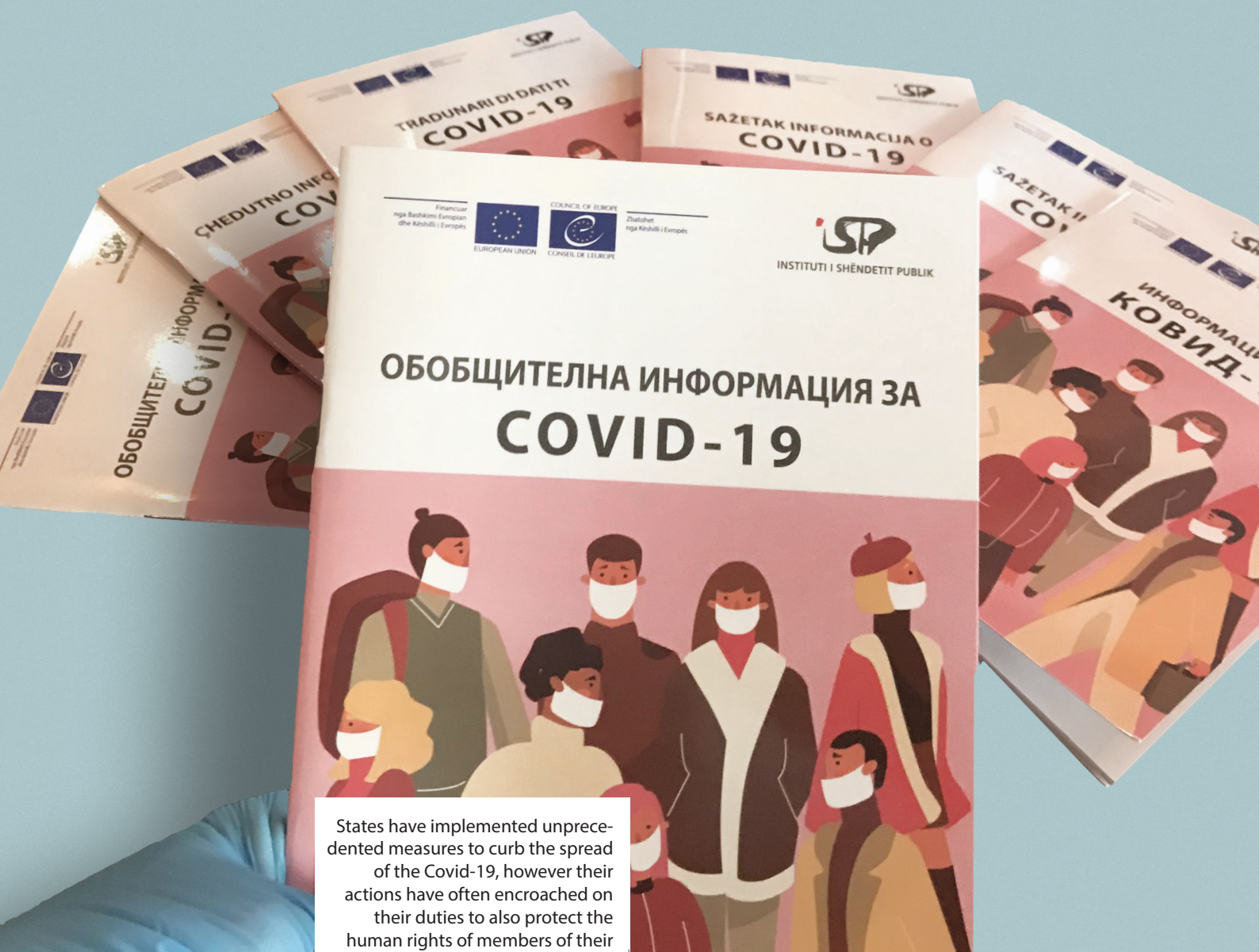


MAPPING THE EVOLVING NEEDS OF NGOS AND EQUALITY BODIES TO ADDRESS DISCRIMINATION, HATE SPEECH AND HATE CRIME HIGHLIGHTED BY THE COVID-19 PANDEMIC



States have implemented unprecedented measures to curb the spread of the Covid-19, however their actions have often encroached on their duties to also protect the human rights of members of their society. Aware of the role that NGOs, National Human Rights Institutions and Equality Bodies play to protect human rights of all individuals, especially of those most disadvantaged, the Council of Europe's Anti-discrimination Department has commissioned this mapping study to identify the needs of these organisations to address issues highlighted by the virus pandemic and to explore how to assist them to deal with those challenges.

Researcher

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COUNCIL OF EUROPE



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TO ADDRESS DISCRIMINATION,
HATE SPEECH AND HATE CRIME
HIGHLIGHTED BY THE
COVID-19 PANDEMIC**

Mapping
Geraldine Scullion Consulting

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Executive summary

Concerned about potential threats to the rights of groups exposed to discrimination and intolerance by measures taken by member states to deal with COVID-19, the Council of Europe's Anti-discrimination Department commissioned a mapping study of the evolving needs of Non-Governmental Organisations (NGOs), National Human Rights Institutions and Equality Bodies (the Organisations) to address discrimination, hate speech and hate crime highlighted by the COVID-19 pandemic. The study was conducted between September and November 2020 and focused on the issues highlighted or exposed by the COVID-19 pandemic which affect Roma and Travellers¹, members of Jewish and Muslim communities, irregularly present migrants, LGBTI people and national minorities/minority language speakers (the five disadvantaged groups).

The study consulted a sample of the Organisations via an online survey questionnaire and an NGO webinar to identify in order of importance: 1. the issues highlighted or exposed by COVID-19 which each of the five disadvantaged groups were dealing with; 2. what action the Anti-discrimination Department could take to best assist them deal with those issues, and 3. to identify emerging good practices. The NGO webinar in October 2020 provided an opportunity for a more in-depth discussion on the nature and range of potential Anti-discrimination Department actions.

The National Human Rights Institutions' and Equality Bodies' top five priorities for action by the Council of Europe are, in order of importance, the provision of:

1	Guidance for member states on how to address the following issues: ensuring minimum equality standards vs strictly necessary derogations when implementing emergency measures; avoiding indirect discrimination in states' responses to the pandemic; securing equal access to services; positive action; avoiding threats posed by the use of artificial intelligence in measures to control the spread of COVID-19, etc.
2	Guidance on conducting equality impact assessments and analysis
3	Guidance for member states on data collection and its use in assessing and addressing the impact of COVID-19
4	Guidance for member states on inclusive processes and engaging with minority communities when responding to the impact of COVID-19
5	Guidance for member states on protecting groups' rights to equality and non-discrimination in response to the impact of COVID-19; e.g. Roma women, LGBTI; anti-Muslim hate speech.

.....
 1 The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies.

The NGO's top five priorities for action by the Council of Europe in order of importance are:

1	Training on effective working with local authorities to improve support for particular disadvantaged groups during emergencies such as the COVID-19 pandemic
2	Training on monitoring and addressing hate speech, hate crime and discrimination arising from the COVID-19 pandemic
3	Training on developing and implementing information campaigns for the public and/or particular disadvantaged groups during the COVID-19 pandemic
4	Projects to strengthen the capacity and commitment of policing and criminal justice agencies to implement Council of Europe anti-discrimination standards relevant to the impact of the COVID-19 pandemic
5	Peer-to-peer projects to share experiences and good practice related to the COVID-19 pandemic.

The consultation elicited emerging examples of good practice such as the provision of temporary economic support for irregularly present migrants, active leadership by the Organisations, adaptations to their approach to delivering services, improving communication with disadvantaged groups, collaborative working between NGOs, National Human Rights Institutions and Equality Bodies, and providing legal advice and information on the impact of measures taken to deal with COVID-19 on people's rights.

RECOMMENDATIONS

The recommendations for action by the Council of Europe are guided by the Organisation's responses to the online survey in which they identified their top priorities for action and also by the discussion among the NGOs attending the webinar. The recommendations also take into account the Council of Europe's Steering Committee on Anti-discrimination, Diversity and Inclusion's study "*COVID-19: an analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member States*".²

The recommendations have been drafted in order to strengthen and increase Council of Europe support for the work of the Organisations and the NGOs; they include training, research, cross-country/peer-to-peer projects, implementation of the European Commission against Racism and Intolerance (ECRI) General Policy Recommendations No.2 and No.15, the dissemination and promotion of existing guidance, and the development of new general guidance.

Training for public authorities

In collaboration with public authorities and NGOs, provide opportunities for training on:

- Council of Europe and other international anti-discrimination standards, human rights, antigypsyism and no-hate speech methodology for all those in the criminal justice system,

.....
2 [COVID-19: an analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member States](#), November 2020. The recommendations also acknowledge the document CDADI(2021)2rev *Responses to the Covid-19 and similar crises in the fields of non-discrimination, diversity and inclusion Promising and good practice examples and Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the Covid-19 and similar crises* which are available on [Publications \(coe.int\)](#)

public officials, including those providing services to the public, and teacher training institutions;

- Communication skills for public officials and public representatives to improve engagement with disadvantaged groups, such as Roma and other minority groups, at national and local level;
- Roma culture and traditions for public administration employees and how to communicate effectively with members of the Roma community;
- Encouraging synergies between NGOs and NHRIs & EBs when conducting inquiries into discrimination and human rights abuses.

Training for NGOs

In collaboration with NGOs, provide opportunities for training on:

- Advocacy skills to improve working with the police and authorities at local level, particularly social services, to deliver more effective services to disadvantaged groups and improve understanding of their needs
- Running effective awareness raising, publicity, information and other campaigns
- Working with the media, including social media, to educate the public on addressing hate speech and hate crime
- Developing minority language media to enhance effective communication with national minorities/minority language speakers
- Engaging young people to challenge hate speech and prejudice
- Training for Roma mediators and other minority groups' volunteers, on anti-discrimination legislation, human rights standards, mediation skills and mechanisms for online monitoring of hate speech.

Cross country/peer-to-peer projects

- Forge links between NGOs to share experiences and good practices
- Create training and networking opportunities to share good practice learnt from responses to the pandemic and ensure that, where NGOs have expertise on, for example, the media or cooperating with minority representatives or Roma mediators, they lead the training.

General Policy Recommendations

- Implementation of General Policy Recommendation No.2 on strengthening the capacities of equality bodies to combat racism and intolerance at national level³
- Implementation of General Policy Recommendation No. 15 on combating hate speech.⁴

Guidelines

Disseminate and widely promote existing general guidance to member states^{5 6} and produce and adapt to the national context guidance on the following:

1. Permissible derogation from human rights when implementing emergency measures and the duty of states to ensure that measures taken during emergencies such as COVID-19 are lawful, time limited, necessary and proportionate to the evaluated risk, and are regularly reviewed

3 ECRI GPR No.2 on [Equality bodies to combat racism and intolerance at national level](#)

4 [ECRI General Policy Recommendation N°15 \(coe.int\)](#)

5 See for example: <https://www.coe.int/en/web/portal/-/coronavirus-guidance-to-governments-on-respecting-human-rights-democracy-and-the-rule-of-law>

6 See also the Council of Europe dedicated portal: <https://www.coe.int/en/web/portal/covid-19>

2. Promotion and protection of equality and ensuring equal treatment irrespective of citizenship/ethnicity and other personal characteristics in relation to emergency restrictions arising from COVID-19
3. Avoidance of indirect discrimination during emergencies such as COVID-19;
4. Duty of states to take positive measures to protect the rights of disadvantaged groups during emergencies such as COVID-19
5. Extent of legitimate interference with freedom of movement, in particular with regard to the use and monitoring of COVID-19 tracking apps
6. Right of access to healthcare, especially sexual and reproductive rights, and the extent of legitimate restrictions on such rights during emergencies such as COVID-19
7. Right to freedom of expression and avoiding stereotyping and inaccurate reporting in the media and social networks about migrants, ethnic/national minorities and Roma people
8. Monitoring and reporting COVID-19-related hate speech and hate crime to national authorities
9. Conduct of equality impact assessments
10. Collection and use of personal data.

Research topics

- Analysis of the use and effectiveness of public aid, financial or other support and the delivery of public services for disadvantaged groups during the pandemic and its aftermath
- Analysis of the impact of COVID-19 on the five disadvantaged groups and how the structural inequalities they already experience have increased.
- Assessment of the rise of online hate speech related to COVID-19
- Evaluation of the concept of 'good practice' through a comparative study on the quality and impact of assistance and interventions made by NHRIs & EBs
- Assessment of the effect of the pandemic on member states' compliance with their human rights obligations.

Role of the Council of Europe

The mapping study participants made several suggestions for further actions which the Council of Europe could take to support their work.

- Recommend that the relevant authorities appoint nominated individuals as contact points within the prosecution and police services to whom disadvantaged groups can turn for assistance with complaints about discrimination and human rights abuses
- Support the development of collaborative projects with police authorities and disadvantaged communities on recognising, reporting and challenging hate speech and hate crime
- Support the development of third-party reporting mechanisms on hate speech and hate crime
- Support the empowerment of disadvantaged groups and young people to recognise and report discrimination, hate crime and hate speech to the authorities, including by working with relevant civil society organisations
- Promote and make more visible the Council of Europe's concerns about disadvantaged groups in each country and work with NGOs to assist them use this concern as an advocacy tool and to improve awareness among the general public
- Expand the ECRI NGO networks through the Anti-discrimination Department's cooperation activities to strengthen and broaden links with NGOs at grass roots level in order to channel to member states and other international organisations their experience of advocating for the protection of the human rights of disadvantaged groups
- Support the organisation of campaigns to prevent and combat antigypsyism and other

forms of stigmatisation against disadvantaged groups related to COVID-19

- Support the expansion of the network of Roma ambassadors and mediators and assist them with training and networking opportunities
- Promote at teacher training institutions curricula challenging all forms of hate speech (such as antigypsyism, hatred against Muslim communities and antisemitism) conducive to hate crime
- Consult Council of Europe member states through appropriate intergovernmental committees on a draft action plan emerging from this mapping study.

1.0 Introduction to the study

The COVID-19 pandemic poses a threat to health and life across the world. In fulfilling their duties to protect public health, states have had to act quickly and implement unprecedented and drastic measures to curb the spread of the virus and save lives. Their actions have often encroached on their duties to also protect and fulfil the human rights and fundamental freedoms of their citizens, especially the most vulnerable.

The pandemic has exposed and exacerbated pre-existing structural inequalities across all societies and multiple reports are being published which describe how many groups already exposed to discrimination and intolerance have been disproportionately affected by the measures taken to restrict citizens' freedoms and their access to employment, work, education or health and welfare services. The on-going consequences of COVID-19 on citizens' enjoyment of the right to health, their access to employment, education and essential services will be profound and far reaching.

Aware that Non-Governmental Organisations (NGOs) and National Human Rights Institutions and Equality Bodies (hereafter "the Organisations") concerned with the rights of members of disadvantaged groups are having to meet new challenges created by the pandemic, the Council of Europe's Anti-discrimination Department commissioned a mapping study of the evolving needs of the Organisations to address discrimination, hate speech and hate crime highlighted by the COVID-19 pandemic, exploring how it could assist the Organisations to deal with those challenges.

