1; see United Nations, Universal Declaration of Human Rights (UDHR), Article 3, (UN General Assembly Resolution 217A, 10 December 1948); see United Nations, International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 11, (UN General Assembly Resolution 2200A(XXI), 16 December 1966.)

4) See ICESCR, Article 12.

5) See UDHR, Articles 1, 2 and 7; the International Covenant on Civil and Political Rights (ICCPR), Articles 2(1), 3, 14(1), 20(2), 25, 26 and 27, (UN General Assembly Resolution 2200A(XXI), 16 December 1966), ICESCR, Articles 2(2), 3, 7(a)(i), 7(c); International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Articles 1(1), 2, 3 and 5, (UN General Assembly Resolution 2106 (XX), 21 December 1965); Convention on the Rights of the Child (CRC), Articles 2(1), 2(2) and 30, (UN General Assembly Resolution 44/25, 20 November 1989); Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Articles 1, 3.2, (UN General Assembly Resolution 34/180, 18 December 1979) and also in International Declarations and Regional Conventions.

6) See UDHR, Article 25; ICESCR, Article 11 (1), (2); CEDAW, the CRC and the Convention on the Rights of Persons with Disabilities (UN General Assembly Resolution 61/106, 13 December 2006), regional instruments, International Humanitarian Law and by Treaty Bodies. For instance, the Human Rights Committee, which monitors the ICCPR, includes the protection of the right to life requiring States to adopt positive measures, such as measures to eliminate malnutrition. The Committee against Torture, which monitors the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UN General Assembly Resolution 39/46, 10 December 1984), has pointed out

housing,⁷⁾ water,⁸⁾ the freedoms of opinion and expression,⁹⁾

that lack of adequate food in prisons may be tantamount to inhuman and degrading treatment.

7) See UDHR, Article 25 (1) and ICESCR, Article 11; UN Economic and Social Council: General Comment No.4: The Right to Adequate Housing (Article 11(1) of ICESCR), (CESCR, E/1992/23, 13 December 1991); General Comment no.7: The Right to Adequate Housing: Forced Evictions, (CESCR, E/1998/22, 20 May 1997) and General Comment no.16: The Equal Right of Men and Women to the Enjoyment of all Economic, Social and Cultural Rights (Article 3 of ICESCR), (CESCR, E/C.12/2005, 11 August 2005); see Convention Relating to the Status of Refugees (or the Refugees Convention, Article 21, which was adopted on 28 July 1951 by the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons covered under UN General Assembly Resolution 429(V) of 14 December 1950); International Labour Organization Convention (ILO) No. 117 concerning Basic Aims and Standards of Social Policy (ILO, C117 - Social Policy (Basic Aims and Standards) Convention, 1962 (No.117)), Article 5(2); ICERD, Article 5(e)(iii); ICCPR, Article 17; CEDAW, Articles 14(2) and 15(2); CRC, Articles 16(1) and 27(3); ILO's Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (ILO: C-169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169)), Articles 14, 16 and 17; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers' Convention), (UN General Assembly Resolution 45/158, 18 December 1990), Article 43(1)(d); CRPD, Articles 9 and 28.

8) See General Comment no.15: The Right to Water (Articles 11 and 12 of the ICESCR), (CESCR E/C.12/2002/11, 20 January 2003); CEDAW, Article 14(2); ILO Convention No. 161 (1985) concerning Occupational Health Services, (ILO: C161 - Occupational Health Services Convention, 1985 (No.161)), Article 5; CRC, Articles 24 and 27(3); CRPD, Article 28; General Comment 36 on Article 6 of ICCPR on the Right to Life (GC36: Paragraph 26, p.6)

9) See UDHR, Article 9; ICCPR Articles 2(1), 19 and 26; ICESCR, Article 2(2); ICERD, Article 5(viii); ILO Convention No.135 relating to

peaceful assembly and of association.¹⁰⁾ Across the Asia-Pacific region, the repercussions are being felt in unprecedented challenges to the basic concepts of human security, including the freedoms from fear and want (see Section III for a brief elaboration), reflecting mercilessly the inequalities of society by inflicting disproportionate pain and suffering and eroding human dignity on the economically and socially vulnerable sections of society, among the minority communities, and worsening the situation of women, the elderly and those of communities living in conflict zones, people on the move including refugees, internally displaced persons and stateless people and migrant workers. According to a recent brief prepared by the UN Office for Disaster Risk Reduction, the

Asia-Pacific is home to 3.5 million refugees, 1.9 million internally displaced people and 1.4 million stateless people.

Workers' Rights (ILO: C135 - Workers' Representatives Convention, 1971 (No.135); the Human Rights Committee's General Comment 10 (19) on Article 19 (HRC: CCPR General Comment No. 10: Article 19 (Freedom of Opinion), 29 June 1983) and General Comment 11 (19) on Article 20 (HRC: CCPR General Comment No. 11: Article 20 Prohibition of Propaganda for War and Inciting National, Racial or Religious Hatred, 29 July 1983) and by regional standards.

¹⁰⁾ See UDHR, Article 20(1); ICCPR, Articles 21 and 22; ICESCR, Article 8; ICERD, Articles 4 and 5(ix); CEDAW, Article 7c; CRC, Article 15, Migrant Workers' Convention, Article 26; International Convention for Protection of All Persons from Enforced Disappearances, Article 24(7); CRPD, Article 29; ILO Convention no.87 on Freedom of Association and Protection of Right to Organise, ILO Convention no.98 on Right to Organise and Collective Bargaining; ILO Convention no.135 on Workers' Representative, Human Rights Committee's General Comment 25 (Article 25) and by regional standards.

Around 82.5 million or 32 percent of the world's international migrants live in the Asia-Pacific region. Some 60-70 percent of refugees and internally displaced persons (IDPs) live amongst host communities while the rest live in camps and informal settlements. The conditions are often congested and overcrowded with limited access to water, sanitation and handwashing facilities, which contributes to the rapid spread of infectious diseases, including the COVID-19 virus.¹¹⁾

The COVID-19 pandemic has played, and will continue to play as a background, providing a context, a trigger and catalyst for human rights violations at various levels. For instance, in order “(t)o contain the spread of COVID-19, early efforts (of the Governments in the Asia-Pacific region) have included strict measures such as restriction on movement and lockdowns. Some countries face an already compromised public health-care system, overcrowded detention facilities, densely populated camps of displaced populations and informal settlements, adding layers of vulnerability for populations already facing immense challenges.”¹²⁾ The tragic and unprecedented human rights cost so far, and the long-term legacy, of the pandemic along with its worrying systemic challenges

¹¹⁾ UN Office for Disaster Risk Reduction (UNDRR), International Council of Voluntary Action and International Organization for Migration: UNDRR Asia Pacific Brief, “Reducing Vulnerability of Migrants and Displaced Populations,” UNDRR Regional Office for Asia and the Pacific, 20 April 2020 at <https://www.preventionweb.net/publications/view/71615> accessed on 22 June 2020.

¹²⁾ International Committee of the Red Cross, *ibid.*

underlines the concept that human rights are universal, interdependent, inalienable, interrelated and indivisible.

The roots of the pandemic is situated in the Asia-Pacific region with its origins being widely attributed to the city of Wuhan in the Chinese province of Hubei. It already had an ominous beginning from a human rights perspective. The Chinese “government’s initial effort to cover up the epidemic allowed it to spread globally.”¹³⁾ Unfortunately, around the world, including the Asia Pacific region, several Governments were slow, in their initial responses, to recognize and react to the seriousness of the situation. Moreover, countries reacted to the outbreak in an uncoordinated manner. The delayed responses left many of those persons in the frontline, such as medical personnel and their support staff, in precarious situations as they lacked adequate protection. This unfortunate set of events is attributed to the tragic loss of thousands of lives, including hundreds of healthcare workers. There are concerns that in their responses, Governments, including those in the Asia-Pacific region, are using the pretext of the COVID-19 pandemic “as an opportunity to assert controls that would restrict human rights.”¹⁴⁾ Governments

¹³⁾ Patrick Gaspard, “Viral Authoritarianism,” Project Syndicate, 13 April 2020 at <https://www.project-syndicate.org/commentary/covid19-authoritarianism-goes-viral-by-patrick-gaspard-2020-04> accessed on 15 May 2020; Minxin Pei, “China’s Misplaced Pandemic Propaganda,” Project Syndicate, 26 March 2020 at <https://www.project-syndicate.org/commentary/covid19-pandemic-chinese-propaganda-by-minxin-pei-2020-03> accessed on 15 May 2020.

¹⁴⁾ Institute for Human Rights and Business, “Respecting Human Rights in the Time of the COVID-19 Pandemic: Examining Companies’ Responsibilities for Workers and Affected Communities” (April 2020), p.8 at https://www.ihrb.org/uploads/reports/Respecting_Human_Rights_in_the_Tim

imposed censorship,¹⁵⁾ threatened journalists, activists, civil society organizations with severe reduction of the civic space. These Government implemented these measures partly because they were defensive of their delayed responses, partly because of a suspicion of criticism which could undermine their unprecedented health emergency measures, partly to avoid, in their perception, panic among the population.

Globally, the COVID-19 pandemic's impact is being felt more on the most vulnerable and marginalized sections of society revealing very clearly the great inequalities existing in the societies today and the Asia Pacific region is no exception. The lockdowns imposed by Governments have often not taken into account its human cost on the poor, those living in the fringes of society including the homeless, the daily wage-earning workers, the migrant workers with very little social security or safety networks. As the International Organization for Migration noted,

Migrants will remain among the most vulnerable to the loss of economic opportunities, eviction and homelessness, as well as stigmatization and exclusion from essential services... This will have a particularly drastic effect in countries where migrant workers contribute to poverty reduction, through remittances sent back home that allow their families to access

e_of_the_COVID-19_Pandemic_alternate_-_IHRB.pdf accessed on 18 May 2020.

¹⁵⁾ Amnesty International, 'Coronavirus: Stop censorship in China' at <https://www.amnesty.org/en/get-involved/take-action/Coronavirus-end-censorship-in-china/> accessed on 14 May 2020.

basic services, medical care and education. Millions of displaced and migrant populations living in camps and other overcrowded settings, many of whom are caught in conflict, are also highly vulnerable due to limited access to services and knowledge on how to protect themselves and their loved ones.¹⁶⁾

Those persons who still are employed have, because of the nature of their jobs, no option but to go out and work as cleaners, domestic help, employees at supermarkets, bakeries, sea-food packaging workers, drivers of trucks, public transport, taxis, nurses, many frontline positions, with very little protection and exposed to the pandemic. Unfortunately, they have suffered more than those who have had the privilege to stay and work from the safety of their homes. In most countries of the Asia Pacific region, the urban poor live in overcrowded spaces, with bad access to quality infrastructure and health services and are more vulnerable to the pandemic. With very weak coping mechanisms, millions face a bleak future with many persons being forced to fight a life of survival making difficult existential choices between fighting the

¹⁶⁾ “Migrants among most vulnerable, as IOM ramps up coronavirus response worldwide,” UN News, 15 April 2020 at https://news.un.org/en/story/2020/04/1061842?utm_source=Unknown+List&utm_campaign=ddefcc0d5d-EMAIL_CAMPAIGN_2020_04_16_03_18&utm_medium=email&utm_term=0_-ddefcc0d5d- accessed on 21 June 2020. Also see Lorenzo Guadagno, “Migrants and the COVID-19 pandemic: An initial analysis,” pp.4, 7, Migration Research Series No.60, International Organization for Migration, 2020 at <https://publications.iom.int/system/files/pdf/mrs-60.pdf> accessed on 21 June 2020.

COVID-19 virus or combating life-threatening hunger.

II. Dilemmas of the imposition of emergency measures to control the spread of COVID-19

The pandemic brings to the forefront several dilemmas noting the repercussions of the sudden imposition of the lockdowns as witnessed in many countries in the Asia-Pacific region. They have resulted in borders being closed at a national level between provinces in several countries and between nations at an international level.¹⁷⁾ While this restriction of mass movement has been aimed at reducing the spread of the pandemic, it has resulted in severe restrictions of the freedom of movement.¹⁸⁾ Millions of mostly poor and desperate, migrant workers and their families ended up being stranded.

