

**Submission by Oxfam International
responding to the questionnaire on Covid-19 and Human Rights**

19 June 2020

Oxfam is a global movement of people who are fighting inequality together to beat poverty. Responding to the unfolding humanitarian disaster caused by the Coronavirus pandemic, we are witnessing first-hand the multiple negative impacts Covid-19 is having on individuals, families, communities and countries. Governments and companies taking drastic measures to prepare for, respond to and recover from COVID-19. These actions may negatively impact human rights. We offer these observations, in response to questions posed by the Commission, to assist the Commission in assessing the impact of COVID-19 on human rights.

Common questions - Impact on human rights

Please explain the impact of the pandemic on the enjoyment of human rights and what actions have been taken by the State to respect, protect and fulfil human rights?

We are concerned that the Coronavirus pandemic is giving rise to authoritarianism & Threats to human rights defenders.

- The pandemic coincides with a period of **growing authoritarianism and fundamentalism**. Fundamentalist groups have taken advantage of this situation and have heightened xenophobia, targeting specific communities, increasing mass surveillance, and reinforcing patriarchal structures within families. Shutdowns have been used by some governments to curtail freedom of expression.
- **Human rights defenders**, especially those at local levels, are being rounded-up and imprisoned. In Columbia, death squads have taken advantage of the lockdowns to murder rural activists.¹ Three social leaders have already been killed and a worsening of the situation is expected as Columbia goes into national lockdown.
- Incidences of **police excesses** have been reported from several places – mainly targeting the poor and vulnerable. For example, vegetable vendors are hounded by the police as they tried to sell their produce in several places during shut-down time. The huge exodus of migrant labourers in India were faced with police brutalities as they walked hundreds of miles to reach their native places.

The lockdown and movement restrictions put in place to reduce infection transmission has reduced access to legal and other redress mechanisms.

- Many people are **losing ownership rights** especially the ones who had pending cases in courts or before Alternate Dispute Resolution mechanisms. More powerful actors are taking this chance to close cases in their favour, erasing evidence, executing land evictions, and changing lease terms on land to suit them.
- **The closure of courtrooms and a halt on jury duty** due to shut-downs has led to delays in court judgement for small-scale farmers including women who are fighting for their rights to own and access their land and natural resources as well as of the communities who have court cases on effect of large scale land based investment in various part of Asia and Africa. We are seeing an overwhelming backlog of cases that will have legal ramifications, since perpetrators may take advantage of the coronavirus to continue violating the rights of farmers.

¹ See: "Colombian Death Squads Exploiting Coronavirus Lockdown to Kill Activists" (March 24, 2020). <https://brainwavescience.com/stories/march-24-2020-colombian-death-squads-exploiting-coronavirus-lockdown-to-kill-activists-icognitive/>

Questions by the Special Rapporteur on the right to food

To what extent, and how, were international and domestic food supply chains disrupted during the pandemic? What were the measures taken by national, federal, provincial or local governments? Did authorities close particular local markets or impose export restrictions on certain goods? What was the reasoning for the actions taken by the respective authorities?

We are seeing the biggest global food crisis in decades and are concerned that unaddressed, more people could die of hunger than Covid-19 itself. The massive upsurge in hunger is being economic recession and job losses in the context of highly unequal food systems. In many poor communities around the world including in India, South Africa, Burkina Faso, Zimbabwe, Ghana, Kenya and Afghanistan we are hearing a clear, urgent and repeated message, “hunger may kill us before coronavirus”.

In most of the countries, complete lockdowns were put in place around mid-March onwards to contain the disease and this had massive impacts on the overall food system and in food supply chains.

