Under the mask

COVID-19 and civil society:
what we are seeing one year
into the pandemic

**American Friends
Service Committee**

COVID-19 and civil society

What we are seeing one year into the pandemic

My peace is your peace

I joined the American Friends Service Committee (AFSC) eight years ago. Soon after, AFSC together with the Friends Committee for National Legislation, developed a 50-year vision for a just foreign policy called shared security. Shared security is simply a paradigm for promoting the safety and well-being of people throughout the world, based on our human understanding that shared problems require shared solutions, and that our interests are best served when we foster peaceful and just relationships together. It is essentially the idea that "my peace is your peace." The understanding that peace and security are, by their very nature, indivisible.

Kerri Kennedy

AFSC Associate General Secretary for International Programs

Never before have the fates of individual communities and nations been so intertwined as they are today. And never before has our safety and well-being depended so much on the safety and well-being of others. Since the world was alerted to the first case of COVID-19 in late December 2019, governments around the world have attempted to contain the spread of the virus to differing degrees of effectiveness. The pandemic is severe, and governments do need to act swiftly to contain it.

At the same time, history shows that governments often use crises to introduce measures that are unacceptable in normal times. Measures that ordinarily wouldn't pass without protest and outrage can be enacted without public scrutiny and without a clear timeline or end date. As a result, measures can be pushed through that far outlast the wars, natural disasters, pandemics, or other crises initially cited as the reason for their passage.

We are witnessing a global shift toward authoritarianism. The restrictions on civic space we have seen increasing over the past decade are being accelerated by COVID-19. It is vitally important for civil society to identify, monitor, and resist the misuse and normalization of extreme measures that further restrict civic space, or further alienate marginalized peoples. AFSC launched the Under the Mask project to contribute to that effort.

I hope this report will provide a global context for what you are experiencing, in whatever country you reside. And I hope it will inspire you to explore and share our online resources with others working for a more just and peaceful world.

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INTRODUCTION

"None of us is safe, until all of us are safe. Everybody knows that," said UN Secretary-General António Guterres at the 2020 UN General Assembly. He was speaking of COVID-19, but it is true of all aspects of human security.

AFSC has long advocated a "shared security" approach to addressing conflict and inequality, meaning that solutions to problems—whether local, national, or global—must be grounded in the common good. The pandemic has made that concept tangible to millions. And there is no doubt that stopping the spread of the pandemic is for the common good. Public health measures, including mask mandates and limitations on where and how people gather, have a vital role to play in stopping the virus's spread.

But not every government action is in the public interest. Even before the pandemic, some leaders sought to surveil communities and suppress civil liberties such as freedom of speech, movement, and assembly. Some states used aggressive tactics to deny the rights of minorities, migrants, and others—from police brutality and militarization of borders to demolition of homes and marketplaces. And some used "shock and awe" tactics and smear campaigns to stoke fears and divisions, stop elections, and silence dissenting voices.

CIVICUS, a global alliance of civil society organisations and activists working in more than 175 countries, conducted surveys and interviews to assess the impact of COVID-19 on civic space. They found that "There were states where decision-makers made

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None of us is safe, until all of us are safe.

— **ANTÓNIO GUTERRES** UN SECRETARY-GENERAL

broadly sound choices that limited the transmission of the virus and the impacts of emergency measures. There were also examples of chaotic, corrupt and self-serving decision-making that cost lives, restricted rights and worsened impacts. In many cases states introduced excessive rights restrictions, and some clearly used the emergency as a pretext to centralise power and crack down on fundamental freedoms." (CIVICUS Monitor)

All too often, leaders have used the pandemic to stoke divisions. Former U.S. President Donald Trump often referred to the virus as the "China plague." Prime Minister Tan Sri Muhyiddin Yassin of Malaysia said the COVID-19 outbreak in Sabah was caused by undocumented migrants. It is no accident that the pandemic has been accompanied by displays of Sinophobia, xenophobia, racism, and acts of prejudice, discrimination, and violence worldwide.