In many cases, the imposition of the lockdowns has been led by security forces and law-enforcement authorities who have brought a law and order approach to control a complex situation, which requires empathy, dialogue, communication and participation and

¹⁷⁾ See Diplomat Risk Intelligence, “COVID-19 in Asia: A Country-By-Country Guide The good, the bad, and the ugly of the coronavirus fallout for each government in East, Southeast, South, and Central Asia,” The Diplomat, 14 April 2020 at <https://thediplomat.com/2020/04/covid-19-in-asia-a-country-by-country-guide/> accessed on 21 June 2020.

¹⁸⁾ See ICCPR: Article 12; Human Rights Committee’s General Comment No. 27: Article 12 (Freedom of Movement), 2 November 1999, (CCPR/C/21/Rev.1/Add.9).

cooperation with communities, especially those who are most in need. For instance, on 26 May, authorities in Indonesia deployed some 340,000 soldiers and police personnel to Jakarta, West Java, West Sumatra and Gorontalo provinces to enforce restrictions to control the spread of the pandemic, including rules on wearing face masks and physical distancing, as the country prepared to reopen its economy after a coronavirus lockdown.¹⁹⁾ While admittedly, the law-enforcement authorities have largely acted with caution and compassion at a time of great fear, even to themselves and their colleagues, but there have been several instances of worrying violations against vulnerable destitute, often hungry and desperate people on the move in the name of security and have included disproportionate use of force, arbitrary detentions, physical threats.²⁰⁾

Another dilemma has been the restrictions on the freedom of expression following the spread of COVID-19. The pandemic has witnessed ‘fake news’ based on unverified reports, information and conspiracy theories and hate speech targeting minority groups, health

¹⁹⁾ See Al-Jazeera, “‘New normal’: Indonesian army set to enforce COVID-19 measures, 26 May 2020 at <https://www.aljazeera.com/news/2020/05/normal-indonesian-army-set-enforce-covid-19-measures-200526083011926.html> accessed on 22 June 2020.

²⁰⁾ See Anisha Sircar, “What could go wrong?: India’s coronavirus lockdown is bringing out the worst in its police force,” Quartz India, 28 March 2020 at <https://qz.com/india/1826387/indias-coronavirus-lockdown-brings-police-brutality-to-the-fore/> accessed on 15 May 2020. Also see France 24, “‘Shoot them dead,’ Philippine’s Duterte warns coronavirus lockdown violators,” 2 April 2020 at <https://www.france24.com/en/20200402-shoot-them-dead-philippine-s-duterte-warns-coronavirus-lockdown-violators> accessed on 16 May 2020.

workers, migrant workers.²¹⁾ Understandably, Governments, including in Asia-Pacific region, have included increased vigilance and actions to control the impact of the ‘fake news’ and hate speech in their emergency measures to combat the pandemic. However, these measures appear to target disproportionately against media organizations, individuals and groups seen as critical to the administrations. The implementation of these measures has often contributed to an increased manifestation of fear curtailing the running of a free media, which is needed to spread information regarding the pandemic and hence have constituted violations against freedom of expression.²²⁾

In all these dilemmas, the lines are blurred given the demands on the Governments, including in the Asia-Pacific region, to react very

21) On minority groups, see Jason Burke, Emmanuel Akinwotu and Lily Kuo, “China fails to stop racism against Africans over Covid-19,” The Guardian, 29 March 2020, at <https://www.theguardian.com/world/2020/apr/27/china-fails-to-stop-racism-against-africans-over-covid-19> accessed on 24 May 2020; ICG, “Crisis Watch, India-Non-Kashmir,” April 2020, at <https://www.crisisgroup.org/crisiswatch/may-alerts-and-april-trends-2020#india-non-kashmir> accessed on 18 May 2020; on health workers, see “Health workers become unexpected targets during covid-19: The toll on them may last long after the pandemic has abated,” The Economist, 11 May 2020 at <https://www.economist.com/international/2020/05/11/health-workers-become-unexpected-targets-during-covid-19> accessed on 20 June 2020; on migrant workers, see Kaamil Ahmed and agencies, “Malaysia cites Covid-19 for rounding up hundreds of migrants,” The Guardian, 2 May 2020, at <https://www.theguardian.com/global-development/2020/may/02/malaysia-cites-covid-19-for-rounding-up-hundreds-of-migrants> accessed on 1 June 2020.

22) See “Asian countries urged to honour right to freedom of expression, over pandemic fear,” UN News, 3 June 2020 at <https://news.un.org/en/story/2020/06/1065532> accessed on 21 June 2020.

swiftly to gain immediate control of, and confidence of its citizens, from this uncertain and incredibly infectious pandemic that has currently no recognised cure and for which, the vaccine appears to be located in the undefined future. While acknowledging that “Governments face the formidable challenge of protecting people from COVID-19,” UN High Commissioner for Human Rights Michelle Bachelet called on “States to ensure human rights are not violated under the guise of exceptional or emergency measures,” that

(t)hey should be used to cope effectively with the pandemic - nothing more, nothing less...States are able to restrict some rights to protect public health under human rights law, and also have certain additional powers if a state of emergency threatening the life of the nation is publicly declared. In either case, the restrictions need to be necessary, proportionate, and non-discriminatory... if the rule of law is not upheld, then the public health emergency risks becoming a human rights disaster, with negative effects that will long outlast the pandemic itself.²³⁾

A human-centric, rights-centric empathetic approach is needed²⁴⁾

²³⁾ See UN, COVID-19: Exceptional measures should not be cover for human rights abuses and violations - Bachelet, OHCHR Press Release, 27 April 2020 at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25828&LangID=E> accessed on 7 May 2020. For non-derogable rights even during public emergencies, see Article 4 (1) and (2) of ICCPR.

²⁴⁾ For an appropriate response to the potential economic and social

noting that UN Secretary General Antonio Guterres highlighted that the “COVID-19 pandemic is a public health emergency — but it is far more. It is an economic crisis. A social crisis. And a human crisis that is fast becoming a human rights crisis.”²⁵⁾ He also drew up a worrying context leading to State responses to the pandemic eroding human rights when he stated that “(a)gainst the background of rising ethnonationalism, populism, authoritarianism and the pushback against human rights in some countries, the crisis can provide a pretext to adopt repressive measures for purposes unrelated to the pandemic.”²⁶⁾ While comprehending the restrictions imposed by States, his predecessor the former UN Secretary General Ban Ki-moon advised that,

the constraints many countries have imposed on movement and assembly are understandable and necessary under the current circumstances, but legislators and judiciaries must bear in mind that, if not carefully instituted, these restrictions risk accentuating the marginalization of vulnerable groups such as

catastrophe provoked by the COVID-19 crisis, see UN, ““An immediate human rights response to counter the COVID-19 and the global recession ahead is an urgent priority,” says UN expert,” OHCHR Press Release, 20 March 2020 at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25732&LangID=E> accessed on 7 May 2020.

²⁵⁾ António Guterres, “We are all in this Together: Human Rights and COVID-19 Response and Recovery,” UN Press Release, 23 April 2020 <https://www.un.org/en/un-coronavirus-communications-team/we-are-all-together-human-rights-and-covid-19-response-and> accessed on 1 May 2020.

²⁶⁾ UN, “COVID-19 and Human Rights: We are all in this together,” p.1, April 2020 at https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf accessed on 15 May 2020.

refugees, migrants and racial minorities. Respect for human rights, solidarity and justice need to be at the heart of our response to COVID-19.²⁷⁾

III. Increased threats to freedom from want

The pandemic appears to fundamentally degrade the rights-based human security paradigm. The 1994 Human Development Report, which introduced the concept of human security,

highlighted two major components of human security: ‘freedom from fear’ and ‘freedom from want’. These freedoms, from the preamble to the Universal Declaration of Human Rights, are part of the four human freedoms that President Franklin D. Roosevelt famously referred to in a speech in 1941. He was advocating a world founded on: freedom of speech and expression, freedom of worship, freedom from want and freedom from fear. Subsequent debate in the 1990s added the freedom ‘to live in dignity’.²⁸⁾

The concept of human security encompasses the seven essential

²⁷⁾ Ban Ki-moon, “I Was the Secretary-General of the U.N. Here's How the Coronavirus Crisis Can Bring the World Together,” TIME, 16 April 2020 at <https://time.com/collection/finding-hope-coronavirus-pandemic/5820650/ban-ki-moon-global-relations-coronavirus/> accessed on 15 May 2020.

²⁸⁾ Oscar A. Gómez and Des Gasper, “Human Security: A Thematic Guidance Note for Regional and National Human Development Report Teams,” UNDP, p.2 at http://hdr.undp.org/sites/default/files/human_security_guidance_note_r-nhdrs.pdf accessed on 22 June 2020.

dimensions of economic, health, personal, political, food, environmental and community security.²⁹⁾

In relation to one of the crucial aspects of freedom from want, that of freedom from hunger, the Food and Agricultural Organisation (FAO) has expressed its concern that the pandemic had increased the danger of severe food insecurity by pushing several regions to the brink of severe famine. While the full picture of the impact of the pandemic, and its long-term consequences, on food security is not clear, “the initial evidence shows that in countries already hit by acute hunger, people are increasingly struggling to have access to food as incomes fall and food prices rise.”³⁰⁾ According to the UN World Food Program,

(l)atest numbers indicate the lives and livelihoods of 265 million people in low and middle-income countries will be under severe threat unless swift action is taken to tackle the pandemic ... nearly double the number in the newly published Global Report on Food Crises 2020, which estimates that 135 million people in 55 countries currently face acute hunger as a result chiefly of conflict, the effects

²⁹⁾ See Oscar A Gómez, Des Gasper and Yoichi Mine, “Good practices in addressing human security through Human Development Reports,” 2013 Human Development Report Office Occasional Paper, p.3 at http://hdr.undp.org/sites/default/files/good_practices.pdf accessed on 22 June 2020; UN General Assembly, 66th Session “Follow-up to paragraph 143 on human security of the 2005 World Summit Outcome” (A/RES/66/290), 25 October 2012).

³⁰⁾ FAO, “FAO needs \$350 million to avert rising hunger as countries reel from COVID-19 pandemic’s impact,” 18 May 2020 at <http://www.fao.org/news/story/en/item/1276081/icode/> accessed on 22 May 2020.

of climate change, and economic crises.”³¹⁾

In the Asia-Pacific region, countries facing acute food insecurity include conflict-ravaged Afghanistan - where around 10.3 million people are estimated to face acute food insecurity between June and November - and Myanmar/Burma. Besides, several States in the South-east Asian region are feared to face increased food shortages as a sub-regional drought is anticipated and which could overlap the spread of the COVID-19 pandemic.