The study was to be conducted by the No Hate Speech Cooperation Unit (NHSCU). Situated within the Anti-discrimination Department of the Council of Europe Directorate General of Democracy, the NHSCU co-ordinates the planning and implementation of cooperation projects supporting member states in combating discrimination, racism, xenophobia, antisemitism and intolerance, with a particular emphasis on tackling the use of hate speech online and off line, and the protection and promotion of national minorities and minority languages.⁷

This study also takes into consideration the concern of the Council of Europe's Steering Committee on Anti-discrimination, Diversity and Inclusion (CDADI)⁸ about the threat posed to the rights of the members of disadvantaged groups by certain states' responses or the failure to provide adequate support, or more generally a decline in tolerance in societies under strain. It is feared that the negative impact on disadvantaged groups, the scale of which is as yet unknown, will continue for many years as societies recover and adjust to living with COVID-19 and its devastating impact.

7 <https://www.coe.int/en/web/inclusion-and-antidiscrimination/about>

8 The CDADI's mandate is to steer the Council of Europe's intergovernmental work to promote equality for all and build more inclusive societies, offering effective protection from discrimination and hate and where diversity is respected. The mandate includes combating hate speech and discrimination on grounds of "race", colour, language, religion, national/ethnic origin, nationality, sexual orientation and gender identity; fighting antigypsyism and improving the effective participation and inclusion of Roma and Travellers in society; safeguarding the rights of persons belonging to national minorities, and the use of regional or minority languages; and promoting intercultural integration. See: <https://www.coe.int/en/web/committee-antidiscrimination-diversity-inclusion>

1.1 Aims and objectives

The mapping study was conceived as a follow up to a paper prepared by the Council of Europe Secretariat on *“Threats to non-discrimination, diversity and inclusion due to the Covid pandemic”*⁹, and is complementary to the CDADI study *“COVID-19: An analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member states”*¹⁰, published in November, 2020.

The focus of the mapping study is on the issues highlighted or exposed by the COVID-19 pandemic as it has affected specific groups or communities, namely Roma and Travellers¹¹, members of Jewish and Muslim communities, irregularly present migrants, LGBTI people and national minorities/ minority language speakers (the five disadvantaged groups).

The objective of the study is to inform the NHSCU about the emerging needs of the Organisations as they deal with the impact of COVID-19. It will enable the Unit to explore and develop guidance tools for member states and the Organisations to assist them to respond to the consequences of the pandemic, as well as similar future emergencies, while respecting the fundamental principles of human rights, non-discrimination, diversity and inclusion.

There are numerous research reports being published on the impact of COVID-19 on the disadvantaged groups targeted in this study. The mapping study does not aim to duplicate the results of this research. Its aim is to better understand the range of discrimination, hate speech and hate crime issues which have been highlighted or exposed by the pandemic, to identify how the NHSCU can work with the Organisations to support them in their fight against discrimination and their promotion of equality and inclusion, and to highlight examples of good practice. The study focuses on understanding the critical issues the Organisations are dealing with and what actions they consider the NHSCU could take to support them to ensure that their work in responding to those issues and protecting rights, challenging discrimination, hate speech and hate crime issues can be maintained and strengthened.

It should be noted that the mapping study is a limited exercise. Member states’ responses to the pandemic have developed and changed as more becomes known about the virus. The negative impact of COVID-19, and in particular the impact on disadvantaged groups, of states’ measures to protect and save lives, will continue for many years; the full scale of that impact is unknown. The mapping study examined information from a small sample of countries within the Council of Europe to gain an insight into emerging issues and needs and is a useful snapshot of those emerging issues and needs which the study participants identified between September 2020 and the end of November 2020.

1.2 Outcomes sought

The study aims to identify the priority discrimination, hate speech and hate crime issues which the Organisations consider the five disadvantaged groups are dealing with as a result of the pandemic. It aims to identify how the Organisations’ needs have changed to deal with these issues, and what

9 “Threats to non-discrimination, diversity and inclusion due to the Covid pandemic” <https://rm.CouncilofEurope.int/the-anti-discrimination-diversity-and-inclusion-dimensions-of-the-resp/16809e201d>.

10 CDADI (2020)9 *COVID-19: An analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member states* Study prepared for the CDADI by Stéphanie Cramer Marsal (lead author), Christian Ahlund and Robin Wilson; November 2020.

11 The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies.

actions the NHSCU can take to assist the Organisations working with these disadvantaged groups to challenge discrimination, hate crime and hate speech. It further aims to identify good practice taken by member states or the Organisations.¹²

Section 2 of this paper sets out the mapping study methodology; section 3 describes the background and context for the study; section 4 outlines the critical issues the Organisations identify as impacting on the disadvantaged groups; section 5 describes the Organisations' priorities for action by the NHSCU; section 6 contains examples of good practice; and section 7 addresses the recommendations emerging from the research.

2.0 Methodology

The approach of the study was to consult with a sample of Organisations from across the Council of Europe. The consultation was conducted via two online survey questionnaires addressed to the Organisations, and via a webinar with NGOs which was held on 22 October 2020.

The results of the consultation were complemented by a number of interviews, desk research, participation in two international seminars and follow-up questions to several survey respondents.

2.1 Sampling

The study selected a sample of 11 member states to focus on. The criteria for selecting the states included geographical spread across the Council of Europe, small, medium and large countries (by GDP rank and size of population¹³), and a range of EU and non-EU member states with different political systems such as centralised, federal or regional systems. The choice also included states which have National Human Rights Institutions and Equality Bodies (NHRIs & EBs). The sample member states were Albania, Bosnia and Herzegovina, Georgia, Germany, Hungary, Italy, Serbia, the Slovak Republic, Spain, Ukraine and the United Kingdom.

2.2 The mapping surveys

The NHSCU consulted with the participants in the sample countries via two online survey questionnaires; one addressed to NHRI & EBs, and the second addressed to NGOs. The selected Organisations were asked to identify in order of importance 1. the issues highlighted or exposed by COVID-19 which each of the five disadvantaged groups were dealing with, 2. what action the NHSCU could take to best assist them deal with those issues, and 3. to identify emerging good practices.

Each survey offered a list of the potential issues facing the groups; the list was the same for both surveys.

The surveys also offered a list of the potential actions within the remit of the NHSCU which it could undertake to support the Organisations. The list of actions was different in each survey reflecting actions which would fit within the mandate of NHRI & EBs, and actions targeted at the needs of NGOs which the NHSCU could potentially undertake to support their activities. A copy of the NHRI & EBs survey questions is attached at Appendix A and a copy of the NGO survey is attached at Appendix B. Charts describing the key results of both surveys are attached at Appendix C.

12 See also on this [Draft Compilation of Promising and Good Practices on Upholding Equality and Protecting against Discrimination and Hate during the Covid-19 and Similar Crises in the Future](#) CDADI/2021)2rev

13 Source: Wikipedia using IMF data for 2019

The EB survey

Following consultation with the European Network of Equality Bodies (Equinet)¹⁴, a draft survey for NHRIs & EBs in the sample countries was drawn up and piloted internally. The finalised survey was issued by email to the NHSCU's NHRI & EB contacts in 17 institutions in the 11 member states on 9 September 2020 with a return date of 21 September 2020. Thirteen responses were received.

Open text boxes prompted respondents to give examples of cross-country projects, research topics or new Council of Europe general guidance which would help the NHRIs & EBs in addressing discrimination, hate speech and hate crime arising from emergencies such as the COVID-19 pandemic.

The NGO survey

The NGO survey was issued by email to NHSCU contacts in 37 NGOs on 21 September 2020 with a return day of 5 October 2020. Fifteen responses were received.

A final open text box prompted the NGO respondents to specify other ways, not previously mentioned, in which the Council of Europe's Anti-Discrimination Department could assist their organisation with COVID-19 related hate speech, hate crime and discrimination issues.

The survey results are described in sections 4 and 5 below.

2.3 NGO webinar 22 October 2020

The NGO webinar aimed to complement the online survey by exploring in group discussion how the NHSCU could work with NGOs to support them. The webinar was attended by 12 individuals representing 11 NGOs from eight countries.

The webinar agenda and a list of the participants and their organisations are attached at Appendix D.

The attendees, who had all previously completed and submitted the NGO survey, discussed in more detail the first four priorities for action by the NHSCU which had emerged from the survey. The discussions provided a wealth of information on how these priorities could be implemented in practice to best support their work.

2.4 Desk research

Research reports (see below) on the impact of COVID-19 on the five disadvantaged groups provide the context and background for the mapping study. They highlight the concerns stakeholders had identified during the study period (September – November 2020) about the impact of the pandemic on the groups and the issues it has created for the Organisations working to support them. Further information was gathered via attendance at an ECRI seminar on the *“Long-term effects of the Covid-19 Pandemic on Equality, Racism and Intolerance”* 29 September 2020,¹⁵ and a webinar organised by Nobody Left Outside entitled *“COVID-19 in marginalised groups – challenges, actions and voices”* on 16 October 2020.¹⁶

2.5 Interviews and follow up

At the preliminary stages of scoping the mapping study and drafting the online survey, interviews were conducted with:

14 [Equinet – European Network of Equality Bodies](#)

15 <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/-/ecri-holds-annual-seminar-with-equality-bodies-on-communication-issues-and-an-online-event-on-long-term-effects-of-the-covid-19-pandemic-on-minority-g>

16 <https://nobodyleftoutside.eu/nlo-week-2020-webinar/>

- Les Allamby, chief commissioner, Northern Ireland Human Rights Commission
- Sheila Rogers, former chief executive of the Commission for Racial Equality (Northern Ireland) and the Commission for Racial Equality in London (interim)
- Isabelle Chopin, director, Migration Policy Group, Brussels
- Tamas Kadar, deputy director (head of legal and policy), Equinet, Brussels.

Further interviews and follow up questions were pursued with staff at the UK Equality and Human Rights Commission, the Spanish Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality); the Fundación Secretariado Gitano, Spain; and the Roma Women of Vojvodina, Serbia.

3.0 Context and background to the mapping study

Research reports on the impact of COVID-19 on the disadvantaged groups highlight concern about the long-term effects of the pandemic on equality, racism and intolerance, going well beyond the initial impact caused by the implementation of emergency measures and the lockdown phases. As Tena Šimonović Einwalter, chair of Equinet and member of ECRI in respect of Croatia, noted at the ECRI seminar on 29 September 2020 on the “*Long-term effects of the Covid-19 Pandemic on Equality, Racism and Intolerance*” there are particular concerns about:

- The slowdown of economies worldwide which will have major social and economic consequences with millions of people losing their jobs and disproportionate negative impacts on disadvantaged groups
- Shrinking public budgets and prolonged social distancing which could hinder access to public services
- Children from disadvantaged groups facing, if distance learning continues, major challenges in accessing education due to a lack of digital devices and Wifi.

Some of the key reports which provided the context for the mapping study and which describe the adverse impact of measures to deal with the pandemic have had on the disadvantaged groups, are set out below.¹⁷ Recognising that, at the time of writing, there are gaps in the evidence for each of the five disadvantaged groups, they provide a snapshot of the adverse impact they have experienced.

3.1 Roma and Travellers

- In the *report of the October 2020 launch of the EU Roma Strategic Framework for Equality, Inclusion and Participation* Acting Director-General for Justice and Consumers, European Commission, Salla Saastamoinen noted the:
 - “disproportional impact of COVID-19 on Roma communities. The pandemic threatens to undo many of the achieved gains. COVID-19 has shone a light on structural inequalities, with Roma populations vulnerable due to lack of access to healthcare and overcrowded conditions. Those living in poor, remote areas have limited access to remote learning”.
- In its report on the *Impact of the COVID-19 crisis on the Roma population, April 2020* the Fundación Secretariado Gitano, Spain reported:

17 See also statements made by ECRI concerning the impact of COVID 19 on vulnerable groups and its statement on racist police abuse: <https://rm.coe.int/statement-by-the-bureau-of-the-european-commission-against-racism-and-/16809ea6b6> ; <https://rm.coe.int/statement-of-ecri-on-racist-police-abuse-including-racial-profiling-an/16809eee6a>

- *"There is a low incidence of Covid-19 in Roma households (in terms of infections or deaths). The most pressing need, and the one which most preoccupies the families, is the need to cover basic necessities and obtain food. This crisis is not a situation which Roma people have ever faced before, and the lockdown has had an immediate effect on the ability to earn a living of many of these Roma families, who normally live day-to-day relying on insecure forms of work, often in the informal economy and without social and legal protections. In addition, contrary to popular belief, only a third of these families, living in extreme poverty, receive social welfare benefits such as minimum income payments."*
- The Fundamental Rights Agency: Coronavirus in the EU - impact on Roma and Travellers, September 2020 reported:
 - *"Roma and Travellers living in marginalised conditions and suffering from social exclusion and poverty face particular challenges ... evidence ... suggests that the negative effects of [governments measures to contain the spread of the virus] have disproportionately affected marginalised and socially excluded Roma and Travellers;*
 - *For example, in employment, lockdowns left those Roma engaged in precarious work unemployed, while the informal status of such work makes it difficult for them to claim the support and benefits available to workers in the formal labour market. Lockdowns also affect those working as street vendors or travelling traders. Requirements for the formal registration of residence, which some Roma and Travellers lack, limits their access to welfare services and worsens the situation;*
 - *In education, many Roma and Traveller children, especially those living in informal settlements and encampments without access, or adequate access, to the internet or information technology (IT) equipment cannot benefit from online distance-learning measures;*
 - *In housing, a persisting lack of basic infrastructure, especially in informal settlements and encampments, increases the risk of COVID-19 infection."*
- The European Roma Rights Centre: Roma rights in the time of COVID, September 2020 reported:
 - *"[Roma are] ... among the groups worst affected by the economic and social knock-on effects of the pandemic;*
 - *The acute vulnerability of impoverished and rights deprived Romani communities, which is a direct consequence of structural racism, was exacerbated by hate speech blaming Roma for the spread of the virus;*
 - *Anti-Roma racism, which manifested itself in violence, intimidation, and inflammatory rhetoric, has been a feature of the policy response to Covid-19 in many states;*
 - *A significant number of actions taken by law enforcement in 'policing the pandemic' clearly violated the principles of non-discrimination and equality, and constituted cruel and inhumane behaviour."*

3.2 Muslim and Jewish communities

- Muslims Falsely Blamed for COVID-19 Spread as Hate Crimes Increase (newsweek.com):
 - *"in the UK the far-right has used the virus to sow racial and religious division within society by blaming ethnic minorities, Muslims in particular, for the spread of COVID-19... this has meant a 40 percent rise in online Islamophobia during the lockdown months compared to the same period last year, according to hate crime monitoring charity TellMAMA. Examples include blaming the Muslim community for spreading the disease without proof and sharing false material such as pictures and mislabelled videos of Muslims not observing*

social distancing rules.”

