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Southeast Asia, Infected and Interrupted:

Elevating Critical Voices on the State of Human Rights and Peace in the Time of COVID-19

Edited by

Joel Mark Baysa-Barredo
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This book is a collaboration between SHAPE-SEA and knowledge frontliners, who are keen to improve the human rights and peace situation in Southeast Asia. It serves as an academic contribution to the growing knowledge on COVID-19, human rights and peace. It seeks to provide guidance on ways to promote and protect human rights, as well as, achieve sustainable peace in the new/next/better normal.

Southeast Asia, Infected and Interrupted: Elevating Critical Voices on the State of Human Rights and Peace in the Time of COVID-19

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FOREWORD

2020 will be remembered as the year when a virulent virus caught the world by surprise, upending lives and causing havoc in many previously unimagined ways. The implementation of human rights has been beset with many challenges, the path in the attainment of Sustainable Development Goals (SDGs) has been halted and even regressed on many fronts, and visions and goals for progress have been suspended or even given up on.

Southeast Asia is not an exception. This book chronicles and documents the various situations and concrete effects on the preservation of human rights and peace. Looking at the government policies, many on the verge of oppression, on the guarantee of State's human rights obligations, and the concomitant reactions of populations – this Publication likewise documents the peoples' resilience and, even more importantly, their actions to turn back the tide of repression, undertaken in the belief that human rights entitlements remain constant, universal, and indivisible – even in the midst of a ravaging pandemic.

As a mandate holder of the UN special procedures system appointed by the UN Human Rights Council and monitoring various themes on human rights in all countries, I have joined my colleagues in asserting, at the very beginning of the pandemic, that a human rights approach must be adopted to address the crisis. The principles of non-discrimination, participation, empowerment and accountability in particular need to be applied. Particular attention should be paid to people in vulnerable situations. In addition to the different initiatives we are undertaking related to our respective mandates, we also call for the promotion and protection of everyone's right to life-saving interventions. We stressed that the COVID-19 emergency cannot be solved with public health measures alone; all human rights must be embraced and accounted for, too. Moreover, universal human rights principles must prevail over the spread of fake news, prejudice, discrimination, inequalities and violence.

As part of our working tools, UN special procedures continue to examine allegations of human rights violations or concerns through our communication procedures. As of early December 2020, we have issued more than 200 letters related to concerns directly connected to COVID-19 or on measures adopted in the context of the pandemic. Many of these are about curtailment of human rights in the name of pandemic suppression.

As the UN Special Rapporteur on the Human Rights of Internally Displaced Persons, I find that the situation of vulnerable populations, including people on the move, are even more dire than before. Humanitarian access has been even more restricted, and their futures for normal lives seem farther than ever. Their human rights have been impacted in different ways.

So while we look forward to the time that we will merely remember 2020 for how it has changed our lives, we should continue to work to address the imbalance of human rights application – this book is a testimony to that as well. The call for all human rights defenders, academics and workers is clear: human rights are indispensable, universal and indivisible. To work for this is our commitment.

Let us strive that we will remember the year 2020 as the year that human rights was maintained, and perhaps even flourished.

Cecilia Jimenez-Damary
UN Special Rapporteur on the Human Rights
of Internally Displaced Persons (IDPs)

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A Region located between a Rock and a Hard Place amid COVID-19

It is extremely difficult to vividly define 2020 in a few words or phrases. At the start of the year, no one would have prepared for a year marked by uncertainties, vulnerabilities, and great loss. COVID- 19[1] had, whether we like it or not, become a lived experience for all, especially in Southeast Asia, where the first cases outside China, the original epicentre, were detected as early as January 2020. In the region alone, infected cases had already reached more than a million as of this writing, with deaths rising by the day, in many countries. Furthermore, the pandemic has challenged not only public health systems, policies, and practices, but also ways in which both public and private sectors respond to political, economic, and social downturns. Moreover, to a certain extent, COVID-19 has also affected peace processes and efforts to address conflicts within and amongst marginalised and vulnerable populations.

This pandemic, indeed, redefined what it means to be human; and how, more than ever, rights, freedoms, and peace play significant roles in respecting, preserving, and protecting one's dignity and quality of life. This book seeks to not just document and analyse impacts caused by the pandemic, but to also serve as a homage to anyone who has contributed to making lives much better in light of socio-economic, political, and public health emergencies.

The Great Unequalizer

The pandemic brought out the best and worst in terms of how duty-bearers, particularly States, are managing the crisis which threatened not only public health, but also multiple and intersecting human conditions. Since outbreaks began to rise, it was observed that States in the region took varied approaches to contain further viral infections. However, what was common was that Southeast Asian responses contained critical elements of securitization, which eventually took a toll on the enjoyment of rights and freedoms. What started with lockdowns, travel bans, and border closures eventually led to police surveillance, detainment, control of access to information, and further shrinking of spaces for dissent and activism.

While the pandemic is deemed unprecedented, it has to be stressed that human rights principles related to public health emergencies had been in place even before COVID-19 ravaged the whole world. According to Article 12 (2)d of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and Paragraph 12 (b) General Comment No. 14 on Article 12 of the ICESCR, which have been ratified by numerous

[1] The spread of COVID-19 began with the announcement of a new type of virus by the authorities in China on 7 January, 2020, which was later named by the World Health Organization (WHO) as 2019-nCov. After starting to spread seriously, on 30 January, 2020, WHO set this outbreak to be the Public Health Emergency of International Concern (PHEIC). On February 11, WHO finally named the disease COVID-19.

Southeast Asian countries, the State is obliged to make efforts to improve all aspects of environmental and industrial health, prevention, treatment, and control of all infectious, endemic and other occupational diseases, and the creation of conditions which will ensure all medical care and attention.

Apart from health issues, the handling of a pandemic is also related to the right to access information. In Article 19 (2) of the International Covenant on Civil and Political Rights (ICCPR) and Paragraph 18, General Comment No. 34 to Article 19 of the ICCPR, the state is obliged to guarantee the right of everyone to seek and receive information, including information held by public authorities. States are also obliged to ensure accessibility to health information in accordance with Article 12 (1) ICESCR and Paragraph 12 (b) General Comment No. 14 in relation to it. Information that can either save or threaten lives must be disseminated to all, produced through a rights-based approach, and through a systematic and accessible manner. There are also provisions in human rights documents pertaining to one's right to privacy and free movement.

On the regional front, the ASEAN Human Rights Declaration provided guidance on state obligation related to the protection of peoples' right to health. Article 29 (1) particularly provides that "every person has the right to the enjoyment of the highest attainable standard of physical, mental, and reproductive health-care services and to have access to medical facilities."

Despite the existence of international and regional standards, the suspension of rights and freedoms, together with the rise of authoritarian governance, continues to impact the lives of people from all walks of life. This is on top of dismal progress on mass testing that may help determine actual information on infections and access to effective treatments and, eventually, vaccines. Furthermore, as cases continue to rise, public health workforces in some parts of the region have been exhausted. This is paired with aggravated inequalities, conflicts, and human rights violations—felt especially by those living at the margins.

Creating Safe and Empowering Spaces for Knowledge Frontliners

For the past five years, SHAPE-SEA has been committed to produce, problematize, and disseminate knowledge on human rights and peace through academic activism. At the height of increased securitization in most parts of the region, the programme opened its doors in late March 2020 to anyone living in the region or are concerned about the situation in Southeast Asia to conduct rapid assessments on and write about the impacts of COVID-19 on any human rights and/or peace issues.

The digital project entitled "Southeast Asia in Crisis: Opinions on the State of Human Rights and Peace in the Time of COVID-19" continues to provide a platform for anyone to shed light on Southeast Asian lived experiences during the pandemic. The selected pieces in this edited book came from more than 100 articles featured in that digital hub.

They represent voices from all 11 Southeast Asian countries covering issues related to the securitization of societies, gender and sexuality, vulnerable groups, politics and democracy, technology and information, and public health and wellbeing.

This initiative inspired many others, such as universities, civil society groups, research institutes and think tanks based in the region and beyond, to contribute to the increase of knowledge and awareness on the situation of human rights and peace amid COVID-19. What is distinct about this project is that it accommodated anyone who wanted to be heard and contribute to the project's vision. To ensure quality publication of opinion pieces, the program provided editorial and mentorship support to anyone who wished to submit. A definite aim was to publish short and succinct but highly impactful pieces, which can be understood by a wider audience. Furthermore, the project did not only allow for knowledge building from the ground, but also facilitated the growth of a community of knowledge frontliners.

Contributions reaffirm the thesis of many academics and observers – that COVID-19 has been a real challenge for all different stakeholders. There have been strong arguments on how the direction of human rights and democracy amidst this pandemic has not been encouraging. Yet on the brighter side, the pandemic has revealed the resilience of the community and the strength of civil society groups, particularly public health workers, human rights defenders, and peace builders, who play a significant role in providing assistance and services to the people who are in need but are left out.

Embracing Critical Voices from the Ground

The handling of a crisis of gargantuan proportions, regardless of its cause and its impact, must and should not violate human rights and fundamental principles. Furthermore, claiming one's full right to health must be guaranteed by duty-bearers, despite one's socio-economic positionality and legal status. However, based on insights and analyses in this book, the reality is different from what is imagined more ideally. Government policies, especially in the midst of a stronger anti-criticism and authoritarian regime in the region, have created the opposite situation. What are the real impacts of COVID-19 on human rights and peace in Southeast Asia? To what extent is the protection of human rights better provided for citizens and non-citizens alike? In that context, this edited book aimed to fill in the gaps in terms of generated and disseminated knowledge on the ground.