And COVID-19 has been a catastrophe for the world's vulnerable, including migrants, people seeking asylum, and refugees. People have been stranded without access to support—in some cases unable to move or return home, in other cases subjected to unwarranted detention and deportation. In South Korea, people without citizenship have been excluded from government programs providing free masks. Similar scenarios are unfolding in other countries. Poor and marginalised groups are also suffering the impacts of the pandemic more acutely through loss of earnings, loss of housing, lack of opportunity to distance in cramped housing and refugee camps—and even limited access to water and soap to wash hands regularly.

Those in positions of power—across a wide variety of global contexts—have an important role to play in the current crisis. Will they invest in militarism or in public health? Will they respect the worth, dignity, and rights of all—not only in their rhetoric, but also in decisions impacting vaccine distribution, economic policy, and human rights and freedoms?

And civil society has a critical voice as well. Will organizations be allowed to deliver humanitarian aid? Will those most impacted by the pandemic have their voices heard? One year on from the start of the pandemic, we see great opportunity for people from all walks of life to work together to grow justice and equality, while protecting public health. Indeed, it is imperative that we do so. A free civil society is an essential element of a healthy society.

This report is part of a larger effort to bring together the analysis and experience of our staff and partners. We hope this project is helpful to all who are working to hold space for civil society and ensure that the fundamental rights of expression, association, and assembly are respected.

Leadership during COVID-19

Since COVID-19 took hold, what constitutes effective leadership has been the subject of much debate. Whether any given leader has done enough or too much in response to the virus may not be possible to measure appropriately until the outbreak is over. Varying testing capacities and lack of consistent international standards for measuring deaths and their causes make it difficult to directly compare the effectiveness of government responses.

However, some patterns have emerged that are worth noting. [Data collected so far](#) suggests that lower case numbers and hospital admissions, fewer deaths, and higher compliance with health measures are associated with governments that responded quickly by:

——— Initiating strict national lockdowns.

——— Enforcing quarantine for incoming travellers.

——— Carrying out effective mass testing.

——— Cancelling small and mass gatherings.

——— Enhancing detection systems.

——— Increasing availability of PPE.

However, some governments are justifying special powers beyond what is reasonably necessary to fight the outbreak. For example, in Cambodia, a State of Emergency Law passed in April 2020 imparts executive power to ban or restrict meetings, close public or private spaces, and conduct complete surveillance on all telecommunications systems. There is no sunset clause to this law, meaning it can continue long after the pandemic is over.

Freedom House, a think tank conducting research and advocacy on democracy, political freedom, and human rights cites that freedom across the world has been declining for 14 consecutive years, and research suggests that quality of democracy and respect for human rights have worsened during the pandemic, accelerating this decline.

Early in the pandemic, the United Nations issued a statement advising states to respond to the COVID-19 pandemic responsibly, in ways that respect human rights. **U.N. recommendations included:**

— Limiting the amount of information governments collect through contact tracing.

— Setting clear and short time limits for restrictive policies.

— Ensuring medical professionals are part of government decision-making processes.

Countries that have strong safeguards, such as an unrestricted press and robust legal systems, have an advantage in preventing abuses of power. The international community must also support civil society to ensure that emergency measures are time bound, relevant, and transparent.

Steps we can take include:

—————— Monitoring measures so they are not normalized.

—————— Making clear that health measures are not to be used to suppress civil liberties.

—————— Mobilizing to demand the removal of restrictive measure once the crisis is over.

—————— Amplifying the power of people to create positive change.

In the past, mass movements have seen great success in overcoming injustice. Scholars Maria Stephan and Erica Chenoweth found that civil resistance has been twice as effective as armed struggle—succeeding about 52% of the time compared to 26% for violent resistance.

Changes being adopted now will create challenging environments in which to organize against authoritarian policies in the future. But nonviolent collective action by an active civil society can help ensure that rights are not repressed during a crisis beyond what is necessary for the public good.

Restrictions, abuses and responses

Governments on both local and national levels have been implementing extreme emergency measures under the cover of responding to the virus. These measures have capitalized on the limited ability of civil society to organize and mobilize.

In assessing the impacts of COVID-19 regulations on civic freedoms, we have identified nine restrictions that act as causes and manifestations of governments' tightening grip on civil society, falling into three major categories:

Infringements on civil liberties relating to:	Aggressive state tactics, including:	State tactics for suppressing opposition, such as:
Civil society organizations.	Market demolitions.	The Shock Doctrine.
Free speech.	Militarized borders.	Smear campaigns.
Free movement.	Police brutality.	
State surveillance.		