- The Fundamental Rights Agency: Antisemitism; Overview of antisemitic incidents recorded in the EU, 2009-2019; September 2020 noted that:
 - *“In March 2020, the Anti-Defamation League signalled that COVID-19-related ‘antisemitic, xenophobic, and hateful messages and conspiracy theories are proliferating rapidly online. These messages spread hate and misinformation, making it more difficult to access accurate information while elevating fear and anxiety. While some of these messages are new, many are simply old tropes repackaged for a modern pandemic. Information from the World Jewish Congress shared with FRA identifies five common antisemitic conspiracy theories that found fertile ground online during the pandemic. 1. Jews created the coronavirus. 2. Jews spread the coronavirus. 3. Jews use the coronavirus for profit. 4. Jews celebrate when non-Jews die from the coronavirus. 5. Deaths from the coronavirus disprove the Holocaust.”*

3.3 Irregularly present migrants

- A statement by the Platform for International Cooperation on Undocumented Migrants, March 2020 highlighted:
 - *“... primary health care is inaccessible to people with irregular migration status. This means, in many cases, limited or no access to a general practitioner, and no right to subsidised care except in the case of emergencies ...*
 - *Many migrants work in sectors defined by informality or under-regulation, doing jobs that cannot be done from home and where they have few rights and benefits. For many ... losing their source of income simply isn't an option, because they are excluded from most government financial support. This means they have no choice but to continue to go to work, exposing themselves to greater risk of infection.*
 - *For undocumented individuals and families in situations of acute vulnerability, such as those who are homeless, living in encampments, reception centers, or in immigration detention, the risk of infection is great because of proximity and poor living conditions. It is even more difficult to contain the spread of the virus in such precarious and overcrowded settings.”*
- At its webinar entitled “COVID-19 in marginalised groups – challenges, actions and voices” on 16 October 2020, the NGO Nobody Left Outside highlighted the findings from its COVID-19 Briefing paper, August 2020. It stated: *“Marginalised groups are among people the hardest hit by the COVID-19 pandemic, and yet are among the least protected from it by governmental actions to date. Indeed, the COVID-19 crisis has brought into sharp focus the stark inequities that exist in access to health and social support services for marginalised people who live precariously in Europe, often outside formal health care systems and social labour and legal protection measures.”*
- The Fundamental Rights Agency: Migration: Key fundamental rights concerns, November 2020 reported:
 - *“COVID-19 continues to severely affect migrants and refugees;*
 - *The number of asylum applications is still significantly below pre-COVID-19 levels... Many family reunification procedures are on hold because of the pandemic;*

- *Many [reception] centres remain overcrowded, making it difficult to follow COVID-19 hygiene and physical distancing measures."*

3.4 LGBTI people

- ILGA Europe: COVID-19 impacts on LGBTI communities in Europe and Central Asia, June 2020 noted that:
 - *"pre-existing limitations in LGBTI-affirming healthcare were exacerbated as healthcare systems redirected their resources, targeted mental health services were interrupted or experienced radical increases in demand after moving online during confinement, and access to sexual and reproductive health was negatively impacted;*
 - *... in many countries ... the current public health crisis is being used as yet another opportunity by religious leaders and hostile politicians and governments to blame LGBTI people for societal problems, in this case COVID-19, further stirring up hatred against LGBTI people;*
 - *increased incidence of domestic violence towards LGBTI people;*
 - *problems accessing basic needs, public assistance, support, and service programmes ... This points to the greater than average rate of LGBTI people being unemployed and in precarious jobs, and living on very limited and unstable financial resources. An estimated 25-40% of young people experiencing homelessness are estimated to identify as LGBTI."*

3.5 National minorities/language speakers

- In a statement on the COVID-19 pandemic and national minorities, adopted on 28 May 2020, the Advisory Committee on the Framework Convention for the Protection of National Minorities noted that:
 - *"The suspension of classes in schools and pre-school education during the COVID-19 pandemic has regrettably often resulted in the unequal access to education and discrimination of children belonging to national minorities, particularly those who were not proficient enough in the official languages to be provided with appropriate educational content. As a result, children of national minorities may be at risk of learning delays and dropping out."*
- The Defenseur des droits, France; Discrimination and Origins: the urgent need for action, 2020 recorded that:
 - *"Racist remarks and acts against individuals of Asian origin (or perceived as such) have increased across many countries since the start of the COVID-19 health crisis – in some cases leading to serious physical assault. In France, the youth association Chinois de France (Chinese of France) has collected a large number of testimonies and videos posted on social media which reveal a resurgence in anti-Asian racism."*
- The European Network Against Racism: COVID-19 impact: lifting structural barriers: a priority in the fight against racism describes the far-reaching consequences COVID-19 has had on racialised groups such as asylum seekers, undocumented people, Roma, people of Asian, African, Arab and Latin descent, Jews and Muslims (or perceived as such) including, among others:
 - Lack of alternative or adequate housing during confinement
 - No access to health services and essential infrastructures, such as water, electricity and mobility
 - Overrepresentation in precarious – although often frontline – work
 - Scapegoating and racist speech victims of online and offline racist abuse, including by

- politicians
- Increase in racial profiling and police brutality.

- The Fundamental Rights Agency: Pandemic underscores why child protection is critical for our future, November 2020, noting that:
 - *“Government measures to limit the virus’ spread can exacerbate pre-existing risks among vulnerable groups. Parents find it harder to work or receive an income, distance education becomes challenging, and access to social and healthcare services is limited. These all affect children.”*

4.0 Issues affecting the five disadvantaged groups

The survey questionnaire asked the selected Organisations to rank, in order of importance, the issues affecting Roma and Travellers, members of Jewish and Muslim communities, irregularly present migrants, LGBTI people and national minorities/minority language speakers as a result of the impact of COVID-19. Respondents were also asked to give striking examples of how members of these groups were affected.

The research found that, for all groups, there had been a loss of employment because of lockdown and restrictions on movement with people facing severe economic crises. As noted by the UK’s Equality and Human Rights Commission: *“The economic impact of the pandemic has been unequal, entrenching existing inequalities and widening others.”*¹⁸

There had also been an increase in online hate speech and unequal access to social services and public life.

Participants selected from the following list of potential issues affecting the five disadvantaged groups:

✓ Recession and unemployment	✓ Access to social security
✓ Access to basic facilities (e.g. clean water, sewage systems) ¹⁹	✓ Hate crime
✓ Hate speech	✓ Biased, hostile media reporting
✓ Policing and criminal justice	✓ Access to health services
✓ Access to housing and accommodation services	✓ Access to education
✓ Access to goods and services ²⁰	✓ Abuse of other human rights and freedoms ²¹

4.1 Roma and Travellers

The top five issues identified by the Organisations in order of importance were:

18 <https://www.equalityhumanrights.com/en/publication-download/how-coronavirus-has-affected-equality-and-human-rights>

19 This option was asked only for Roma and Travellers and irregularly present migrants

20 If selected, respondents were asked to specify which goods and services

21 If selected, respondents were asked to specify which human rights

NHRIs & EBs	NGOs
1. Recession and unemployment	1. Recession and unemployment
2. Access to education	2. Access to education
3. Access to basic facilities	3. Access to health services
4. Access to housing and accommodation	4. Access to basic facilities
5. Access to health services	5. Hate speech

The Organisations highlighted the pre-existing inequalities and exclusion experienced by Roma and Travellers especially regarding access to employment, social services and housing. The precarious nature of many Roma people's work in the informal economy and their exclusion from state support was a feature in several countries. Abuse of the right to work, freedom of movement and the right to education was mentioned by several respondents as were arrests and detention based on racial profiling in Spain, and compulsory state quarantine after returning to the Slovak Republic from abroad.

4.1.1 Recession and unemployment

Respondents identified the following examples:

- As the majority of Roma in Spain work in the informal sector, inequality and exclusion affects them to a greater extent, especially in access to employment, social services and housing – Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality), Spain;
- *"Most of individuals belonging to the Roma national minority are self-employed (mainly as an informal activity in the collection of recyclable materials found in urban waste). The pandemic period, especially the period of total isolation, led to the cessation of this activity and the lack of income for them and their families, often not included in social assistance schemes."* – The People's Advocate of Albania;
- *"Unemployment rate is disproportionately high among Roma population, some of their activities such as collection and trade in secondary materials were impeded by curfews and prohibition of movement"* – The Institution of Human Rights Ombudsmen of Bosnia and Herzegovina;
- As all street trade in Spain was suspended between the months of March and June and thereafter capacity of trade reduced by 50% *"more than 75% of the Roma population is in serious economic problems, because being self-employed they are not covered by unemployment benefits.... They are very concerned [about] the commercial restrictions for ambulatory street markets, as it is their first economic activity"* – Defensor del Pueblo, Spain;
- The Albanian government's financial aid scheme in the form of a minimum wage for workers left unemployed by the pandemic only applied to the private sector. Informal sector workers were excluded and as there was no formalized national proposal to provide for these people by including them in the emergency payments system, large numbers of Roma were excluded – The Commissioner for Protection from Discrimination, Albania.

4.1.2 Access to education

- In the Slovak Republic, the government's lockdown measures imposed to control the spread of COVID-19 resulted in whole Roma communities being quarantined, *"despite the fact that the respective public authorities ... did not have a competency and mandate to do so"*. This meant that *"many children were not able to continue with education process, as many households did not have internet access and field workers could not serve all quarantined children"* – The Slovak National Centre for Human Rights;²²

- *“Educational measures introduced with the lockdown affected Roma communities and pupils, students much more detrimentally than non-Roma ones. The most common barriers and obstacles faced by Roma are limited access to utilities, limited or no access to technology, lack of digital skills and literacy, lack of school supplies, limited contact from teachers, overcrowded households, incapability for independent work.* – Hungarian NGO;
- *“... many families in the Roma community did not have access to the Internet and laptops, tablets for their children to attend online education during quarantine periods”.* – Albanian NGO.

4.1.3 Access to health and other services

The mass lockdown of Roma communities without consideration of whether individuals had or did not have, the virus was cited by several respondents. Other denials of access to services included access to:

- food and medicines as well as other health aids (masks etc.)
- basic food and household items
- the internet and wifi
- private goods or services.

Examples cited by respondents were:

- Limited access to health services as Roma people do not usually have general medical coverage – Institution of Human Rights Ombudsmen of Bosnia and Herzegovina;
- In Serbia health mediators assigned to work in Roma settlements stopped working for a period of time – The Commissioner for Protection of Equality;
- *“... change of health insurance rules: from July, those who do not pay health insurance for 3 months get out of the system and have to pay for all treatment except for emergency treatment. This affects the Roma community disproportionately”.* – Hungarian NGO;
- In Italy, Roma living in settlements characterised by overcrowding and precarious hygiene and health conditions, encountered particular difficulties in managing access to distributions of basic facilities. The restrictions imposed to halt the spread of COVID-19 *“exacerbated subsistence problems for the people who live in the settlements (recognised, spontaneous, micro-areas, collective centers.)”* – National Office against Racial Discrimination (UNAR), Italy. UNAR also reported families and children suffering extreme hardship, particularly *“so-called de facto stateless persons: people without citizenship, without a registered residence and therefore excluded from any type of support and social security measures arranged to counter the current crisis”;*
- *“Quarantine of three whole Roma settlements in the 1st wave of COVID-19. With no sufficient measures implemented to protect the healthy people in the settlements. All the communities were closed and kept together - healthy and COVID-19 infected. Unequal treatment - no other localities/communities were treated in such way. Nor now in the 2nd wave”.* – Slovakian NGO;
- *“Some isolated cases in villages where there were cuts in water and electricity supplies in Roma settlements... some cases of denial of access to supermarkets or pharmacies ... problems related to the supply of food aid and disinfectants to the families of this community... One of the services affected was the delivering of social assistance in the condition of isolation”.* – Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality), Spain.

4.1.4 Access to housing and accommodation and the lack of basic facilities

Examples provided by respondents were:

- Referring to the large number of Roma families who live below the poverty line and who are in need of additional support from the state, *“... many [Roma] inhabitants of six*

hundred informal settlements in the Republic of Serbia do not have access to water, electricity, nor internet, and that they are not in a position to keep basic hygiene, much less to enable their children to attend school teaching. These existential problems which they face daily have increased after the proclamation of the coronavirus epidemic in Serbia as few of them are able to respect the population protection measures.” – The Protector of Citizens, Serbia;

- *“In the initial phase of the pandemic Roma families were repeatedly singled out as high-risk populations. In several cases, houses where infected Roma people lived were effectively cordoned off by police, a measure that was not taken with other infected persons.” – Federal Anti-Discrimination Agency, Germany;*
- *The lockdown of whole Roma communities resulted in “sick and health members of the communities [being] quarantined together, all members of communities lost access to water, food and basic household items. The system of supplying the necessary goods and services was inadequate, therefore many usurers took advantage of the quarantined Roma and sold them overpriced items of a low quality.” – The Slovak National Centre for Human Rights;*
- *“Many Roma people are suffering from lack of running water, sanitation, in the most marginalised and segregated settlements even from the lack of public wells.” –Hungarian NGO;*
- *“The living environment of Roma people is typically deprived, their housing is poorly equipped, living conditions are far from suitable for avoiding the spread of the coronavirus.” – Hungarian NGO.*

4.1.5 Hate speech and policing

Respondents’ examples in this area were:

- Seven national newspapers and the main televisions and radios, at national and local level, in Spain mentioned the Roma community in news related to COVID-19 and reported the attendance of several Roma families at a funeral as the main cause of the spreading of the pandemic. *“There is a blaming in the media of the situation and experience of Roma and Traveller communities on their own culture and lifestyle” – The Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality), Spain;*
- *“Scapegoating Roma for spread of the virus; the media blaming Roma and hate speech on television” – Spanish NGO;*
- *“Excess of police control, ethnic profiling and police brutality against Roma” – Spanish NGO.*

4.2 Muslim and Jewish communities

The top five issues identified by the Organisations in order of importance were:

NHRIs & EBs	NGOs
1. Hate speech	1. Hate speech
2. Biased and hostile media reporting	2. Hate crime
3. Hate crime	3. Biased and hostile media reporting
4. Access to education	4. Policing and criminal justice
5. Recession and unemployment	5. Recession and unemployment

A number of striking examples of the impact of COVID-19 on members of these communities were provided by the Organisations.

4.2.1 Hate speech and policing

- In relation to hate speech, the Federal Anti-Discrimination Agency in Germany cited media reports of anti-Semitic occurrences and “widespread” conspiracy theories in protests

against COVID-19 measures, whilst in Spain the Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality) reported: *“In Melilla, insults directed at Spaniards of Maghrebi origin have been documented. Maghrebi people accuse the Spaniards of infecting them, of being a virus of Westerners.”*

- A Hungarian NGO noted that *“hate speech related to the pandemic is present on Hungarian websites, more in comments and posts than in articles. ... Conspiracy theories related to the pandemic strengthen anti-Semitism e.g. the coronavirus was developed by the Jews for financial gain or to further expand their global influence and power)”*.
- The Defensor del Pueblo in Spain reported *“numerous cases in which the local police have detained people for their racial profile with the excuse of not complying with the confinement measures and once is identified, ... expulsion proceedings have been initiated due to an irregular situation”*.

4.2.2 Other issues

- Other issues included, as noted by a Georgian NGO, limitations on the right to freedom of religion and movement, unequal treatment, and barriers to carrying out social services: *“Religious minorities [the Muslim community, like other religious minorities] became the victims of unequal treatment from the state. The state did not provide any information about the limitations on religious practice and granted privileges to the dominant religious organisation.”*

4.3 Irregularly present migrants

The top five issues identified by the Organisations in order of importance were:

NHRIs & EBs	NGOs
1. Access to social security	1. Recession and unemployment
2. Access to housing services	2. Hate speech
3. Recession and unemployment	3. Access to social security
4. Access to basic facilities	4. Access to health services
5. Access to goods and services	5. Access to education

Respondents provided examples such as poverty, limited access to goods, employment and a range of services including social security, housing, and interpreters, as well as harassment and xenophobia.

4.3.1 Access to social security

Examples of the lack of access to services included:

- The Institution of Human Rights Ombudsmen of Bosnia and Herzegovina reported that the closure of most of the public institutions during the peak of pandemic, limited their access to health, education and social protection services;
- In Spain and the Slovak Republic curfews impacted on irregularly present migrants' access to all services whilst in Italy the government's restrictions of the movement of all citizens *“seriously jeopardised the possibility of subsistence of persons engaged in irregular employment activities”*. – National Office against Racial Discrimination, Italy;
- *“Lack of access to state services, such as the renewal of residence permits, asylum seeker documents along with access to quality information about the restrictions, regulations and healthcare recommendations.”* – Georgian NGO.