All 72 think pieces featured in this book provide various critical assessments on the state of human rights and peace amid COVID-19 in Southeast Asia. Scholars, activists, and journalists from various corners of countries and with specific themes were able to paint and analyse critical situations on the ground which are very relevant to be heard and learned for the promotion and protection of human rights. This book is divided into seven themes: Data, Information and Technology; Fundamental Freedoms; Labor and Economic Safety Nets; Living at the Margins; Healthcare and Social Care; Regional Politics; and, Emergency Powers and Measures.

As previously mentioned, our authors performed rapid, evidence-based analyses on the increased threats to conditions related to human rights and peace at the local, national, and regional levels. For instance, a number of Southeast Asian countries, such as Cambodia and Thailand, have used the pandemic to justify stricter laws that impacted the exercise of human rights. The Philippines, too, faced a similar situation where the new anti-terrorism law, passed in the midst of COVID-19, sent a chilling message to human rights groups in a country where human rights are already deteriorating. All these laws granted leaders sweeping powers to restrict their citizens and non-citizens, such as migrant workers and refugees, from enjoying their human rights. Such form of discrimination and xenophobic sentiments are evident in countries such as in Singapore and Malaysia.

Along these lines, some of the pieces here also highlighted some issues that are not in the limelight in most media and receive little attention; for instance, the impact on different groups of women, children, and Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) communities. Countries like Myanmar, Laos, and Cambodia are among the countries in Southeast Asia that witnessed glaring economic and social inequalities, whereby marginalised groups continue to be left out to face a hard time in managing their daily life. The availability of information and the accessibility of technology is another concern that is commonly shared by some authors. This has been a challenge in the region, especially in countries like Myanmar, Laos, and Timor-Leste. The pandemic also reveals the weakness of some countries in terms of healthcare, such as Indonesia and the Philippines, where it witnessed a sharp increase of positive cases on a daily basis and the danger it has exposed the frontline workers to. Brunei, Vietnam, and Singapore are among the countries that receive more positive appraisals generally, however, contributions from these countries are limited for us to be able to establish a strong stand on the situation of human rights in these countries.

Lessons from the Rubble

There remain many fundamental problems in the realization of human rights, and this book offers a critical analysis of these realities. What, then, could we learn from the 72 articles in this edited book, especially from these experiences in Southeast Asia?

First, there is a tendency for the COVID-19 pandemic to bring about changes that impact democracy and governance while neglecting human rights principles. The COVID-19 pandemic has been devastating Southeast Asian economies. Millions are unemployed, and widespread perceptions hold that authoritarian systems could be better in handling the crisis than democracies. Not surprisingly, a number of scholars have noted the strengthening of authoritarianism in a number of countries in Southeast Asia.

Secondly, human rights politics in a regional context shows the various responses of the government. How leaders and their citizens interact with one another during the pandemic provides some clues to the future exercise of power: from neglecting the handling of the COVID-19 pandemic to increasingly repressive treatment for citizens

who reject government policies – as in the case of 'autocratic legalism' in Indonesia – making the politics of representation deadlocked through silencing. Silencing the freedom of expression, including academic freedom, is widespread. Campuses are subjected to government pressure to perpetuate anti-democratic forces. This is what makes campus autonomy no longer possessed; the narrative to develop academic freedom has increasingly been repressed and even purged.

Lastly, articles in this book offer a number of alternative approaches to ensure that the government deals with protecting and fulfilling human rights progressively. Such an approach, of course, is closely related to the context of Southeast Asian countries. It is certainly our hope that we continue to provide space for everyone to contribute their voices and empower them during this challenging time. Ideas and thoughts from this book could bring the message for strengthening democracy, human rights, and peace.

What is also significant to highlight in this edited book is the number of contributions we receive on the topics related to social solidarity and wellbeing. This is a positive trend showing increasing concerns on the importance of wellbeing in the midst of the strict rules imposed by COVID-19 on our daily lives. Regardless of political shifts and socio-economic disruptions, the COVID-19 pandemic has also generated new awareness on the use of technology; the adaptation of new social interaction patterns that are more sensitive to health issues, as well as the development of growing social solidarities to help each other and encourage new socio-economic innovations. Such social solidarities and socio-economic innovations are fundamental and necessary efforts to uphold law and human rights in Southeast Asia. The ideas in this book are certainly not only about disseminating critical knowledge, but are also a collaborative learning process to promote wider social solidarity for humanity.

Paving the Way Towards A Better Normal for All

The securitization of COVID-19 in Southeast Asia has, indeed, done more harm than good to the hundreds of millions living at the edge of fear and uncertainty. At this point, we still cannot tell when the dust will fully settle. While the world waits for a vaccine that will end our fear, it is critical to ensure that systems and structures are reformed to accommodate the demands of a post-COVID-19 world adequately. In pursuit of a rights-centered governance, plans and policies should respond appropriately to the different needs, especially of marginalized populations. As we head to the next normal, it is key that duty-bearers are reminded of the following mandates towards a human rights and peace embracing region:

- State responses, before, during, and after emergency situations, should respect and protect human rights principles. Policies and plans should reflect the diverse needs and lived conditions of all;
- Policies addressing public health crises must gear towards the full enjoyment of human in all aspects of life;

- Duty-bearers should collaborate with business sectors, civil society organizations, academics, and National Human Rights Institutions when designing, implementing, and monitoring policies and activities in the light of addressing needs and concerns of affected peoples;
- The use of technologies should benefit even those who have difficulty accessing the online platforms and the internet. Furthermore, technologies should not infringe on anyone's right to privacy and to full access to information
- Frontliners must enjoy full academic freedom when producing, problematizing, and disseminating their findings and analyses. These individuals must be protected from any harms and repercussions.

The very existence of this book proves that a critical mass of people who are monitoring, assessing, and addressing lived experience is taking shape. This also serves as SHAPE-SEA's continued commitment to sustain such momentum towards a better normal, where every person feels safe, healthy, and empowered.

1 Regional Politics

COVID-19 and Southeast Asian Policy Responses: Rethinking the 'Human Side' of the Pandemic

Guanie Lim and Chan-Yuan Wong

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As Southeast Asia struggles to contain the spread of the COVID-19 pandemic in 2020, various social distancing measures were rolled out aggressively across the region. The measures, however, were costly as workplaces were shattered and employees furloughed. To reflate the rapidly slowing economy, aggressive pump-priming policies were implemented in quick succession. Thus far, policymaking focus in the region had been primarily on job preservation – extending financing support to firms and individuals alike (Khor & Strauch, 2020).

With many of the regional economies entering (or about to enter) recession, recovery to pre-COVID-19 levels will take time. While we laud the quick actions of the region's healthcare workers and policymakers, we would like to also raise awareness on the situation's 'human side'. Notwithstanding the dismal economic performance indicators, we cannot forget that what is fundamentally at stake here are the people, often from the most vulnerable segments of society.

Unpacking the Issues

Firstly, COVID-19 affects the disadvantaged disproportionately more than the rest. Although it is common to conceptualize the disadvantaged versus privileged divide along income lines, what often goes unmentioned is the way such inequalities play out along spatial dimensions. For example, as universities adopt digital, off-site learning, it is inevitable that students living in remote areas with poor infrastructure struggle more with this development than those in urbanized areas. In the eastern Malaysian state of Sabah, a university student who went out on a limb – going as far as climbing a tree – to ensure she had good internet connection to sit her exams online has impressed many with her resourcefulness (BBC News, 2020). Neither is this divide absent in an urban area. In the Philippines, years of internal migration from provincial job seekers into Metro Manila has created urban slums with poor hygiene standards. Following the onset of COVID-19,

the city has been stretched to the limit, with fears of a collapse of the healthcare system from soaring infections (Reuters Staff, 2020).

Secondly, the pandemic has exposed the limits of how our growth model has been fuelled partly by a dependence on semi-skilled labour. Southeast Asia's rather high mobility of labour means that many of us have grown dependent on importing labourers (usually from adjacent lower cost economies), often to undertake professions that the locals shun (Kanchoochat, 2017). Compounding the issue is the porous border control of some of the region's economies, leading to a large 'shadow' labour force keeping labour-intensive, low-wage (but critical) industries afloat. Examples include the Malaysian palm oil industry and the Thai textile industry (Wong and Lim, 2020). Despite inadequate paperwork and workplace welfare, this labour pool has developed an almost symbiotic relationship with their host economies over the decades. Hard hit by the crisis, these labourers struggle to make ends meet, in addition to being unable to retreat to their countries of origin, when workplaces and borders shut down.

Way Forward

We propose two inter-related approaches in tackling as well as moving on from the effects of COVID-19. Firstly, we suggest a more 'spatial' perspective in tackling development issues. To this end, we encourage policymakers and researchers to 'look beyond the numbers', adopting a more unorthodox manner in analysing development-related subjects such as infrastructure provision and income redistribution. Although the overall aim is to raise living standards, the reality is that socioeconomic gains tend to be highly uneven, with the less privileged (e.g., those in the rural areas and ghettoized parts of a highly urbanized zone) getting disproportionately less. These structural factors have always been present but must be more carefully unpacked as we move forward. A useful policy avenue is to consider more decentralized governance, shifting responsibilities down to the local level authorities and moving away from the 'top-down' approach of yesteryears (Malesky & Hutchinson, 2016).