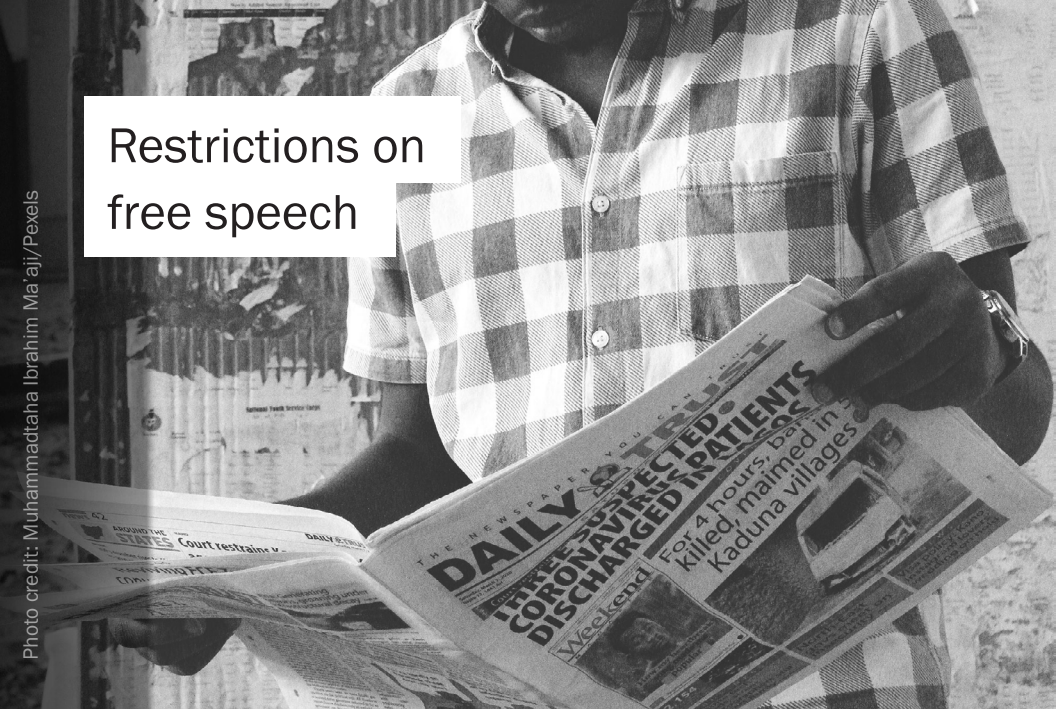# Restrictions on civil society organizations

KEY FINDINGS FROM 2020

Restrictive emergency laws have impeded humanitarian aid, even when civil society organizations have the means to provide aid safely. Civil society organizations (CSOs) are speaking out to protect the rights of vulnerable communities, as well as doing critical work in providing food, health care, and other essential resources. Not only have CSOs struggled during the pandemic with reduced funding and new guidelines, but their human rights advocacy has often been overshadowed by government regulations ostensibly protecting health and the economy. Humanitarian aid is needed more than ever, but many government lockdowns have not included exceptions for the delivery of aid, including food, medicine, and personal protective equipment.

For example, while working to prevent the spread of COVID-19 and respond to other urgent health needs in Yemen, international aid agencies and humanitarian organizations have been severely hampered by a wide range of obstacles. Those include hundreds of restrictive regulations, lengthy delays in approving aid projects, the blocking of aid assessments to identify people's needs, attempts to control aid monitoring, dictating or interfering with aid recipient lists to divert aid to authority loyalists, and violence against aid staff and their property imposed by the Houthi and other authorities (see the Human Rights Watch report "Obstruction of Aid in Yemen During Covid-19").

Resources for responding

- Civil society organizations can form coalitions and speak out against the government if it restricts their operations without good reason. In the report "Solidarity in the time of Covid-19," CIVICUS gives examples of civil society actions that show "by working to channel and focus public concern, civil society could make a difference, even in the face of seemingly inflexible states."

