

Under the Mask

AFSC dialogue series about shrinking civic space during COVID-19

REPORT FOUR

Opportunities for Disaster

Tuesday, August 4, 2020

The final of four webinars in the AFSC ‘Under the Mask’ series considered governments using special powers during COVID-19 to push unpopular policies and plans through. We considered the displacement of communities by extractive industries through to steps toward annexation of occupied territories being fast-tracked whilst people’s attention is on the pandemic.

We heard from:

Marc Batac, core member of the Security Policy Alternatives Network, Philippines.

Gabor Gyori, senior analyst at Policy Solutions, a Hungarian think tank.

Maya Rosen, International relations, Breaking the Silence, Israel.

Jorge Santos, general coordinator at Protection of Human Rights Defenders, Guatemala.

Below is a summary of the presentations and the small group discussions that followed.

1.

What do government led disasters look like in the time of COVID?

Governments around the world have capitalized on the limited ability of civil society to organize and mobilize during COVID-19 to push unpopular and unrelated policies through. This includes changing the tax revenue sharing between national and county governments in Kenya, a controversial law further criminalizing “violent” protests in response to the “yellow vests” movement in France, and the highly protested “Security Law” effectively curtailing protests and freedom of speech in Hong Kong/China. In Indonesia, law makers have passed new laws further restricting people in the territory of Papua. The new criminal code addresses people’s private lives and sexual activities as well as easing regulations for industry – and severely damaging environmental concerns. In the U.S., the administration has shut down asylum processes completely; in Cambodia, a law restricting gatherings passed and may well remain beyond the pandemic; and in Somalia, COVID is being used as an excuse to delay the elections. There are many more examples.

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There are now concerns of a resurgence of the “War on Terror” in the Philippines, as President Duterte passed the Anti-Terrorism Law during COVID-19 lockdown. In response to slum dwellers who demonstrated for food amid the coronavirus crises, Duterte said “shoot them dead.” The UN Special Rapporteur on Anti-Terrorism, who has already observed that “the spectre of COVID-19 is functioning as a means for speeding up the passage of pending counterterrorism legislation in countries as diverse as the Philippines, France, Cambodia, Kyrgyzstan, and China,” said the act’s definition of terrorism is overbroad and vague, and may implicate freedom of opinion and expression protections. However, there has been huge opposition to the act, including 21 petitions to the Supreme Court of the Philippines, mass demonstrations, and strong disapproval from the international community at large.

—From the presentation of Marc Batac

Even the mechanisms of public health are being used for oppression. In Malaysia, free testing has been offered to undocumented workers – who have then been arrested and penalized because of their illegal status.

Freedom of expression has been impacted as well. In the Philippines, the government revoked the license of the biggest TV network, effectively closing it. In France and Hungary, extreme anti “fake news” laws passed with such broad definitions that opposition to the government can easily be criminalized. The media has been shut down in Zimbabwe and Ethiopia. Another, less direct way that freedom of expression is being harmed is by governments deliberately publishing “new” information about COVID-19 to capture headlines and divert attention away from criticism of the government as well as other contentious issues.

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The Hungarian government initially downplayed the COVID crisis, but then it passed an “enabling law” to give the government the power to bypass Parliament and rule by decree, even in contravention of existing legislation. The extraordinary powers had no time limit attached (the government has since decided that the crisis is over, so the Enabling Act is dormant for now). While the emergency was in effect, there was a punishment of up to five years in prison for the dissemination of “fake news” on the government’s handling of the crisis, the definition of which included accurate information presented in a distorted context, thus giving government-appointed prosecutors as well as (theoretically independent) judges huge discretion. This had a major chilling effect on the reporting of the government’s handling of the crisis. Since 2010, when the current government was first elected, they have systematically used events that they construed as crises to expand their powers, including limiting the powers of the Constitutional Court to manage the impact of the 2008 financial crisis and declaring an “immigration emergency,” which has been in effect since 2016. COVID-19 has furthered these ends.

—From the presentation of Gabor Gyori

2.

Opportunities for civil society

In many ways, COVID-19 has acted as an X-ray, revealing the broken structures of so many of our societies. It is up to us to take this opportunity to show people the costs of these broken systems, and clarify how many of them were not built to serve the people. We need to use this momentum to turn these revelations into long lasting social change.

First, it is important for us as civil society to be prepared for this disaster politics. With climate change, more pandemics and other natural disasters are coming, and governments will continue to take advantage of these scenarios to push disaster policies, as identified above.

One of the opportunities crises like this allow us to highlight is a new, human, and connected idea of security. In Singapore, the COVID-19 virus spread through migrant camps, in Bangladesh and many European countries through refugee camps. In each case, the health and wellbeing of these marginalized communities affected the health of the entire country. This presents an **opportunity to make the argument that our security is connected.**

With growing economic collapse, this is also an opportunity to mobilize people on two other crucial issues: a. corruption, and b. the idea of debt and national debt, which will only be growing, and ideas around debt strikes and resistance.



The biggest eight families in Guatemala, the economic elite, have cooperated with the political elite to challenge this proactive approach of the judiciary system. First, they expelled the international commission in the country. Then they pushed against the changes and advances in the justice system. From 2017 until now the legislative agenda has pushed at least 25 laws that limit human rights and reform and restrict NGOs. We are now very close to new elections in the high courts in the country. This could result in a continued reduction of the advances we have made in the country in protecting human rights and civil society.

—From the presentation of Jorge Santos

When it comes to mobilizing on the streets, the pandemic presented two opposite realities. In some places protest has been very limited – for public health reasons, we don't want to create large gatherings and put people at risk. On the other hand, in many places the high unemployment and general free time people have due to the pandemic has allowed masses of people to go out and protest around the world. Some people have noted, though without medical proof, that there doesn't seem to be a high level of infection arising from protests in open spaces when protestors take the proper protection measures.

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Because of the dire economic situation brought by COVID, there are major protests against corruption in Israel, and demands for support for the unemployed. People feel resources are needed for struggling families, and shifting attention to annexation may not be as possible as it was before the pandemic. Israel has always wanted to carry out annexation as quietly as possible to avoid international pushback, but there is a level of public scrutiny now that would make this much harder.

—From the presentation of Maya Rosen

Lastly, radical realities allow for radical solutions. And we are living in a radical reality. The lack of confidence in the Trump administration means people don't trust the system, but also are looking for other solutions. More groups are establishing direct democracy internal decision-making structures. Even governments are, in some places, including religious and other civil society organizations in their decision making, simply because they need their assistance to respond to the crisis.

As our reality seems to be shared across contexts, there is a clear voice suggesting that so should our resistance to this reality, and the radical solutions we present to it. The protests in the U.S. as part of the Black Lives Matter movement have already been an inspiration to the Zimbabwean Lives Matter movement, as well as the protests in Israel demanding justice for Palestinians killed by police. These provide opportunities for global solidarity, using online platforms to create connections.

3.

Concrete tools and ideas

1. Short social media videos have proven to be among the most viral ways to distribute information.
2. Solidarity from celebrities around the world around a common theme (like Black Lives Matter) can be meaningful, with celebrities from different countries centering the issues in their own context, but in solidarity with each other.
3. Connecting tech-enabled and non-tech-enabled citizens is important. We can start by identifying the communities that have less access to tech-based communication and offering technological solutions, so that their voices are also heard at this time.
4. Food and aid distribution centers have become hubs for political education, and this is something that needs to be further developed.