Lastly, there is an urgent need to rethink labour needs with reference to the region's vastly different stages of economic development. For each of the Southeast Asian economies, we must understand the root causes behind the avoidance of certain professions and address them appropriately. If the issue is a lack of upskilling opportunities, for example, then perhaps policy measures such as introducing adequate vocational training can be considered. If large numbers of foreign, semi-skilled workers are still required, then there is a need to ensure proper documentation and records. Done correctly, the hitherto 'shadow' labour force can be gradually formalized into the relevant demography, which facilitates long-term industrial planning. In addition, long-overdue welfare measures can be introduced for this vulnerable group.

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Scrutinizing Vietnam's ASEAN Chairpersonship: Cohesive and Responsive in the Year of Living Dangerously

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There is a locution accurately portraying what the Association of Southeast Asian Nations (ASEAN) member-states (AMS) under the chairpersonship of Vietnam in 2020, are encountering now – "Living the year dangerously" – adopted from the Italian phrase *"Vivere pericoloso"* (Doran, 2020). This year is a once-in-a-lifetime period in the 21st-century decade, when the COVID-19 forced everything and everyone to stop. No one saw the massive storm of economic and human crises coming, although the domino effect reminded governments and the people of the 1997 Thai *Tom Yum Goong* crisis of Asian financial turmoil (Penchan, 2017). During that Asian crisis, as the Thai Baht devalued, thousands of businesses in the region were devastated and suffered long-term impact, causing a bloodbath in the stock markets and labor forces. Indonesia, for example, gradually fell into a multifaceted financial and political crisis in 1998, triggering the most traumatic riots and human rights violations, along with distressing civil unrest in the country. Back then, the year 1998 was also a *"Vivere pericoloso"* for Vietnam during its first experience as the chair of the ASEAN.

Leadership under a Shadowy Issue

In mid-July 1995, Vietnam became the seventh member of the Association of Southeast Asian Nations. For Vietnam, membership in ASEAN had pivotal political, economic, and social implications to security and cooperation with multiple players in a regional grouping. As the Communist Party of Vietnam (CPV) had adopted a resolution to have more friends and fewer enemies amid the Cold War (Chauhan, 2013), the country showed assiduous determination in cultivating solidarity and unity in ASEAN and worked hard to secure peace and reconciliation. During its early membership, Vietnam led efforts to bridge ASEAN country members with the Indochinese bloc and emerged as one of the fastest-growing economies in the region. Yet, it left several notes in national and regional human rights and freedoms unsettled. As such, up to the present day, Vietnam is still not party to the Convention Protecting the Rights of Migrant Workers and their Families, even as two thirds of the country's total workforce are employed in the informal labor force (Huong, 2018). Thus, informal laborers and migrant workers are not protected by laws and lack health insurance.

Regionalism: "A Little Too Late"

Article 31 of the ASEAN Charter mandated rotation of the ASEAN Chairpersonship. In the year 2020, Vietnam holds the position for the third time after 1998 and 2010

(ASEAN, 2020a). Reflecting on how Vietnam played out its chairmanship era, it is obvious that what is important for Vietnam is regional solidarity and centrality in engaging with external major powers. When the COVID-19 outbreak began, Vietnam hosted the ASEAN Special Summit virtual meeting and ASEAN Plus Three (APT) Special Summit on COVID-19 response last 14 April 2020, which resulted in the adoption of the Declaration of the Special Summit on COVID-19. As the main coordinator among ASEAN member states, Vietnam emphasized regional cooperation through measures such as the emergency response fund to combat the public health crisis (ASEAN, 2020b). Nevertheless, the Special Summit showed little attention to regional multilateralism as ASEAN member states continued to enforce measures against COVID-19 according to their own national interest. Moreover, the call for a Special Summit was 'a little too late' as the regional cases of COVID-19 have soared to more than 20,000 from merely hundreds. It has failed in prioritizing regional human rights, ensuring social protection to informal laborers and migrant workers, and in shutting down people's mobility across the region.

Migrant Rights at Stake, Once Again

COVID-19 bears an alarming resemblance to the *Tom Yum Goong* crisis. Few manufacturing industries in the countries are immune to economic impacts (Williamson et al., 2020). The epidemic has hit the service and retail industries, ASEAN's most dependent sector, where millions working in informal sectors lost their jobs and sources of income. Sending and receiving countries for ASEAN labour migration have also restricted workers' mobility, engendering another immense wave of migrant crisis in the region. The shocks from the outbreak have been really appalling for ASEAN countries, making informal and migrant workers the most vulnerable, as there is still no clear regulation on the protection of their rights, specifically social security and health.

Amidst the pandemic epoch, the *Tom Yum Goong* crisis that created a year of "*Vivere pericoloso"* should have been a strong message for an immediate response for cohesive and responsive strategies for ASEAN to oversee the domino effects of a global crisis within an already fragile region. Yet, there have been no implementation of rights-based strategies to protect vulnerable populations nor any public health policies to protect people across borders.

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Engendering a Culture of Prevention in a Post-COVID-19 World: Environmental Protection in the ASEAN Region

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Researchers of the origins of SARS-CoV-2 claim that the virus came from bats, like MERS-CoV and SARS-CoV, and argue that this was likely passed from an intermediary host believed to be the pangolin (Zhang et al., 2020), before being transmitted to humans (Center for Disease Control, 2020). The zoonotic transmission of the dreaded disease, thus, fueled clamor for the end of wildlife trade and stronger research on biology and virology.

We should look at the bigger picture. Although a ban on wildlife trade is pivotal, preventing future outbreaks (or pandemics) should be anchored on an overarching standard of environmental protection. Scientists maintained that future outbreaks that could even be more deadly than COVID-19 can occur anywhere. Thus, conservationists are not exaggerating the fact when they emphasized taking care of nature as a preventive strategy.

First, human incursion to previously untouched wildlife ecosystems increased our risks of contracting deadly pathogens and outbreaks (Vyawahare, 2020). Second, this outbreak is just the tip of the iceberg. Svenja Schulze, the Environment Minister of Germany, posited that "science tells us that the destruction of ecosystems makes disease outbreaks, including pandemics more likely" (Vyawahare, 2020). Third, global warming has caused an unprecedented melting of glaciers and icecaps in different regions. It will not only result in the global rise of sea-levels, but it may cause the release of ancient frozen viruses and pathogens to nature (Fox-Skelly, 2017; Geggel, 2020). Scientists, for example, have recently discovered 28 never-before-seen virus groups in a Tibetan glacier (Geggel, 2020). Hence, climate justice and prevention of pandemics are two faces in a single coin as the climate crisis will most likely turn nature into a ticking time bomb leading to future pandemics.

Addressing environmental problems is indispensable to prevent future outbreaks. However, free-riding and the unequal distribution of harms and benefits pose significant challenges in fostering a comprehensive climate regime in the international arena (Climate Leadership Council, 2020; Sang-Chul Suh, 2016). If there is something so common about pandemics and climate change, it is that they do not respect territorial boundaries, and both gravely affect vulnerable populations in developing countries.

Shared Future, Environment-Centered Governance

It will be congruent with ASEAN's interests to engender environmental causes. First, the economic growth of the region is undergirded by its rich natural resources, and on this note, policy experts stressed the importance of environmental protection to the success of the ASEAN economic integration (Greenpeace Philippines, 2014). Second, the region has already lost a huge part of its biodiversity (The ASEAN Post, 2019), which could entail ecological repercussions. In the Philippines for example, the pangolins in Palawan have been poached to near extinction due to illegal trade. Third, environmental problems in the region such as the loss of biodiversity, air pollution, issues around water security, deforestation, and coastal and marine resources degradation, are intricate and have transboundary economic, social, political, and security implications. Thus, we cannot understate the need for collaborative environmental governance.

Nonetheless, significant steps had already been taken by ASEAN, such as the inclusion of an environmental agenda in one of its pillars, the ASEAN Socio-Cultural Community (ASSC). ASEAN also affirmed environmental sustainability through its Human Rights Declaration and the Declaration on Culture of Prevention. Yet, much more can still be done. ASEAN should institutionalize environmental protection not just on a single pillar, but in all facets of our integration. We need to foster a culture of environmental consciousness in our future endeavors towards physical, institutional, and socio-cultural connectivity.

Localising Solutions towards Global Sustainability

This crisis provides a strong rationale for deeper integration and collaboration of different stakeholders to prevent a tragedy of the commons. The Philippines, for instance, have well-crafted environmental laws but lack the political will and resources for effective enforcement. In addition, environmental activism has faced suppression. Last year, an international environmental watchdog reported the Philippines as the deadliest country for environmental activists (de Guzman, 2019). In a positive light, the judicial activism of the Philippine Supreme Court on environmental issues has been instrumental in keeping check of state institutions (Gonzalez, 2017). Where state institutions fall short, the role of non-state actors such as civil society, indigenous people, and the academe has been indispensable in protecting the environment by serving as defenders and initiators of conservation measures. The wisdom is this – multisectoral collaboration works best towards sustainability and environmental justice, and it should transcend beyond national boundaries.

Now more than ever is that crucial time that sustainability and climate justice should be taken more seriously. ASEAN and the post-COVID-19 world should envision an international order beyond cooperation on environmental matters and focus on collaboration, beyond mitigation and adaptation, with a strong culture of prevention. In the web of life where everything is connected to everything else, protecting nature is

tantamount to the preservation of human life. Finally, the pandemic and climate crisis remind us of our interdependence as human beings. We cannot be safe unless everyone is safe.