In the case of North Korea, there was incredulity in the international community at the official statement that there was no incidence of COVID-19 in the country. However, in the viewpoint of an expert,

“North Korea took early and decisive steps to close borders and impose domestic disciplines when news of COVID-19 virus infections spreading outside of China surfaced in late January. While publicly maintaining a posture of successfully containing the pandemic, Pyongyang has sought support from the UN, friendly countries and

³¹⁾ Paul Anthem, “Risk of hunger pandemic as coronavirus set to almost double acute hunger by end of 2020: New WFP figures indicate additional 130 million lives and livelihoods will be at risk,” World Food Program Insight, 14 April 2020 at <https://insight.wfp.org/covid-19-will-almost-double-people-in-acute-hunger-by-end-of-2020-59df0c4a8072> accessed on 15 May 2020. For a context, see the “hot spots” of food insecurity identified by the World Bank in, The World Bank, “Food Security and COVID-19,” Brief, 28 May 2020 at <https://www.worldbank.org/en/topic/agriculture/brief/food-security-and-covid-19> accessed on 31 May 2020.

humanitarian NGOs for pandemic assistance, although notably not from the US or South Korea despite supportive offers from Washington and Seoul. In spite of these efforts, North Korean society as a whole remains highly vulnerable to the pandemic, both in its health system and food security.”³²⁾

According to South Korea's Ministry of Unification, “North Korea’s closing of its borders in January will obviously have caused difficulties in importing grain.” This shortfall in international supply of grain was expected to be of concern as the country's grain output was estimated to fall short of demand by about 860,000 tons. The Ministry’s assessment of COVID-19’s impact on the country’s food situation echoes that of the UN Food and Agriculture Organization, which in a report in May identified North Korea as one of the countries that needed external support to help resolve its food shortages.³³⁾

There were concerns that for North Korea, “(t)he human rights situation may further deteriorate as a result of reported lower crop production in 2019; tightened border control, continuing surveillance and trade bans under the current threat of COVID-19; and the impact of continued sanctions.”³⁴⁾ These limitations, further

³²⁾ Bradley O. Babson, “The North Korean Economy Under Sanctions and COVID-19,” 38 North, 22 May 2020. See <https://www.38north.org/2020/05/bbabson052220/> accessed on 4 June 2020.

³³⁾ The quote and information in the paragraph is attributed to Choi He-suk, “COVID-19 worsening food shortage in North Korea: Unification Ministry,” Korea Herald, 19 May 2020. <http://www.koreaherald.com/view.php?ud=20200519000733> accessed on 19 May 2020.

³⁴⁾ UN Office of the High Commissioner for Human Rights, “Report of

complicated by the strong possibility of reduced international aid and cooperation as a result of most donor countries focusing on resolving the COVID-19 domestically, increase the difficulty for North Korean authorities to achieve adequate fulfilment of human rights including economic rights such as the adequate access of its people to food and health in the country.

IV. Millions of perilous journeys undertaken by desperate people on the move

Tens of millions, mostly from the economically and socially challenged sections of societies have been disproportionately hit by the measures adopted by Governments to the COVID-19 pandemic in the Asia-Pacific region. Following the lockdowns that have caused economies to stop often at very short notice, millions of persons in vulnerable employment have become unemployed suddenly. According to a UNDP study, “Migrants, displaced people and informal workers are facing a stark trade-off between safeguarding their lives and livelihoods.” This has resulted in unprecedentedly massive reverse labour migration, a forced displacement of persons both domestically and internationally involving their families as well.³⁵⁾

the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea,” 25 February 2020, A/HRC/43/58.

³⁵⁾ The study and quote in this paragraph attributed to UNDP, “The Social and Economic Impact of COVID-19 in the Asia-Pacific Region,” Position Note prepared by UNDP Regional Bureau for Asia and the Pacific. Bangkok: United Nations Development Programme (UNDP-RBAP),

For instance, in India, its reaction to control the COVID-19 pandemic has led to historic consequences. On 24 March, the Indian Government implemented the first of the national lockdowns - a 21-day lockdown - with only four hours' notice.³⁶⁾ This lockdown, which was the largest of its kind in the world covering 1.38 billion persons, appeared to have been announced and implemented without much planning on its repercussions for India's huge informal sector. With sectors like construction, garment manufacturing, restaurants, domestic work, small roadside shops shutting down, millions lost their daily-wage jobs. The sudden announcement provided no time for tens of millions to stockpile food and water. According to a well-known professor,

By imposing one of the world's harshest COVID-19 lockdowns before preparing adequately or consulting with lower levels of government, (Prime Minister) Modi has inflicted unprecedented damage on India's economy and on the poor, who live hand-to-mouth at the best of times. According to some estimates, more than 120 million people lost their jobs and incomes immediately after the lockdown was ordered on March 24. And about half of the country's population of 1.38 billion is likely to have been impoverished, with many approaching starvation levels.³⁷⁾

April 2020, pp.6, 18-19 at [https://www.undp.org/content/dam/nepal/docs/Reports_2020/UNDP-RBAP-Position-Note-Social-Economic-Impact-of-COVID-19-in-Asia-Pacific-2020%20\(3\).pdf](https://www.undp.org/content/dam/nepal/docs/Reports_2020/UNDP-RBAP-Position-Note-Social-Economic-Impact-of-COVID-19-in-Asia-Pacific-2020%20(3).pdf) accessed on 15 May 2020.

³⁶⁾ Shashi Tharoor, "India Besieged," Project Syndicate, Apr 6, 2020 at <https://www.project-syndicate.org/commentary/india-under-coronavirus-siege-by-shashi-tharoor-2020-0> accessed on 12 May 2020.

Shortly after the sudden imposition of the lockdown by the Indian Government, and following the loss of jobs, livelihoods and having no savings, some “100 million migrant workers in India (we)re on the move in search of safety and basic sustenance, defying a nationwide lockdown.”³⁸⁾ There were fears that the “mass movement of people now risks speeding the spread of the coronavirus across the country.”³⁹⁾ In their desperate perilous voyages, many have been forced to wait in bus, rail stations or walk on roads in large numbers, which in turn made them more vulnerable to the virus. Moreover, they have been abused, verbally and physically, detained by law enforcement authorities who have sought to impose the restrictions to movement, an important part of the Government-imposed lockdowns. Many were subject to beatings by the law-enforcement agencies as they were found to have violated the strict lockdown measures.⁴⁰⁾ This movement of the millions has been considered to be the largest such migration in India since its partition in 1947 when millions of persons fled their homes to the

37) Pranab Bardhan, “Modi's Performance and the Tragedy of India's Poor,” Project Syndicate, 21 May 2020. See <https://www.project-syndicate.org/commentary/modi-governments-empty-covid19-response-by-pranab-bardhan-2020-05> accessed on 22 May 2020.

38) UNDP-RBAP, *ibid.*, p.6.

39) Bloomberg, “Coronavirus: India’s poor flee cities after being robbed of livelihoods by lockdown,” cited in South China Morning Post, 30 March 2020. See <https://www.scmp.com/news/asia/south-asia/article/3077559/coronavirus-indias-poor-flee-cities-after-being-robbed> accessed on 20 June 2020.

40) See Anisha Sircar, *ibid.* For the concern of the increasing perils faced by the poor as reflected by UN High Commissioner for Human Rights Bachelet, see UN, COVID-19: *ibid.*: 27 April 2020

newly emergent countries of Pakistan and India.⁴¹⁾ Several ended up stranded as state borders were blocked following fears of the returning migrants and their families being a new source spreading the pandemic.⁴²⁾

To check the spread of the COVID-19 pandemic, Governments closed international borders or imposed strict restrictions of movement between most countries in the Asia-Pacific region, which has worsened the situation of asylum-seekers, migrant workers who are returning home from their host countries following loss of livelihood, incomes, housing.⁴³⁾ The migrant workers, along with refugees and asylum-seekers on the move in the quest for better security, be it physical or food and shelter, face a serious lack of adequate access to food, fresh water and access to healthcare, putting their lives at risk, which has worsened with the onset of

41) See Nitish Pahwa, "India's Stay-at-Home Order Created a Migration Crisis," Slate, 15 May 2020 at <https://slate.com/news-and-politics/2020/05/indias-coronavirus-lockdown-created-a-mass-migration.html> accessed on 21 June 2020.

42) Maria Abi-Habib and Sameer Yasir, "India's Coronavirus Lockdown Leaves Vast Numbers Stranded and Hungry," New York Times, 29 March 2020 at <https://www.nytimes.com/2020/03/29/world/asia/coronavirus-india-migrants.html> accessed on 21 June 2020.

43) According to the UN Special Rapporteur on the right to adequate housing, Leilani Farha, some 1.8 billion people worldwide live in homelessness and acutely inadequate housing, often in overcrowded conditions, lacking access to water and sanitation - making them particularly vulnerable to contracting the virus. See UN, "Housing, the front line defence against the COVID-19 outbreak," says UN expert," OHCHR Press Release, 18 March 2020 at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25727&LangID=E> accessed on 18 May 2020.

COVID-19 restrictions.⁴⁴⁾ Many were forced to stay in makeshift camps, or in the case of asylum-seekers in refugee camps, in overcrowded conditions, with limited access to sanitation facilities and health care services, making these camps potential hotspots for COVID-19 pandemic.⁴⁵⁾ They, along with asylum-seekers, also became targets of xenophobic attacks.

There was concern over potential spread of the pandemic in Rohingya refugee camps in Cox's Bazar district, located in southeast Bangladesh, where over one million people live in overcrowded conditions, nearly 70 per cent of whom are women and children.⁴⁶⁾ In early April, authorities reportedly introduced restrictions of access to all but emergency services. Along with an earlier official ban on internet and mobile phone services in the camps, as a control measure against increase in criminal activities including drugs, there is limited “access to vital preventive information, while high levels of malnutrition likely imply that both the refugees and local residents are more susceptible to the disease.”⁴⁷⁾ There were fears

44) Sarah Chynoweth, “COVID-19 and refugees in Asia: A crisis waiting to happen,” Friedrich Ebert Stiftung, 29 April 2020. <https://www.fes-asia.org/news/covid-19-and-refugees-in-asia-a-crisis-waiting-to-happen/> accessed on 21 June 2020.

45) International Bar Association Human Rights Institute, “IBAHRI Covid-19 Human Rights Monitor,” Issue No.2, 30 April 2020 at https://www.ibanet.org/Human_Rights_Institute/Bulletins/2.aspx accessed on 21 June 2020.

46) Naimul Karim, “Women in Bangladesh promote hygiene in refugee camps amid coronavirus fears,” Thomson Reuters Foundation, 11 March 2020 at <https://news.trust.org/item/20200311121342-ncyuh/> accessed on 21 June 2020.

47) See ICG, Special Briefing 4: The COVID-19 Pandemic and Deadly

that if COVID-19 reached the camps and spread like wildfire, it could provoke a backlash from Bangladeshis who live in the surrounding areas, who are already unhappy with the possibility of the long-term existence of refugee camps in their neighborhood.

In the Asia-Pacific region, Governments have shown increasing reluctance in allowing refugees to disembark, partly due to the current COVID-19 context. As of May, hundreds of mainly Rohingya refugees were believed to be stranded at sea for over two months. Earlier, a group of around

500 people attempting to reach Malaysia from refugee camps in Bangladesh were starved and beaten by people smugglers during a two-month voyage. All of the passengers were ethnic Rohingya from Myanmar, and most were aged between 12 and 20, though there were also some young children. Denied permission to land in Malaysia, the 400 or so survivors were eventually rescued on 15 April by the Bangladeshi coastguard.⁴⁸⁾

They were suffering from malnourishment and severe dehydration. According to survivors, nearly hundred persons died during the voyage, though the exact number is not known.⁴⁹⁾ There were

Conflict, COVID-19 and Conflict: Seven Trends to Watch, 24 March 2020, at <https://www.crisisgroup.org/global/sb4-covid-19-and-conflict-seven-trends-watch> accessed on 18 May 2020.

⁴⁸⁾ Medecins Sans Frontiers, “Rohingya refugees left to starve at sea,” Voices from the Field, 22 April 2020 at <https://www.msf.org/rohingya-refugees-left-starve-sea> accessed on 22 June 2020.

⁴⁹⁾ Ibid.

reports that other boats with refugees had been denied disembarkation and pushed back at sea between Malaysia and Bangladesh in the recent past.⁵⁰⁾ This reluctance shown by the two countries to allow disembarkation took place despite Malaysia, Indonesia, Myanmar, Thailand, and Bangladesh being members of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime which, in February 2020, reaffirmed its commitment to saving lives in responding to “irregular maritime migration” and its support for the *non-refoulement* principle. In early May, “rights groups that had been trying to track the boats by satellite lost sight of them. Each boat — there were at least three — carried hundreds of Rohingya Muslims desperate for sanctuary and at the mercy of human traffickers.”⁵¹⁾

In late March, thousands of migrant workers from Cambodia, Laos and Myanmar were stranded as they were returning back to their home countries from Thailand.⁵²⁾ Tens of thousands of migrant workers from South Asia⁵³⁾ were stuck in anxious limbo in the

⁵⁰⁾ See Action Contre la Faim, APRRN, CARE, 15 more, “18 aid agencies call on governments in the region to allow refugees stranded in the Bay of Bengal and Andaman Sea to disembark,” 7 May 2020 at <https://reliefweb.int/report/bangladesh/18-aid-agencies-call-governments-region-allow-refugees-stranded-bay-bengal-and> accessed on 15 May 2020.

