

THE PRINCIPLES OF EQUALITY AND NON-DISCRIMINATION UNDER VIRAL ATTACK: STIGMA, HATE SPEECH, XENOPHOBIA, RACISM AND DISCRIMINATION DURING THE COVID-19 PANDEMIC



The principle of equality – the belief that all human beings are born free and equal – along with the correlated prohibition on discrimination are foundations of society. Equality is one of the most basic aspects of the Universal Declaration of Human Rights and a pillar on which the United Nations (UN) was founded in 1945. Yet, following the emergence of the coronavirus in December 2019, this long-established fundamental human right is being increasingly threatened. Indeed, as the UN Special Rapporteur on Minority Issues, Fernand de Varennes, observed, “COVID-19 is not just a health issue; it can also be a virus that exacerbates xenophobia, hate and exclusion.”^[1]

Equality is one of the most basic aspects of the Universal Declaration of Human Rights

Prompted by the confirmation of the first cases of COVID-19 in China, Sinophobia – or anti-Chinese sentiment – is on the rise, with Chinese nationals and, broadly speaking, Asian communities across the globe being increasingly stigmatized and targeted in coronavirus-related racist and xenophobic acts, involving both verbal and physical assaults.^[2]

Worryingly, this has even been labelled by some as a normal or ‘common’ reaction to the situation in which the world finds itself at the beginning of this new decade. Cries of ‘China virus’ have, for instance, been heard in

streets and physical assaults, targeted vandalism, the denial of entrance to bars and restaurants, and the refusal of rides by taxi drivers have all been reported. This Sinophobia is not always harmful in an immediately obvious way, but it does serve to augment and reinforce existing prejudices against Chinese, as well as broader Asian culture, and can contribute to driving apart communities at a time when a united front is the key to fighting the spread of the virus.