- Civil society organizations can take an objective measure of the status of civic space by using this Oxfam tool. The tool "provides a monitoring framework to understand what is happening in civic space, to track trends and highlight priority areas that need addressing" and is available in English, Spanish, and French. (Note: If you use the tool, please share your feedback with us at AFSC to help us compile reviews on its effectiveness, ease of use, etc.).

- Civil society organizations can anticipate and scrutinize emergency laws and policies with this COVID-19 civil society toolkit. It is designed to help civil society organizations identify and respond to emergency measures—particularly those that are having a disproportionate impact on marginalized and vulnerable groups. The toolkit is available in 10 languages here.

Restrictions on free speech

Resources for responding

- Individuals can verify the accuracy of online content. These fact checking resources are helpful tools: First Draft, which allows users to search for information in over 20 languages; Twitter's coronavirus fact checking tool; Raven Pack, which verifies trends and media coverage of the virus.

- Civil society organizations must continue to find ways to organize and demonstrate effectively and safely during the COVID-19 pandemic. See examples here.

- Journalists can report incidences of censorship to Reporters Without Borders (RSF)'s #Tracker_19 as they document state censorship and misinformation. They can also inform the International Press Institute's COVID-19 tracker of attacks on journalists, as they monitor this and the press worldwide.

KEY FINDINGS FROM 2020

New laws are being enacted to restrict people's rights to protest and freedom of speech, for example in Hong Kong/China. Many countries, including Hungary and Indonesia, have criminalized the critique of the government's COVID-19 response under "fake news" laws.

In Cambodia, authorities have arrested at least 30 people, including journalists, for spreading "fake news" about the pandemic. Ten of these are associated with the main opposition party.

Restrictions on free movement

KEY FINDINGS FROM 2020

During the pandemic, governments have implemented internal travel restrictions to limit movement and slow the spread of the virus. While such restrictions may be motivated by legitimate concerns to protect public health, broad quarantines and lockdowns without specified timeframes are often imposed rashly and arbitrarily without ensuring protections against discrimination (see the Human Rights Watch report "Human Rights Dimensions of COVID-19 Response").

Curfews, nationwide lockdowns, travel bans, and an unprecedented increase in mass surveillance within an authoritarian context have vast implications concerning democracy, the rule of law, human rights, and autonomy (see the article "COVID-19 emergency measures and the impending authoritarian pandemic").

We are also seeing serious curtailments of the rights to association and assembly, including preventing peaceful demonstrations and the right of individuals to express opinions.

Resources for responding

- Individuals can use these resources to ensure their government is behaving legally during COVID-19. This U.N. map tracks travel restrictions across the world and updated government legislation. This Rights and Security International document assesses abuses of emergency powers restricting freedom of movement during COVID-19 and the impact on civil society organizations and human rights actors.

- Individuals can use social media to publicize cases of how states are infringing on the right to associate and assemble.

- Governments must ensure restrictions such as mandatory quarantine or isolation are carried out in accordance with the law, with a necessary and legitimate objective that is proportionate and based on scientific data. These restrictions must also be subject to review and governments must be held accountable for enforcing this arbitrarily (see the Human Rights Watch report "Human Rights Dimensions of COVID-19 Response"). The International Center for Non-for-Profit Law tracks government measures restricting movement.

State surveillance

KEY FINDINGS FROM 2020

The use of technological surveillance has expanded under COVID-19. While there are justified public health uses for technology, such as contact tracing and use of geolocation for tracking the spread of infection, the danger of overreach is clear. For example, Palestinians entering Israel must download an app that allows the military to track their calls, notifications, and phone files. Many other Palestinians have downloaded the app without realizing that information can and has been be used to target activists and criminalize protesters.

Resources for responding

- Individuals can research practices in their country and join efforts to advocate for international law framework to protect personal data. Access resources form Privacy International's Guide for Policy Engagement.

- Individuals can check this tracker of surveillance methodology and transgressions of digital rights: COVID-19 Digital Rights Tracker (top10vpn.com)

- National nongovernmental organizations can share best practice ethical guidelines for data storage with their government, and for use by the media, and highlight examples of transparent data storage, including what data is stored, for how long, how it is used, and who has access to it.

