

Covid 19 and Human Rights abuses

On 31 December 2019, a Chinese government website broke the news to the world of a “pneumonia of unknown cause”. It spread rapidly, including to Taiwan, Singapore, Hong Kong and Thailand, yet attracted little attention beyond the region – until it reached Italy on 31 January, and Europe began to get worried.

On 11 March 2020 the World Health Organisation declared what was already rather obvious – Covid 19 was officially a pandemic.

It wasn't long before another pandemic began to emerge alongside. This was highlighted in an article in *The Guardian* by UN Secretary General Antonio Guterres, published in February 2021 under the title *The world faces a pandemic of human rights abuses in the wake of Covid-19*¹

These abuses have become so widespread that the situations highlighted below can only be considered as examples.

Perverse consequences?

Some abuses undoubtedly flourished as a perverse consequence of restrictions on civil society caused by the pandemic. For example, a report in *The Guardian* in June 2020 highlighted the increased risk to children in many countries of FGM and other abuses as an indirect result of school closures². Another early area of concern, highlighted in several press reports, was the threat to garment workers, partly caused by a severe downturn in demand. The deterioration of conditions in refugee camps may have originally arisen inevitably because of the spread of Covid 19, but soon became far more disturbing: we will return to this later.

Violence and Torture against protesters and human rights defenders around the world

A report by Irish-based *Front Line Defenders* (aka *The International Foundation for the Protection of Human Rights Defenders*)³ shows that in 2020 at least 331 human rights defenders in 25 countries were murdered, and many more were tortured. The corresponding figures for 2019 were 304 killings in 31 countries. So lethal violence and torture continued, despite a global pandemic and widespread lockdowns.

1 <https://www.theguardian.com/global-development/2021/feb/22/world-faces-pandemic-human-rights-abuses-covid-19-antonio-guterres>

2 <https://www.theguardian.com/global-development/2020/jun/01/many-girls-have-been-cut-how-coronavirus-global-school-closures-left-children-at-risk>

3 <https://www.theguardian.com/global-development/2021/feb/11/human-rights-defenders-murder-2020-report>

Israel/Palestine

An Amnesty International report⁴ highlights discriminatory arrests, torture and unlawful force by Israeli police against Palestinians at a number of demonstrations in May 2021. Amongst other incidents, the report records special forces beating bound detainees, four of whom had to be taken away by ambulance as a result. On 18 May 2021 a 15-year old girl was shot in the back after a demonstration outside her house and may never walk again. Israeli police also failed to protect the victims against attacks on Arab-owned businesses by Israeli supremacists, even though these attacks were known about in advance.

Iran

In November 2019, just before the pandemic, widespread protests about an overnight rise in the price of petrol gave rise to widespread repression, including hundreds of deaths, including children, torture, disappearances and arbitrary detention. Victims were subjected to both physical and psychological torture. These abuses, which continued with relatively little attention from the outside world, were the subject of an Amnesty International report published in September 2020⁵.

Myanmar

The military coup in Myanmar on 1 February 2021 attracted relatively little attention in the wider world. Perhaps we could all be forgiven for getting confused by a seemingly endless succession of such events in this unhappy country. We remember the jubilation when Aung San Suu Kyi and her National League for Democracy won a landslide victory in 2015, and the lack of reaction (and the dismay of the few who *did* notice) when in 2017 the military embarked on a genocidal campaign to drive out the Rohingya Muslims, and were defended by Aung San Suu Kyi at the International Court of Justice. Notwithstanding western reaction, Suu Kyi's popularity inside Myanmar actually increased, resulting in another election victory in November 2020. Then came the coup. A reign of terror followed. The first protester to be killed as a result was shot in the head on 9 February and died ten days later. Hundreds have been killed by security forces, including at least 54 children. Thousands have been detained, all independent newspapers have ceased publication, and it is expected that nearly half the population will be living below the poverty line by early 2022, owing to the combined effects of Covid 19 and the coup.

Latin America

According to the *Front Line Defenders* report, the most dangerous continent was Latin America, accounting for more than three quarters of all murders of activists and protesters. The worst record of any country was for Colombia (177), followed by The Philippines (25), Honduras, Mexico, Afghanistan, Brazil and Guatemala. Indigenous activists were disproportionately likely to be killed compared to other groups. For many indigenous peoples in Peru and Brazil this is an existential crisis.

Reports from Brazil indicate not only that violence against indigenous peoples and the poor continues, but that the state is itself out of control. Violent police raids on favelas have left many dead or injured. In June 2020 the Supreme Court ruled that during the pandemic police should only conduct operations in favelas in "absolutely exceptional cases". That led to a reduction of 71% in police killings compared to the same period a year previously – but by 6 May 2021 it was back to normal, when a raid ostensibly to arrest 21 suspected drug traffickers resulted in more than two dozen killings.