- **Farming has been at stake.** With the crops ready for harvesting, the lockdown came down heavily on farmers and producers with no labour available to harvest the crop, transport to send the produce to the market and sell the produce. Additionally, if they did not remove the yield from their field on time, the land could not be prepared for the next sowing season. Seasonal workers in farming and plantations and small-scale producers who provide the food to stock the shelves of the markets have taken a huge hit due to this.
- **There is no safety net.** Seasonal workers don't have access to sick pay or any other social security systems to protect the right to food. There is no self-isolation or the ability to work from home. Instead, workers live in overcrowded housing on farms and in informal settlements and have to go out and work to earn money to feed their families.
- **Farmworkers and small-scale producers are especially endangered by the nature of the disease.** COVID-19 affects the respiratory system and the exposure to pesticides and diseases like tuberculosis make them more susceptible to respiratory disease. And without access to adequate water and sanitation, even the mere basics of hygiene protection measures are impossible for farmworkers to achieve.
- **Governments are not making adequate accommodations to protect farmers, food production and farmer income.** In many countries, governments have failed to consider farming/agriculture as a key sector to be kept open. It has ignored the needs of farmers while trying to implement measures to reduce disease transmission. Small-scale farmers are faced with two options - sell their produce at whatever price buyers are willing to take or let the produce rot. While food prices are increasing locally, producers' prices are falling. In Togo one small farmer reported, that he got 33 per cent less for a 50kg sac of avocados than usually.² In Ghana the price of a 100kg sac of cashews has fallen by 40-50 per cent.³

² Pandemie bedroht bäuerliche Einkommen in Togo. (17 April, 2020) <https://www.brot-fuer-die-welt.de/blog/2020-pandemie-bedroht-baeuerliche-einkommen-in-togo/>

³ COVID-19 virus spread prompts food insecurity fears in Africa (26 March 2020) <https://allianceforscience.cornell.edu/blog/2020/03/covid-19-virus-spread-prompts-food-insecurity-fears-in-africa/>

- **Pastoralist communities face severe challenges.** In West Africa pastoralists, already hit hard by the impacts of climate change and insecurity, can no longer ensure the transhumance of livestock, because of the closure of regions or borders, which risks increasing conflicts between herders and farmers. The introduction of curfews restricts the possibility of watering the animals at night, so the crowds around the water points are very high during the day.
- **The pandemic is having a differential, and significantly negative impact on women.** The COVID-19 pandemic lockdowns and mobility challenges and restrictions have further entrenched women at the periphery of the production curve. Women are not able to produce food at the required levels and cannot access markets to sell that food, which is often their main if not only source of income. For some countries like Uganda, the only allowable mode of transportation is bicycles, which the majority of women do not own or are unable to ride due to restrictive social customs. Additionally, walking exposes women to violence; for instance, security personnel are beating citizens to enforce COVID-19 lockdown measures in some countries like Uganda.⁴ Women tend to be paid less for their produce, particularly when forced to sell for emergency funds to pay for health expenses and for the survival of their household members. Finally, as the contribution of women to the workforce is often hidden, their needs are excluded in analyses which, in turn means they are underserved by policies and government actions.
- **Household food security is impacted as the restrictions around COVID-19 affect food/income sources.** In Timor Leste, households are experiencing food insecurity at what should be the most food secure time of the year.⁵ Harvest of staples in April and May should result in months with the highest level of food security, but over 40% of households are already engaging in coping strategies that reduce the amount of food they are eating at least once per week. Agricultural and environmental shocks are widespread at this critical harvest time. In the coming months, as the dry season emerges and the 'hungry season' nears, families will face difficult decisions on how to manage their food security. With the next significant harvest nearly a year from now, many households may have little resilience to face additional shocks.
- **Labor shortages are emerging as a key threat to agriculture production and processing.** In India, due to the fear of the virus and the restrictions imposed during the lockdown, labor shortage have emerged affecting the winter crop (Rabi). In Punjab, a vegetable farmer of Ludhiana district reported that green peas in 10 acres of land have rotten as he was unable to harvest the crop on time. Farmers require credit to pay wages, and for machinery and diesel. As most of the farmers rely on commission agents and traders for credit needs, they are finding it difficult to get sufficient funds from them. Farmers in the states of Gujarat, Rajasthan and Punjab have reported that commission agents are not ready to give them credit as they cannot take the risk of repayments during the shutdown.