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Southeast Asian Geopolitical Order after COVID-19

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While many have observed how COVID-19 is a humanitarian and economic crisis, the pandemic has wider impacts on the regional geopolitical order. It exposes the weaknesses of Southeast Asian governments and underlying tensions in societies. Most significantly, this pandemic coincides with a period of Northeast Asia's newfound interest in Southeast Asia. This article examines the geopolitical impact of interactions between actors within and beyond the region.

Domestic Inadequacies

Southeast Asia's response to the COVID-19 pandemic is disappointing at best and ridiculous at worst. The pandemic threatens the weakest population and the very notion of democracy and human rights as well. Indonesian Health Minister Terawan Agus Putranto credited prayers for Indonesia's initial "immunity" to COVID-19 (Gorbiano & Fachriansyah, 2020); Though Singapore was praised for their initial success in containing the virus, the explosion of cases in the migrant worker dormitories (Lau, 2020) led to the highest number of total cases within ASEAN at one point.

In Indonesia, long-running sentiments against the ethnic Chinese were exploited. A Jakarta-based think tank warned that "Islamic State affiliates are using the coronavirus to stoke existing anti-Chinese sentiments" within the country (Chew, 2020). On the other hand, a few governments resorted to draconian measures and even exploited this pandemic to suppress dissidents. Cambodian Prime Minister Hun Sen initially downplayed the risk of the outbreak and used this to display his loyalty to China, even flying into Beijing himself (Vida, 2020). Human Rights Watch accused him of using the pandemic to expand his powers, calling his Emergency Bill a "Recipe for Dictatorship" (Human Rights Watch, 2020). In response to a Quezon city protest by residents over a food shortage, Philippine President Rodrigue Duterte ordered the military and police to "shoot them dead" (Billing, 2020).

The Rise of Vietnam

Since the beginning of the pandemic, Vietnam has maintained an extremely low number of positive cases and a zero death toll until the end of July (BBC News, 2020). Vietnam was the first country to be cleared of the SARS epidemic nearly two decades ago, and the

country is applauded for its public health crisis response once again (Channel News Asia, 2020). In April, they even shipped 450,000 protective suits to the United States (Nguyen, 2020).

The year 2020 is a significant time for the socialist republic as it concurrently sits on the United Nations Security Council while chairing ASEAN. Prior to the outbreak, Vietnam has already been crowned the "Biggest winner of the US-China trade war" (Jamrisko, 2018). As companies realize the danger of investing everything in China, it is likely that supply chains will continue moving into Vietnam. Vietnam's performance in the pandemic would help establish its leadership in Southeast Asia.

Japan and China's Diminishing Influence

Japan and China have traditionally played a significant role in Southeast Asia, yet both were criticized for their responses in this pandemic. In the city of Wuhan, the epicenter of the outbreak, eight whistleblowers were arrested for "rumor-mongering". The crisis also exposed weaknesses in the Chinese economy where three major listed companies went down in the same week (Liu, 2020). The #nnevvy row between Chinese and Thai netizens also proves that China is losing its popularity (Teixeira, 2020).

As for Japan, the Shinzo Abe administration came under fire for its passive responses. A nationwide state of emergency was declared on 16 April (Japan Times, 2020), after the postponement of the Tokyo Olympics came as a huge blow to an economy that was already slowing down.

Korea and Taiwan's Ventures into Southeast Asia

Tsai Ingwen's New Southbound Policy in 2016 and Moon Jae-in's New Southern Policy in 2017 demonstrates Taiwan and Korea's determination to strengthen ties with Southeast Asia. In contrast with China and Japan, both countries have established themselves as trustworthy partners in the pandemic.

Once a country with the world's second-most confirmed cases, Korea's aggressive testing and transparency helped them flatten the curve rather quickly (Fisher & Choe, 2020). Seoul was never under lockdown, and they even held National Assembly elections as scheduled. Korea is now sharing their resources and experiences with the rest of the world. In April, 50,000 test kits arrived in Indonesia (Fachriansyah, 2020).

Taiwan, on the other hand, successfully prevented a local outbreak from happening in the first place despite its proximity to mainland China. Taiwan went from a net importer of face masks to the world's second largest manufacturer. In a second wave of "mask diplomacy", Tsai announced that they will be giving over a million face masks to support countries in the New Southbound Policy. The increased cooperation between Korea, Taiwan and Southeast Asia will likely perpetuate in the form of trade and investment.

With internal and external actors impacted by the pandemic to varying degrees, the cards have been reshuffled - Southeast Asia's international relations will never be the same again.

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2 Emergency Powers and Measures

Protecting Rights While Protecting Lives: Do Human Rights Give Way in A State of Emergency?

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We applaud every frontliner—health workers, police, soldiers, public officials, etc.—who are risking their lives in our battle against the COVID-19 pandemic.

As citizens, we are expected by the government to do our part by complying with emergency health measures, such as the community quarantine. However, let us not forget that it is also our duty as citizens to protect our rights. While it is true that we should place public health and safety first, it should not unnecessarily come at the expense of our human rights. After all, being cooperative citizens and being vigilant are not mutually exclusive.

Human rights organizations and citizens took to both traditional and online media their concerns against some government measures in pursuit of beating COVID-19. These include arrests made without a warrant and the corresponding punishment for failure to abide by the community quarantine curfew. As of 3 April, less than three weeks after the lockdown was imposed, authorities have already apprehended over 75,000 Filipinos (Nakpil, 2020). Some of those apprehended are children who have been subjected to cruel, inhuman, and degrading treatment for such failure of compliance. In fact, it was reported that two children were placed in a coffin, five caged like animals, seven had their hair forcibly cut, one who resisted was stripped and ordered to walk home naked, while others were even forced to sit under the scorching afternoon heat for hours (Wurth & Conde, 2020).

In a radio interview with Super Radyo DZBB last 21 March, Department of Interior and Local Government Undersecretary Martin Diño made a sweeping claim that human rights are suspended during a state of emergency (Lagrimas, 2020). Diño stated *"Wala na hong karapatan. Tandaan niyo, state of emergency ngayon. Ang karapatang pantao ay nawawala pagdating ng state of emergency"* (There are no more rights. Remember, we are in a state of emergency. Human rights disappear in a state of emergency). *"Pagka ho meron tayong state of emergency, 'yung writ of habeas corpus ay nawawala na po yan,"* (When under a state of emergency, the privilege of the writ of *habeas corpus* disappears), he added.

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1 Refer to *https://www.law.ox.ac.uk/sites/files/oxlaw/bonavero_report_7_2020.pdf*

2 Refer to *bit.ly/PLJSpecialOnlineFeature*

This is not only misleading, but blatantly wrong. There is nothing in both International and Philippine laws that justifies the suspension of human rights, nor the privilege of the writ of *habeas corpus* by mere declaration of State of Emergency.

First, as to human rights, a declaration of a state of national emergency by the Philippine Government does not justify an unqualified derogation of human rights under Article 4 and other provisions of the International Covenant on Civil and Political Rights (ICCPR), to which the Philippines is a State Party to (ICCPR, Art. 4). Under Article 4 (1) of the ICCPR, states may only take derogating measures to the extent strictly required by the exigencies of the situation and which are not inconsistent with their other obligations under international law. Article 4 (2) further enumerates rights which cannot be derogated in any case, such as:

a) Right to life;
b) Right against torture or to cruel, inhuman or degrading treatment or punishment;
c) Right against slavery and servitude;
d) Right against imprisonment for failure to fulfill contractual obligations;
e) Right against ex post facto punishment;
f) Right to recognition; and
g) Right to freedom of thought, conscience, and religion.

Second, the privilege of the writ of *habeas corpus*, which is a legal remedy for questioning the legality of one's arrest, is not suspended by the mere declaration of State of Emergency. The 1987 Constitution provides that the president may suspend the privilege of the writ of habeas corpus only "in case of invasion or rebellion" and "when the public safety requires it" (PH Constitution, Art. III, Sec. 15). We need not point out that COVID-19, which plagues our nation, is far from qualifying as an invasion or a rebellion.

As we cooperate with measures placed for our safety amidst this pandemic, we should also know our rights, be empowered, and stand guard against human rights abuses that may accompany a measure's execution. That is why we in the University of the Philippines' Institute of Human Rights proactively release infographic to aid every Filipino in knowing and protecting their rights.

Human rights are for all of us, all the time, whoever we are, and wherever we are from (Ban, 2014). People fought and died for these rights. It is now our duty to defend it.

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A Dangerous Message: Problematic Implications of the Military Responses to COVID-19 in the Philippines

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The state of the world as it faces COVID-19 is akin to a state of war - Philippine President Rodrigo Duterte would agree with this comparison. "We are at war against a vicious and invisible enemy" (Duterte, 2020a), he said in one of his many addresses to the nation. "In this extraordinary war, we are all soldiers" (Duterte, 2020a).

There is no question that we are living in extraordinary times. Our doctors and public health workers risk their lives at the frontlines of infection. We, ourselves, have become combatants against hunger, fear, isolation, and uncertainty that this pandemic brings. The Philippines is no stranger to this war; it has claimed the lives of 297 Filipinos thus far (CNN Philippines, 2020b). As this conflict brings with it the seemingly imminent threat of an economic recession (Noble & Laforga, 2020) and the extension of the enhanced community quarantine [ECQ] (CNN Philippines, 2020a), it may very well claim among its casualties the Filipino people's senses of stability and normalcy. Indeed, a world at war serves as an accurate metaphor for the realities that we face today.

Disturbingly, President Duterte has taken this metaphor literally. In his speech, the President urged the people to obey without question the orders of the police and military. In the same breath, he told them not to be afraid. He implored the people to love these battle-hardened men and women (Duterte, 2020a). In another speech, he praised the "military-trained mind[s]" of the retired generals that he had appointed to lead the government efforts against COVID-19 (Duterte, 2020c).