⁵¹⁾ Hannah Beech, “Hundreds of Rohingya Refugees Stuck at Sea With ‘Zero Hope’,” New York Times, 1 May 2020 at <https://www.nytimes.com/2020/05/01/world/asia/rohingya-muslim-refugee-crisis.html> accessed on 15 May 2020.

⁵²⁾ See Caleb Quinley, “Coronavirus lockdown leaves migrant workers stranded in Thailand,” Al-Jazeera, 30 March 2020 at <https://www.aljazeera.com/news/2020/03/coronavirus-lockdown-leaves-migrant-workers-stranded-thailand-200328060111830.html> accessed on 20 June 2020.

Middle East countries following the COVID-19 pandemic. Apart from loss of livelihoods, most of the migrant workers lack adequate health coverage and other social benefits such as unemployment insurance.⁵⁴⁾ They are also perceived as risks in their home countries, many of whom do not have adequate public health systems and capacities to screen and monitor entrants.⁵⁵⁾ “In some cases, migrant workers have either been quarantined in places where they work, or have faced restrictions in their hometowns, as they are now unable to return to work.”⁵⁶⁾

Even in countries that have very good health systems like Singapore, there has been high incidence of COVID-19 among migrant workers.

Singapore was originally hailed for its quick COVID-19 response, but time would prove that there were blind spots in its execution, as it overlooked its vulnerable migrant population huddled together in cramped, unhygienic dormitories. According to Singapore’s Ministry of Manpower, 1.4 million of the city-state’s 5.8 million workers are migrant workers. Therefore, less than 25 percent of people residing in

⁵³⁾ Kiran Sharma, Deepak Adhikari and A.Z.M. Anas, “Coronavirus wrecks South Asian migrant livelihoods in Middle East: Some 900,000 stranded workers to test health care systems and economies,” Nikkei Asian Review, 20 May 2020 at <https://asia.nikkei.com/Spotlight/Coronavirus/Coronavirus-wrecks-South-Asian-migrant-livelihoods-in-Middle-East> accessed on 20 June 2020.

⁵⁴⁾ Institute for Human Rights and Business: p.14.

⁵⁵⁾ UNDP-RBAP: pp.18-19.

⁵⁶⁾ Institute for Human Rights and Business: p.14.

Singapore consist of 85 percent of all its COVID-19 cases. A surprising second wave of coronavirus infections in Singapore swept through migrant dormitories...⁵⁷⁾

In Afghanistan, the weak health infrastructure was deeply threatened by the return of some 300,000 migrant workers from neighbouring Iran and Pakistan. Iran has suffered immensely from the COVID-19 pandemic.

In January-February 2020, hundreds of Australian nationals, many of whom were evacuated from Wuhan, were quarantined for two weeks in an immigration detention facility in the remote Christmas Island.⁵⁸⁾ Reports suggested that a majority of those quarantined were Chinese of origin. A BBC report cited the Australian Medical Association as describing the conditions in these facilities as “inhumane.”⁵⁹⁾

In the case of migrant workers returning to Iran for work from Afghanistan, their journeys have been deadly. Reports suggest that Afghanistan's authorities “recovered 18 bodies of migrants who were

⁵⁷⁾ Camille Bismonte, “The Disproportionate Effect of COVID-19 on Migrant Workers in ASEAN : Thailand, Singapore, and Vietnam approached the intertwined issues of COVID-19 and migrant workers quite differently,” *The Diplomat*, 22 May 2020, at <https://thediplomat.com/2020/05/the-disproportionate-effect-of-covid-19-on-migrant-workers-in-asean/> accessed on 2 June 2020.

⁵⁸⁾ BBC News, “Australia coronavirus: Hundreds evacuated to Christmas Island,” 3 February 2020 at <https://www.bbc.com/news/world-australia-51352145> accessed on 15 May 2020.

⁵⁹⁾ BBC News, “Australia coronavirus: Evacuees criticise Christmas Island quarantine plan,” 31 January 2020 at <https://www.bbc.com/news/world-australia-51317760> accessed on 15 May 2020.

allegedly beaten and tortured before being forced into a river by Iranian border guards” in late April. This finding emerged after authorities investigated claims of drowning of Afghan migrant workers “while illegally crossing into neighbouring Iran from the western Herat province.” They were part of 55 persons who were forced into the river; 8 more persons were missing.⁶⁰⁾

V. Economic and social crises

The poorest sections of society have already been, and will continue to be, hit the hardest by the repercussions of the COVID-19-generated health and economic crisis, which has huge whiplash effects on the social front. According to the UN Special Rapporteur on Extreme Poverty, “(w)orldwide, about four billion people have no social protection coverage and those in precarious employment, including the 2 billion workers in the informal sector, are often the first to lose their jobs...”⁶¹⁾ The ILO estimates a 6.7 percent loss in working hours globally in the second quarter of 2020, equivalent to 195 million full-time workers—125 million of

⁶⁰⁾ Both quotes and information in the paragraph are attributed to Al Jazeera, “Bodies of ‘beaten and tortured’ Afghans recovered at Iran border,” 8 May 2020. <https://www.aljazeera.com/news/2020/05/bodies-beaten-tortured-afghans-recovered-iran-border-200508144011710.html> accessed on 3 June 2020.

⁶¹⁾ See UN, “COVID-19 crisis highlights urgent need to transform global economy, says new UN poverty expert,” OHCHR Press Release, 1 May 2020 at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25858&LangID=E> accessed on 7 May 2020.

which happen to be in the Asia-Pacific region.⁶²⁾ According to an IGC study,⁶³⁾ as the COVID-19 crisis continues to unfold across the world, informal workers remain exceptionally vulnerable to the economic and labour market shocks of the pandemic, with the feared loss of several tens of millions of jobs. “Of the total workforce of Asia and the Pacific, estimated at 1.9 billion in 2019, around two thirds, 1.3 billion people are informally employed.”⁶⁴⁾

Livelihoods in these parts of the world were already precarious, but the lockdowns imposed to control the pandemic have already, and will continue to, effectively push millions of people to face further poverty and extreme food insecurity.

Before the pandemic, the World Bank projected that 35 million people in East Asia and the Pacific would escape poverty in 2020. Taking COVID-19 into account, we now expect that not only could those 35 million people remain stuck in poverty but 11 million more will actually fall into poverty too.⁶⁵⁾

⁶²⁾ ILO, “ILO: COVID-19 causes devastating losses in working hours and employment.” Press release. 7 April 2020. Available at https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_740893/lang--en/index.htm accessed 15 May 2020.

⁶³⁾ Hina Shaikh, Responding to the impacts of COVID-19 on informal workers in South Asia, International Growth Center, 13 May 2020, <https://www.theigc.org/blog/responding-to-the-impacts-of-covid-19-on-informal-workers-in-south-asia/> accessed on 15 May 2020.

⁶⁴⁾ UNDP-RBAP: *ibid.* p.18.

⁶⁵⁾ Victoria Kwakwa, “Governments facing tough choices in COVID-19 crisis,” World Bank Blog, 28 April 2020 at <https://blogs.worldbank.org/eastasiapacific/governments-facing-tough-choices-covid-19-coronavirus-crisis>

According to a private Indian research agency, the “lockdown to curb the spread of coronavirus has seen 122 million Indians lose their jobs in April alone... Of the 122 million who have lost their jobs, 91.3 millions were small traders and labourers. But a fairly significant number of salaried workers - 17.8 million - and self-employed people - 18.2 million - have also lost work.”⁶⁶⁾

Due to COVID-19, the fragile dependence of countries to sectors badly impacted by the pandemic - tourism and migrant workers - have been heightened.

In Tonga, where one third of the population is dependent on tourism, poverty could reach three quarters of all households earning a living in this sector if the crisis is protracted. In the Philippines, Samoa and Tonga, over three-quarters of poor households rely on (migrant workers’) remittances to complement their own earnings. As richer countries are seeing sharp rises in unemployment, a substantial share of households in East Asian and Pacific countries could be at risk of seeing this important source of income decline during this period.⁶⁷⁾

Estimates suggest that the pandemic could cost migrant workers

accessed on 2 June 2020.

⁶⁶⁾ A study conducted Centre for Monitoring the Indian Economy, which was cited by Nikhil Inamdar, “Coronavirus lockdown: India jobless numbers cross 120 million in April,” BBC News, 6 May 2020 at <https://www.bbc.com/news/world-asia-india-52559324> accessed on 18 May 2020.

⁶⁷⁾ Kwakwa, op. cit.

from China alone a combined 115 billion USD in lost wages.⁶⁸⁾

In Thailand, noting that in April, following the COVID-19 pandemic, some seven million people were unemployed, the Government announced a program, for three months, to provide monthly relief payments of 5,000 baht (153 US dollars) to unemployed persons and others experiencing hardship. The program was planned for 9 million people, but this was an underestimate as 26 million persons applied. Things turned ugly when hundreds of persons, whose claims were denied, gathered at the Finance Ministry on 14 April verbally assaulting officials. Prime Minister Prayuth Chan O-cha announced on 15 April that there were only funds for one month, which noting the public criticism, he retracted the very next day, when he apologised for “miscommunicating.”⁶⁹⁾

VI. An increased climate of fear

The other freedom highlighted by human security, that of the freedom from fear, has also been under threat following the references to vaguely defined crimes, along with punishments that appear to be disproportionately harsh, in the measures and laws introduced by some countries in the Asia-Pacific region to combat

⁶⁸⁾ UN Women, “The First 100 Days of COVID-19 in Asia and the Pacific: A Gender Lens,” April 2020, p.20, at https://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2020/04/ap_first_100-days_covid-19-r02.pdf?la=en&vs=3400 accessed 2 June 2020.

⁶⁹⁾ ICG, “Crisis Watch, Thailand,” April 2020 at <https://www.crisisgroup.org/crisiswatch/may-alerts-and-april-trends-2020#thailand> accessed on 18 May 2020.

the COVID-19 pandemic. This incorporation of vaguely worded offences has increased well-founded concerns that they may be utilized to control the media, critics and opponents, while increasing their chances of being detained. The fears have been expressed by High Commissioner Bachelet who cautioned that,

(e)mergency powers should not be a weapon governments can wield to quash dissent, control the population, and even perpetuate their time in power... there have also been deeply worrying cases where Governments appear to be using COVID-19 as a cover for human rights violations, further restricting fundamental freedoms and civic space, and undermining the rule of law.”⁷⁰⁾

There were also concerns of threats that certain rights, including the right to life, the prohibition against torture and other ill-treatment, and the right not to be arbitrarily detained⁷¹⁾ could be violated even though they are non-derogable rights and should continue to apply in all circumstances.

The emergency measures to combat the COVID-19 pandemic have been introduced in many countries in the Asia-Pacific region and Governments have already implemented them in ways that have resulted in restricting civic space and freedom of expression. In Cambodia, several vague provisions of the ‘Law on Governing the Country in a State of Emergency,’ (Emergency Law), which the Government passed citing COVID-19, provide for restrictions on

⁷⁰⁾ UN, COVID-19: op. cit., 27 April 2020.