⁴ <https://www.monitor.co.ug/OpEd/Editorial/-beatingcitizens-corona-directives-LDU-Aloya--Awori/689360-5510112-oe2448z/index.html>

⁵ The 2020 Rapid Food Security Assessment was led by the Department of Food Security, Ministry of Agriculture and Fisheries (MAF) with data collection carried out by: ADRA, CRS, Mercy Corps, Oxfam, TOMAK and World Vision, with funding from the United States Agency for International Development (USAID) and Australian Aid, and with additional technical support provided by the FAO and WFP. A full report is available from the MAF Department of Food Security and from lead agencies Mercy Corps and Oxfam.

- **Forest dwellers face unique pressures.** Millions of people depend on forests for food, fodder, firewood and water. While subsistence agriculture and minor forest produces (MFP) are the two primary sources of incomes; employment under Mahatma Gandhi National Rural Employment Guarantee Scheme in India provide additional support to the household incomes. MFPs account for around 20 to 60 per cent of forest dwellers' household income.⁶ The lockdown period coincided with the MFP harvesting season which affected livelihood and food security of tribal communities in India. Though, the state Governments of Odisha, Chhattisgarh and Maharashtra has announced relaxations for collection of MFPs, it is unclear whether and how private traders and government agencies will procure the items from people dependent on forests.⁷

- **Food security across many countries is being badly impacted.**
 - o Around 20% of citizens in **Rwanda** are food insecure, mostly women and children. The COVID-19 pandemic has worsened the situation which was already experiencing climate change related vulnerability (40% of citizen experienced climate related shocks affecting their food security in 2018).⁸ The Covid-19 outbreak has seriously affected vulnerable families in urban areas especially the ones living on daily income (casual labourers, informal workers in construction sector, and other vocational disciplines. Many people have no income to buy essential food commodities in urban areas and prices soaring up has made it even more difficult.
 - o In **South Africa**, food insecurity is likely to significantly increase under lockdown measures. Even before the COVID-19 lockdown, at least 13.7 million South Africans had inadequate access to food leading to food insecurity. The COVID-19 pandemic will affect food consumption among children which could result into an increase in acute malnutrition in children under the age of five. 1.7 million South African households who experienced hunger (91% of them black) face reduced income and high uncertainty around the availability and accessibility of food. According to Human sciences research council's household survey on impacts of COVID 19, more than 55% of people living in informal settlements had no money to buy food and more than two thirds of residents from townships also had no money to buy food.
 - o **Afghanistan** is the third most food insecure country in the world (in absolute figures) according to 2020 Global Food Crisis report. Since the pandemic, food security situation has deteriorated. As of May 2020, 10.9 million people in the country are food insecure and this is more than 35% of the country's population. The 3.5 million people in IPC emergency level are one step away from famine. The most affected people are those who rely on daily, casual work; women, children, people with disability, elderly, people on the move (IDPs, refugee returnees). According to UN estimates, 35 million people out of 37.6 total population in Afghanistan are in need of urgent social safety net protection.
 - o **Yemen** imports around 90 per cent of its required food needs prior to the conflict. Yemen has the highest rate of food insecurity with 15.9 million people (53 percent of the total population) with 230 of Yemen's 333 districts severely food insecure. Twenty million people (two thirds of the population) wake up hungry every day. Authorities have not yet imposed a wider lock-down

⁶ Planning Commission of India working group on Forests and Natural Resource Management, 2011.

⁷ <https://www.downtoearth.org.in/news/forests/covid-19-odisha-allows-collection-of-non-timber-forest-produce-70421> <https://timesofindia.indiatimes.com/blogs/voices/tribals-in-india-losing-incomes-facing-the-threat-of-hunger/>

⁸ National Institute of Statistics, Rwanda, 2019.