4.3.2 Access to housing services

- The Slovak National Centre for Human Rights reported that the government's closure of all borders and airports adversely affected irregularly present migrants who were unable to go to work or go back home. As many migrants work in sectors where home working is impossible (e.g. the automobile industry) many of those who decided to stay at work in the Slovak Republic faced housing problems. The government closed down the majority of accommodation facilities and migrants were forced to leave and find other, often more expensive, accommodation. *"By closing down the production lines, many migrant workers lost their jobs with no prospects to get any benefits or social assistance."* – Slovak National Centre for Human Rights;
- In Spain, the Defensor del Pueblo reported having received *"numerous complaints about the confinement situation in immigrant detention Centers ... delays in the administrative processing of the regularisation processes, criminalisation of temporary immigrant workers in some areas especially affected by COVID-19; local authorities have left the security and sanitary conditions of migrants workers in the hands of employers, and there have been situations of abuse that have affected the image of immigrants among local population."*

4.3.3 Hate speech, harassment and xenophobia

- *"The people most vulnerable to discrimination in this area are the immigrant population in general as well as some minority groups including people of African descent and the Asian population group ... The existence of racist messages from some far-right political parties demanding to charge for public health care services to unregularised immigrants."* – The Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality), Spain;
- *"The Hungarian government enhanced its general xenophobic rhetoric at the very beginning of the pandemic in mid-March 2020 by blaming foreigners with bringing the virus into the country. Xenophobic rhetoric was coupled with discriminatory measures: more than 10 Iranian students were expelled from the country in an unfair procedure based on the allegation that they had violated the quarantine rules."* – Hungarian NGO;
- *"[Bosnia and Herzegovina] is one of the few countries in the Western Balkans and Europe that has not developed a program to assist the media and journalists during the COVID-19 pandemic, nor has it ensured any protection of freedom of expression and freedom of information. On the contrary, BiH and local authorities violated the right to freedom of expression and access to public information on COVID-19 and measures implemented by local authorities."* – Bosnia and Herzegovina NGO.

4.4 LGBTI people

The top five issues which the Organisations identified in order of importance were:

NHRIs & EBs	NGOs
1. Access to social security	1. Recession and unemployment
2. Access to housing services	2. Hate speech
3. Recession and unemployment	3. Access to social security
4. Access to basic facilities	4. Access to health services
5. Access to goods and services	5. Access to education

Respondents provided examples of how LGBTI people were being affected, in particular, the critical social problems faced by transgender people.

4.4.1 Recession and unemployment

- *“Many LGBTI people in an irregular administrative situation have lost their jobs, remaining in a situation of total lack of protection and with difficulties in obtaining basic necessities (food, housing, hygiene and sanitary products) ... The situation of some LGBTI people in an irregular administrative situation is also particularly worrying. This is especially the case of trans immigrant women who have lost their jobs and are in a situation of total vulnerability.”* Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality), Spain;
- In Germany it was reported that: *“LGBTI people have been disproportionately affected by lockdown measures and the recession because venues that are crucial infrastructure for the community have been closed or are at danger.”* – Federal Anti-discrimination Agency;
- *“With particular reference to the trans population involved in prostitution activities, the sources of subsistence have ceased to exist due to the pandemic.”* – National Office against Racial Discrimination, Italy.

4.4.2 Access to health services

- *“LGBTI people with HIV/AIDS could not receive medical treatment because they couldn’t move from their houses, especially during the period of total isolation”* – People’s Advocate of Albania;
- In the Slovak Republic it was noted that: *“there is a loss of the right to inspect medical records and an abuse of inheritance law”*. – The Office of the Public Defender of Rights.

4.4.3 Domestic abuse/other human rights

- Respondents reported abuses of the right to freedom of expression and assembly along with freedom of choice and the right to equality before the law. The example of Hungarian state leaders connecting LGBTI people with paedophilia and banning legal gender recognition in May 2020 was cited: *“One of the first steps during the pandemic was a government promise to prevent transgender people from having their gender correspond to their identity on official documents after transitioning. The corresponding law has been adopted. As a consequence, transgender people are neither able anymore to change their gender, nor their names on official documents.”* – Hungarian NGO;
- The Council for the Elimination of Racial or Ethnic Discrimination (Ministry of Equality), Spain noted that: *“due to the confinement of the population, an increase in homophobic attacks towards LGBTI youth within their own families.”*
- In the UK, the Equality and Human Rights Commission noted the existence of some data indicating an increase of domestic violence and a lack of protection from domestic abuse in family life for LGBTI people.

4.5 National minorities/language speakers

The top five issues which the Organisations identified in order of importance were:

NHRIs & EBs	NGOs
1. Access to social security	1. Hate speech
2. Recession and unemployment	2. Recession and unemployment
3. Hate speech	3. Access to education
4. Access to education	4. Access to social security
5. Access to health services	5. Access to health

Respondents reported a lack of accessible information regarding health and other services, hate speech, and also the negative impact of limits on freedom of movement with borders being closed.

4.5.1 Lack of accessible information

- The lack of information and public media services in minority languages has impeded national minorities access to social security and healthcare services in Bosnia and Herzegovina;
- In the United Kingdom there has been a failure to ensure equal access to services due to a lack of interpretation services, inappropriate formats or explanations in minority languages. *“The UK government initially failed to provide contemporaneous sign language interpretation during its daily briefings on COVID-19 thus excluding the deaf community from vitally important health information. In general, the flow of health or other COVID-19 information in easy-read formats or minority languages has been poor”*. – Equality and Human Rights Commission, United Kingdom;
- *“The Government of the Slovak Republic made almost no effort to ensure that all relevant information concerning the COVID-19 pandemic and measures being adopted in this regard are also accessible in other than Slovak language, e.g. Hungarian or Roma”*. – Slovak National Centre for Human Rights.

4.5.2 Hate speech

- *“The Kvemo Kartli region is densely populated by Azerbaijani ethnic minorities and was the first region locked down during the pandemic resulting in unemployment and limited access to information. Also resulting in hate speech towards the minorities, blaming them for the spread and outbreak of the virus. The State officials did not condemn and address hate speech. On the contrary, several public officials made hate speech statements themselves.”* – Georgian NGO.

5.0 Actions for the Council of Europe

Having identified the priority issues which COVID-19 has created or exposed for each of the five disadvantaged groups, the Organisations were asked to identify their five priorities for actions the NHSCU could take to best assist them deal with those issues. They selected from a list of actions within the competence of the NHSCU (contained in Question 22 of the NHRIs & EBs survey, Appendix A, and in Question 19 of the NGO survey, Appendix B).

NHRI & EB respondents were invited to also identify potential cross-country projects, research topics, new Council of Europe general guidance and other ways in which the NHSCU could assist the Organisations address hate speech, hate crime and discrimination issues. NGOs were also invited to identify actions which the NHSCU could undertake to support their work.

5.1 National Human Rights Institutions’ and Equality Bodies’ priorities for action by the NHSCU

The NHRIs’ & EBs’ top five priorities for action by the NHSCU in order of importance are as follows:

1	Guidance for member states on how to address the following issues: ensuring minimum equality standards vs strictly necessary derogations when implementing emergency measures; avoiding indirect discrimination in states' responses to the pandemic; securing equal access to services; positive action; avoiding threats posed by the use of artificial intelligence in measures to control the spread of COVID-19, etc.
2	Guidance on conducting equality impact assessments and analysis
3	Guidance for member states on data collection and its use in assessing and addressing the impact of COVID-19
4	Guidance for member states on inclusive processes and engaging with disadvantaged communities when responding to the impact of COVID-19
5	Guidance for member states on protecting groups' rights to equality and non-discrimination in response to the impact of COVID-19; e.g. Roma women, LGBTI; anti-Muslim hate speech

The NHRIs & EBs provided the following proposals for actions.

5.1.1 Examples of guidance for member states

- Ensuring and protecting minimum equality standards when strictly necessary derogations are applied during the implementation of emergency measures
- Avoiding indirect discrimination in states' responses to the pandemic
- The regulation of cross-border working practices for workers who commute between states
- Good practice examples on addressing discrimination, hate speech and hate crimes
- Advice on all the issues listed, that is: ensuring minimum equality standards vs strictly necessary derogations when implementing emergency measures; avoiding indirect discrimination in states' responses to the pandemic; securing equal access to services; positive action; avoiding threats posed by the use of artificial intelligence in measures to control the spread of COVID-19.

5.1.2 Examples of cross-country projects

- Exchange of good practice on challenging hate speech and hate crime against all the disadvantaged groups, especially against migrants
- Building capacity of National Human Rights Institutions and Equality Bodies to monitor and report discrimination and hate speech arising from emergencies such as COVID-19
- Avoiding indirect discrimination in states' responses to the pandemic
- Supporting Equality Bodies on fulfilling their mandate to promote and protect equality as a core value for the benefit of everyone, including during emergencies such as COVID-19.

5.1.3 Topics for further research

- How states implemented their duties to take positive measures to protect the rights of disadvantaged groups affected by the pandemic
- The consequences of the pandemic on disadvantaged groups and how it has increased structural inequalities
- Comparative data on the level of public service provision and performance, and an analysis of the quality of interventions by NHRI & EBs
- How public services have functioned for disadvantaged groups during the pandemic and

- whether access to services was guaranteed on the basis of equality and non-discrimination
- How the imposition of restrictions on citizens' rights and freedoms during the pandemic, including freedom of movement and tracking mechanisms, have impacted on disadvantaged groups
- How equality impact assessments of the impact of emergency measures were conducted by states during the pandemic
- How state aid to protect citizens, particularly financial assistance for workers, has been provided and whether those measures discriminated, directly or indirectly, against disadvantaged groups
- The rise of online hate speech connected with COVID-19
- How states have restricted rights to access healthcare, especially in regard to sexual and reproductive rights, during the pandemic
- Whether and to what extent national regulations based on nationality which arise from bilateral agreements with other states and which result in more favourable treatment of foreigners within the state are lawful and proportionate.

5.1.4 General guidance

- Guidance on the right to freedom of expression, its limitations and avoiding stereotyping and inaccurate reporting in the media and social networks about migrants, national/ethnic minorities, including Roma people
- Guidance on the nature and scope of necessary derogations from human rights during emergencies such as COVID-19
- Guidance on the protection and promotion of equality when member states implement emergency measures.

Other suggestions were:

- Support to ensure the implementation of ECRI GPR No. 2 on equality bodies in order to strengthen their capacity
- Developing information for Equality Bodies on engaging with Council of Europe monitoring bodies, how these can work together, what resources are available to facilitate this and how national bodies can work most effectively with the Council of Europe.

5.2 NGOs' priorities for action by the NHSCU

The NGO's top five priorities for action by the NHSCU in order of importance are:

1	Training on effective working with local authorities to improve support for particular disadvantaged groups during emergencies such as the COVID-19 pandemic
2	Training on monitoring and addressing hate speech, hate crime and discrimination arising from the COVID-19 pandemic
3	Training on developing and implementing information campaigns for the public and/or particular disadvantaged groups during the COVID-19 pandemic

4	Projects to strengthen the capacity and commitment of policing and criminal justice agencies to implement Council of Europe anti-discrimination standards relevant to the impact of the COVID-19 pandemic
5	Peer-to-peer projects to share experiences and good practice related to the COVID-19 pandemic.

The NGO webinar provided a valuable opportunity for the participants to discuss the first four priorities above and how they could be implemented in practice. Their suggestions for action included the following:

5.2.1 Effective working with local authorities

- Provide advocacy training for NGOs to support their engagement with local and central government officials and hold them to account for their actions and obligations
- Recognising the lack of trust disadvantaged groups have in local and central government institutions, provide training and networking opportunities to empower them to know more about their rights and how they can work effectively with such institutions
- Where municipalities have nominated representatives from a disadvantaged community in governmental structures, ensure they are supported to effectively communicate with, and advocate for the rights of, their community
- Train local representatives and public officials, particularly the police and social security officials, on human rights standards and non-discrimination
- Train public administration employees on Roma culture and traditions and how to communicate effectively with Roma citizens, especially during emergencies such as COVID-19
- Train National Human Rights Institutions on how to work co-operatively with municipalities and civil society when they conduct inquiries into discrimination and human rights abuses.

5.2.2 Monitoring and addressing hate speech

- Develop campaigns on enforcing and implementing existing legislation dealing with hate speech
- Where hate crime or other equality legislation is still incomplete in member states, support those states to develop strategies to eliminate discrimination, hate speech and hate crime
- Educate the public on addressing hate speech and hate crime
- Work with elected representatives on how to communicate with the public in ways which do not stigmatise or encourage negative attitudes towards disadvantaged groups
- Train and support Roma mediators and volunteers engaged with other minority groups to educate the public on addressing hate speech and discrimination against these minorities, and support them with training on anti-discrimination legislation, human rights standards, mechanisms for online monitoring and mediation skills
- Train young people on using a range of media (online radio, social media etc.) to develop good communication skills and use online platforms to challenge hate speech and prejudice
- Make anti-Gypsyism training a compulsory topic in teacher training programmes
- Recognising a lack of capacity among the police and equality bodies to handle hate speech cases, support them with training and share Council of Europe expertise on no-hate speech methodology.

5.2.3 Developing and implementing information campaigns

- Train local and central authorities' staff on collaborating with local NGOs to deliver effective information campaigns
- Recognise the literacy and language barriers among many disadvantaged groups which exclude them from life-saving health and other information, and develop appropriate communication methods
- Work with the media to ensure public media services promote, educate and inform disadvantaged groups in their mother tongues, and that they engage Roma and other disadvantaged community members in developing their content and delivery
- Deliver awareness raising campaigns among the general public, particularly young people, of the living conditions, and the social and economic issues facing members of disadvantaged groups
- Develop guidance, and promote campaigns, on reporting hate crime to national authorities
- Develop campaigns to prevent and combat anti-Gypsyism related to COVID-19.
- Develop more information campaigns to improve understanding of the situation of migrants and to counter hate speech about them.
- Raise the visibility of the Council of Europe's concerns (together or without NGOs) about the five disadvantaged groups and make this an advocacy tool for NGOs.
- Create a legal mechanism for co-operation and exchange of information between local authorities, central government and civil society.

5.2.4 Policing and criminal justice projects

- Train police officers on human rights standards and anti-Gypsyism
- Develop collaborative projects with police officers and disadvantaged communities on recognising, reporting and challenging hate speech and hate crime
- Create a nominated contact person in criminal justice institutions (police, prosecutors, court officials) who is trained on hate speech, hate crime and discrimination and who acts as the first point of contact for complainants
- Recognising the lack of trust disadvantaged groups may have in the police, develop third-party reporting mechanisms and empower communities to recognise and report hate crime.

5.2.5 Other actions

- Recognising that small NGOs may lack the capacity to advocate at an international level, support them to ensure their experience and expertise is reflected within international organisations
- Publish annual monitoring reports on member states' compliance with their human rights obligations and their adherence to Council of Europe anti-discrimination standards
- Work with media organisations to protect journalists reporting on the abuse of human rights, discrimination against minorities and the actions of authorities which fail to protect their rights
- Promote rapid decision-making in the allocation of assistance to NGOs working with disadvantaged groups, especially those organisations which do not receive any state assistance.