⁷¹⁾ For the right not to be arbitrary detained, see ICCPR, Article 9.

people's movement, communications, and distribution of information, with penalties of up to ten years' imprisonment. Moreover there are provisions that provide for disproportionate fines and prison sentences for vague criminal offenses.⁷²⁾ Provisions of the Emergency Law have led to fears that the measures could be extended beyond the pandemic, while allowing the government the scope of targeting critics of the Government and nongovernmental organizations by restricting all civil and political liberties, and narrowing down already restricted space for media groups,⁷³⁾

In the Philippines, since the main island of Luzon went into lockdown on 16 March 2020, the law enforcement authorities have reportedly detained hundreds of people in Manila and other regions of the country for violating curfew but some are for violating social distancing and quarantine regulations. "Local officials in Santa Cruz town, in Laguna province just south of Manila, admitted locking up five youths inside a dog cage on March 20. The officials sought to justify their action by saying the youths had violated the curfew and been verbally abusive, and said that they had also been rounding up stray dogs that night."⁷⁴⁾ On 24 March,

⁷²⁾ See FIDH and Civil Rights Defenders, *ibid.*, pp.9-11.

⁷³⁾ See Human Rights Watch, Cambodia: Emergency Bill Recipe for Dictatorship: COVID-19 Crisis Pretext for Hun Sen to Seek Unlimited Powers, Go After Critics, 2 April 2020 at <https://www.hrw.org/news/2020/04/02/cambodia-emergency-bill-recipe-dictatorship> accessed on 15 May 2020; Also see FIDH and Civil Rights Defenders, Analysis of Cambodia's State of Emergency Draft Law, 7 April 2020 at https://crd.org/wp-content/uploads/2020/04/20200407_Cambodia_Analysis_SoE_BP_EN-1.pdf accessed on 15 May 2020.

⁷⁴⁾ Human Rights Watch, "Philippines: Curfew Violators Abused:

President Rodrigo Duterte signed a law⁷⁵⁾ placing the country under a “state of emergency” for at least three months and which grants him emergency powers to deal with the response to contagion.⁷⁶⁾ He announced that the military and police would lead a COVID-19 “national action plan,⁷⁷⁾ which was noted with widespread concern when on 1 April, President Duterte reportedly stated in a televised address that “My orders to the police and military ... if there is trouble and there's an occasion that they fight back and your lives are in danger, shoot them dead.”⁷⁸⁾

The climate of fear has increased with the incredible pace of infection of the pandemic and with global news spread at unprecedented speed, often unfortunately initiated by conspiracy theorists and unverified information. There have been other victims. In Pakistan, “doctors fear the number of critical cases will continue to rise, and say their efforts to treat patients are being hampered by

COVID-19 Response Should Respect Detainee Rights, 26 March 2020 at <https://www.hrw.org/news/2020/03/26/philippines-curfew-violators-abused> accessed on 1 June 2020.

⁷⁵⁾ Sofia Tomacruz, “Duterte signs law granting himself special powers to address coronavirus outbreak,” Rappler, 25 March 2020 (updated 26 March 2020). <https://www.rappler.com/nation/255718-duterte-signs-law-granting-special-powers-coronavirus-outbreak> accessed on 15 May 2020.

⁷⁶⁾ The law contains a provision that penalizes, yet does not define, the creation and propagation of “false information,” opening the door to potential misuse.

⁷⁷⁾ Sofia Tomacruz and JC Gotinga, “Govt to implement ‘national action plan’ on coronavirus with the DND on the lead,” Rappler, 25 March 2020, <https://www.rappler.com/nation/255763-government-implement-national-action-plan-coronavirus-dnd-lead> accessed on 15 May 2020.

⁷⁸⁾ France 24, *ibid.*

conspiracy theories and mistrust... bizarre rumours are swirling around, including claims that doctors are being paid by the World Health Organisation (WHO) to falsely declare patients as coronavirus sufferers.”⁷⁹⁾

The spread of ‘fake news’ has been one of the factors that has been used by several Governments to justify the imposition of restrictive measures. These measures have been used heavily against the independent media, as well as the arrest and intimidation of journalists. As High Commissioner Bachelet has pointed out, “(s)ome States have used the outbreak of the new coronavirus as a pretext to restrict information and stifle criticism ... A free media is always essential, but we have never depended on it more than we do during this pandemic, when so many people are isolated and fearing for their health and livelihoods. Credible, accurate reporting is a lifeline for all of us.”⁸⁰⁾

On attacks on freedom of expression during the COVID-19 pandemic, reports suggest that, as of 7 July, in the Asia-Pacific region, there were at least 96 arrests/charges, 29 restrictions on access to information, nine instances of censorship, six instances of excessive ‘fake news’ regulations and 37 verbal/physical attacks.⁸¹⁾

⁷⁹⁾ Secunder Kermani, Coronavirus: Rumours, fear and rising Covid deaths in Pakistan, BBC, 5 June 2020 <https://www.bbc.com/news/world-asia-52925286> accessed on 6 June 2020.

⁸⁰⁾ See UN, “Bachelet alarmed by media clampdowns, says public has right to know about COVID-19,” OHCHR, 24 April 2020 at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25823&LangID=E> accessed on 7 May 2020.

⁸¹⁾ International Press Institute Tracker on Press Freedom Violations Linked to COVID-19 Coverage, <https://ipi.media/covid19-media-freedom->

Journalists, political opponents, healthcare workers, citizen journalists and persons perceived to be critics of the Governments have been reportedly attacked physically including by law enforcement authorities, some being subjected to arbitrary detention. In Bangladesh, authorities had, as of May, arrested at least 14 persons, charged seven and investigated 50 other persons for spreading “misinformation and rumours” about coronavirus, including on Facebook. It appears that they had criticized the government’s response to the pandemic.⁸²⁾ In Thailand, police detained 42-year-old artist Danai Usama, on 23 March who was charged with violating section 14(2) of the Computer-Related Crime Act for “putting into a computer system false computer data in a manner that is likely to cause panic in the public.” This related to his Facebook post on 16 March 2020 that mentioned the lack of COVID-19 screening measures at Bangkok’s Suvarnabhumi Airport

monitoring/ accessed on 7 July 2020.

⁸²⁾ See ICG, “Crisis Watch, Bangladesh,” April 2020, at <https://www.crisisgroup.org/crisiswatch/may-alerts-and-april-trends-2020#bangladesh> accessed on 18 May 2020; Human Rights Watch, “Bangladesh: Mass Arrests Over Cartoons, Posts: Cartoonist, Journalists, Activists Face Charges for Criticizing Ruling Party Print,” 7 May 2020 at <https://www.hrw.org/news/2020/05/07/bangladesh-mass-arrests-over-cartoons-posts> accessed on 18 May 2020 and “Bangladesh: End Wave of COVID-19 ‘Rumor’ Arrests: Academics, Critics Apparently Targeted in Violation of Free Speech Rights,” 31 March 2020 at <https://www.hrw.org/news/2020/03/31/bangladesh-end-wave-covid-19-rumor-arrests> accessed on 7 May 2020; Reporters Without Borders (RSF), “Covid-19 triggers surge in violence, prosecutions against Bangladeshi journalists,” 27 April 2020 updated 6 May, <https://rsf.org/en/news/covid-19-triggers-surge-violence-prosecutions-against-bangladeshi-journalists> accessed on 1 June 2020.)

he and fellow passengers faced upon his return from Barcelona. If found guilty, he faces up to five years in prison and a fine of up to THB100,000 (USD 3,050).⁸³⁾ According to UN High Commissioner for Human Rights Bachelet, a “dozen countries in the Asia-Pacific region have seen an alarming clampdown on freedom of expression during the COVID-19 crisis.”⁸⁴⁾

The Governments have imposed increasingly intrusive cyber-policing and aggressively introduced online surveillance resulting in removal of critical information online. In Vietnam, “between Jan(uary) 23, when Vietnam detected its first case of infection, and mid-March, police censored around 300,000 posts on news sites and blogs and 600,000 posts on social media about COVID-19. During those two months, police took action against 654 cases of so-called fake news and sanctioned 146 people.” The tools used for controlling ‘fake news’ reportedly overlapped that of controlling those seen as critical to the Government.⁸⁵⁾

⁸³⁾ Civicus, “Activists and Opposition Face Judicial Harassment as Emergency Measure in Thailand raise Concerns,” 8 April 2020. <https://monitor.civicus.org/updates/2020/04/08/activists-and-opposition-face-judicial-harassment-emergency-measures-thailand-raise-concerns/> accessed 15 May 2020.

⁸⁴⁾ UN News, 3 June 2020: *ibid*.

⁸⁵⁾ The quote and information in the paragraph relating to Vietnam is attributed to Bill Hayton and Tro Ly Ngheo, “Vietnam’s Coronavirus Success Is Built on Repression: The Communist Party’s tools of control made for effective virus-fighting weapons,” *Foreign Policy*, 12 May 2020, at <https://foreignpolicy.com/2020/05/12/vietnam-coronavirus-pandemic-success-repression/> accessed on 2 June 2020. Also see David Hutt, “Some thoughts on Vietnam’s Covid-19 repression: While Vietnam's battle against Covid-19 has been a success, its fight against free speech is questionable,” *Asia Times*, 22 May 2020 at <https://asiatimes.com/2020/05/some-thoughts>

The Government of China imposed early censorship to suppress information about COVID-19 and the dangers it posed to public health.⁸⁶⁾ Its authorities have intimidated, harassed activists and citizen journalists who have shared information about the coronavirus pandemic; some of them have reportedly disappeared.⁸⁷⁾ Authorities censored numerous articles related to coronavirus pandemic in the country.⁸⁸⁾ A Chinese doctor, Li Wenliang, was censored for alerting his colleagues about the coronavirus pandemic; he was later detained for “spreading false rumors.”⁸⁹⁾ He succumbed to the infection and later died.

-on-vietnams-covid-19-repression/ accessed on 3 June 2020.

⁸⁶⁾ Mia Swart, “How the coronavirus has deepened human rights abuses in China: Rights groups concerned about arbitrary detention, crackdown on freedom of speech and lack of access to information,” Al Jazeera, 12 Mar 2020, at <https://www.aljazeera.com/news/2020/03/cloneofcloneofcoronavirus-deepened-human-right-200312074518781.html> accessed on 2 June 2020.

⁸⁷⁾ HRW, “China: Free Covid-19 Activists, ‘Citizen Journalists’: Arbitrary Detentions, ‘Disappearances,’ for Sharing Coronavirus Information,” at <https://www.hrw.org/news/2020/04/27/china-free-covid-19-activists-citizen-journalists> accessed on 30 May 2020.

⁸⁸⁾ Alice Su, “He filmed corpses of coronavirus victims in China. Then the police broke into his home,” Los Angeles, 3 February 2020, at <https://www.latimes.com/world-nation/story/2020-02-03/china-wuhan-coronavirus-censorship> accessed on 14 May 2020.

⁸⁹⁾ Verna Yu, “‘Hero who told the truth’: Chinese rage over coronavirus death of whistleblower doctor,” The Guardian, 7 February 2020 at <https://www.theguardian.com/global-development/2020/feb/07/coronavirus-chinese-rage-death-whistleblower-doctor-li-wenliang> accessed on 10 February 2020.

VII. Increased use of mass surveillance tools raising concerns on interfering with privacy

Governments in many countries have been conducting mass surveillance in order to control the spread of COVID-19. Concerns have been raised by several human rights organizations about increased human rights violations⁹⁰⁾ to personal privacy⁹¹⁾ caused by disproportionate surveillance because of mobile location tracking applications used by Governments, including in the Asia-Pacific region, in order to carry out contact tracing of the spread of the pandemic and its carriers.

As China encouraged

people to return to work despite the coronavirus outbreak, it has begun a bold mass experiment in using data to regulate citizens' lives — by requiring them to use software on their smartphones that dictates whether they should be quarantined or allowed into subways, malls and other public spaces. But a New York Times analysis of the software's code found that the system does more than decide in real time whether someone poses a contagion risk. It also appears to share information with the police, setting a template for

⁹⁰⁾ Amnesty International, Article 19, Human Rights Watch, CIVICUS, over 128 NGOs, "Joint Civil Society Statement: States use of digital surveillance technologies to fight pandemic must respect human rights," 2 April 2020 at <https://www.amnesty.org/download/Documents/POL3020812020ENGLISH.pdf> accessed on 3 April 2020.

