Ongoing Dimensions of Asia’s Fight Against Covid-19

Rajiv Narayan
Covid-19 has unleashed a wave of human-rights violations that hit especially hard at society’s most vulnerable members. Governments across the Asia-Pacific need to take action.

Donald K. Emmerson
The world needs to stop the blame game and seize the opportunity to fashion a common, co-operative approach to such global challenges as Covid-19.

Dominique Virgil & Roberto Lie
The coronavirus outbreak has posed an enormous challenge to ASEAN’s credibility and coherence and exposed cracks in the bloc’s commitment to marginalized communities.
ASEAN’s Covid-19 Response: Why Minorities and the Most Vulnerable Matter
By Dominique Virgil & Roberto Lie

The coronavirus outbreak has posed an enormous challenge to the credibility and coherence of ASEAN, and exposed cracks in the association’s commitment to marginalized communities across the region. It would be an important sign of progress if ASEAN member states were to emerge from the pandemic with a renewed commitment to fundamental human rights, Dominique Virgil and Roberto Lie argue.

JUST WHEN WE THOUGHT the Association of Southeast Asian Nations (ASEAN) nailed it in flattening the pandemic curve, fear that it will turn into the next epicenter of Covid-19 has emerged, based on estimates by research from Johns Hopkins University. Aside from Vietnam, which appears to be slowly winning the war against the pandemic, other ASEAN member states are still struggling, including Singapore and Malaysia, despite their early success in containing the outbreak. Since early April, more than 13,000 migrant workers in Singapore’s dormitories have tested positive for Covid-19, boosting the total cases to 37,527 as of June 6. In the blink of an eye, Singapore went from one of the most successful countries in fighting the pandemic to having the highest number of cases in Southeast Asia, surpassing Indonesia and the Philippines.

It is safe to imagine the varying impact on other ASEAN countries if a similar, sudden spike in cases were to occur, due to the varying testing and healthcare capacity of each state. Witnessing the deadly impact of this virus and the horror it has caused to the healthcare systems in the European Union (EU), especially in Italy, Spain and France, it is safe to say that a harmonious, integrated regional response is vital to determine the final result of this battle. Considering the current regional response taken by ASEAN, is it enough to win the war against Covid-19?

CURRENT PROBLEMS AND IMPACTS

Covid-19 impacted all sectors in ASEAN, from health to the economy. As mentioned above, the positive cases and deaths are increasing differently, but it disproportionately affects minority groups and the most vulnerable communities across all member states. On the other hand, the economic impact of Covid-19 will be exacerbated by the huge increase in poverty following the pandemic. It is predicted that 60 million people in East Asia and the Pacific may be pushed into poverty as a result of a 20 percent loss in income. In a separate estimate, the Asian Development Bank said that 68 million jobs could be lost due to the pandemic, while 160 million households could fall into poverty as a result of a 20 percent loss in income. This disproportionately impacts Covid-19 is exacerbated by systemic disparities in healthcare capacity and differing access to available medical supplies, food, and essential goods; also included was an economic recovery plan for social safety nets, food security, and education. The next question: is this enough?

IS ASEAN’S CURRENT RESPONSE SUFFICIENT?

ASEAN leaders recently adopted a Declaration of the Special ASEAN Summit on Covid-19 on April 14, 2020, after rigorous discussion during an online special summit. In the declaration, ASEAN committed to strengthening co-operation in public health measures, as well as provision of medicines, medical supplies and equipment. The declaration included a call for maintaining open trade, the establishment of a Covid-19 ASEAN Response Fund, strategies to ensure the smooth flow of medical supplies, food, and essential goods; also included was an economic recovery plan for social safety nets, food security, and education. The next question: is this enough?

Due to its ASEAN Way system of co-operation, the grouping has avoided strongly conferring duties to uphold human rights on its members. This has resulted in putting human rights after sovereignty, non-interference and consensus, and only expressing vague commitments in non-binding declarations. Scholars and civil society have criticized the watered-down language in ASEAN human rights declarations. This translates into strong protection toward laws that focus on national interests, but weak obligations to bestow protections within those laws, especially on human rights for minorities. A case in point: within the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, Paragraph 3 states that migrant workers’ rights are to be respected without underpinning state laws. This is, of course, written to bolster the sovereign power that member states have over their national laws under the non-interfer-
In Focus: Virgil & Lie

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As the world grapples with the ongoing Covid-19 pandemic, Asia’s response has been varied, with some countries managing the crisis effectively while others have struggled. This article examines the role of the Association of Southeast Asian Nations (ASEAN) in handling the pandemic, highlighting the challenges and successes of its member states.

The article begins by discussing the ASEAN’s role in the global response to Covid-19, pointing out that while the organization has been pivotal in facilitating international cooperation, its response has been uneven. It notes the importance of human rights in the pandemic response, citing examples of how the pandemic has disproportionately affected vulnerable populations, such as migrants and sexual minorities.

The article then delves into the specific challenges faced by ASEAN member states, including the impact of the pandemic on the region’s economic development, the need for international aid, and the importance of ensuring that human rights are protected.

Overall, the article underscores the need for a concerted effort by ASEAN member states to address the pandemic in a way that respects human rights and promotes social equity.