6.0 Good practice examples

The online survey questionnaires asked respondents to identify examples of good practice which had helped protect the five disadvantaged groups from discrimination, hate speech or hate crime linked to COVID-19. Overall, the response was mixed with some reporting that little or nothing had been done to support disadvantaged groups. For example, *“Local authorities and crisis headquarters formed in Bosnia and Herzegovina due to the COVID-19 pandemic ... did not have any actions related to migrants, national minorities, LGBT people ... There was no division of protective masks and hygienic-epidemiological funds, special protection or information measures, information in the language of migrants, health care, etc.”* – Bosnia and Herzegovina NGO.

Some NHRIs & EBs pointed to their existing structures and services to support victims of discrimination or to tackle hate crime and other abuses, while some NGOs highlighted their services which pre-dated the outbreak of COVID-19. Several Organisations described their calls for action or recommendations to governments, but did not provide evidence of these having been acted on or whether they had an impact.

Other respondents, however, were able to point to actions taken which they considered had had a positive impact on individuals or communities. The NGO webinar and the desk research²³ also provided good practice examples. The mapping study has not evaluated these examples.

6.1 Economic support for irregularly present migrants

- In Portugal in March 2020, residence status was granted to everyone with pending residence applications until 1 July 2020. Individuals granted permits on this basis were able to access healthcare and all other public services, including income support, on equal terms with any other permanent resident in Portugal.
- In Ireland, undocumented migrants were granted full access to social welfare and health care during COVID-19 outbreak. Undocumented workers who lost their employment due to the pandemic are eligible to apply to the Pandemic Unemployment Payment scheme (€350 per week for 12 weeks). This access and payment came with an assurance that no data would be shared with the authorities if an undocumented person accessed health or social support (i.e. there was a “firewall”) and it would have no impact on their status.
- In May, Italy adopted a regularisation programme with the potential to regularise a few hundred thousand undocumented agricultural workers, domestic workers and carers.
- In Albania, following a recommendation from the Commissioner for Protection from Discrimination in Albania the government invited informal self-employed workers to register as unemployed job seekers so that they could receive emergency payments. Also in Albania irregular migrants unable to leave the country due to the pandemic received shelter and access to services, including health services.

6.2 Active leadership

A number of the Organisations consulted provided examples of their organisation’s active leadership challenging the abuse of peoples’ rights arising from actions taken to deal with the pandemic.

23 For examples of good practice by Equality Bodies, see: [Equinet’s response to COVID-19 – Equinet \(equineteurope.org\)](#). There are other examples in the Fundamental Rights Agency’s bulletins, for example: “Coronavirus Pandemic in the EU – Fundamental Rights Implications”; and here: [Non-exhaustive overview of European government measures impacting undocumented migrants taken in the context of COVID-19.pdf \(picum.org\)](#). For migrants, see EU European Website on Integration: [COVID-19 impact on migrant communities](#)

- In the Slovak Republic the office of the Public Defender of Rights condemned the blanket closure of *“entire settlements or areas where marginalised Roma communities live”*, noting that *“the fundamental rights of the inhabitants and residents of these areas have been violated”*.
- The Spanish Defensor del Pueblo made a presentation to the Spanish Parliament on the protective actions carried out during the pandemic and solutions which had been proposed in all areas.
- The Public Defender (Ombudsman) of Georgia issued a statement in support of ethnically Azerbaijani people living in two municipalities which were locked down as a result of the spread of COVID-19. It also expressed concern about xenophobic attitudes towards these communities, in particular the discriminatory statements made by one public figure.
- Also in Georgia, the Public Defender emphasised the effect the pandemic was having on LGBT+ people noting: *“against the backdrop of the universal quarantine and state of emergency caused by the ... coronavirus, ... challenges have become more apparent, (and include) the lack of employment opportunities, increased risks of violence, problems of housing and food security. However, the social and economic needs of LGBT+ people are not considered in the anti-crisis economic plan. No other measures have been taken to improve their rights ..., which has a negative impact on their economic situation, health and quality of life”*.
- Following the Albanian government’s provision of financial aid which excluded people working in the informal sector, particularly affecting Roma people, the Commissioner for Protection from Discrimination issued two recommendations:
 - the first called for an expansion of the list of beneficiaries receiving financial assistance during the pandemic to include the self-employed, unemployed job-seekers and others
 - the second recommendation was to expand the list of people categorised as in need of housing assistance during the pandemic.
- The Serbian Protector of Citizens drew the attention of the authorities to the need for additional protective measures people residing in Roma settlements. Representatives of the Protector visited a number of different settlements to assess living conditions and residents’ need for additional assistance such as social benefits. With this data, the Protector drew up recommendations on the conditions in Roma settlements during the emergency and the implementation of protective measures.
- In Albania, the People’s Advocate recommended that, in addition to any central government interventions, all municipalities should implement ongoing measures to identify and address the needs of Roma and Egyptian families for food and basic assistance including disinfectant materials throughout the pandemic.

6.3 Adapting existing work to deliver services appropriately

A number of the Organisations, following the outbreak of COVID-19, took steps to adapt and improve their delivery of services for the five disadvantaged groups.

- In Italy the National Office against Racial Discrimination’s local action project was expanded to include the distribution of necessities like drinking water, food, sanitising gels, masks and hygiene products along with the provision of information and support to facilitate access by Roma to national measures.
- Echoing the Fundamental Rights Agency’s assessment that *“Roma health and education mediators played a critical role in facilitating Roma people’s access to information and basic services”*²⁴ during the pandemic, the International Roma Women Fund Chiricli, Ukraine and

24 [Coronavirus pandemic in the EU - Fundamental Rights Implications - Bulletin 4 | European Union Agency for Fundamental Rights \(europa.eu\)](#); p10

the Institute of Romani Culture in Albania highlighted the work of Roma mediators who provided translation and acted as vital links with the authorities to enable Roma citizens to access services.

- In Spain the Fundación Secretariado Gitano (FSG) provided remote, online learning support to families who had access to mobile phones or computers and posted printed materials to pupils at home. It created new educational resources and increased co-ordination with educational centres and teachers to help support pupils. FSG employment advisors made information available on new compulsory online administrative processes. They also provided information which enabled street vendors to access financial resources and urged government to ensure that such vendors were not adversely affected by the moratorium on social security payments.
- The Child Right's Centre Albania offered tablets and internet free of charge to Roma families required to educate their children at home.
- The Hatter Society, a Hungarian LGBTI organisation, collaborated with other NGOs to strengthen the capacity of local actors to address hate crime, monitor hate speech and help victims access legal aid, including trans people who are affected by the ban on gender recognition.
- In the United Kingdom, the Africa Advocacy Foundation launched a Community Hub to support the mental and physical health of Black, Asian and minority ethnic communities during the COVID-19 pandemic.

6.4 Improving communities with minorities

Good practice examples in communication included:

- Recognising the lack of internet access, a Slovak NGO distributed leaflets in Roma and Hungarian to inform local Roma communities how to protect themselves from COVID-19;
- Organising the translation of information materials on COVID-19 into minority languages - The Albanian Commissioner for Protection from Discrimination;
- Providing online radio station podcasts in Roma, Albanian and English in Albania; the national television station broadcasts programmes in the Roma language (although it was noted that there is a lack of Roma representation in such initiatives);
- Facilitating the presentation of the news in sign language in Bosnia and Herzegovina;
- Providing a podcast on Frequency Asked Questions on COVID-19 in a range of minority languages – Solidarity Now, Greece;
- Production of English, Romanian and Polish language guides on COVID-19 for rough sleepers – UK organisations Groundswell and Homeless Link, United Kingdom;
- Posting a series of videos and resources to raise awareness about COVID-19 among informal settlements of migrants at the southern Spanish border – Fundación Cepaim, Spain.

6.5 Collaboration between NGOs, National Human Rights Institutions and Equality Bodies

Respondents highlighted the importance of working in partnership with different stakeholders in civil society.

- In the United Kingdom, the Equality and Human Rights Commission reported that it has benefited greatly from collaborative work with NGOs which has resulted in more effective, targeted information and campaigns. One example of this is the Commission's good practice guide for retailers on making services accessible for disabled and/or older customers which it developed along with stakeholders. Another example is the "*where is the interpreter campaign*" supported by disabled activists in response to the UK government's failure to provide British Sign Language at its Covid-19 briefings.

- The Spanish Equality Body collaborated with local NGOs on issuing a press release on how authorities should avoid scapegoating Roma and other minorities as a result of the pandemic.

6.6 Providing legal advice and information

Responding to the restrictions and limitations of rights which were imposed by governments, there was a need for legal advice and information.

- In Bosnia and Herzegovina, the BH Journalists Association, an umbrella association of journalists and media professionals, provided free legal aid in response to 29 different incidents including attacks, hate speech and pressure on journalists and media freedom. It conducted research into the impact of COVID-19 on the media community, made free psychological help available for journalists and media teams, and distributed 8,000 protective masks, gloves and hygiene products to around one hundred media workers.
- In Georgia, the Tolerance and Diversity Institute made public statements about human rights violations and provided legal advice to migrants, ethnic and religious minorities about their rights during the pandemic, including on issues such as accessing state services, information about state regulations affecting migrants, and the monitoring of hate crime incidents.
- The Public Defender in Georgia issued Frequently Asked Questions bulletins about human rights standards during the pandemic. Topics covered include access to state compensation and information about fines as *"hundreds of citizens have been fined for violating the isolation and/or quarantine rules after the state of emergency was declared ..."*
- The Federal Anti-Discrimination Agency in Germany mediated compromises for disabled people by engaging with retail associations and publishing Frequently Asked Questions.

6.7 LGBTI

ILGA-Europe received reports of active adoption by civil society of online services and support programmes; examples of good practice also came from service providers and governments directly.

- In Spain, doctors working with people living with HIV proactively reached out to their patients online to continue health services; the government prepared targeted online resources for LGBTI people during the COVID-19 crisis.
- The Maltese government made HIV self-testing kits available due to closure of local clinics.
- In Portugal, some health services contacted LGBTI NGOs for guidance on working with LGBTI people or asked to share their contacts, and the National Health Line added psychologists to its providers, in addition to nurses and other doctors previously involved, and asked LGBTI organisations to be on the referrals list for the service.
- In the United Kingdom and Italy, the pandemic also served to bring attention to the issue of homelessness among LGBTI people, including LGBTI youth; in Italy municipal housing was made available to LGBTI people during the pandemic and some domestic violence safe houses in Italy were opened to LGBTI.

6.8 Other examples of good practice

These include:

- The Institution of Human Rights Ombudsmen of Bosnia and Herzegovina recommended

that public authorities and postal services do not reveal medical information on the envelopes addressed to persons infected with COVID-19 virus.

7.0 Conclusions and recommendations

It is clear that some of the measures taken by the authorities in response to COVID-19 have breached human rights standards; discriminatory responses have been exposed which have disproportionately impacted on, and violated the rights of, people already exposed to discrimination and intolerance. These range from the indiscriminate lock down of entire Roma settlements, to the exclusion of informal-sector workers from emergency payments, and the lack of potentially life-saving information in appropriate formats and languages.

This mapping study has highlighted the challenges the Organisations have faced as a result of COVID-19 in addressing discrimination, hate speech and hate crime affecting the five disadvantaged groups.

Drawing on their knowledge of responding to the needs of these groups which have been exposed by COVID-19, the participants have provided creative suggestions and identified steps the NHSCU could take to support them to meet these challenges.

The NHRIs & EBs highlighted the need for guidance for member states on how to fulfil their duties to protect human rights and equality while responding to emergencies such as COVID-19. The NGO webinar participants focused in particular on barriers to accessing services which have been created by measures to deal with the pandemic, making practical suggestions on working more effectively with local authorities on delivering services, improving communication with minority language speakers, supporting the work of Roma mediators and engaging young people in the fight against hate speech.

Examples of good practice included the leadership shown by NHRIs & EBs to challenge their governments' responses where these infringed citizens' rights, the Organisations adapting to deliver their services more appropriately, and good collaboration between NHRIs & EBs and NGOs.

The contributions of the Organisations to the mapping study consultation have provided valuable information on how the NHSCU and other services/bodies of the Council of Europe might support them and others to meet the challenges identified. This is reflected in the following recommendations.

7.1 Training for public authorities

In collaboration with public authorities and NGOs, provide opportunities for training on:

1. Council of Europe and other international anti-discrimination standards, human rights, anti-Gypsyism and no-hate speech/hate crime methodology for all those in the criminal justice system, public officials, including those providing services to the public, and teacher training institutions
2. Communication skills for public officials and representatives to improve engagement with disadvantaged groups, such as Roma and other minority groups, at national and local level
3. Roma culture and traditions for public administration employees and how to communicate effectively with members of the Roma community
4. Encouraging synergies between NGOs and NHRIs & EBs when conducting inquiries into discrimination and human rights abuses.

7.2 Training for NGOs

In collaboration with NGOs, provide opportunities for training on:

1. Advocacy skills to improve working with the police and authorities at local level, particularly social services, to deliver more effective services to disadvantaged groups and improve understanding of their needs
2. Running effective awareness raising, publicity, information and other campaigns
3. Working with the media, including social media, to educate the public on addressing hate speech and hate crime
4. Developing minority language media to enhance effective communication with national minorities/minority language speakers
5. Engaging young people to challenge hate speech and prejudice
6. Anti-discrimination legislation, human rights standards, mediation skills and mechanisms for online monitoring of hate speech and hate crime for Roma mediators and other minority groups' volunteers.²⁵

7.3 Cross country/peer-to-peer projects

1. Forge links between NGOs to share experiences and good practices
2. Create training and networking opportunities to share good practice learnt from responses to the pandemic and ensure that where NGOs have expertise on, for example, the media or cooperating with minority representatives or Roma mediators, that they lead the training.

7.4 General Policy Recommendations

1. Implementation of General Policy Recommendation No.2 on strengthening the capacities of equality bodies to combat racism and intolerance at national level²⁶
2. Implementation of General Policy Recommendation No. 15 on combating hate speech.²⁷

7.5 Guidelines

Disseminate and widely promote existing general guidance to member states^{28 29} and produce and adapt to the national context guidance on the following:

1. Permissible derogation from human rights when implementing emergency measures and the duty of states to ensure that measures taken during emergencies such as COVID-19 are lawful, time limited, necessary and proportionate to the evaluated risk, and are regularly reviewed
2. Promotion and protection of equality and ensuring equal treatment irrespective of citizenship/ethnicity and other personal characteristics in relation to emergency restrictions arising from COVID-19
3. Avoidance of indirect discrimination during emergencies such as COVID-19;
4. Duty of states to take positive measures to protect the rights of disadvantaged groups during emergencies such as COVID-19
5. Extent of legitimate interference with freedom of movement, in particular with regard to the use and monitoring of COVID-19 tracking apps
6. Right of access to healthcare, especially sexual and reproductive rights, and the extent of

25 [Recommendation CM/Rec\(2020\)2 of the Committee of Ministers to member States on the teaching of Roma history](#)

26 ECRI GPR No.2 on [Equality bodies to combat racism and intolerance at national level](#)

27 [ECRI General Policy Recommendation N°15 \(coe.int\)](#)

28 See for example: <https://www.coe.int/en/web/portal/-/coronavirus-guidance-to-governments-on-respecting-human-rights-democracy-and-the-rule-of-law>

29 And also the Council of Europe dedicated portal: <https://www.coe.int/en/web/portal/covid-19>

legitimate restrictions on such rights during emergencies such as COVID-19

7. Right to freedom of expression and avoiding stereotyping and inaccurate reporting in the media and social networks about migrants, ethnic/national minorities and Roma people
8. Monitoring and reporting COVID-19-related hate speech and hate crime to national authorities
9. Conduct of equality impact assessments
10. Collection and use of personal data.