⁹¹⁾ In relation to concerns of disproportionate surveillance by internet applications, it is worthwhile to consider ICCPR, Article 17.

new forms of automated social control that could persist long after the epidemic subsides.”⁹²⁾

In South Korea, in their tracking strategy to counter COVID-19, authorities have accessed

“a wide range of data — smartphone location history, credit card transactions, immigration records, and CCTV footage — of confirmed patients to compile meticulous logs of their travels and contacts... In late March, South Korea also launched a centralized data collection platform — devised by the ministries of health, infrastructure, and science and technology — that would diminish the tracking time to under 10 minutes per patient.”⁹³⁾

Emergency alerts were shared by mobile phone to those living or working in districts where new cases have been confirmed and which announced nearby locations visited by patients before they were diagnosed with the COVID-19 virus.⁹⁴⁾ The “richness of this

⁹²⁾ Paul Mozur, Raymond Zhong and Aaron Krolik, “In Coronavirus Fight, China Gives Citizens a Color Code, With Red Flags,” *New York Times*, 1 March 2020 at <https://www.nytimes.com/2020/03/01/business/china-coronavirus-surveillance.html> accessed on 26 May 2020.

⁹³⁾ Eun A Jo, “South Korea’s Experiment in Pandemic Surveillance: South Korea is a testing ground for how to balance robust surveillance in the name of public health with individual privacy rights,” *The Diplomat*, 13 April 2020 at <https://thediplomat.com/2020/04/south-koreas-experiment-in-pandemic-surveillance/> accessed on 1 June 2020.

⁹⁴⁾ BBC News, “Coronavirus privacy: Are South Korea's alerts too revealing?,” at <https://www.bbc.com/news/world-asia-51733145> accessed on

data has also raised concerns about privacy infractions. While anonymized, movement histories in some cases are sufficiently detailed for the public to probe into and reveal the patients' identities. This "witch-hunt" has generated a widespread fear of stigma,⁹⁵⁾ due to the sharing of private information in a nation with one of the highest penetrations of mobile smartphones in the world. Noting this worrying trend, the National Human Rights Commission of Korea "condemned the indiscriminate publicization — rather than collection — of personal data. It recommended aggregating all patients' footprints over time and redacting individual-specific information on age and gender."⁹⁶⁾ As shown below in the next section, "South Korea's coronavirus surveillance program is alerting the public about new disease outbreaks, but at the expense of marginalized communities (like the queer community) that rely on anonymity and privacy."⁹⁷⁾

VIII. Increased discrimination and attacks against marginalised communities

The COVID-19 pandemic has increased the vulnerability of marginalised communities. According to the UN Special Rapporteur

1 June 2020.

⁹⁵⁾ Eun A Jo, *ibid.*

⁹⁶⁾ Eun A Jo, *ibid.*

⁹⁷⁾ "Tracing homophobia in South Korea's coronavirus surveillance program," *The Conversation*, 18 June 2020 at <https://theconversation.com/tracing-homophobia-in-south-koreas-coronavirus-surveillance-program-139428> accessed on 22 June 2020.

on minority issues, “COVID-19 is not just a health issue; it can also be a virus that exacerbates xenophobia, hate and exclusion.”⁹⁸⁾

There have been increased reports of racism against Asian people, particularly against Chinese people in Europe and the Americas.⁹⁹⁾ Meanwhile, in China, reports suggested that its authorities were “stoking mistrust of foreigners as part of an attempt to rebuild a reputation tarnished by the coronavirus crisis.”¹⁰⁰⁾ There were reports of African people sleeping on streets after evictions, being barred from hotels, shops and restaurants in Guangzhou; they faced hostility and racism, prompted by fears that they may be carriers of Covid-19. The discriminatory practices reportedly continued despite assurances from Chinese officials to concerned Governments across Africa that discrimination resulting from efforts to contain the coronavirus outbreak would stop.¹⁰¹⁾

In Vietnam, hostility toward foreign nationals reached such a level that its Ministry of Foreign Affairs issued a statement calling for it to stop.¹⁰²⁾

98) OHCHR, “COVID-19 fears should not be exploited to attack and exclude minorities - UN expert,” 30 March 2020 at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25757&LangID=E> accessed on 20 May 2020.

99) See Keegan Elmer, “Has coronavirus prompted rise in racist incidents across Europe?,” South China Morning Post, 29 February 2020 at <https://www.scmp.com/news/china/society/article/3052961/has-coronavirus-prompted-rise-racist-incident-across-europe> accessed on 1 June 2020.

100) Lily Kuo and Helen Davidson, “‘They see my blue eyes then jump back’ - China sees a new wave of xenophobia,” The Guardian, 29 March 2020, at <https://www.theguardian.com/world/2020/mar/29/china-coronavirus-anti-foreigner-feeling-imported-cases> accessed on 24 May 2020.

101) Jason Burke, Emmanuel Akinwotu and Lily Kuo, *ibid.*

In South Korea, media reports targeted gay clubs after a Korean man, who had visited a series of bars and clubs in the Itaewon district of Seoul on 1 May, tested positive for the coronavirus. “The Korean Center for Disease Control and Prevention began trying to figure out who might have come in contact with the man. The agency used records of financial transactions from those clubs and bars, GPS tracking of mobile phones in the area and direct interviews with potentially affected people.” The media reports led to the queer Korean community being criticized for 79 new cases that were identified in May. “Many queers feared that contact tracing would forcibly out them, especially since some Korean media outlets took to reporting the identities of the venues’ customers and where they worked... All of that homophobia has made it harder for public health officials to track down and test the thousands of people who visited the bars and clubs.”¹⁰³⁾

India has seen many cases of people from its north-east regions being called ‘coronavirus’ because of their racial similarities to the people of China.¹⁰⁴⁾ Moreover, after government authorities announced that a large number of India's cases was linked to a religious gathering organized, prior to the lockdown, by the Islamic organization Tablighi Jamaat in Delhi, the minority Muslim community was widely accused of intentionally spreading

¹⁰²⁾ Lily Kuo and Helen Davidson, *ibid.*

¹⁰³⁾ Both quotes in the paragraph are from Timothy Gitzen, *ibid.*

¹⁰⁴⁾ Ankit Yadav, “Being called corona: People from Northeast allege racial targeting in Delhi,” *India Today*, 19 March 2020, at <https://www.indiatoday.in/india/story/coronavirus-outbreak-in-india-northeast-racial-targeting-delhi-1657276-2020-03-19> accessed on 1 June 2020.

COVID-19. Subsequently, they were subject to boycotts of their businesses, bans from some neighbourhoods, physical attacks by police authorities. This targeting took place despite some 400 Indian scientists refuting claims in April that the Tablighi Jamaat was chiefly responsible for the spread of the COVID-19 pandemic in the country.¹⁰⁵⁾

In Sri Lanka, the traditional and social media accused the minority Muslim community of spreading pandemic. The authorities were reportedly accused of assisting, and not controlling, the biased reporting by pro-Government TV. Furthermore, on 11 April, in contravention of customary Islamic burial practices, the Sri Lankan Government made cremation compulsory for all COVID-19-related deaths.¹⁰⁶⁾

In South Korea, after the Korean Centers for Disease Control and Prevention reported, on 7 March, that 63.5 percent of all confirmed COVID-19 cases (there were over 7,000 cases on 9 March) were traced to believers of the Shincheonji Church of Jesus, “the organization has become a lightning rod for the public’s wrath and a ready outlet for longstanding prejudice.”¹⁰⁷⁾ They were targetted by authorities and media. Its believers, who were attacked and isolated by their families, reportedly lost jobs. There was anger at

¹⁰⁵⁾ ICG, “Crisis Watch, India-Non-Kashmir,” April 2020: *ibid.*

¹⁰⁶⁾ ICG, “Sri Lanka,” Crisis Watch, April 2020 at <https://www.crisisgroup.org/crisiswatch/may-alerts-and-april-trends-2020#sri-lanka> accessed on 15 May 2020.

¹⁰⁷⁾ Raphael Rashid, “Being Called a Cult Is One Thing, Being Blamed for an Epidemic Is Quite Another,” *New York Times*, 9 March 2020 at <https://www.nytimes.com/2020/03/09/opinion/coronavirus-south-korea-church.html> accessed on 22 June 2020.

the secrecy of this religious group whose believers did not use protective measures while worshipping in close proximity.¹⁰⁸⁾

IX. Attacks on healthcare workers, officials

Misinformation leading to fear of being infected by the COVID-19 has resulted in health-care workers being reportedly subjected to violence, abuse, harassment, being spat at in public places including hospitals and on public transport in several countries including China, Australia, Pakistan, Singapore, Philippines and India.¹⁰⁹⁾ In Pakistan, a study found that

(more than one-third (38.4%) reported having experienced any form of violence in the last 6 months. Verbal violence was the most commonly experienced form (33.9%), followed by physical violence (6.6%). The main reasons for physical violence were death of patients (17.6%), serious condition of patients (16.6%) and delay in care (13.4%).¹¹⁰⁾

Even the head of the World Health Organisation was not spared.

¹⁰⁸⁾ Rashid, *ibid.*

¹⁰⁹⁾ See Bloomberg, “Doctors come under attack in India as coronavirus stigma grows,” cited in Japan Times, 14 April 2020, at <https://www.japantimes.co.jp/news/2020/04/14/asia-pacific/doctors-india-coronavirus-stigma/#.Xu5wPy1h3BI> accessed on 20 June 2020.

¹¹⁰⁾ Shaikh S, Baig LA, Hashmi I, et al., “The magnitude and determinants of violence against healthcare workers in Pakistan,” *BMJ Global Health* 2020, March 2020 at https://reliefweb.int/sites/reliefweb.int/files/resources/e002112.full_.pdf accessed on 20 June 2020.

The WHO Director-General Dr. Tedros Adhanom Ghebreyesus, a former Ethiopian health and foreign Minister, stated on 8 April that he had received personal abuse and death threats that originated from Taiwan, alleging that its foreign ministry “didn’t disassociate themselves [from the abuse].” This accusation came at a time of increased tensions following Taiwan's lack of membership to the WHO, despite its effective handling of the COVID-19, and increasing tensions over China's apparent blocking of Taiwan from accessing information from WHO as it is not a member. Taiwan's foreign ministry reportedly said the comments were “irresponsible” and the accusations “imaginary.”¹¹¹⁾

X. Increased vulnerabilities for woman: worsening economic impact and gender-based violence

Following the COVID-19 pandemic, women face decreasing economic opportunities. The lockdowns and the economic slow-down has badly affected sectors dominated by women like garment manufacturing, part-time and informal work.

According to a UN Women’s study, it was feared that COVID-19 “will disproportionately affect women migrant workers across Asia and the Pacific, in particular those with irregular migration status.”¹¹²⁾

¹¹¹⁾ All quotes and information in the paragraph are attributed to BBC News, “Coronavirus: WHO chief and Taiwan in row over ‘racist’ comments,” 9 April 2020 at <https://www.bbc.com/news/world-asia-52230833> accessed on 1 June 2020.

Police reports in Hubei province, China, suggest that reports of domestic violence have tripled during the pandemic.¹¹³⁾ In Malaysia, the Talian Kasih hotline for women and children and the Women's Aid Organisation reported 57% increase and 40% increase, respectively, in calls after COVID-19 related movement restrictions were introduced. In Singapore, AWARE's Women's Helpline received 33% more calls related to violence in February 2020 when compared to the same month the year before.¹¹⁴⁾

Moreover, women were at greater risk given the nature of their jobs. The vast majority of those working in

nursing and midwifery staff are women, with increasing rates of women entering the higher skilled health occupations, such as physicians, dentists and pharmacists. In Hubei province, China, the epicentre of the initial outbreak, more than 90 per cent of the health-care workers on the front line response to COVID-19 are women.¹¹⁵⁾

¹¹²⁾ UN Women, op. cit., p.40.