Market demolitions

KEY FINDINGS FROM 2020

Across the globe, governments have closed down marketplaces to enforce social distancing. Demolitions of residential dwellings, withholding trading permits and destroying markets, stalls, and other less formal vending structures have all been done in the name of COVID-19. But this is also a form of economic control states exercise over their citizens. Worldwide we've seen malls taking the place of markets and storefronts replacing street vendors. Alongside the advantages of regulating more formal business, this approach pushes aside small, usually family-run working-class businesses.

Resources for responding

- The U.N. has already made statements against evictions and demolitions specific to the occupied Palestinian territory as well as Kenya; OHCHR | Ban evictions during COVID-19 pandemic, UN expert urges . Individuals can use the text from this statement to protest demolitions.

- Unions and other associations of market vendors and traders have seen success in negotiating with governments to avoid closures or destruction of markets, finding solutions including identifying alternatives venues. Civil society and others should do all they can to support these negotiations. The FAO recommend governments provide temporary compensation in the form of in-kind food/vouchers or targeted cash transfers to informal workers who are not able to work, or universal one-off cash payments. Use these recommendations to advocate for support; Impact of COVID-19 on informal workers (fao.org)

- At the bare minimum, governments must provide temporary and emergency accommodation to everyone without adequate housing to enable social distancing and shelter-at-home orders.

Militarized borders

KEY FINDINGS FROM 2020

Xenophobic rhetoric and policies have been exacerbated under COVID-19 are being used to increase border militarization and stigmatization. In Zimbabwe, refugees are stigmatized and blamed for bringing COVID-19 into the country. In South Africa, there have been a number of xenophobic attacks. And in Costa Rica, a poll showed a 62% increase in xenophobia.

In the U.S., racism towards Asian-Americans has increased and asylum processes suspended completely. In addition, between March and July 2020, U.S. authorities used an emergency health directive to expel over 40,000 people for unauthorized border crossings; the policy raised concerns that the administration was deferring due process to clamp down further on asylum seekers and immigration.

Resources for responding

- Any individual can petition their government to counter xenophobia by using best practice guidance from the International Organization for Migration and to adopt the key recommendations for countering xenophobia and racism toward migrant workers during and after the pandemic (see the report "Quarantined! Xenophobia and migrant workers during the COVID-19 pandemic").

- Civil society actors can create Community Action Networks to address militarized borders and other issues. See guidance and case studies here.

- Civil society organizations can engage with the Regional Migration Reviews to improve the promotion and protection of the rights of migrants. To learn more, see this resource for migrants, nongovernmental organizations, and other stakeholders.

Police brutality

KEY FINDINGS FROM 2020

COVID-19 has presented an "opportunity" for many states to further crack down on opposition voices. Strict lockdown orders have been accompanied by increased police brutality in many places. In Kenya, for example, heavy handed enforcement of extreme measures have been implemented, and the police have been charged with beating people, extorting money by threatening people with quarantine, and even extrajudicial killings.

Resources for responding

- If allowed in their country, individuals can film to monitor and document policing as well as publicize police misconduct.

- Mainstream media and social media allies can publicize police misconduct.

- Civil society organizations should collaborate with the local police to develop best practices in policing that effectively reduce violence in communities. Through analyzing structures, training and strategies can be developed that build community relationships and engage communities.

- National level non-government organizations should campaign to fundamentally change official police training to promote positive community policing, as appropriate. (Note, in some countries, such as the United States, there are campaigns to divest from policing and instead invest in community social support, recognizing that the system of policing is fundamentally flawed. Alternatives include delegating some police responsibilities to others, such as community-based justice, healing justice, and community tribunals to respond to the needs of the community and reduce and prevent violence.)

The Shock Doctrine

KEY FINDINGS FROM 2020

The shock doctrine is a theory for explaining the way that force, stealth, and crisis are used in implementing neoliberal policies. The term was coined by Naomi Klein in her eponymous book of 2007. It describes the development and passing of controversial legislation during states of emergency, which enable governments to act with fewer checks and balances—and allows "back door" activities to go unnoticed.

The COVID-19 pandemic is unusual in being a global disaster, instead of a country-specific or regional disaster. For months all eyes have been on the primary and secondary impacts of and responses to the pandemic—providing perfect cover for diversionary maneuvers, and, in many cases, justification for suspending parliament, and operating legislating bodies without debate. In 2020, in multiple countries, governments cited public health reasons to suspend regular parliamentary activities (such as briefings and other transparency activities) and suspend campaigning for elections as well as state leadership elections, allowing the incumbent to retain power uncontested.