7.6 Research topics

1. Analysis of the use and effectiveness of public aid, financial or other support and the delivery of public services for disadvantaged groups during the pandemic and its aftermath
2. Analysis of the impact of COVID-19 on the five disadvantaged groups and how the structural inequalities they already experience have increased
3. Assessment of the rise of online hate speech related to COVID-19
4. Evaluation of the concept of 'good practice' through a comparative study on the quality and impact of assistance and interventions made by NHRIs & EBs
5. Assessment of the effect of the pandemic on member states' compliance with their human rights obligations.

7.7 Role of the Council of Europe

The mapping study participants made several suggestions for further actions which the Council of Europe could take to support their work.

1. Recommend that the relevant authorities appoint nominated individuals as contact points within the prosecution and police services to whom disadvantaged groups can turn for assistance with complaints about discrimination and human rights abuses.
2. Support the development of collaborative projects with police authorities and disadvantaged communities on recognising, reporting and challenging hate speech and hate crime
3. Support the development of third-party reporting mechanisms on hate speech and hate crime
4. Support the empowerment of disadvantaged groups and young people to recognise and report discrimination, hate crime and hate speech to the authorities, including by working with relevant civil society organisations
5. Promote and make more visible the Council of Europe's concerns about disadvantaged groups in each country and work with NGOs to assist them use this concern as an advocacy tool and to improve awareness among the general public
6. Expand the ECRI NGO networks through the Anti-discrimination Department's cooperation activities to strengthen and broaden links with NGOs at grass roots level in order to channel to member states and other international organisations their experience of advocating for the protection of the human rights of disadvantaged groups
7. Support the organisation of campaigns to prevent and combat anti-Gypsyism and other forms of stigmatisation against disadvantaged groups related to COVID-19
8. Support the expansion of the network of Roma ambassadors and mediators and assist them with training and networking opportunities
9. Promote at teacher training institutions curricula challenging all forms of hate speech (such as anti-Gypsyism, hatred against Muslim communities and antisemitism) conducive to hate crime
10. Consult Council of Europe member states through appropriate intergovernmental committees on a draft action plan emerging from this mapping study.

If societies are to remain stable and cohesive then economic and social measures taken by the authorities to deal with the impact of COVID-19 must be grounded in human rights and the fundamental principle of equality and not be allowed to entrench and create further inequality in society. Differential and discriminatory approaches by governments to the allocation of resources, to accessing medical treatment, vaccines, employment, education and services will only worsen the impact of the crisis and delay society's recovery from its negative impact.

The recommendations above provide a potential framework for future cooperation programmes of the NHSCU and other relevant services within the Anti-discrimination Directorate of the Council of Europe. Following further consultation with donors and partners (see recommendation 7.7.10) the findings and proposals of this study could offer a road map for taking forward the Council of Europe's support for NHRIs, EBs and NGOs working with disadvantaged communities dealing with the COVID-19 pandemic and its aftermath.

APPENDIX A

Council of Europe's No Hate Speech and Co-operation Unit's survey mapping the evolving needs of Equality Bodies to address discrimination, hate speech and hate crime highlighted by the COVID-19 pandemic

Survey on the impact of the COVID-19 crisis on Roma and Travellers, members of Jewish and Muslim communities, irregularly present migrants, LGBTI people, and national minorities/minority language speakers.

1. Name of your organisation
2. List the issues highlighted or exposed by COVID-19 which **Roma and Travellers** are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.
 - Recession/unemployment
 - Access to social security
 - Access to basic facilities e.g. clean water; sewage systems; hygiene etc.
 - Hate crime
 - Hate speech
 - Biased, hostile media reporting
 - Policing and criminal justice
 - Access to health services
 - Access to housing and accommodation services
 - Access to education
 - Access to goods and services; if selected, specify which goods and services in text box below
 - Abuse of other human rights and freedoms; if selected, specify which human rights in text box below.
3. If you selected "goods and services" where access has been adversely affected, please specify which ones.
4. If you selected "abuse of other human rights and freedoms" above, please specify which ones.
5. Please give one striking example of how, as a result of the COVID-19 pandemic, an issue mentioned above has affected Roma and Travellers.
6. List the issues highlighted or exposed by COVID-19 which **Muslim and Jewish communities** are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.
 - Recession/unemployment
 - Access to social security
 - Hate crime
 - Hate speech
 - Biased, hostile media reporting
 - Policing and criminal justice
 - Access to health services
 - Access to housing services
 - Access to education
 - Access to goods and services; if selected, specify which goods and services in text box below
 - Abuse of other human rights and freedoms; if selected, specify which human rights in text box below
7. If you selected "goods and services" where access has been adversely affected, please specify which ones.
8. If you selected "abuse of other human rights and freedoms" above, please specify which ones.

9. Please give one striking example of how, as a result of the COVID-19 pandemic, an issue mentioned above has affected members of the Muslim and/or Jewish communities.
10. List the issues highlighted or exposed by COVID-19 which **irregularly present migrants** are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.
 - Recession/unemployment
 - Access to social security
 - Access to basic facilities e.g. clean water; sewage systems; hygiene etc.
 - Hate crime
 - Hate speech
 - Biased, hostile media reporting
 - Policing and criminal justice
 - Access to health services
 - Access to housing services
 - Access to education
 - Access to goods and services; if selected, specify which goods and services in text box below
 - Abuse of other human rights and freedoms; if selected, specify which human rights in text box below.
11. If you selected “goods and services” where access has been adversely affected, please specify which ones.
12. If you selected “abuse of other human rights and freedoms” above, please specify which ones.
13. Please give one striking example of how, as a result of the COVID-19 pandemic, an issue mentioned above has affected irregularly present migrants.
14. List the issues highlighted or exposed by COVID-19 which **LGBTI** people are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.
 - Recession/unemployment
 - Access to social security
 - Hate crime
 - Hate speech
 - Biased, hostile media reporting
 - Policing and criminal justice
 - Access to health services
 - Access to housing services
 - Access to education
 - Access to goods and services; if selected, specify which goods and services in text box below
 - Abuse of other human rights and freedoms; if selected, specify which human rights in text box below
15. If you selected “goods and services” where access has been adversely affected, please specify which ones.
16. If you selected “abuse of other human rights and freedoms” above, please specify which ones.
17. Please give one striking example of how, as a result of the COVID-19 pandemic, an issue mentioned above has affected LGBTI people.
18. List the issues highlighted or exposed by COVID-19 which **national minorities/ minority language speakers** are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.
 - Recession/unemployment
 - Access to social security
 - Hate crime
 - Hate speech

- Biased, hostile media reporting
- Policing and criminal justice
- Access to health services
- Access to housing services
- Access to education
- Access to goods and services; if selected, specify which goods and services in text box below
- Abuse of other human rights and freedoms; if selected, specify which human rights in text box below

19. If you selected “goods and services” where access has been adversely affected, please specify which ones.

20. If you selected “abuse of other human rights and freedoms” above, please specify which ones.

21. Please give one striking example of how, as a result of the COVID-19 pandemic, an issue mentioned above has affected national minorities/ minority language speakers

22. In this question, the Council of Europe’s Anti-Discrimination department is seeking your help to identify how it can best provide you with assistance to address the issues arising from COVID-19 which you have prioritised above. Rank your choices in descending order of importance. 1 is the top priority.

- Support in lobbying for improvements in equality & anti-discrimination laws and a stronger mandate in order to effectively respond to issues arising from COVID- 19
- Support in lobbying for the implementation of statutory equality duties on public sector employers and service providers to avoid discrimination and promote equality and good relations when carrying out their functions in response to the COVID-19 pandemic
- Support in lobbying for improved enforcement powers in order to effectively respond to the impact of the COVID-19 pandemic
- Guidance on the conduct of equality impact assessments and analysis
- Guidance for member states on how to address the following issues: ensuring minimum equality standards vs strictly necessary derogations when implementing emergency measures; avoiding indirect discrimination in states’ responses to the pandemic; securing equal access to services; positive action; avoiding threats posed by the use of artificial intelligence in measures to control the spread of COVID-19, etc. Specify which would be most useful in the comment box at Q23 below
- Guidance for member states on protecting groups’ rights to equality and non-discrimination in response to the impact of COVID-19; e.g. Roma women, LGBTI; anti-Muslim hate speech
- Guidance for member states on upholding human rights when responding to the impact of COVID-19
- Guidance for member states on inclusive processes and engaging with minority communities when responding to the impact of COVID-19
- Guidance for member states on data collection and its use in assessing and addressing the impact of COVID-19
- Guidance and/or training on challenging hate speech and developing positive relationships with the media
- Promotion & communication materials on avoiding discrimination to assist public and private actors in their responses to COVID-19
- Promotion & communication materials on protecting human rights to assist public and private actors in their responses to COVID-19
- Educational materials on avoiding discrimination to assist public and private actors in their responses to COVID-19
- Educational materials on protecting human rights to assist public and private actors in their responses to COVID-19

- Conference opportunities to share experiences of dealing with issues relating to the impact of COVID-19.
23. If you selected “guidance for member states with practical examples how to address particular issues”, please specify what guidance you would find most useful.
 24. Give examples of cross-country projects which would benefit your organisation in addressing discrimination, hate speech and hate crime arising from the COVID-19 pandemic
 25. Give examples of topics linked to the need to address discrimination, hate speech or hate crime arising from emergencies such as the COVID-19 pandemic which require further research by the Council of Europe
 26. Give examples of new Council of Europe General Policy Recommendations for member states on topics related to responding to emergencies such as COVID-19 which your organisation would find helpful
 27. Are there other issues not mentioned above?
 28. Please identify examples of good practice by your organisation or member state which help protect vulnerable minorities from discrimination, hate speech or hate crime linked to COVID-19. Please provide links to relevant information
 29. Thank you for completing the survey. Please give an email address and telephone number for follow up contact, if required

APPENDIX B

Council of Europe's No Hate Speech and Co-operation Unit's survey mapping the evolving needs of NGOs to address discrimination, hate speech and hate crime highlighted by the COVID-19 pandemic

Survey on the impact of the COVID-19 crisis on Roma and Travellers, members of Jewish and Muslim communities, irregularly present migrants, LGBTI people, and national minorities/minority language speakers.

1. Country
2. Name of your organisation
3. List the issues highlighted or exposed by COVID-19 which **Roma and Travellers** are dealing with. Rank your top 5 priorities in order of importance; 1 is the top priority.
 - Recession/unemployment
 - Access to social security
 - Access to basic facilities e.g. clean water; sewage systems; hygiene etc.
 - Hate crime
 - Hate speech
 - Biased, hostile media reporting
 - Policing and criminal justice
 - Access to health services
 - Access to housing and accommodation services
 - Access to education
 - Access to goods and services; if selected, specify which goods and services in text box below
 - Abuse of other human rights and freedoms; if selected, specify which human rights in text box below
4. If you selected "goods and services" where access has been adversely affected, please specify which ones.
5. If you selected "abuse of other human rights and freedoms" above, please specify which ones.
6. List the issues highlighted or exposed by COVID-19 which Muslim and Jewish communities are dealing with. Rank your top 5 priorities in order of importance; 1 is the top priority.
 - Recession/unemployment
 - Access to social security
 - Hate crime
 - Hate speech
 - Biased, hostile media reporting
 - Policing and criminal justice
 - Access to health services
 - Access to housing services
 - Access to education
 - Access to goods and services; if selected, specify which goods and services in text box below
 - Abuse of other human rights and freedoms; if selected, specify which human rights in text box below
7. If you selected "goods and services" where access has been adversely affected, please specify which ones.
8. If you selected "abuse of other human rights and freedoms" above, please specify which ones.
9. List the issues highlighted or exposed by COVID-19 which irregularly present migrants are dealing with. Rank your top 5 priorities in order of importance; 1 is the top priority.

- Recession/unemployment
- Access to social security
- Access to basic facilities e.g. clean water; sewage systems; hygiene etc.
- Hate crime
- Hate speech
- Biased, hostile media reporting
- Policing and criminal justice
- Access to health services
- Access to housing services
- Access to education
- Access to goods and services; if selected, specify which goods and services in text box below
- Abuse of other human rights and freedoms; if selected, specify which human rights in text box below

10. If you selected “goods and services” where access has been adversely affected, please specify which ones.

11. If you selected “abuse of other human rights and freedoms” above, please specify which ones.

12. List the issues highlighted or exposed by COVID-19 which LGBTI people are dealing with. Rank your top 5 priorities in order of importance; 1 is the top priority.

- Recession/unemployment
- Access to social security
- Hate crime
- Hate speech
- Biased, hostile media reporting
- Policing and criminal justice
- Access to health services
- Access to housing services
- Access to education
- Access to goods and services; if selected, specify which goods and services in text box below
- Abuse of other human rights and freedoms; if selected, specify which human rights in text box below

13. If you selected “goods and services” where access has been adversely affected, please specify which ones.

14. If you selected “abuse of other human rights and freedoms” above, please specify which ones.

15. List the issues highlighted or exposed by COVID-19 which national minorities/ minority language speakers are dealing with. Rank your top 5 priorities in order of importance; 1 is the top priority.

- Recession/unemployment
- Access to social security
- Hate crime
- Hate speech
- Biased, hostile media reporting
- Policing and criminal justice
- Access to health services
- Access to housing services
- Access to education
- Access to goods and services; if selected, specify which goods and services in text box below
- Abuse of other human rights and freedoms; if selected, specify which human rights in

text box below

16. If you selected “goods and services” where access has been adversely affected, please specify which ones.
17. If you selected “abuse of other human rights and freedoms” above, please specify which ones.
18. Please provide some striking examples of how, as a result of the COVID-19 pandemic, an issue mentioned above has affected Roma and Travellers, members of Muslim and Jewish communities, irregularly present migrants, LGBTI people, or national minorities/ minority language speakers.

19. The Council of Europe’s Anti-Discrimination Department is seeking your help to identify how it can best provide your organisation with assistance to address the issues arising from the COVID-19 pandemic which you have prioritised above. Rank your top 5 choices in order of importance. 1 is the top priority.