¹¹³⁾ UN Women, op. cit., p.33.

¹¹⁴⁾ Catherine Laws, Deepa Bharathi, Rebecca Napier-Moore (ILO), Valentine Volpe and Younghwa Choi (UN Women), "Covid-19 and Women Migrant Workers in ASEAN," ILO-UN Women Spotlight Initiative To eliminate violence against women and girls, 2 June 2020, p.2 at <https://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2020/06/covid%20and%20women%20migrant%20workersfinal%20040620.pdf?la=en&vs=5144> accessed on 5 June 2020.

¹¹⁵⁾ UN Women, op. cit., p.15.

XI. Worsening conditions for persons deprived of liberty

Persons deprived of liberty in administrative detention centres, prisons and rehabilitation centres face higher vulnerabilities, considering that the spread of the virus can be very fast due to the high concentration of persons in confined spaces and, in many cases, with restricted access to adequate hygiene and timely health care.¹¹⁶⁾ UN High Commissioner Bachelet confirmed this concern when she stated that “(j)ails and prisons are high risk environments, and states should focus on releasing whoever can be safely released, not detaining more people.”¹¹⁷⁾

The fear of a high incidence of the COVID-19 in their prisons and detention facilities has led several Governmental authorities to consider release of prisoners. In Philippines, which has some of the most congested jails in the world, nearly 10,000 poor inmates had been reportedly temporarily released by reducing the amounts of their bails. Some of the inmates, who could not afford to post bail, were released to the custody of local officials, underscoring the urgency to ease overcrowding in jails. In Indonesia, more than 38,000 prisoners had been reportedly released from prisons and detention centres.¹¹⁸⁾

¹¹⁶⁾ See UN, “Human Rights and Prisons: Manual on Human Rights Training for Prison Officials,” OHCHR, Professional Training Series No.11, HR/P/PT/11, 2005.

¹¹⁷⁾ UN, OHCHR Press Release, 27 April 2020: *ibid.*

¹¹⁸⁾ Randy Mulyanto and Nicola Smith, “Coronavirus fears in south east Asia's overcrowded prisons as Covid-19 rapidly spreads among inmates: Human rights groups fear moves to halt the spread is too little, too late

In India, authorities imposed jail lockdowns and released thousands of pre-trial detainees on parole. Prisons in states including Maharashtra and Madhya Pradesh recorded inmates who were tested positive for the virus.¹¹⁹⁾

Despite the COVID-19, death sentences continue to be handed out and executions carried out. There are fears of capital punishment being carried out in secrecy in countries including China, Vietnam and North Korea. In Singapore, its Supreme Court remotely sentenced 37-year-old Malaysian national Punithan Genasan to face the death penalty, in May, via the Zoom communication web application. Genasan was sentenced to death after being found guilty of drug-related charges.¹²⁰⁾

XII. Increasing vulnerabilities of communities in conflict zones

In the Asia-Pacific region, the COVID-19 pandemic has already increased tensions, and given the context of long-simmering disputes, persistent and systemic discrimination, lack of state capacity, there is a strong possibility of local conflicts getting

after multiple reports of Covid-19 seeping into prisons,” The Telegraph, 5 May 2020 at <https://www.telegraph.co.uk/global-health/science-and-disease/coronavirus-fears-south-east-asias-overcrowded-prisons-covid/> accessed on 20 May 2020.

¹¹⁹⁾ Japan Times, “Rise in coronavirus cases in crowded Indian jails prompts concerns,” 3 May 2020.

¹²⁰⁾ John Geddie, “Man sentenced to death on Zoom call,” Reuters, 20 May 2020. <https://www.reuters.com/article/us-singapore-crime-idUSKBN22W0I6> accessed on 21 May 2020.

worse. Violent incidents are feared as persistent ethnic and religious divides could widen as a consequence of COVID-19. “The populations of conflict-affected countries - whether those in war or suffering its after-effects - are likely to be especially vulnerable to outbreaks of disease. In many cases, war or prolonged unrest, especially when compounded by mismanagement, corruption or foreign sanctions, have left national health systems profoundly ill-prepared for COVID-19.”¹²¹⁾ With state capacities severely weakened, the populations face a lack of stable governance, with serious shortages of essential food, water, housing, minimal healthcare, among others.

Afghanistan’s decades-long conflict was underlined by the brutal attack in May, during the holy month of Ramadhan, by Afghan militants on a maternity clinic in a hospital in Kabul’s western suburb of Dasht-e-Barchi.¹²²⁾ Decades of conflict has left its medical infrastructure in a difficult position if it has to manage this pandemic. Fears have been raised of that up to 25 million Afghans (out of a population of approximately 36 million) could eventually be infected with COVID-19.¹²³⁾ Even “prior to the pandemic, the United Nations already projected that 14 million Afghans could face emergency levels of food insecurity throughout the winter months

¹²¹⁾ ICG, Special Briefing 4, 24 March 2020: *ibid*.

¹²²⁾ ICG, “COVID-19 in Afghanistan: Compounding Crises,” 6 May 2020 retrieved from <https://reliefweb.int/report/afghanistan/covid-19-afghanistan-compounding-crises> accessed on 15 May 2020.

¹²³⁾ Tolo News, “Coronavirus Cases Reach 110 in Afghanistan,” 28 March 2020. <https://tolonews.com/health/coronavirus-cases-reach-110-afghanistan> accessed on 7 May 2020.

.”¹²⁴⁾ Urban lockdowns, imposed following the pandemic, has led to a sharp fall in employment in the informal sector, while the country has witnessed a huge decline in migrant workers’ remittances.¹²⁵⁾

There are similar concerns for vulnerable communities in areas ravaged by conflict such as the Rakhine state in Myanmar, which has led to the reported displacement of some 157,000 persons.¹²⁶⁾ Other areas of concern include Indian-administered Kashmir, the Papua province in Indonesia, Eastern and Southern Mindanao, the autonomous region of Bangsamoro in South Philippines.¹²⁷⁾ Not surprisingly, there is highly insufficient information of the impact of the pandemic of the populations caught in these conflict-zones due to a paucity of credible, verified reporting. In most of these situations, with the onset of the pandemic, there appears to be a reduction in the international community's commitment to peaceful resolutions and political will to ensure accountability of those perpetrating gross human rights violations.

¹²⁴⁾ Stephanie Glinski, “Afghans Choose Between Sickness and Starvation,” *Foreign Policy*, 28 April 2020 at <https://foreignpolicy.com/2020/04/28/afghanistan-coronavirus-lockdown-starvation-war/> accessed on 21 June 2020.

¹²⁵⁾ *Ibid.*

¹²⁶⁾ Kristy Siegfried, “The Refugee Brief - 1 May 2020,” UNHCR: The Refugee Agency, 1 May at <https://www.unhcr.org/refugeebrief/the-refugee-brief-1-may-2020/> accessed on 22 June 2020.

¹²⁷⁾ See ICG Crisis Watch entries on Kashmir, Indonesia, the Philippines, April. 2020 at <https://www.crisisgroup.org/crisiswatch/may-alerts-and-april-trends-2020> accessed on 22 June 2020.

XIII. Conclusion

The COVID-19 pandemic has wreaked great human cost across the globe, including the Asia-Pacific region. It originated in the region and its deadly global shadow has shown the darker side of globalisation. According to Marco Lambertini, head of WWF International, Elizabeth Maruma Mrema, head of the UN convention on biological diversity and Maria Neira, the World Health Organization director for environment and health, recent pandemics

originated from animal populations under conditions of severe environmental pressures. And they all illustrate that our destructive behaviour towards nature is endangering our own health - a stark reality we've been collectively ignoring for decades. Research indicates that most emerging infectious diseases are driven by human activities... These outbreaks of disease are manifestations of our dangerously unbalanced relationship with nature.¹²⁸⁾

The pandemic still lurks in the Asia Pacific region; many of the developing countries in South and South-east Asia appear to be bearing its havoc now. These are countries where the health

¹²⁸⁾ Marco Lambertini, Elizabeth Maruma Mrema and Maria Neira, "Coronavirus is a warning to us to mend our broken relationship with nature: The world must embrace a recovery that involves sustainable farming and clean energy. Anything else is a false economy," The Guardian, 17 June 2020 at https://www.theguardian.com/commentisfree/2020/jun/17/coronavirus-warning-broken-relationship-nature?CMP=share_btn_tw accessed on 22 June 2020.

systems are ill-equipped, under-resourced and do not have the capacity to face the health crisis. In many cases, the States do not have the requisite numbers of tests to gather an accurate understanding of the spread of COVID-19. Moreover, these nations cannot afford long-term total lockdowns. The Asia-Pacific Governments' approaches to control the pandemic have huge human rights implications with worrying impacts on the right to life and health, increased violations of the rights to food, movement, disproportionate violence by law-enforcement authorities especially on marginalized communities and people on the move, threats to freedoms of expression and association and increased surveillance. Women face greater vulnerabilities as they are victims of increased gender-based violence during the confinement imposed by the lockdowns. Besides, women also suffer from increased economic insecurities as they are subject to greater degree of unemployment noting that they work in sectors that have been badly hit by these measures.

Furthermore, the situation is made even more fragile as many of the poor, including informal sector workers, migrants slip through the net of government benefits and rescue schemes. “Countries with weak social and labour protection will likely experience a greater increase in inequality in income and access to opportunities, as well as more protracted and deeper social and economic impact with more people pushed into poverty.”¹²⁹⁾ A lack of effective regulatory policy, and pro-active legislative structure, poor penetration of banks and electronic payment infrastructure is making it more challenging

¹²⁹⁾ UNDP-RBAP, op. cit., p.13.

for governments to reach informal workers in the region and to take measures to restore basic livelihoods for those millions who are unemployed at this time.

A climate of fear and anxious uncertainty has set in, often fanned by a lack of awareness and spread of unverified claims and ‘fake news’. The Governments in most parts of Asia-Pacific region have introduced lockdowns in efforts to control the spread of the pandemic, but that has come at great economic and social cost as the measures were introduced in an opaque, arbitrary manner with little consultation and often with minimal consideration of the vulnerable sections of society. Sadly, these sections have suffered. They lost their livelihoods. Millions were forced to undertake long, perilous journeys back to their hometowns, villages. They return back with no futures, no jobs, very little savings. In the case of migrants, with borders closing internationally and between provinces, they have been stranded in fragile circumstances in crowded spaces with little medical care and where they are at greater risk of infection of the coronavirus. As the imposition of the lockdowns were handed to the law enforcement authorities, there have been numerous incidences of disproportionate use of force on the hapless poor. Authorities have used their extraordinary powers gained to rein in the health crisis to control the media, persons whom the leadership perceive as critics. Consequently, journalists, activists, members of opposition parties have been threatened, abused - verbally and physically - and many have been detained, lawsuits filed against them or, in some cases, they have disappeared. The pandemic has also witnessed stigmatisation of minority groups -

religious, ethnic, asylum-seekers, sexual orientation, race.

In the meantime, the vulnerable have become more vulnerable, the schisms between the rich and the poor appear to be widening. There is a worrying erosion of human dignity. In most countries in the region, the pandemic has exposed the lack of a workable social security net. Poverty, which had been on the decline for a decade in the Asia-Pacific region, appears to be increasing again. The existence of long-term and widespread unemployment, a lack of rebuilding the battered informal sector, the continued lack of the respect, protection and fulfilment of human rights of the marginalised sections of society could inflame long-festering, unresolved grievances into social unrest and worsen conflict in zones where they exist. There are fears of increasing tensions in society and turmoil noting the widening schisms of income and wealth distributions, especially if the recovery of the informal sector takes a long time and if employment opportunities become scarce and rampant unemployment continues for a long time, within the context of a continuing, health crisis with no end in sight. State capacities are under serious challenge and there is a serious threat of further deterioration of already-low public trust in Governments.