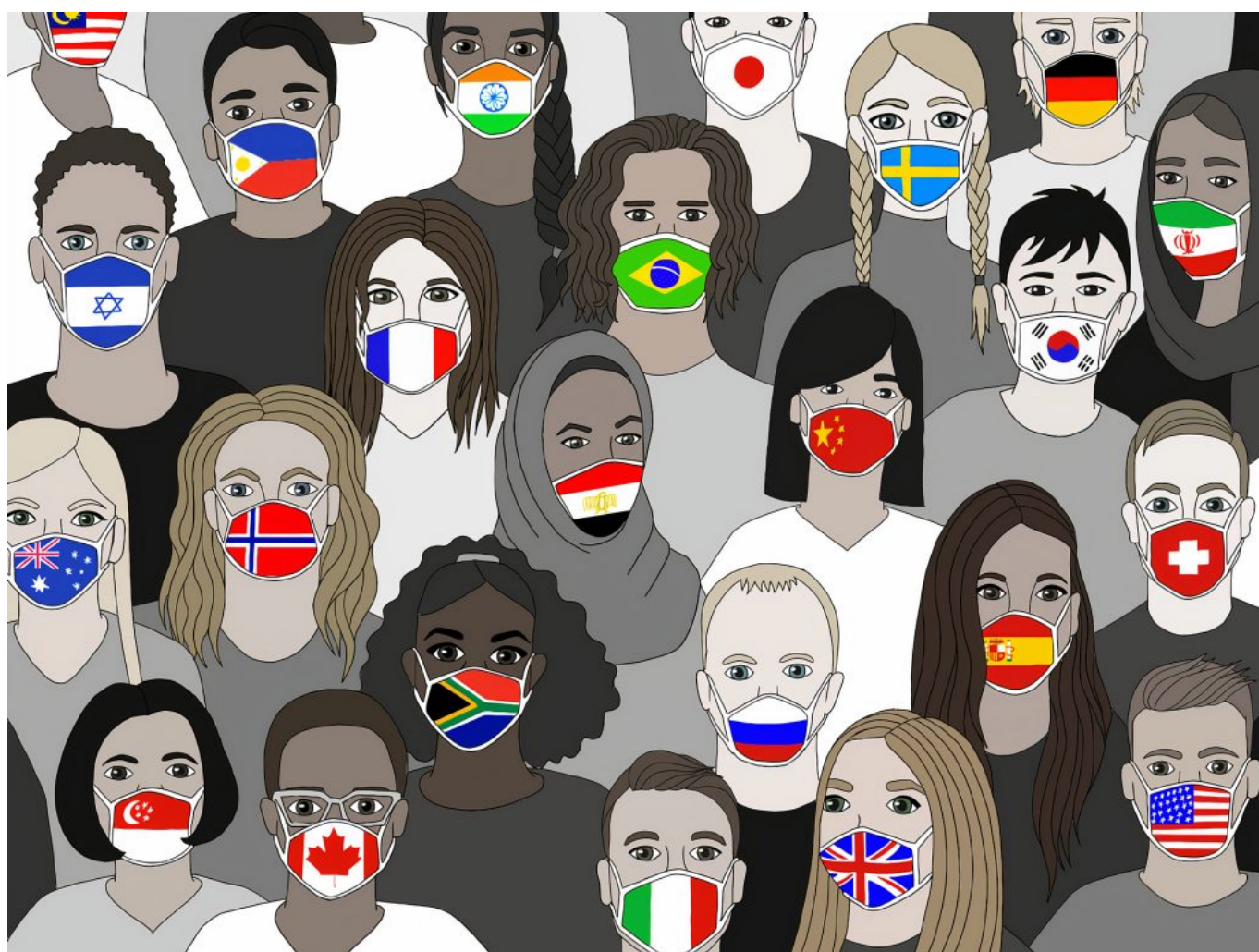


All that being said, Chinese, and those of Asian origin in general, have not been the only victims of stigma, hate speech, xenophobia, racism and discrimination during the pandemic. In somewhat of an unexpected turn of events, the instances of the very same behaviour are beginning to appear against individuals of African and European origin throughout Africa and Asia, as concerns over a possible second wave of the pandemic grow. The pandemic has also seen pre-existing stigmas against minority groups fortified, for instance against the Roma and Sinti communities, while anti-semitism and anti-muslim sentiment has reared its head, in particular with respect to protests and manifestations organized by far-right extremist groups in Europe and North America.

The pandemic has also seen pre-existing stigmas against minority groups fortified

Regardless of who the victims are, the rise of such incidents has been widely condemned. The United Nations Secretary-General

António Guterres has said that the COVID-19 pandemic is a “human crisis that is fast becoming a human rights crisis.”^[3] He has emphasized the need to remember that ‘the threat is the virus, not people’^[4] and accompanied this with a global appeal to end hate speech.^[5] In a joint statement, the High Representative for the United Nations Alliance of Civilizations, Miguel Moratinos, and the Special Advisor to the UN Secretary-General on the Prevention of Genocide, Adama Dieng, equally expressed concern and condemned all forms of stigma, hate speech, xenophobia, racism and discrimination. The Director-General of the World Health Organization, Tedros Adhanom Ghebreyesus, described such stigmatization as ‘the most dangerous enemy’^[6] and its Emergency Committee issued a statement advising all countries to be mindful of the principles mentioned in Article 3 of the International Health Regulations, that states that their implementation shall be with full respect for the dignity, human rights and fundamental freedoms of persons. The International Health Regulations are an internationally binding agreement between 196 countries, including all Member States of the World Health Organization, committing them to work together for global health security.



Fortunately, some countries have taken action, demonstrating that an even in response to a global crisis, established values and principles can be embraced. For instance, in Spain, cooperation launched between the Spanish Council for the Elimination of Ethnic or Racial Discrimination and verification platforms seeks to counter the spread of coronavirus-related fake news and hate speech about the Roma community on social media.[7]

while in the City of Lausanne, Switzerland, an information point has been set up to respond to the needs of migrants on a variety of issues related to the pandemic, including racism.[8] In New York, the City's Commission on Human Rights organizes free educational workshops for the public on their human rights and obligations under the law, in particular in communities facing heightened levels of discrimination and harassment.[9]

It has also just recently announced a public education campaign to distribute information in local media, online and in public places aimed at addressing the problem and encouraging victims to report cases of discrimination or harassment.[10]

International organizations have also been active. The International Organization for Migration, for example, launched a campaign on social media in Mexico to inform citizens about the importance of avoiding hate speech and xenophobia during the COVID-19 emergency.[11] The United Nations Office on Genocide Prevention and the Responsibility to Protect has also released a comprehensive guidance note which provides guidance to Member States, civil society, media and other relevant actors such as religious and civil leaders and influencers for addressing and countering COVID-19-related hate speech. This guidance serves as a complement for its overarching Strategy and Plan of Action on Hate Speech.[12]

Full respect for the dignity, human rights and fundamental freedoms of persons

On an individual level, many members of the public have turned to social media in a similar attempt to spread awareness and bring a halt to incidents of hate, with the #IoNonSonoUnVirus hashtag trending on social media in Italy throughout the crisis, while #IAmNotAVirus has been introduced in Anglophone countries and #YoNoSoyUnVirus in Spanish-speaking countries. In the Netherlands, the #IkChinees was introduced by the Chinese community, encouraging the people to order food at Chinese restaurants, take a selfie and share it on social media using the hashtag.