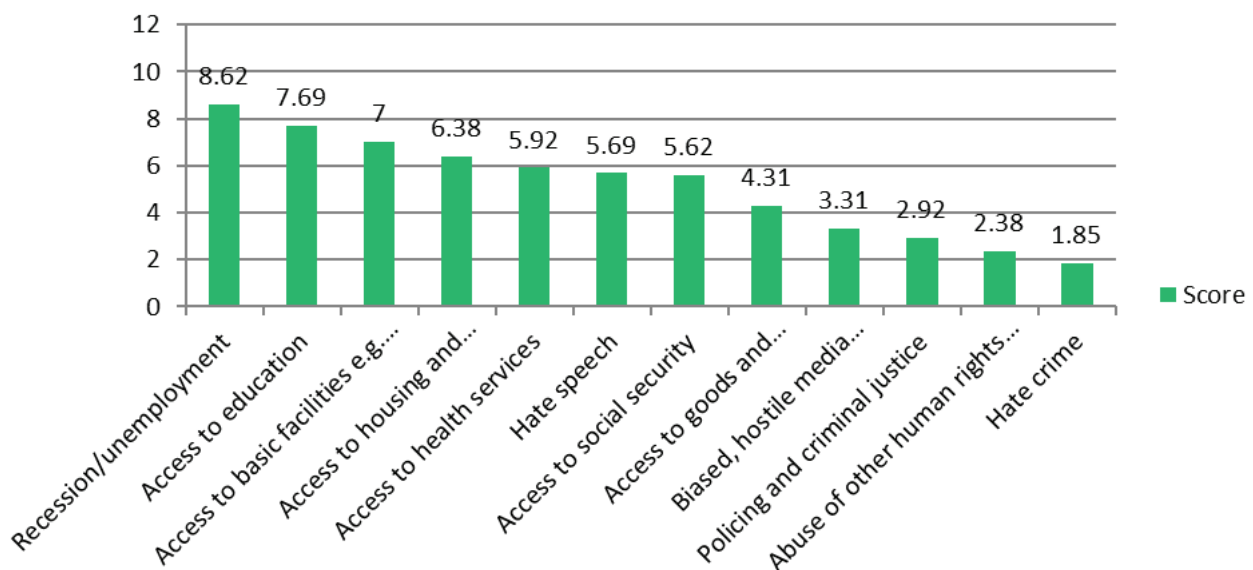
- Training on anti-discrimination law and Council of Europe standards relevant to the COVID-19 pandemic
- Projects to strengthen the capacity and commitment of policing and criminal justice agencies to implement Council of Europe anti-discrimination standards relevant to the impact of the COVID-19 pandemic
- Training on effective working with local authorities to improve provision of support for particular minority groups during emergencies such as the COVID-19 pandemic
- Training on monitoring and addressing hate speech, hate crime and discrimination arising from the COVID-19 pandemic
- Training on how to better engage with Council of Europe country monitoring reports which address the impact of the COVID-19 pandemic
- Training on lobbying for the implementation of Council of Europe recommendations and using the country reports to improve member states’ responses to the COVID-19 pandemic while protecting human rights
- Training on developing and implementing information campaigns for the public and/ or particular minority groups during the COVID-19 pandemic
- Online networking forum facilitated by the Council of Europe’s Anti-Discrimination Department to share experiences and good practices related to the COVID-19 pandemic
- Rapid-response online forum facilitated by the Council of Europe’s Anti-Discrimination Department for NGOs to obtain legal opinions on hate speech, hate crime and discrimination issues arising from the COVID-19 pandemic
- Conference opportunities to share experiences and good practice related to the COVID-19 pandemic
- Peer-to-peer projects to share experiences and good practice related to the COVID-19 pandemic
- Increase synergies and ways to cooperate with Equality Bodies to address the impact of the COVID-19 pandemic
- Legislative review of member states’ compliance with EU and Council of Europe anti-discrimination standards in their responses to the COVID-19 pandemic

20. Are there other ways, not mentioned above, in which the Council of Europe's Anti-Discrimination Department could assist your organisation on COVID-19 related hate speech, hate crime and discrimination issues?
21. Identify examples of good practice by your organisation or member state which help protect vulnerable minorities from discrimination, hate speech or hate crime linked to the COVID-19 pandemic. Please provide links to relevant information.
22. Thank you for completing the survey. Please provide your name and contact email address for follow up, if required.

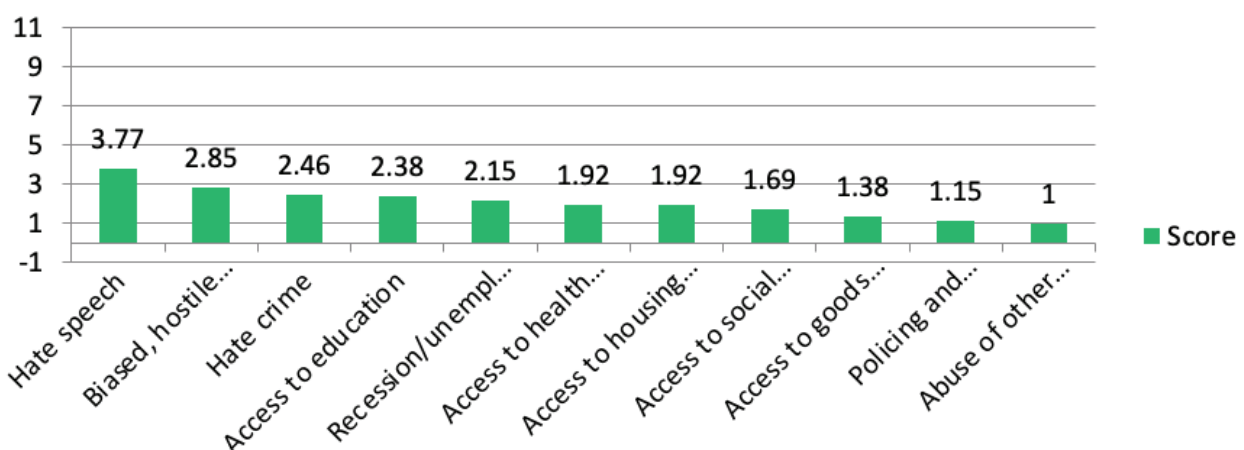
APPENDIX C

NHRI & EQUALITY BODY SURVEY QUESTIONNAIRE RESPONSES ON THE ISSUES FACING THE FIVE DISADVANTAGED GROUPS

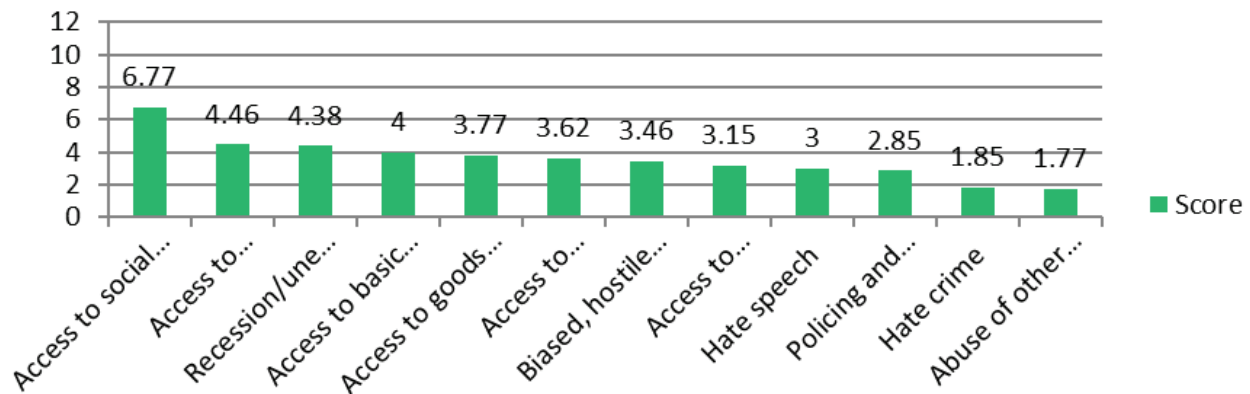
List the issues highlighted or exposed by Covid 19 which Roma and Travellers are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.



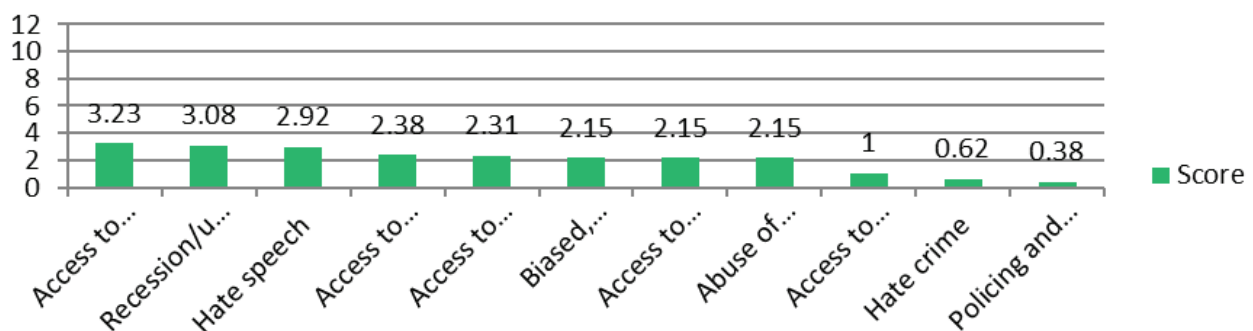
List the issues highlighted or exposed by Covid 19 which Muslim and Jewish communities are dealing with; rank in order of importance.



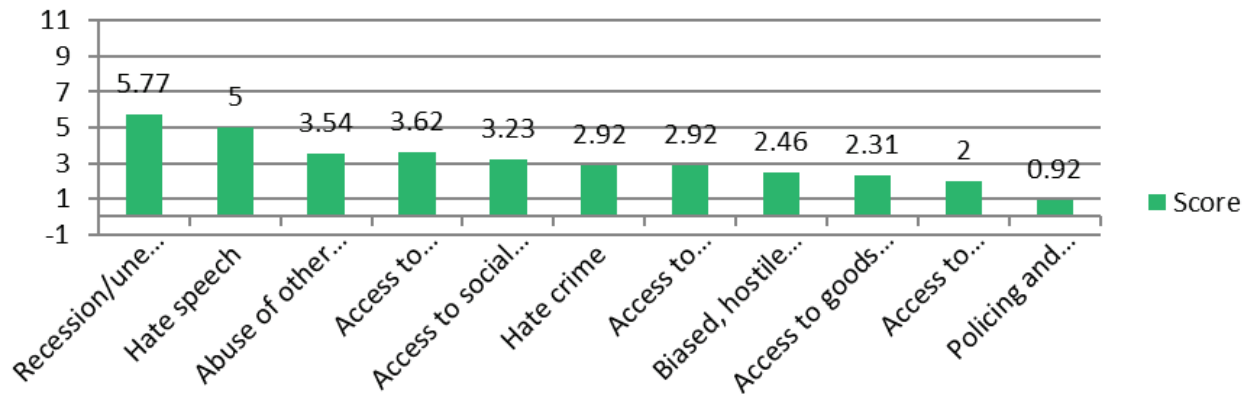
List the issues highlighted or exposed by Covid 19 which irregularly present migrants are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.



List the issues highlighted or exposed by Covid 19 which national minorities/ minority language speakers are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.

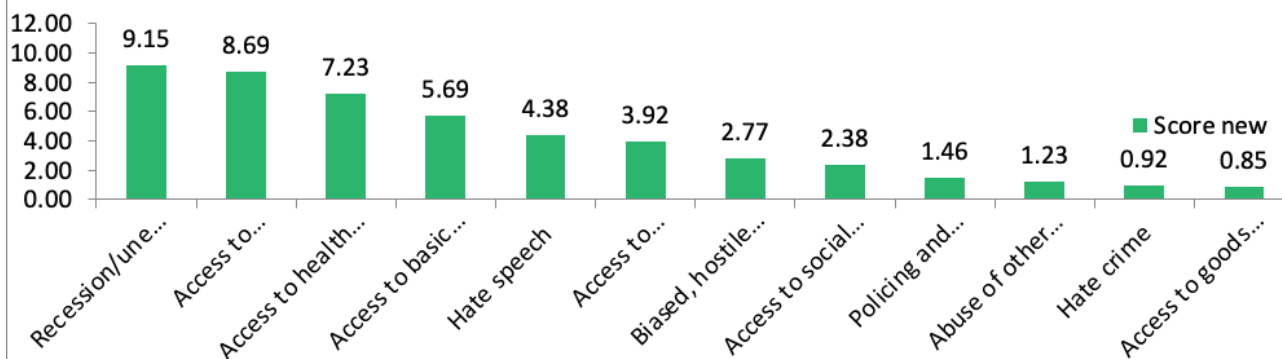


List the issues highlighted or exposed by Covid 19 which LGBTI people are dealing with. Rank your top priorities in descending order of importance; 1 is the top priority.

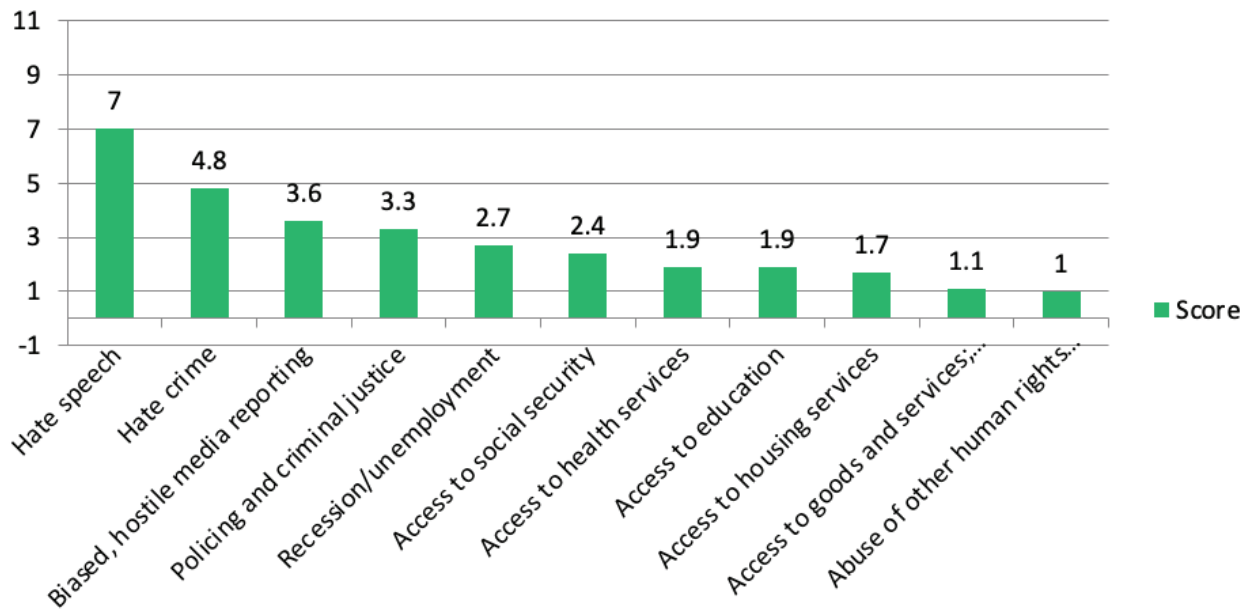


NGO SURVEY QUESTIONNAIRE RESPONSES ON ISSUES FACING THE FIVE DISADVANTAGED GROUPS

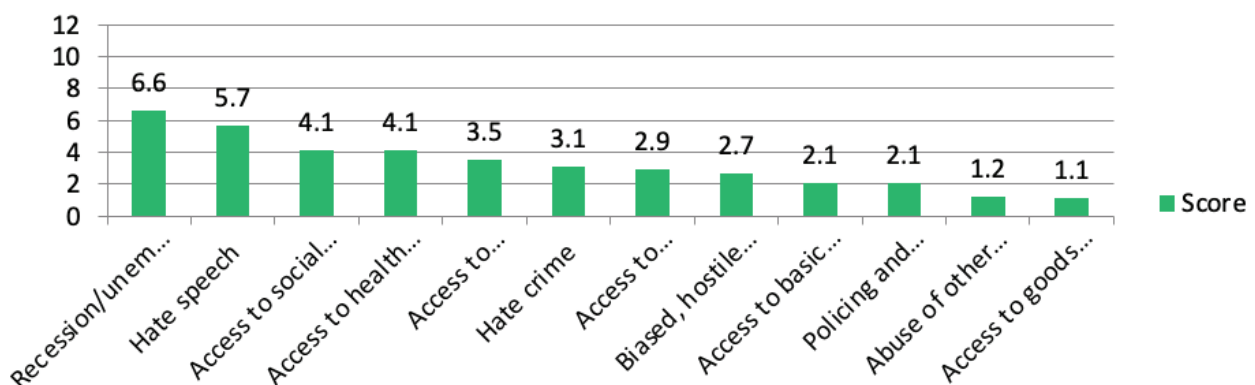
List the issues highlighted or exposed by COVID-19 which Roma and Travellers are dealing with; rank in order of importance.