These speeches send a dangerous message. It is a message that says that the gun is a viable solution to a medical problem. It is a message that tells us to trust an empowered military and police, even if they have orders from the Commander-in-Chief himself to shoot dead those who would transgress the policies of the ECQ (Duterte, 2020b). It is a message that disconcertingly invokes the specter of Ferdinand Marcos's Martial Law.

Perhaps this specter is more substantial than we think—there have been numerous reports of human rights violations in the wake of the President's message. In one instance, ECQ violators were ordered to sit under the sweltering sun (Galupo et al., 2020). There are allegations of women being harassed at checkpoints set up by the military and police (Malasig, 2020). One city has even passed an ordinance that would penalize repeat

violators of the curfew by depriving them of relief goods and government assistance (CNN Philippines, 2020c). These atrocities will likely persist with the extension of the ECQ.

President Duterte's supporters argue, as they have argued in defense of his War on Drugs, that such abuses of power and violations of human rights are necessary consequences of public order. They argue that the President's message is nothing more than a harmless threat, one made to instill discipline in the masses. These arguments seem to be supported by the police's assurance that they will not outright shoot quarantine violators (Tupas, 2020). These arguments lead to a conclusion that Presidential Spokesperson Salvador Panelo is fond of reiterating, that the President is only joking (Ranada, 2018).

These arguments are devoid of both reason and logic. President Duterte's message runs contrary to the highest law of the land. The 1987 Constitution of the Republic of the Philippines clearly provides that sovereignty resides in the Filipino people, from whom all government authority emanates (Art. II, Sec. 1). This authority does not grant the State a license to humiliate, threaten, or torture the sovereign people. The Constitution also establishes the military's role as protectors of the people, not as perpetrators of human rights violations (Art. II, Sec. 3). To deviate from this role would be to blatantly disregard the law.

The Philippine government must keep in mind the provisions of both the Constitution—which lays down its structure and powers—and the Universal Declaration of Human Rights—to which it is a signatory. These laws safeguard our human rights, those inalienable principles that provide all of us an inherent dignity. Such rights protect us from harassment by the military at checkpoints and from being forced by police to sit under the sun as punishment. By their nature, these rights afford us the security of not just our physical needs, but our humanity as well. As recent events have shown, the President's message—that machine guns should be aimed at society's ills—threatens the very security that our human rights guarantee.

The Constitution imparts upon the State its prime duty: to serve and protect the Filipino people (Art. II, Sec. 4). In its fight against COVID-19, the Philippine government must reassess its priorities. It must serve, not threaten, the very people that give it authority.

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Securitization of COVID-19 In Timor-Leste: A Gender Perspective

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COVID-19 has caused almost 52 million confirmed cases and 1.2 million deaths (World Health Organization [WHO], 2020b). Timor-Leste took immediate actions against COVID-19 after it found its first case on 21 March. The state of emergency came into force on 28 March; this limited the citizens and residents' basic rights, as well as deployed the police and the military force to implement related rules. Meanwhile, the national parliament allocated $250 million for COVID-19 (Martins, 2020). Timor-Leste has 30 confirmed cases so far.

While people are affected by COVID-19, they experience it differently due to gender inequality. Gender sheds light on social constructions among individuals and cannot be reduced to women (Steans, 2013). In times of health emergencies, gender inequality is likely to be exacerbated. After the World Health Organization (WHO) declared COVID-19 as a Public Health Emergency of International Concern, many states adopted a health securitization approach to contain the spread of virus, and Timor-Leste is no exception (WHO, 2020a). Consequently, a deeper look at the health securitization from a gender lens seems much needed. In this article, I will discuss the dynamics of health securitization and gender, examine the gendered impacts of COVID-19, and conclude with policy implications.

Securitization can be briefly defined as prioritizing a certain issue as a security threat which requires mobilizing national resources and political leadership to combat it (Waever, 1995). Health-related issues, such as AIDS/HIV, severe acute respiratory syndrome (SARS) and Ebola, have been global security concerns; for example, the United Nations Security Council (UNSC) resolution 2177 declared that the Ebola outbreak in Africa threatens international security and peace (UNSC, 2014). Although securitization allows states to relocate resources effectively to tackle a particular health threat, it renders disproportionate allocation of resources to security sectors, and diverts aids and humanitarian resources away from basic medical infrastructure and care. It further leaves the gender structure, which underscores securitization, unchallenged.

In spite of the danger of securitizing health, the academia has been silent on gender (CARE, 2020). What is worse, the data show that women and girls are exposed to higher risks of Sexual and Gender-based violence (SGBV) and Intimate Domestic Violence (IDV) during the breakout of Ebola and Zika (United Nations High-Level Panel on the Global Response to Health Crises, 2016; United Nations Population Fund, 2020). Similar trend was reported worldwide during COVID-19 (Taub, 2020).

Seeing health securitization from a gender and intersectional lens requires us to pay attention to the situation of care workers, women of disabilities, elderly women, and LGBTQ+ communities. Women form 70% of the health and social task force globally, and they perform three times as much unpaid work as men; but many are prone to more work, higher risks of disease, and unpaid care work at home without further support (Hamdy, 2020). Women with disabilities might face economic and food insecurity (CARE, 2020). The elderly persons and LGBTQ+ are also exposed to higher health risks and even violence (Hussain & Caspani, 2014; United Nations Economic Commission for Europe, 2020).

COVID-19 is having a serious impact on Timorese women's life. In economic sectors, many businesses have to close or decrease their open hours, and many employed female workers are laid off or forced to have a salary cut (Ximenes et al, 2018). Informal workers, composing 60% of the labour in Timor-Leste, most of which are women, experienced the loss of income (Neves, 2020). For example, two female vegetable vendors have to walk long distances because of "no public transportation" and "no customers and no money to buy food for kids at home" (personal communication, 6 April 2020).

Staying-at-home, working-from-home, and social distancing put disproportionate pressure on women. The closure of schools and training centers render all children and students to stay home. Parents, mostly women, have to look after them. While women are burdened with care work 24/7 at home, some are exposed to higher risk of violence and stress, compounded by other factors, such as limited access to health care, information, water, and sanitation. One female cleaner has to bring her daughter to work because "kids cry if not seeing her." Men who live together with her "have a big salary" and demand her to do all the house chores and care work, even if all of them have work. (personal communication, 3 April 2020). Cases of SGBV and domestic violence increased during COVID-19 (Plan International Timor-Leste, 2020).

Policies under health securitization do not usually consider gender inequality among individuals, and this exposes women and vulnerable groups to greater inequalities. Including female decision-makers is crucial to address these issues. The Integrated Crisis Management Center (CIGC) was established under the leadership of the Prime Minister, but the government's emergency response did not tackle the needs of women and vulnerable groups (La'o Hamutuk, 2020). While the Timorese government adopted securitization of health, it should not lose sight of weighing its unintended consequences

of gender-blind policies and addressing some fundamental issues, which shape experiences of women and other vulnerable groups in the first place.

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At the Brink of National Terror: Repressive State Apparatus in Indonesia's COVID-19 Situation

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Upon the government's decision to resort to the Repressive State Apparatus (RSA) in strengthening public order, the COVID-19 crisis had gotten worse in Indonesia. The term RSA is borrowed from Louis Althusser to describe the existence of an apparatus that focuses on repression (physical or not) in the form of brutal physical force, orders, prohibitions, censorship of specific activities, etc (Althusser, 2014). This article reflects the conditions of COVID-19 management in Indonesia until April 2020.

Claiming "Scientific" Role through Oppression

Rather than presenting the virologists' studies based on sciences, the Indonesian government has chosen to use RSA in managing data and predicting the COVID-19 peaks. This condition is in line with the anti-science regime that denies and underestimates risks. It was claimed by a number of Indonesian officials that the country was "safe" because of the power of prayers; even this 'faith' led to the appointment of corona immunity ambassadors (Arif, 2020).

The spokesperson for the Indonesian COVID-19 Task Force, Ahmad Yurianto, acknowledged that contract tracing from the first COVID-19 patient was the task of the police and the state intelligence agency (BIN) (Jakarta Globe, 2020). BIN, as the claim goes, had already demonstrated "accurate" predictions twice. The first prediction was about the COVID-19 peak that might occur in May 2020 (Detik News, 2020). The second prediction was revealed by Chair of the Coronavirus Disease Response Acceleration Task Force Doni Monardo - that the peak will be happening in July (CNN Indonesia, 2020a). The state-claims model is a strategy to control the truth needed during the COVID-19 crisis.

Police began to act arbitrarily since the announcement of the Head of Indonesian Police Proclamation Number Mak/2/III/2020. Provisions in the proclamation are related to police security roles during the COVID-19 pandemic. During the meeting with the Third Commission of the Indonesian Parliament on 31 March 2020, the Chief of Indonesian Police said that the police had cancelled 11,145 public activities (CNN Indonesia, 2020c). This proclamation - with power to dismiss gatherings - was deemed not enough to uphold order; therefore, the police further issued a regulatory letter numbered ST/1098/

IV/HUK.7.1/2020 on 4 April 2020. This letter contains the rules on the punishment for contempt against the president and state officials during pandemic.