Although all extremely positive examples and messages, much remains to be done to preserve the integrity of the principles of equality and non-discrimination and to fight back against stigma, hate speech, xenophobia, racism and discrimination.

First and foremost, it is important that leaders, whether political leaders or community leaders, or even social media influencers, are not silent on this, no matter the sensitivities that may surround some aspects of limiting the freedom of expression. Those with a voice that carries, must set the example of good behaviour, unequivocally repudiating stigma, hate speech, xenophobia, racism and discrimination of all kinds – not only COVID-19-related – and putting in place and implementing policies to address it.

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In addition to speaking out, several other actions are fundamentally needed at this time of crisis. This notably includes fact-based information and awareness-raising national campaigns targeting the public to undercut mis- and disinformation and the provision of guidance and specialized training for national authorities and civil society organizations to ensure that those with a role in the protection and vindication of rights have the capacity to address the problem. These will be effective tools against discrimination and xenophobia. At the same time, when organizing actions in the community, it is important to remember that both the communities that propagate hateful messages and the victimized communities themselves must be actively engaged.

Finally, technology merits mentioning. In recent years, several major social media and Internet companies, such as Google and Facebook, have been using artificial intelligence to monitor, analyze and remove racist, xenophobic and hateful content online.^[13] While this in itself raises its own challenges, in particular in terms of both privacy and freedom of expression, the potential of the technology is noteworthy. In this regard, discussions should be had, bringing together bright minds from the public sector, industry and academia, to explore and weigh up the risks and benefits of relying on technology in this regard.

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These are just some steps that can be taken, but it is certainly not all that can or should be done. While the pandemic has seen an unsettling rise in stigma, hate speech, xenophobia, racism and discrimination, it has not been the cause of it. The pandemic has fuelled pre-existing and deep-seated prejudices in society. The ongoing protests and demonstrations for racial equality following the death of George Floyd in the United States are testament to this and serve to underscore that, even when this pandemic passes, efforts must be made to double down on stigma, hate speech, xenophobia, racism and discrimination, rooting it out from society. Human rights violations against vulnerable populations, including hate crimes, have been identified by UNICRI in its Strategic Programme Framework as one of the major threats or challenges it seek to address. Investigating and reporting racism, hate crime and hate speech online has been an issue UNICRI has worked on for several years, delivering training courses for law enforcement agencies, legal professionals, statutory bodies, employers, trade unions, nongovernmental organizations and others, and organizing workshops on hate speech and hate crime prevention strategies and actions. More recently, in cooperation with the United Nations Office on Genocide Prevention and the Responsibility to Protect, UNICRI has been exploring hate speech and violent extremism as driving factors leading to violence and atrocity crimes.

^[1] <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25757&LangID=E>

^[2] <https://www.hrw.org/news/2020/05/13/covid-19-fueling-anti-asian-racism-and-xenophobia-worldwide#>

^[3] <https://www.un.org/en/un-coronavirus-communications-team/we-are-all-together-human-rights-and-covid-19-response-and>

^[4] <https://www.un.org/en/un-coronavirus-communications-team/we-are-all-together-human-rights-and-covid-19-response-and>

^[5] <https://www.un.org/sg/en/content/sg/speeches/2020-05-08/appeal-address-and-counter-covid-19-hate-speech>

[6] <https://twitter.com/drtedros/status/1233445856428331009><https://twitter.com/drtedros/status/1233445856428331009>

[7] https://ec.europa.eu/info/sites/info/files/overview_of_covid19_and_roma_-_impact_-_measures_-_priorities_for_funding_-_23_04_2020.docx.pdf

[8] <https://en.unesco.org/news/whom-bell-tolls-solidarity-migrants-lausanne>

[9] <https://www1.nyc.gov/site/cchr/community/covid19-events.page>

[10] <https://abcnews.go.com/US/nyc-launches-100000-effort-combat-anti-asian-discrimination/story?id=70830974>

[11] <https://www.iom.int/news/iom-launches-social-media-campaign-mexico-prevent-discrimination-during-covid-19-pandemic>

[12] <https://www.un.org/en/genocideprevention/documents/Guidance%20on%20COVID-19%20related%20Hate%20Speech.pdf>

[13] <https://www.wired.com/story/facebook-ai-hate-speech-improves-unclear/>