The immense systemic destruction and human tragedy brought on us by the COVID-19 deserves bold responses from the Governments in its introduction of revolutionary recovery packages consisting of programs, which are centered in human rights. These programs and initiatives should be aimed at reducing the huge wealth and income gaps, enhance food, health security, social security in approaches that are non-discriminatory, transparent,

bottom-up and based on human rights and human security. Combatting and controlling this pandemic requires renewing and strengthening multilateralism in terms of global and regional cooperation as no country is safe and no nation can fight this crisis alone on the legs of nationalism and isolation. And as long as COVID-19 exists in even one country, the world is not safe. At the same time, there needs to be increased involvement of the communities and greater discretion and resources given to authorities at the local level and front-line workers as the disease requires increasingly targeted lockdowns. Noting that the COVID-19 pandemic is not just a health crisis, but also a human crisis, it is a universal crisis and it affects all, authorities in the Asia-Pacific region need to adopt a more holistic, human-centric, rights-centered approach to resolve the long-term consequences of the COVID-19 pandemic with empathy, sustainably, fairly, equally.

(논문접수일: 2020.06.11, 논문심사일: 2020.06.11, 게재확정일: 2020.06.19)

SELECT BIBLIOGRAPHY*

- Amnesty International, Article 19, Human Rights Watch, CIVICUS, over 128 NGOs. 2020. "Joint Civil Society Statement: States use of digital surveillance technologies to fight pandemic must respect human rights." (2 April).
- Anthem, Paul. 2020. "Risk of hunger pandemic as corona virus to almost double acute hunger by end of 2020: New WFP figures indicate additional 130 million lives and livelihoods will be at risk." World Food Program Insight (14 April).
- Babson, Bradley O. 2020. "The North Korean Economy Under Sanctions and COVID-19" 38 North (22 May).
- Ban Ki-moon. 2020. "I Was the Secretary-General of the U.N. Here's How the Coronavirus Crisis Can Bring the World Together" TIME (16 April).
- Bardhan, Pranab. 2020. "Modi's Performance and the Tragedy of India's Poor" Project Syndicate (21 May).
- CESCR(Committee on Economic, Social and Cultural Rights). 1990. General Comment No. 3: The Nature of States Parties' Obligations, UN Doc. E/1991/23.*
- CESCR (Committee on Economic and Social and Cultural Rights). 1991. General Comment No.4: The Right to Adequate Housing (Article 11(1) of ICESCR). UN Doc. E/1992/23.*
- CESCR (Committee on Economic and Social and Cultural Rights). 1997. General Comment no.7: The Right to Adequate Housing: Forced Evictions. UN Doc. E/1998/22.*
- CESCR (Committee on Economic and Social and Cultural Rights). 2003.*

* For the purpose of concentrated referencing focus, the author has decided to include a select bibliography.

General Comment no.15: The Right to Water (Articles 11 and 12 of the ICESCR). UN Doc. E/C.12/2002/11.

CESCR (Committee on Economic and Social and Cultural Rights). 2005. General Comment no.16: The Equal Right of Men and Women to the Enjoyment of all Economic, Social and Cultural Rights (Article 3 of ICESCR). UN Doc. E/C.12/2005.

Diplomat Risk Intelligence. 2020. “COVID-19 in Asia: A Country-By-Country Guide The good, the bad, and the ugly of the coronavirus fallout for each government in East, Southeast, South, and Central Asia” *The Diplomat* (14 April).

Gaspard, Patrick. 2020. “Viral Authoritarianism” *Project Syndicate* (13 April).

Gómez, Oscar A, Des Gasper and Yoichi Mine. 2013. “Good practices in addressing human security through Human Development Reports,” *2013 Human Development Report Office Occasional Paper.*

Gómez, Oscar A. and Des Gasper. “Human Security: A Thematic Guidance Note for Regional and National Human Development Report Teams.” UNDP at http://hdr.undp.org/sites/default/files/human_security_guidance_note_r-nhdrs.pdf.

Guadagno, Lorenzo. 2020. *Migrants and the COVID-19 pandemic: An initial analysis. Migration Research Series No.60, International Organization for Migration* at <https://publications.iom.int/system/files/pdf/mrs-60.pdf>.

Guterres, António. 2020. “We are all in this Together: Human Rights and COVID-19 Response and Recovery” *UN Press Release* (23 April).

Human Rights Committee. 1983. CCPR General Comment No. 10: Article 19 of the International Covenant on Civil and Political Rights, on Freedom of Opinion. Geneva: UN Office of the High Commissioner for Human Rights (OHCHR).

Human Rights Committee. 1983. CCPR General Comment No. 11: Article

20 of the International Covenant on Civil and Political Rights, on Prohibition of Propaganda for War and Inciting National, Racial or Religious Hatred. Geneva: UN Office of the High Commissioner for Human Rights (OHCHR).

Human Rights Committee, 1999. CCPR General Comment No. 27: Article 12 of the International Covenant on Civil and Political Rights, on Freedom of Movement. Geneva: UN Office of the High Commissioner for Human Rights (OHCHR) CCPR/C/21/Rev.1/Add.9.

Human Rights Committee. 2018. General Comment no.36: Article 6 of the International Covenant on Civil and Political Rights, on the right to life. Geneva: UN Office of the High Commissioner for Human Rights (OHCHR) CCPR/C/GC/36.

Institute for Human Rights and Business. 2020. Respecting Human Rights in the Time of the COVID-19 Pandemic: Examining Companies' Responsibilities for Workers and Affected Communities (April) London: IHRB.

International Labour Organization (ILO). 1962. Convention 117. Geneva: ILO C117 - Social Policy (Basic Aims and Standards) Convention. 1962 (No.117).

ILO. 1971. Convention 135. Geneva: ILO C135 - Workers' Representatives Convention, 1971 (No.135).

ILO. 1985. Convention 161. Geneva: ILO C161 - Occupational Health Services Convention, 1985 (No.161).

ILO. 1989. Convention 169. Geneva: ILO C-169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169).

ILO, 2020. "ILO: COVID-19 causes devastating losses in working hours and employment" Press release. (7 April).

Jo, Eun A. 2020. "South Korea's Experiment in Pandemic Surveillance: South Korea is a testing ground for how to balance robust

surveillance in the name of public health with individual privacy rights” *The Diplomat* (13 April).

Kwakwa, Victoria. 2020. “Governments facing tough choices in COVID-19 crisis.” *World Bank Blog* (28 April).

Laws, Catherine, Deepa Bharathi, Rebecca Napier-Moore, Valentine Volpe and Younghwa Choi. 2020. Covid-19 and Women Migrant Workers in ASEAN. Bangkok: ILO-UN Women Spotlight Initiative To eliminate violence against women and girls. (June).

Office of the High Commissioner for Human Rights (OHCHR). 2020. Report of the Special Rapporteur on the situation of human rights in the Democratic People’s Republic of Korea. Geneva: OHCHR. A/HRC/43/58.

Pei, Minxin. 2020. “China’s Misplaced Pandemic Propaganda” *Project Syndicate* (26 March) <https://www.project-syndicate.org/commentary/covid19-pandemic-chinese-propaganda-by-minxin-pei-2020-03>.

Shaikh, Hina. 2020. Responding to the impacts of COVID-19 on informal workers in South Asia. International Growth Center (13 May).

Tharoor, Shashi. 2020. “India Besieged” *Project Syndicate* (6 April).

The World Bank. 2020. “Food Security and COVID-19” *Brief* (28 May).

United Nations (UN). 1948. Universal Declaration of Human Rights. New York: UN General Assembly Resolution 217A (10 December).

United Nations. 1966. International Covenant on Economic, Social and Cultural Rights. UN General Assembly Resolution 2200A(XXI) (16 December).

United Nations. 1966. International Covenant on Civil and Political Rights. UN General Assembly Resolution 2200A(XXI) (16 December).

United Nations. 1965. International Convention on the Elimination of All Forms of Racial Discrimination. UN General Assembly Resolution 2106 (XX) (21 December).

United Nations. 1979. Convention on the Elimination of All Forms of

Discrimination against Women. UN General Assembly Resolution 34/180 (18 December).

United Nations 1984. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment. UN General Assembly Resolution 39/46 (10 December 1984).

United Nations. 1985. Convention on the Rights of the Child. UN General Assembly Resolution 44/25 (20 November).

United Nations. 1990. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. UN General Assembly Resolution 45/158 (18 December).

United Nations. 2006. Convention on the Rights of Persons with Disabilities. UN General Assembly Resolution 61/106 (13 December).

United Nations. 2005. Human Rights and Prisons: Manual on Human Rights Training for Prison Officials. Geneva and New York: Office of the High Commissioner for Human Rights (OHCHR). Professional Training Series No.11, HR/P/PT/11.

United Nations. 2020. COVID-19 and Human Rights: We are all in this together. April 2020 at https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf.

United Nations. 2020. "COVID-19: Exceptional measures should not be cover for human rights abuses and violations – Bachelet" OHCHR Press Release (27 April).

UN Development Programme. 2020. The Social and Economic Impact of COVID-19 in the Asia-Pacific Region. Bangkok: Position Note prepared by UNDP Regional Bureau for Asia and the Pacific. (April).

UN Office for Disaster Risk Reduction (UNDRR), International Council of Voluntary Action and International Organization for Migration. 2020. UNDRR Asia Pacific Brief. Reducing Vulnerability of

Migrants and Displaced Populations. UNDRR Regional Office for Asia and the Pacific (20 April).

UN Women. 2020. The First 100 Days of COVID-19 in Asia and the Pacific: A Gender Lens. Bangkok: UN Women Regional Office for Asia and the Pacific. (April).

<국문요약>

인권의 관점으로 보는 아시아 태평양 지역에서의 코로나19 팬데믹

라지브 나라얀*

이 연구는 아시아 태평양 지역 내 코로나19 대유행을 인권의 관점에서 바라본다. 코로나19 위기 국면에서 공포가 고조되고 빈곤으로부터의 자유가 위협받음에 따라 생명권과 건강권이 더욱 악화되었다. 팬데믹 속에서 취약계층은 더욱 취약해지면서 불균등한 고통을 경험하였고, 경제적·사회적으로 소외된 계층의 빈곤 상태는 더욱 열악해졌다. 수백만의 사람들이 하루아침에 생계를 잃거나 노숙자 또는 실항민이 되었고, 코로나19나 굶주림에서 살아남기 위해 싸우는 실존적인 선택을 해야 했다. 의료 시설이 매우 열악하고 사회 안전망을 포함한 대응 매커니즘이 취약한 아시아 태평양 지역에서, 이들은 위험한 상황 속에서도 필사적으로 수차례에 걸쳐 이동해야 했다. 그 과정에서 이들은 법 집행관으로부터 언어적, 신체적 학대를 당했다. 많은 사람들이 임시 거주시설에서 살아가야 했다. 이들은 일자리도 적고, 안전하지도 않은 불확실한 미래에 직면해 있다. 여성들은 더 높은 실업률, 그리고 성차별적 폭력에 노출될 가능성이 증가된 상태에서 그 고통을 견뎌야만 했다. 소수 집단들은 때때로 포퓰리즘적인 다수 공동체-정치 지도자들로부터 더욱 불관용한 공격을 받고 있다. 우려했던 대로, 자유를 박탈당한 사람들의 상황은 더 나빠졌다. 전염병은 이제 또 다른 양상을 보인다. 심각한 규모의 경제·사회적 위기가 시작되었다. 이 논문은 코로나19 팬데믹으로 인권의 보편성, 불가분성 그리고 필수불가결성이

* 국제사형폐지위원회 정책국장, 스페인 IE대학교 초빙교수.

잠식된 결과 인간적 차원에서 큰 대가가 초래되고, 그것의 토대가 허물어진 현실을 조명한다. 전례 없는 이러한 불확실한 시기에 정부와 비국가 행위자들이 인간 중심적이고 권리 중심적인 정책과 조치를 채택할 것이 요구된다.

주제어: 코로나19와 팬데믹, 아시아 태평양 지역, 취약성 증가와 차별, 빈곤과 두려움으로부터의 자유에 대한 위협, 소외된 사회 집단