These two "pseudo-laws" made by the police are a result of arbitrary decision-making. Indonesian Police, based on the Law No. 12 of 2011 on the Formation of Legislation and the National Police Regulation No. 2 of 2018 on the Formation of Police Regulations, state that the police is only authorized to produce administrative instruments within the scope of its mandated authority. In this situation, the police also breached the decision of the Indonesian Constitutional Court when it issued standards about contempt. The Indonesian Constitutional Court, through decision Number 013-022/PUU-IV/2006, had already dismissed the provision of contempt against the president in the Indonesian Criminal Code (KUHP). Supposedly, after this decision of the Indonesian Constitutional Court, there will be no more laws or regulations that pursue any standard related to contempt against the president. The emergence of a pseudo-law that contains contempt against the presidential norm is a reflection of the strengthening of the RSA by adding extra repressive powers, aiming to secure legitimacy and claim to truth.

The Reign of Terror is Upon Us

The repressive character of the RSA diverts our understanding of COVID-19 from being a health issue to a matter of public order, which it definitely is not. Further, claims of truth and pseudo-law trap citizens under criminal threats and public safety that cannot even be proven to interfere with the management of COVID-19. At the end of March 2020, for example, 51 had been accused of spreading false news (Majalah Tempo, 2020). Police had also begun to arrest groups of people and confiscate books on vandalism and riots (CNN Indonesia, 2020b). These two examples are reactions from the standards which tend to ignore and violate freedom and human rights.

Indonesia does not need terror and brute force to solve COVID-19. The police, the BIN, and the security forces must revert to their normal, mandated functions now. On the one hand, the excessive involvement of RSA creates vulnerabilities and threats. Citizens were arrested without a transparent process, clear reasons, and fair evidence. On the other hand, the design of the RSA engagement adds to the clarity that the COVID-19 issue is not just a matter of public health management. The police and military interests, expressed by Lindsey and Mann, are only a manifestation of the government's political stabilization agenda (2020). In the future, upholding public order should not be at the cost of neglecting millions of lives. Such a crisis requires solutions that should support and empower national and local health systems, and, more importantly, restore a democratic and free society.

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Making the Social Movement Personal during the COVID-19 Pandemic

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"We are all in this together" echoes loudly in the time of COVID-19 (Guterres, 2020). Global disease outbreaks are not new; yet, this feels so unfamiliar, uncertain, and, as it is turning out, a rude awakening. The pandemic is explicitly showing the discrepancies in (capitalist) systems that seem to establish norms in society, such as the fault in tying healthcare with employment, healthcare becoming a privilege of the rich, and the instability within "no work, no pay" employment (Harvey, 2020; Meadway, 2020). There is also the irony in how essential workers are applauded in times of crises, but remain underpaid and deemed expendable (The Lancet, 2020).

The pandemic has made the needs of the most vulnerable sectors of society more visible and the services they are deprived of, with or without COVID-19, more apparent. In the Philippines, 7.6 million households, mostly belonging to poor people, are experiencing hunger (Rivas, 2020; Social Weather Station, 2020). Evictions experienced by the urban poor, due to their inability to pay rent and the demolition of slum communities for infrastructure projects, make following quarantine policies difficult (Beltran, 2020). 3 million Filipinos have lost their jobs (Tandon et al., 2020) and thousands of micro, small, and medium enterprises (MSMEs) remain inoperative (Ramos, 2020). 200,000 repatriated overseas Filipino workers (OFWs), as well as undocumented Filipino migrants abroad, face health risks and unavailability of work (Asis, 2020; Bracher, 2020; Esguerra, 2020). Similar events are happening all around the world, aggravated by the ineffectiveness of varying government policies.

What do we do in times of collective despair? We are forced to confront it and are compelled to act. Social movements promote citizen engagement with the political process. Digital activism through online protests - like livestreamed rallies, trending hashtags, and sharing petitions - has been the key tool for public engagement during the pandemic (Rees & Mitchell, 2020). Groups rally support and donations for key workers around the world. Discussions and campaigns are formulating concerning workers' rights (Chugh, 2020; Parker, 2020), universal healthcare (Kickbusch & Gitahi, 2020; UNDP Asia and Pacific, 2020), education reforms (Luthra & Mackenzie, 2020; Santos, 2020; Tam & El-Azar, 2020), anti-discrimination (He et al., 2020) and mental health advocacy (Cornell University, 2020; National Alliance on Mental Illness, 2020). The urgency of addressing the climate crisis is strengthening, heralded by environmental activist Greta Thunberg's Fridays for Future movement (Carrington, 2020; MacGregor, 2020).

The pandemic has not stopped on-site demonstrations, as seen in the global Black Lives Matter protests (Burch et al 2020; Kirby, 2020), the anti-dictatorship protests in Thailand (Selway, 2020), protests against the Anti-Terrorism Law in the Philippines (Gomez &

Favila, 2020), and the End SARS protests against police brutality in Nigeria (Ojewale, 2020), among other countless mass movements this year. These are signs of solidarity and manifestations of empathy at work. However, empathy works for all variants of experiences and social movements engage with all kinds of emotional responses. As there are pledges made for social distancing (Global Citizen, 2020), there are protests against state lockdowns and "stay-at-home" policies in countries such as the United States (Al Jazeera, 2020), Brazil (Reeves, 2020), and France (McGrath, 2020), as well as anti-mask campaigns (Cillizza, 2020).

We are compelled to look within us and outside of us. As we look, we discover our desire to help others. We practice social distancing rules – to keep each other safe – or we do not follow social distancing rules – to protect our imbibed beliefs. These are seeds of mobilization, regardless if it is for or against the status quo. Social movements matter because they represent social change. They resign a form of control over the events of the future by maneuvering the machinations of the present. As long as there is suffering, inequality, injustice, and people who are willing to dedicate their lives to fighting against them, social movements will remain inevitable.

We are all products of social movements. I cannot imagine my life without the social movements that have enabled my rights and my freedoms. The works and the sacrifices of those who came before me - of the women who fought for equal rights and against gender discrimination; of the Filipinos who, for decades, have struggled for a free and just nation, our culture and democracy; of the Asian peoples who advocated against racial discrimination and the pervasive influences of colonialism and imperialism - has rendered my whole being indebted. My life, then, will always be one that is owed.

Who knows what would become of us in this pandemic? Everything is uncertain, but I believe change is coming because it has to. I hope we come out of this with more empathy towards each other, our fellow living beings, our environment, and our planet. No one truly lives in isolation. Just look at history that has unfolded and is unfolding and you will see. Being human is being revolutionary.

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Cambodia Needs to End its State Repression and "Double Standard" Narrative

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In recent years, as the country is transitioning to hegemonic authoritarianism, the situation of human rights in Cambodia has deteriorated (Morgenbesser, 2019; Un, 2019). Cambodia's descent into authoritarianism has raised eyebrows among major democracies, such as the United States and the European Union, leading them to impose sanctions on Cambodia in various forms. The US passed a Cambodia Democracy Act of 2019, which resulted in asset freezes and visa restrictions on several of Cambodia's senior officials and military generals who were seen as responsible for undermining democracy and violating human rights in Cambodia (Thul, 2019). The EU decided to partially withdraw its Everything But Arms (EBA) trade scheme, which Cambodia has enjoyed since 2001 (European Commission, 2020).

Increasing State Repression

Sanctions imposed on Cambodia are linked with the Cambodian government's unprecedented crackdown on independent media, dissent, and opposition groups since 2017. Notable was the forced closure of an independent English-language newspaper, The Cambodia Daily, due to an unpaid tax bill (BBC News, 2017). Worse than that were the dissolution of the only viable opposition party, the Cambodia National Rescue Party, and the arrest of its leader on charges of planning a color revolution to topple the legitimate government (Ben et al., 2017; Niem, 2018).

The crackdown has been ongoing, and appears to continue to worsen since then. In the first half of 2020, the Human Rights Watch (HRW) reported that many Cambodians were arrested on politically motivated charges, with 80 released on bail and face possible re-arrest (Human Rights Watch, 2020b). Many of the arrests were considered arbitrary as people were charged with spreading COVID-19 fake news and incitement to cause social unrest (Human Rights Watch, 2020a; LICADHO, 2020). Between July and September 2020, around twenty activists, including youth and environmental activists, were arrested when they peacefully protested to demand the release of prominent union leader Rong Chhun, a long-time government critic, who was arrested in late July for allegedly inciting social unrest (LICADHO, 2020; Turton & Phorn, 2020).

Double Standard Narrative

Since the EU decided to begin the formal procedure to withdraw the EBA from Cambodia in October 2018, the Cambodian government has used a narrative along the lines of "the EU's double standards" to influence public opinion (Khmer Times, 2018). Cambodia considers the EU's EBA decision as an interference with its internal affairs and a double standard pursued by the EU. The Cambodian government argues that the EU imposes trade sanctions on Cambodia but ignores appalling human rights records in other countries such as the Philippines and Vietnam (Heng, 2020b).

The EU's decision to partially withdraw the EBA trade scheme from Cambodia took effect on 12 August 2020. This decision means that Cambodia has lost about one-fifth (or approximately US$1 billion) of its tariff-free and quota-free exports to the European market (European Commission, 2020). The EU's EBA withdrawal was believed to reverse Cambodia's authoritarian turn (Heng, 2020a); however, recent developments on the ground appear otherwise. State repression on activists has increased since the beginning of 2020 (Strangio, 2020).

The Need to End State Repression and Double Standard Narrative

Cambodia has lost a portion of the benefits given under the EBA program. Its economy has experienced the slowest growth since 1994 (World Bank, 2020). The country's major industries, such as tourism and manufacturing, have been profoundly impacted by COVID-19. By July 2020, around 250 factories have suspended operations, leaving more than 130,000 workers jobless (Mandhana & Myo, 2020).