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11 Chapter 3-7 of the ASEAN Consensus on the Promotion and Protection of the Rights of Migrant Workers


15 Ibid, p. 9


17 Health Policy Project, Asia Pacific Transgender Network, United Nations Development Program, Op. Cit., pg. 2

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15 Ibid, p. 9


17 Health Policy Project, Asia Pacific Transgender Network, United Nations Development Program, Op. Cit., pg. 2

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15 Ibid, p. 9


17 Health Policy Project, Asia Pacific Transgender Network, United Nations Development Program, Op. Cit., pg. 2

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for ASEAN: it protects people from being trapped in poverty, empowers them to seize opportunities and helps workers to deal with unemployment.24 A report by the UN Research Institute for Social Development states that social protection or assistance has a positive impact on poverty reduction in developing countries. One of the examples given is Latin America, where old-age poverty has been reduced by between 25 percent and 93 percent.25 The report adds that “Social protection can cushion the adverse social effects of rapid structural change, including those associated with migration, unemployment, rising inequalities and pandemics.”26 However, other policies are still needed to entirely reduce poverty, such as expanding social and economic opportunities for the most disadvantaged and ensuring decent employment and income generation for people.27 To put it bluntly, social protection and services have been proven to “enable families to care for and sustain their members and reduce both the costs and time involved in work and other daily activities. They increase the chances that individuals and their families can lift themselves out of poverty and live dignified and productive lives.”28 This exposes the importance of taking marginalized and vulnerable communities into account in rebuilding ASEAN’s economy. One way to do this is through ensuring the improvement and fulfillment of social protection and security as a basic human right through poverty reduction programs post-Covid-19.

Migrant workers are another marginalized community that can make a potentially significant contribution to rebuilding the economy post-Covid-19. According to the blueprint for the ASEAN Economic Community, the aim to increase the mobility of labor and talent will eventually contribute to a spike in migrant workers in member states, and their contribution to the high economic growth desired by ASEAN members should not be undermined. According to Seree Nonthasoot, former representative of Thailand to the ASEAN Intergovernmental Commission on Human Rights (AICHR), “Migrant workers profit from their employment abroad while contributing to both the sending and receiving states through the remittances they send home and through the work that they have delivered in the receiving states where local workers have moved up to take positions that require higher skill.”29 The significant number of migrant workers in member states and their contribution to the regional economy should be maintained by ensuring the fulfillment of their rights.

Covid-19 shed light on how ASEAN members treat migrant workers despite their significant contribution. Inadequate housing and other deficiencies have exacerbated Covid-19 infections among migrant workers. Singapore’s negligence of migrant workers, followed by a massive spike in cases, shows what happens when ASEAN member states fail to take into account minorities and their systemic vulnerabilities when forming policies on disease outbreaks such as Covid-19. The pandemic took root in migrant worker dormitories, giving the virus the possibility to re-populate and effectively undoing the good work that Singapore had done to curb the spread of the virus within the general population in the first place.

It is clear that incorporating human rights considerations in the policymaking process, especially in measures to mitigate the economic impact after the pandemic, is important to ensure that everyone benefits equally from economic growth and integration, and to achieve the aim of an ASEAN Community that focuses on enhancing the well-being of the people within ASEAN, including those who are marginalized and vulnerable. However, it is paramount to prioritize the health conditions of the people and to ensure the right to social security of those who are hit the hardest during the pandemic, including through equal assistance.

CONCLUSION AND RECOMMENDATIONS
To improve ASEAN’s response to the pandemic, there are four recommendations listed below.

First is regional reprioritization. ASEAN member states need to prioritize the right to health and social protection, or security, for everyone, including the most marginalized and vulnerable. Reforming the system of social protection and incorporating it into the economic recovery plan post-Covid-19 is essential to reduce the increasing poverty rate as a result of the pandemic. Learning from best practices in other countries is also important, especially in forming policies that include wider social and economic opportunities. ASEAN can facilitate the sharing of best practices from other developing countries while taking into account its human rights commitments, such as the ASEAN Economic Community (AEC) Blueprint and the ASEAN Consensus on the Promotion of the Rights of Migrant Workers, among others. Without neglecting international obligations arising from being parties to international legal frameworks, ASEAN member states should also fulfill their international human rights obligations.

Second is establishing more targeted consultation and co-operation on public health policy, such as the regulations for quarantine, lockdowns or social movement restrictions and other related elements. This should be facilitated among ASEAN member states to further contain the pandemic and stop the spread to other regions within ASEAN. Consultations on public health policy to narrow the gap in health services among member states, and to better enhance the preparedness for future pandemics, should also be co-ordinated.

Third is reutilization of the ASEAN Intergovernmental Commission on Human Rights along with other relevant experts to monitor and advise member states on whether their medical, food and other needs have been distributed equally to ensure that no one is left behind. AICHR can also monitor gradual improvements made by member states to the right to health, such as minimizing the gap between healthcare capacity and preparedness for pandemics, while also improving access to healthcare services for all. As mentioned above, harmonization of AICHR work and existing health mechanisms in ASEAN can narrow the gaps in the fulfillment of the right to health among member states.

Fourth, citing a recommendation by OXFAM, the ASEAN Business Advisory Council can partner in the regional response to “engage the private sectors in delivering essential services and supplies and to support displaced workers in their value chains.”30 At the same time, the ASEAN Business Advisory Council and the AICHR can co-operate to provide guidelines to ensure the fulfillment of the UN Guiding Principles for Business and Human Rights and other international human rights standards. Finally, the AICHR can work closely or under the auspices of the ASEAN Co-ordinating Council to ensure that the efforts are well-co-ordinated and integrated among all ASEAN member states.

The post-pandemic era will determine whether ASEAN will move one step ahead or be left behind, and this is the right time to start realizing the dream of the ASEAN Community through incorporation of human rights within its policy-making process.

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