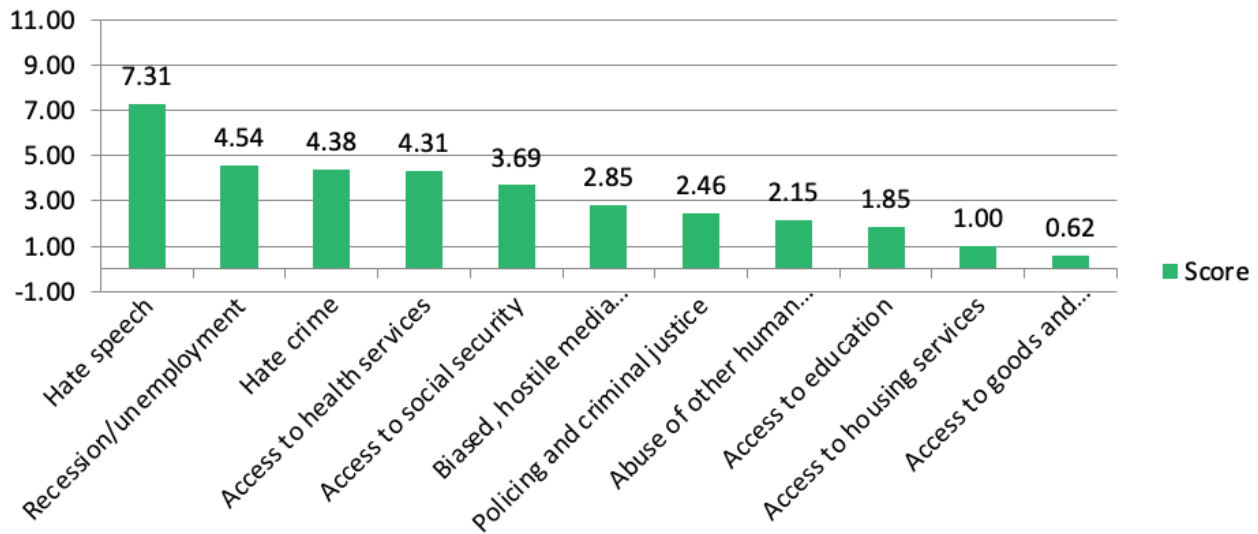
List the issues highlighted or exposed by COVID-19 which Muslim and Jewish communities are dealing; rank in order of importance.



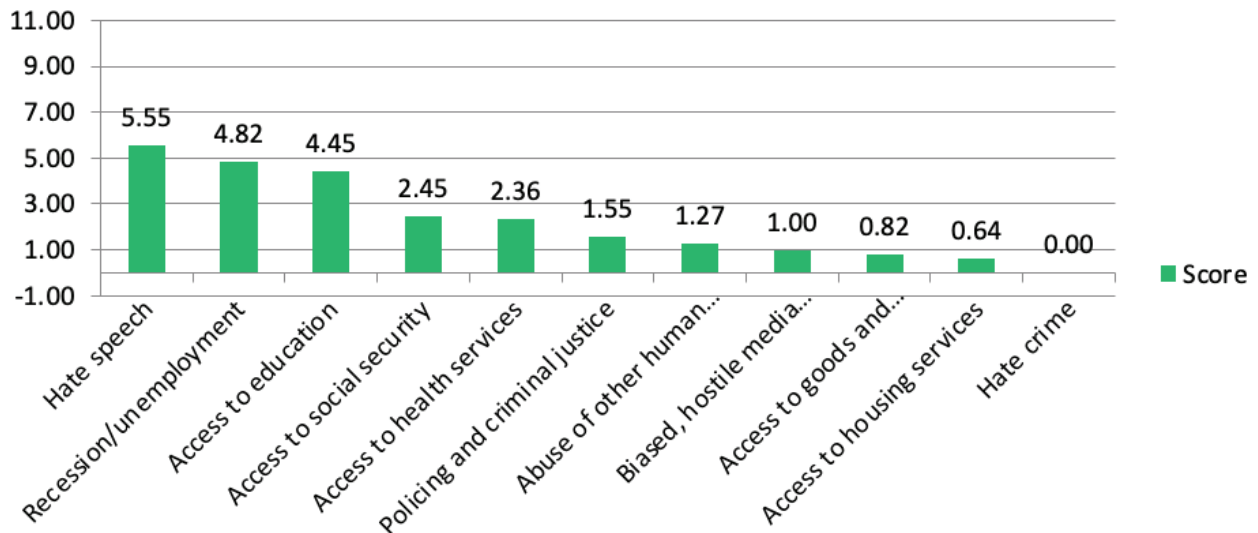
List the issues highlighted or exposed by COVID-19 which irregularly present migrants are dealing with in order of importance



List the issues highlighted or exposed by COVID-19 which LGBTI people are dealing rank in order of importance.

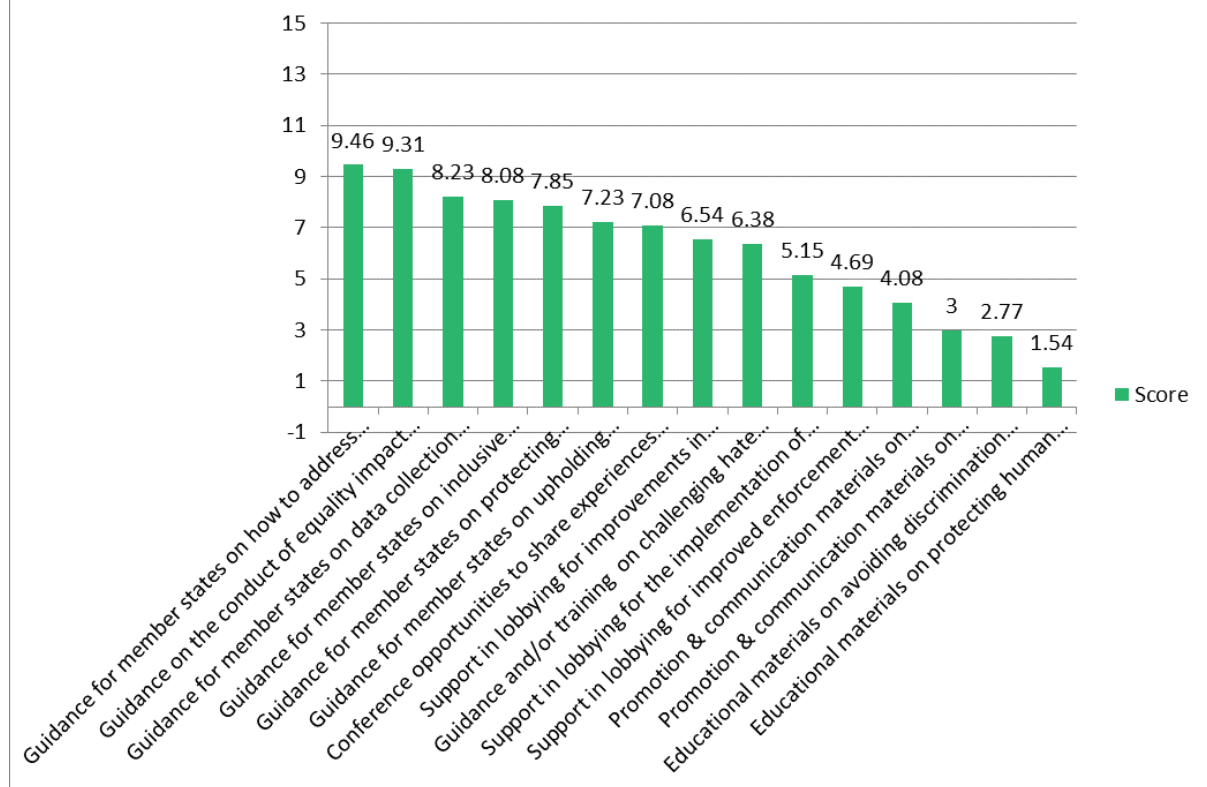


List the issues highlighted or exposed by COVID-19 which national minorities/ minority language speakers are dealing with; rank in order of importance.



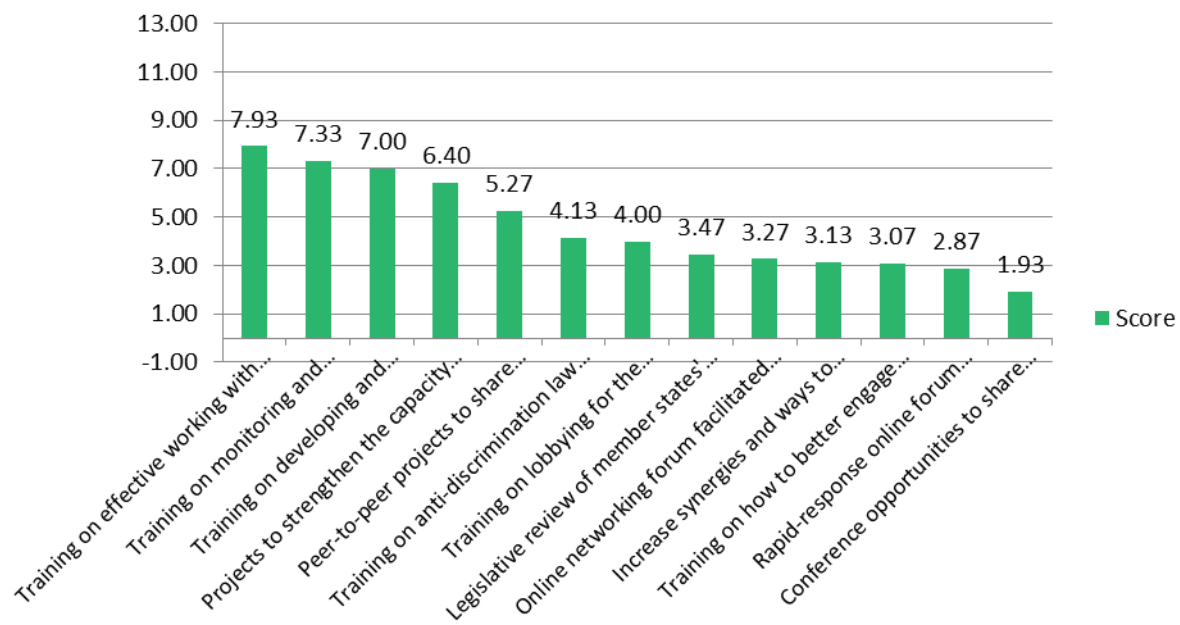
NHRI & EQUALITY BODIES' SURVEY RESPONSES ON POTENTIAL ACTIONS BY THE COUNCIL OF EUROPE:

In this question, the CoE's Anti-Discrimination department is seeking your help to identify how it can best provide you with assistance to address the issues arising from Covid 19 which you have prioritised above.



NGOs' SURVEY RESPONSES ON POTENTIAL ACTIONS BY THE COUNCIL OF EUROPE:

The CoE's Anti-Discrimination Department is seeking your help to identify how it can best provide your organisation with assistance to address the issues arising from the Covid-19 pandemic which you have prioritised above.



APPENDIX D

Agenda for the Council of Europe NGO webinar, 22 October 2020, 11.00 – 13.00 CET COVID-19 pandemic: challenging threats to non-discrimination, diversity and inclusion

Concept note

The COVID-19 pandemic poses an unprecedented threat to health across the world. States have a duty to ensure public health and safety and are under pressure to take drastic measures. While there can be no question as to the need to act quickly to curb the spread of the virus, this pandemic has exacerbated existing inequalities and problems faced by disadvantaged groups, such as in access to health care, to welfare services, to education and to employment.

The No Hate Speech and Co-operation Unit (NHSCU) of the Council of Europe's Anti-Discrimination Department is conducting a mapping study of the evolving needs of Equality Bodies and NGOs to address discrimination, hate speech and hate crime following the COVID-19 pandemic.

The study is focusing on the impact of the COVID-19 pandemic on specific groups or communities, namely Roma and Travellers, members of Jewish and Muslim communities, irregularly present migrants, LGBTI people and national minorities/minority language speakers. It will seek to highlight issues of racism and discrimination, xenophobia, anti-Semitism/Islamophobia and intolerance affecting these disadvantaged groups and to identify examples of good practice.

In September 2020, a sample of NGOs, National Human Rights and Equality Bodies across the Council of Europe were invited to complete an online survey. The survey aims to better understand the range of discrimination issues which they consider have been highlighted or exposed by the pandemic, to highlight examples of good practice and to identify how the NHSCU can work with both Equality Bodies and NGOs to support them in the fight against discrimination.

The webinar aims to complement the online survey by exploring in group discussion how the NHSCU can work with NGOs to support them to respond to discrimination issues in the context of the COVID-19 pandemic.

Agenda

videoconferencing through BLUEJEANS

11.00

Opening

Stefano Valenti, Head of No Hate Speech and Cooperation Unit, Anti-discrimination Department, Council of Europe

11.05

Presentation on the Council of Europe study mapping the evolving needs of Equality Bodies and NGOs to address discrimination, hate speech and hate crime following the COVID-19 pandemic & preliminary survey results.

Geraldine Scullion, Council of Europe consultant

1.20 Break out group discussions exploring:

- how the NHSCU can work with NGOs to support them to respond to discrimination issues in the context of the COVID-19 pandemic; the four key areas for action in the NGO survey question were:
 1. Training on effective working with local authorities to improve provision of support for particular minority groups during emergencies such as the COVID-19 pandemic.
 2. Training on monitoring and addressing hate speech, hate crime and discrimination arising from the COVID-19 pandemic.
 3. Training on developing and implementing information campaigns to the public and/or particular minority groups during the COVID-19 pandemic.
 4. Projects to strengthen the capacity and commitment of policing and criminal justice agencies to implement Council of Europe anti-discrimination standards relevant to the impact of the COVID-19 pandemic.

- promising practices among NGOs in response to the pandemic's impact on equality and the human rights of disadvantaged and minority communities in Europe.

1.20 Plenary feedback and discussion

- Report back from the break-out groups
- Discussion on potential areas to engage and strengthen the response to the COVID-19 crisis, including by the NHSCU and national actors, and potential for co-operation towards a multi-stakeholder approach.

1.50 Conclusions *Stefano Valenti*

Participants:

Name	Organisations	Counties
Altin HaG32izaj	Institute of Romani Culture in Albania & Pink Embassy	Albania
Javier Sáez	Fundación Secretariado Gitano	Spain
Darko Pandurević	Sarajevo Open Centre	Bosnia and Herzegovina
Kirs Eszter	Hungarian Helsinki Committee	Hungary
Xhesika Korra	Institute of Romani Culture in Albania	Albania
Mariya Yasenovska	Coalition of NGOs for Human Rights	Ukraine
Gvantsa Sakanelashvili	Georgian Young Lawyers' Association	Georgia
Borka Rudic	BiH Journalists	Bosnia and Herzegovina
Bledi Taho	Institute of Romani Culture in Albania	Albania
Rasim Ibrahimagić	Sarajevo Open Centre	Bosnia and Herzegovina
Veronika Poklembová	ETP, the Slovak Republic	The Slovak Republic
Patricia Stapleton	The Traveller Movement	United Kingdom

This mapping study focuses on discrimination, hate speech and hate crime issues highlighted by the COVID-19 pandemic which affect Roma and Travellers, members of Jewish and Muslim communities, irregularly present migrants, LGBTI people and national minorities/minority language speakers. The Organisations, which were consulted between September and November 2020 via online surveys and webinars, provided creative suggestions and identified initiatives the Council of Europe's Anti-discrimination Department could take to support them.

ENG

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.