- despite alarming risks of the pandemic particularly in the north. In the north, authorities impose partial lockdowns in areas with more reported symptoms.
- Millions of **Venezuelans** did not have enough food to eat before the outbreak. As a result of restrictions and gasoline shortages, it is very likely that hunger will increase. In 2019, Venezuela had more than half of the total amount of people living with hunger in Latin America. According to FAO, 9.3 million people were hungry in Venezuela (2019). During the Covid19 outbreak, FAO ranks Venezuela in the top three countries in Latin America with the highest risk where families cannot afford to buy food. Since the start of the national quarantine measures there is inadequate fuel supply on food production and availability. In Venezuela, food supply and production are highly dependent on access to gasoline. Even though the agriculture sector was exempt of quarantine measures, ensuring supply of food has been difficult. Fuel rationing results in logistic challenges for farmers to plant, grow and harvest crops, and to transport their produce to market. It breaks-down supply chains. Despite the national order to guarantee fuel supply through rationing, in practice, local vendors allocated fuel according to their interests. Frequently priority was given to government cars and armed forces. Most private drivers were excluded. This caused a drop of 50% of food production in the State of Anzoátegui. Some farmer unions warned that under these circumstances, agriculture production would only cover 15% of food needs in the main cities. While in some parts of the country food is currently going unsold due to lack of transport, other areas don't have enough food. Fuel and food shortages have pressured inflation.

Can you provide examples of any other measures taken by national, federal, provincial or local governments in your country to prevent hunger during the pandemic and in its aftermath?

- In **Ethiopia** the Government was considering stocking the cooperatives at least with food commodities at the district level from NDRMC (national disaster risk management commission) stock to mitigate the shortage, which will be created due to the lock down. Available information indicates some private service providers and shops will be opened to provide food, operating as essential services. The government is also controlling the price of food items in the market although the supermarkets have reduced items that will soon be scarce.
- The Government in Rwanda initiated direct provision of basic food items to vulnerable families in urban areas where total confinement has been implemented. Supported households are those living on daily income. The social safety net, including people already receiving direct cash transfer and the ones enrolled on Public works, will continue receiving support. Some charities and individuals are supporting vulnerable families at the community level. But all support available cannot cover the huge need for food.
- All food stores and markets in **Uganda** have been permitted to remain open and government guidance indicates people should access them though not in big numbers to maintain social distancing. Other sectors that facilitate food access such as communications/internet and phones are allowed to operate so that people can use online means to obtain foods. Food trucks are allowed to supply food markets following strict operational procedures. Agricultural products and input stores are also allowed to continue operating so that farmers can produce foods that can sustain the country during and after the COVID-19 pandemic. This is an important role and opportunity for farmers, but they face a challenge of accessing agricultural advisory services from extension workers who now are not working. Government announced

emergency food supply to vulnerable households though in only two of the 138 districts (Kampala & Wakiso) with food items including 6 Kgs of maize flour, 3 kgs of beans and 2 kgs of powdered milk and sugar for lactating mothers. It was not clear however whether this distribution would be on a daily, weekly or even monthly basis.

- The constitution of **South Africa** mandates the government ensure citizens enjoy the right to food. The government unveiled ZAR500 billion stimulus package that included provision of Covid-19 social relief grant to the unemployed south Africans and 'registered' migrants living in South Africa. Further, various government departments started food distribution programs through district and provincial structures. However, in the initial stages cases of food diversion, theft by councilors and challenges with registration of millions of unemployed individuals delaying the distribution process.
- With the support from World Bank and other donors, the Government of **Afghanistan** has supported bakery projects in big cities for free distribution of bread to food insecure households. The government is planning to distribute one-time cash or food assistance across rural and urban locations in Afghanistan using the Citizen charter Afghanistan project mechanism. Due to access and other operational limitations, government can not cover all areas and heavily reliant on NGOs to facilitate these activities in CCAP, non CCAP and hard to reach areas. In certain areas there has been an approach to herd immunization with officials insisting that that public service staff, including those with confirmed C19 infections to be present at work.
- **In Yemen** authorities are struggling with collapsing systems and institutions as a result of the protracted war and the pandemic. Authorities took measures related to monitoring the market for availability of basic commodities and potential price hikes. The private sector has shown full commitment towards the precautionary measures to combat the virus by providing aid and medical supplies, particularly after the first case of Covid-19 was reported.
- The Government of **Venezuela** continued with the long-standing food subsidy program known as CLAP (*Comite Local de Abastecimiento y Produccion*) distributed to 7 million households. CLAP is an in-kind distribution of basic food items: bread, cooking oil, rice, beans and flour. The government implemented price regulations to "prevent speculation" of food. This type of price controls was used prior to 2019 which resulted in food scarcity and black markets.
- Two-fold action has been taken by the Government of **India** to tackle the problem of food security: (1) direct contribution through food-related schemes; (2) direct transfers or provision of essential goods other than food (like gas cylinders). In the direct contribution, the government initially responded with INR 1.74 lakhs in funds to provide extra rations through the targeted public distribution system for the first three months, doubling the quantity and free distribution of 5 kg of rice or wheat and 1 kg of pulses and additional provisions of cash⁹. About two-thirds of population are expected to be covered under the Pradhan Mantri Garib Kalyan Anna Yojana (Food scheme). In April 2020, the Ministry of Human Resource Development requested states and union territories (UTs) to continue with the mid-day meal programme or food security allowance of food grains and its cooking cost.¹⁰ The allocation for Integrated Child Development Services (ICDS) has been increased to INR 2.3 lakh