Given the need to recover its economy that has been severely hit by the COVID-19 pandemic, Cambodia must constructively engage its key trading partners, such as the US and the EU. The country must stop promulgating its narrative that the EU is being unfair in its treatment of Cambodia and that the bloc is practicing double standards when it decided to withdraw its EBA trade scheme (Heng, 2020a). This narrative has neither been helpful nor effective. In fact, it is counterproductive, adding fuel to divisions among Cambodians, and potentially preventing constructive dialogue between Cambodia and the EU after the EBA scheme is partially withdrawn. At worst, the narrative, if used excessively, may damage Cambodia-EU relations in the long run. Thus, the Cambodian government needs to refrain from promulgating narratives that only lead to further divisions among the Cambodian people and potentially result in more loss of trade benefits.

The continuation of crackdowns on dissent through arrests and imprisonment will no doubt draw more criticism and sanctions by the international community, negatively affecting Cambodia's efforts to recover its economy damaged by COVID-19. It is imperative that the Cambodian government reconsider its repressive measures and make greater efforts to engage the EU and other key partners more constructively to

bring about maximum benefits for Cambodia. The Cambodian government must end its increasing repression on the political opposition, government critics, human rights defenders, and other activists.

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Bayanihan To Heal As One Act: Weaponization against COVID-19 or the People?

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In order to respond "effectively" against COVID-19, the Philippines enacted the *Bayanihan To Heal As One Act*. This grants the president powers to address the dilemma. It is guided by Par (a), Sec. 6 of such law, which states that the president is to flatten the curve through education, detection, and treatment. The powers granted detailed hereunder aim to achieve *Bayanihan,* which loosely means community solidarity.

In dealing with a public health emergency, human rights and the law must work together. The former is indispensable, as it ensures that the Rule of Law is tempered against abuse of powers. With this in mind, a critical look at the law tackling the pandemic needs to be assessed. The pandemic served as an impetus for the exertion of the police power, which greatly interferes with the exercise of civil and economic liberties.

A primordial discussion is to how the emergency response will be funded. The national budget is already enacted under the *General Appropriations Act,* which cannot be further modified as to not transgress constitutional limitations of separation of powers as guided by jurisprudence. As such, Congress enacted the Bayanihan Act as a measure that delegated powers to the President.

This begs the question as to whether the delegation is constitutional. The delegation of powers is not a legal quagmire, as the Supreme Court is the one who spells out the limitations. To have constitutional imprimatur, it must pass the tests of completeness and sufficiency. The completeness test states that the law must be complete in its terms and conditions, such that no ambiguity will ensue, and the only thing to be done is its implementation. The sufficiency test commands that powers be delineated with safeguards, limitations, and guidelines to determine its extent and prevent abuse. The Bayanihan Act passes the completeness test, as it specifically enumerates the powers and standards on which it should be guided upon - the ultimatum that it shall not supersede Constitutional rights. It also passes the test of sufficiency, as it empowers the Congress to have oversight by requiring the President to report weekly, and that emergency powers will terminate after three months or sooner.

In a nutshell, the act aims to enable and promote the health sector to operate effectively to curb the tide of transmission. This is manifested in the streamlined acquisition of necessary goods in dealing with the pandemic, an exception to the bureaucratic process of procurement set by law. Relief powers are provided so that socio-economic safety nets

provide support and establish peace and order during the lockdown, where access to labor and market is severely restricted. Acts of violence would not be resorted to for those who violate the social distancing policy espoused by health authorities. Regulatory powers are granted to control forms of mobility to reduce infection rates. This contemplates the power of oversight over local government units (LGUs), and this serves as the frontline in providing basic necessities to the communities and helps in keeping the peace in a time of social unrest.

While the act aims to eradicate the health crisis, it is noted that the law is a double-edged sword, which, while presumably legislated for benevolent purposes, may be malevolently executed by authorities for their own ulterior motives. The weaponization of the law is utilized to legitimize violation of basic civil liberties (Desai & Woolcock, 2015). As of this writing, the number of infected is skyrocketing, and there is a proliferation of human rights violations, such as police brutality committed by public officials against quarantine violators, paired by discrimination against health workers (CNN Philippines, 2020b). Politicization in the guise of sanitization is also present in the undue investigations of LGU officials, which tends to disable support at the community level (CNN Philippines Staff, 2020a; Lico, 2019). Socio-economic relief is also not justly implemented, with families receiving little to no support. This resulted to rallies not conforming to social distancing measures, which coincided with the suspension of the labor department in doling out monetary support to workers affected (Cagaral, 2020). Social distancing measures are also loosely implemented by the LGU and national government, with reports of cockfighting events and boxing matches being held, compromising public health (Esguerra, 2020).

In its current state, the government appears to not only be failing the state policy, but also violating basic human rights standards. The issue of public health is inseparable with human rights, wherein science cannot be separated from politics. Human rights cannot be compromised for the sake of public health and public order. It is supplementary in dealing with the systemic problem of inequality and injustice. By allowing abuse and violence to be entrenched during a crisis, we are breeding a culture that deteriorates the altars of our dignity and basic liberties.

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COVID-19 in Cambodia and the Benefits of Democratic Leadership

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From democratic to illiberal approaches, the global pandemic of the COVID-19 has unveiled different styles of political leadership that governments have adopted to manage the crisis. Leadership entails complex power dynamics between authorities and civil society to establish whether authority falls in the hands of one person, a group of people, or the collective (Berg & Rao, 2005). Accordingly, political leadership matters to define the role of civil society in governance (Fazekas & Burns, 2012). Regionally, in East and Southeast Asia, Cambodia has been criticised due to its illiberal measures; but, on the other hand, Taiwan has been praised due to its democratic approach. More than half a year after the breakout of the crisis, both countries have been relatively successful in containing the pandemic. However, Taiwan shows that Cambodia's approach to civil and political rights could have been gentler.

Civil and political rights are stipulated under the International Covenant on Civil and Political Rights (International Covenant on Civil and Political Rights, 1966). Academic literature has broadly discussed not only their universality, but also their relativism. Nonetheless, what is clear is that "when rights-abusive practices raise issues of great moral significance, tradition and culture are slight defense" (Donnelly, 2007, p.304). Put differently, intolerance to abuse *is* universal. Consequently, and amidst the pandemic, it is paramount that governments respect people's fundamental civil and political rights to balance virtue among stakeholders and avoid sliding towards autocracy.

In Cambodia, COVID-19 is a test on the governmental skills in managing human rights in times of uncertainty. Said otherwise, will democratic leadership prevail over autocracy, or vice versa? In the early stages of the outbreak, the Law on National Administration in the State of Emergency was drafted, which granted to the government unlimited surveillance of telecommunications and control of media and social media, among others (Human Rights Watch, 2020). While temporary measures that restrict freedom of movement or assembly can be a temporary solution to help in containing the pandemic before the vaccine arrives, the regulation of social media and the limitation of freedom of telecommunications are not likely to do so. Moreover, they breach people's privacy.

Even if the state of emergency was never invoked, Cambodia's antecedents raised several concerns on the impact on civil rights (Touch, 2020). In 2015, amidst the protests that followed the general elections of 2013, the Law on Association and NGOs was passed; this restricted the proliferation of NGOs to protect the public interest. The law was passed without consultation and had a great impact on freedom of association, thus taking agency away from civil society (Human Rights Watch, 2015).

It is undeniable that Cambodia has successfully contained the pandemic; as of 9 November 2020, only 298 positive cases were reported (World Health Organisation, 2020). However, any regulations attempting to restrict the use of telecommunications is a lost opportunity to combat the crisis; and, more importantly, it violates people's freedoms – which threatens the country's already fragile civil and political rights.

Like Cambodia, Taiwan has successfully contained the pandemic and has only reported 553 cases to date (Graham-Harrison, 2020). Nonetheless, its approach to civil and political rights has been radically different compared to that of Cambodia. The Taiwanese government had to contract some rights and freedoms, and authorities successfully discouraged large gatherings, imposed social distancing, and practised targeted surveillance in its attempt to seek collective benefit (Chiou, 2020). But the short but strong democratic tradition of Taiwan makes it unthinkable that restrictions be maintained longer than necessary.

Moreover, the country has also shown the importance of keeping communication fluid and free of potential restrictions. Access to relevant information and transparent communication between governmental bodies and civil society has been key to contain the pandemic. Civil society has been active in fact-checking actions to prevent misinformation and disinformation. In other words, Taiwan has demonstrated that civil society, provided with digital media and information, has been key to aggregate data, which can then be used for the good of society and prevent the spread of the virus (Pu, 2020).

Regardless of Cambodia's successful attempts to contain the pandemic, other cases in East Asia like Taiwan show that the crisis can also be fought without threats to people's right to communication. This approach ensures civil society's freedoms not only in the present time, but also in the long run. If Cambodia wants to prove wrong the accusations from the international community regarding the worsening of human rights and transition to authoritarianism (Human Rights Watch, 2019), using the pandemic to justify a state of emergency and create laws that curtail civil society's rights to free communication does not seem to be a coherent strategy. A new blow to fundamental civil and political rights can have major consequences for civil society in Cambodia, which has never been particularly democratic since structures were implemented in 1991 with the Paris Peace Agreements.