4 <https://www.amnesty.org/en/latest/news/2021/06/israeli-police-targeted-palestinians-with-discriminatory-arrests-torture%20and-unlawful-force>

5 <https://www.amnesty.org/en/documents/mde13/2891/2020/en/>
(Mass arrests, disappearances and torture since Iran's November 2019 protests)

North Africa

Amnesty International's 2020 review of human rights in the middle east and north Africa⁶ states that “governments across the region responded to the Covid 19 pandemic by declaring states of emergency or passing legislation with excessive restrictions on freedom of expression.” Torture or other ill treatment in state custody continued in at least 18 countries, and the use of evidence obtained by torture was widespread. Bahrein, Egypt, Iran and Morocco used prolonged and indefinite solitary confinement, itself often amounting to torture.

One of the world's most oppressive regimes is in Egypt. As elsewhere, jails are overcrowded, and family members are threatened. Take the example of Sherif Mansour⁷, one of many high-profile activists working through the Washington based *Committee to Protect Journalists* on human rights abuses in Egypt. In an attempt to silence him, his cousin, Reda Abdul-Rahmen, was arrested by Egyptian security forces almost a year ago and held in jail, without charge. Several other members of Mansour's family have been detained, interrogated and beaten by Egyptian security agents. Mansour has given up contacting his family in order not to put them at further risk. There are thousands of others – Egyptian jails are at double their capacity – and using threats to relatives still in Egypt in order to silence opponents abroad seems to have become more or less standard procedure. Before taking office, Joe Biden promised “no blank checks” for Donald Trump's “favourite dictator”, but when he came to office, he embarked on what was described as constructive dialogue towards a “strong and productive US-Egypt partnership”.

Another regime of great concern is in Libya (see next section).

Europe and the Mediterranean

One of the earliest causes for concern was conditions in refugee camps within and on the borders of the EU. Confirmed cases in Lesbos and Calais were reported within two months of the pandemic being declared. These reports rapidly escalated. This was at a time when the EU was dragging its feet on addressing the plight of vulnerable people in the camps – a situation which continues to the present day. Pictures of the border fortifications would-be asylum seekers face when arriving on the south eastern borders of Europe are horrific, as are reports of what is going on there. Reports of “pushbacks” have continued. A report published in May 2021 identified more than 2 000 refugee deaths linked to pushbacks⁸.

The EU border agency, Frontex, was singled out for its involvement. A further report in July 2021 gave details of a four-month investigation by MEPs which concluded that Frontex did not fulfil its human rights obligations⁹. The report's author, Dutch Green MEP Tinene Strik pointed out that Frontex was created primarily as a security organisation, but reforms were need to enable it also to uphold human rights.

6 <https://www.amnesty.org/en/countries/middle-east-and-north-africa/report-middle-east-and-north-africa/>

7 <https://www.theguardian.com/global-development/2021/jun/08/biden-accused-of-u-turn-over-egypts-human-rights-abuses>

8 <https://www.theguardian.com/global-development/2021/may/05/revealed-2000-refugee-deaths-linked-to-eu-pushbacks>

9 <https://www.theguardian.com/world/2021/jul/15/eu-border-agency-has-failed-to-protect-asylum-seekers-rights>

Another report by Amnesty International, also in July 2021¹⁰, highlighted the continuing practice of forcibly returning to Libya refugees and migrants who had crossed the Mediterranean in an attempt to reach Europe. Libya has long been unsafe for refugees and migrants, who find themselves subject to abuses including murder, torture, rape arbitrary detention and forced labour.

Duty of the State in respect of torture and ill treatment by non-state actors

The *Front Line Defenders* report noted that, in Colombia, armed groups often set up their own checkpoints and patrols. It is widely acknowledged that similar situations exist in many other places around the world. The “rebels” can be just as abusive as governments, but the fact that they are opponents of the state rather than part of it does not exonerate governments.

The **2021 Report on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment** to the UN General Assembly's Human Rights Council¹¹, by special rapporteur Nils Melzer, stated that *the prohibition of torture and ill treatment applies regardless whether the acts were committed by public officials or other persons acting on behalf of the State, or private persons... The prohibition of ill treatment therefore does not merely create a negative duty on State agents not to engage in such treatment; the State also has positive duties to protect persons under its jurisdiction from acts of private individuals.* (emphasis added).

Cooperation or lack of cooperation by governments with the Human Rights Council

Sadly, it is clear from information in Melzer's report that full cooperation from governments is difficult to obtain, and evasion and non-cooperation are the norm. The UK government is one of the few recorded as offering “full cooperation” by hosting an official country visit. It should be appreciated that “cooperation” in this context refers primarily to arranging the visit; addressing concerns raised is somewhat different.