Resources for responding

- Civil society organizations can form and strengthen coalitions to stand up to the government. In Myanmar, 97 civil society organizations issued a joint statement voicing their concern about the way the state was handling the crisis, and its neglect of human rights and democratic values.

- Civil society organizations can now engage with the U.N. Human Rights Council online as they scrutinize states on their human rights records and monitor rights violations. Ahead of the July 2020 U.N. High Level Political Forum, which reviews the progress made on Sustainable Development Goals, 460 civil society organization from 115 countries urged states to include civil society voices in the online discussions. In response, 61 states signed a pledge to enable effective civil society virtual participation. Civil society made similar efforts toward other global and regional rights mechanisms.

Smear campaigns

KEY FINDINGS FROM 2020

The pandemic has exacerbated challenges for journalists and rights campaign-ers who were already facing efforts to defame and delegitimize them. Governments continue to criminalize what they deem "fake news" and use smear campaigns to control the narrative of the pandemic:
By April 2020, at least 38 countries were using COVID-19 as an excuse to harass media critical of government response, according to Reporters Without Borders. That figure reached 91 by October 2020.

In India, government authorities have targeted religious minorities and political opposition. The three-week lockdown in March ended the running protests against Prime Minister Modi's anti-Muslim citizenship policies. Muslim communities have been targeted by heavy police barricades in their neighborhoods, as well as a hate campaign circulated by the government labelling them as "super-spreaders." Governmental authorities have used laws against students, activists, and government critics, but ignored violence caused by supporters of the ruling Bharatiya Janata Party (BJP).

Smear campaigns such as these have resulted in intimidation, arbitrary detention, and withdrawal of accreditation to rights activists and journalists covering the pandemic. Smear tactics have also been used to undermine international support efforts by labeling COVID-19 as a Western disease spread by the staff of international nongovernmental organizations and CSOs.

Resources for responding

- Individuals can fact check articles and speeches on sites such as Raven Pack and Twitter fact check to verify government rhetoric and COVID-19 information, ensuring it does not contribute to smear campaigns.

- The international community must hold governments accountable for abuses against civil society organizations and rights campaigners. Here is guidance from Amnesty International for Human Rights defenders.

- International and national nongovernmental organizations can show states that it is in their interests to protect and enable human rights groups to carry out their work, with examples that demonstrate the pandemic response is much more effective when states partner with civil society or create an enabling environment for their work.

Closing

In our century of peacebuilding, AFSC has seen that the means by which security is pursued—whether the threat is coming from a virus, military weapons, or structural racism—is of vital importance to the quality and efficacy of the end result. Every person has a part to play in building a more just, peaceful, and sustainable future, and all voices need to be respected and heard, not just the loudest and strongest. Transformation comes from a joint and inclusive effort that leaves no one behind.

The pandemic does not alter this basic truth. In fact, it has illuminated the injustices of our world and caused more people to understand that holistic responses to societal problems, including economic, social, and health considerations, are necessary. Solutions must recognize that we live in an interconnected world. Security depends on ensuring that all of us are safe, not just a privileged few.

AFSC's "Under the Mask" project is a contribution to this effort. We have developed an array of activities, webinars, networking opportunities, and online resources designed to inform, connect, and protect those standing up for the rights of communities around the world. The Under the Mask site will serve as a hub for restriction mapping; online virtual dialogues and trainings; and research, media, and tools for civil society to use. We hope you will help us field test tools and to share your own ideas, solutions, and strategies, as well.

It is up to all of us to protect public health. Our lives depend on it. And it is likewise up to all of us to work for greater peace and justice and help build the world we want to see. To do that, we must protect civic space and support civil society in addressing injustices and inequalities—during the pandemic, and beyond.

AFSC's vision

A just, peaceful, and sustainable world
free of violence, inequality, and oppression.

AFSC's mission

Guided by the Quaker belief in the divine light of each person,
AFSC works with communities and partners worldwide to
challenge unjust systems and promote lasting peace.

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