9 How India Can Improve Its Food Security After the Pandemic Passes (18 May 2020)

<https://thewire.in/agriculture/how-india-can-improve-its-food-security-after-the-pandemic-passes>

10 About 33 states and Union Territories in India distribute food rations.

crore with 75 million tonnes of cereals¹¹ Farmers currently receive INR 6,000/- every year through the PM-KISAN scheme (minimum income support scheme) in three equal instalments. The government announced that it will now be giving the first instalment upfront for fiscal year starting April 2020 - this is likely to benefit about 86.9 million farmers.

What were the conditions under which food workers such as agricultural labourers, store workers, transporters, cooks, and shopkeepers had to work? What measures did national, federal, provincial or local governments put in place to ensure the safety and welfare of these workers? Were any special provisions and protections made for migrant workers?

Oxfam has been advised by local organisations in Assam, **India** that some tea estates have not paid workers, nor provided food rations, for the two weeks that the tea estates were closed on government orders. Lack of pay and lack of food rations contravenes the government order, and further impoverishes an already deeply deprived community. In addition, Oxfam remains very concerned about the provision of masks, clean running water for 24 hours per day, soap and sanitisers, as well as the adequacy of briefings given to workers and other tea estate residents. There is a worrying mismatch between what tea estate owners seem to be telling their tea brand customers and what Oxfam is hearing from community groups who work directly with tea workers. Should Covid-19 arrive on a tea estate, it would have a devastating impact.

Oxfam's partner organization, Women on Farms Project, observes that "the COVID-19 pandemic clearly highlights the structural inequalities in **South Africa**. Most of the government's measures do not take into account the particularities of the living and working situations of farm workers." Lack of hygiene and health care on the export farms for wine and fruit are the biggest problems. This is particularly threatening because many workers suffer from pre-existing conditions such as asthma or allergies due to the massive use of pesticides on South Africa's wine plantations. In the meantime, the main season in South Africa has ended and the numerous day labourers, the vast majority of them women, were dismissed as usual after the harvest. And in countless cases documented by Women on Farms Project, they do not even receive their own contributions, which they paid into the meagre unemployment system UIF. Its offices are closed to the public and written applications remain unanswered.

The situation is no different in **Ecuador**, the largest banana supplier for the German market. "Banana workers may be at greater risk than others of contracting diseases after infection due to the long-term use of pesticides and any associated adverse effects, particularly on the respiratory tract and lungs," analyses Prof. Hans-Petter Hutter, occupational health physician at the University of Vienna. "Their immune system may be permanently weakened. The banana workers can be considered a risk group." Increased preventive measures on the plantations would now be necessary.

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11 How India Can Improve Its Food Security After the Pandemic Passes (18 May 2020)
<https://thewire.in/agriculture/how-india-can-improve-its-food-security-after-the-pandemic-passes>