A visit should allow for the Special Rapporteur to assess the situation in the State concerned, and allow the Rapporteur and his/her team to contact and gather information from victims, relatives, witnesses, national human rights organisations, academics and other non-governmental members of civil society. The Rapporteur would follow this up by reporting to the government concerned, and seeking to enter into dialogue on matters of concern. This can take a long time. For example, Melzer wrote to the UK government in March of this year asking for clarification on a number of issues relating to the treatment of prisoners held in Close Supervision Centres; the matter is ongoing¹².

¹⁰<https://www.amnesty.org/en/documents/mde19/4439/2021/en/>

(Libya: 'No one will look for you' Forcibly returned from sea to abusive detention in Libya)

¹¹ <https://undocs.org/A/HRC/46/26> (Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment)

¹² <https://www.theguardian.com/society/2021/jul/26/52-held-close-supervision-prison-units-may-amount-torture>

Britain in the World

When it comes to meeting wider obligations in the world, it is another matter. Shortly before the onset of the Covid 19 pandemic David Lidington (de facto deputy prime minister at the time) announced that the UK government would not allow a judge-led enquiry into UK complicity in detainee abuse during the US led torture programme (which has been the subject of a number of Q-CAT Briefings), despite the government having stalled on this for 20 years, and resisted or ignored calls from several civil liberties and anti-torture organisations in this country.

A recent report by Amnesty International (February 2021)¹³ highlights the widespread failure of the UK government to honour its pledge to help those who were risking their lives to uncover and resist abuses in many parts of the world.

As our readers will know, the Overseas Operations Act has recently been published, establishing a time limit on all claims and proceedings relating to the conduct of British forces abroad. Following a vote in the Lords, and considerable pressure from campaign groups and concerned individuals, murder, torture and war crimes were excluded. However, the UK government announced earlier this month (14 July 2021) that it *would* apply a statute of limitations to prosecutions relating to the Troubles in Northern Ireland. This would effectively end all actions relating to the Troubles, including for murder and other abuses. At the time of writing it is not clear whether the amnesty would extend beyond the Good Friday agreement, thus covering the Omagh bombings for example¹⁴.

It is interesting to note that where self-interest and taking the moral high ground happily coincide, action (or at least reaction) has been prompt. Consider, for example, how quick the UK government was to offer fast track rights to those wishing to get out of Hong Kong following the tensions there and oppression, brutality and unfair trials of many activists and high-profile opponents of the regime and the increased power wielded by the central Chinese government. But self-interest ultimately gets in the way. For all the bluster, Britain and other western governments still negotiate trade matters and are hesitant to really confront human rights abuses in China/Hong Kong.

What can we do?

The focus of this briefing is on some of the serious human rights abuses which have been going on during the Covid 19 pandemic – so the first and most obvious thing is to draw the attention of Friends and others to these matters. Follow up the references in the text to reports, campaigns, etc. Where campaigns are ongoing, support them. As ever, if you are concerned on a specific issue, first be sure of your facts, then write to your MP. The response you get may depend on their political affiliation, but even where it seems impossible, the sheer number of people who write on a matter is noted, and does influence outcomes.

13 <https://www.theguardian.com/global-development/2021/feb/10/uk-failing-to-protect-human-rights-defenders-abroad-says-amnesty>

14 <https://www.theguardian.com/uk-news/2021/jul/23/belfast-judge-calls-on-uk-to-investigate-omagh-bombing>

Concerns also relate to ongoing situations which, although not new, have either been intensified - or where action to address issues has stalled. An example of the latter might be the continued failure of the UK government to allow a judge-led enquiry into complicity in the US- led torture programme; if this seems history, consider that Guantanamo Bay is still operating.

Many concerns relate to situations which have arisen partly under the pretext of emergency, and these need challenging. Many Friends and others have been active against the Overseas Operations Bill, and on changes to the asylum system. Things are happening fast - the Nationality and Borders Bill will have had its second reading by the time this reaches you.

Mass deportation flights have already been resumed, whilst the pandemic continues both here and abroad: Keep a watching brief on these, sign any relevant petitions, and write to your MP expressing concern on this issue. [Change.uk](https://www.change.org.uk) website might be useful here. Look at the Quaker Asylum and Refugee Network (QARN) website, which highlights several issues and campaigns, and makes it easy for you to get involved.

Don't just follow the Quaker stuff, however – Many Friends take an active interest in Freedom from Torture, Amnesty International, etc. In most of the situations referred to, start with the report(s) highlighted. The Guardian's *Human Rights in Focus* series, which is easily found from *The Guardian* website, offers many, many more reports relating to human rights/torture issues, often clearly linked to the Covid 19 pandemic. On Myanmar, a good starting point is Burma Campaign UK (burmacampaign.org.uk) which is thoroughly up to date, but has been working on the relevant issues for 30 years. (This would be easier for UK residents than US based sites, especially if you wish to offer financial support.)

Note on references: Hyperlinks are shown at the foot of the appropriate page. In some cases, where a title does not appear in the hyperlink, it is given in brackets to help identify the material in question.

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