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The Compounded Threat of COVID-19 and Armed Conflict in Mindanao

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The precarious situation of internally displaced persons (IDPs) living in evacuation centers and informal camps worsened due to the threats of COVID-19 and due to the protracted displacement brought about by armed conflict. Even when the Department of Health and other government agencies issued COVID-19 guidance in February and March 2020, hundreds of families in Mindanao were negatively affected by armed conflict. In March 2020, a total number of 76,906 families were reported to be displaced (UNHCR Protection Cluster, 2020). Around 250 families fled hostilities between government forces and the Bangsamoro Islamic Freedom Fighters (BIFF) in Maguindanao.

On 16 March 2020, President Rodrigo Duterte declared a state of calamity throughout the Philippines; the entire island group of Luzon was placed under enhanced community quarantine (ECQ) the following day. Other areas followed suit via issuance from local governments in Visayas and in Mindanao. Yet despite movement restrictions and curfews in place, pockets of conflict and violence continue to occur. According to the UNHCR, in March alone, seven out of 10 armed conflicts in central Mindanao occurred in Maguindanao (United Nations High Commissioner for Refugees, 2020). In April, more than 20 soldiers were either killed or wounded in a clash with Islamic State-Inspired Abu Sayyaf Group fighters in Patikul, Sulu. Episodic clan violence, also known as blood feuds or *rido*, ranged from ambushes, hit and runs, and launching of grenades. Armed conflict is placing communities in the most unacceptable position of having to choose between fleeing yet risking exposure to COVID-19 or staying put in their homes with the possibility of getting caught in the crossfire.

Even with government-imposed lockdowns, some families still evacuate up to three to four times a month. They return to their homes to gather food and earn a living, like harvesting bananas or coconuts. By nightfall, they return to the evacuation centers to rest rather than risk staying home and be awakened by gunfire or explosions around midnight or in the early morning. Relief assistance from government agencies and other humanitarian responders are not enough.

In evacuation centers, one shanty usually houses around two to three families. As many as 70 families share one toilet, and there are limited bathing and handwashing facilities. Access to health services and facilities, which were already extremely limited before the pandemic, are now completely disrupted in many areas. Results from Oxfam's 2019 baseline study in selected areas in Maguindanao show that, even in a pre-COVID-19 context, 91 percent of indigenous IDPs from Datu Hoffer in Maguindanao did not seek medical services due to the distance of hospitals and medical practitioners from where they live. Aside from transportation challenges, *Lumad* IDPs cited that the high insecurity in their area prevented them from seeking medical attention. Additionally, nine percent of women respondents shared that they have never attended any health check-ups or sought medical care because of care responsibilities in the home, cultural practices, and limited number of health personnel assigned to a community.

The current situation of affected communities and populations serve as stark reminder that no one is safe until all of us are safe. An immediate ceasefire in the Philippines and around the world is a critical step towards building inclusive peace and ensuring an effective COVID-19 response. Just as communities are the first line of defense to stop the transmission of COVID-19, community-level peacebuilding is the first line of defense for conflict-affected populations. The Philippine government must increase efforts in supporting local capacities, including those from women's rights and youth-led organizations; leverage community mobilization; and promote ownership of the COVID-19 response.

Our experiences of working and living in Mindanao show that a militarized and draconian measure, or a *"kamay na bakal"* (iron-fisted) approach, harms communities as it creates a culture of fear and silence. A gender perspective is also needed to ensure response operations and strategies do not reinforce discrimination or enable impunity and violence to thrive. Instead, a peaceful and inclusive COVID-19 response should respond adequately to the different needs of women and girls, homeless and displaced, indigenous peoples, persons with disabilities, and other vulnerable sectors.

Alongside a global ceasefire, governments should also investigate the roots of armed conflict, ensure that communities can decide on matters that concern them, and address the dimensions of poverty and inequalities that give rise to extremism. Failing to address these roots will allow armed conflict to spark a new event in a post-COVID-19 scenario. To sustain ceasefire agreements and other efforts towards sustainable peace, including the transition phase towards the new structural framework of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), women and the youth must play a critical role in shaping the agenda. The meaningful participation of women and the youth in conflict resolution processes that follow ceasefires recognizes their agency, leadership, and contributions to creating a humane and just COVID-free future.

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Enough is Enough: Saving Thailand from a Democratic Crisis amid COVID-19

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Outside China, Thailand was the first country to spot a COVID-19 case in January 2020. It was a tough time for the government and the people when it first started. The current government is a more legitimised version of the military junta government, which is a continuation of the power of Prayuth Chan-o-cha, the ex-military general. Since the beginning of the spread of the deadly virus, there have been a series of protests going on in Thailand amid the spread of the virus. This article is not directly about COVID-19 per se, but on how the government used COVID-19 as a tool for their political game, and how it dealt with the protests that occurred in the past four months.

Prelude

Thailand has been successful at preventing any further domestic spread of COVID-19; the death rate is among the lowest in the region. However, the economy has been going downhill since the outbreak began, especially in the tourism sector, which has always been the main income for Thailand for many decades (The World Bank, 2020). Because of the instability in the country and the state's failure to recognise and address such problems that emerged, people developed distrust towards the government. At the beginning of 2020, the constitutional court also dissolved the pro-democracy political party, the Future Forward Party, which made people furious towards the action of the constitutional court that acted in favour of the government's side (Kurlantzick, 2020). There I say, 'enough is enough.' People took to the streets as early as February of this year, when the pandemic just started to spread across the globe.

Today

The protest before the 3 August 2020 demands Prayuth Chan-o-cha to step down as prime minister, reform constitution, and stop state harassment of activists (กรุงเทพธุรกิจ, 2020; Yuda, 2020). The Harry Potter-themed protest led by Arnon Nampha, a human rights lawyer, seems to shift the focus to the more challenging demands: end Prayuth Chan-o-cha and his colleagues' power, reform the constitution, and reform the monarchy (BBC News, 2020). Since then, reforming monarchy has been one of the three main demands of the protesters. A special Facebook group, "The Royalist Marketplace," is also an important driving force for the movement. The Facebook group is run by the exiled ex-diplomat and current professor at Kyoto University, Pavin Chachavalpongpun. The group serves as a space for Thais to discuss the monarchy openly, academically, humorously, or satirically; and the group has become one of the largest Facebook group

within just 5 months with 2.1 million members. It looks like a virtual reality where the royalists are not welcomed (Rojanaphruk, 2020).

In the past four months, social media is the nature of this protest. Emerging groups on Instagram called Prachachon Plod-aek (Free People) and Yaowachon Plod-aek (Free Youth) are the main protest organisers, and they are creative in the way they communicate with the protesters (Bangkok Post, 2020a; Thai PBS World, 2020). Both groups helped in mobilising people to protest and to spread their news and actions in a more elaborate way.

The pro-democracy protesters have been peaceful and have abode by laws, but the police had used force against them three times in the past 4 months. On the early morning (4.30 am) of 15 October 2020, after the end of the first big protest on 14 October, the police began a crackdown while the protesters were resting and asleep; but no one got injured and there had not been any direct violence between police and the people. On the same day, the government announced the highest level of emergency decree to prevent further activism, using COVID-19 as an excuse to legitimise its decision; many were arrested from violating such unjust decision that the government made, but the government claims that the decree will help "control" the COVID-19 (Human Rights Watch, 2020).

During the 16 October protest at Ratchaprasong area in Bangkok, the government issued two water gun trucks filled with mysterious methylene blue chemicals and shot them at the protesters; the chemicals are believed to be like tear gas ingredients (Watcharasakwet & Phaicharoen, 2020). The government did it again on 8 November, when people gathered near the royal palace to send an open letter to the king. Without warning, the water gun truck fired at people for a short period of time. (Bangkok Post, 2020b). The chief police later apologised and claimed that it was an 'accident.'

The writer would like to point out that there have been no new cases of COVID-19 domestically in the past four to five months, but the government had wrongfully reissued a state of emergency decree to infringe the right to peaceful assembly. Since there were no new cases domestically, people were not afraid to step outside and fight for democracy they deserved. Today, the government has already lifted the emergency decree because of the demand from the protesters. Using the emergency decree was an obvious violation of political rights.

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A Critical Security Analysis of Indonesia's COVID-19 Responses: Is the State a Security Provider or Threat?

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In a traditional security sense, the state is the referent unitary object of security (Peoples & Vaughan-Williams, 2010). It is said that whenever the state is safe from external military threat, the people are automatically secure. This pictures the nuance that state is the core security provider for its people. Such assertion is then debunked by critical security studies proponents since, as time goes by, many states appear to be the threat to its own people. A main framework in critical security studies is to depict that the referent object of security is the individual (Peoples & Vaughan-Williams, 2010). As the challenge to the traditional understanding, it argues that the threat against human security is way beyond military threat; thus, the analysis of security should also be broadened (Newman, 2010). This article aims to contextualize this scholarly discourse with the Indonesian government's responses to COVID-19 in the country. It would argue that a state who fails to manage the crisis could be said to be the threat to its people, regardless of its intentions.

To protect individuals, there are many security aspects that should also be focused upon, such as environmental security and health security, which is a significant part of human rights. Health is considered a national security threat if it jeopardizes the ability of a state to function and to protect itself (Elbe, 2009). Under this metric, the spread of COVID-19 is considered a health security issue since the virus clearly appears as a significant threat to all layers of society. Since this threat has no certain antidote and ready-to-use vaccine yet, both the State and the general population are obliged to be committed to health protocols in flattening the curve. Effective compliance by a huge population, like in Indonesia, requires comprehensive, coherent, and firm policies by the government to assure that protocols are being followed.

The State, by design, is expected to lead the country in combating a public health crisis as part of protecting rights and freedoms. It has the authority to establish policies and the power to sustain social order and justice properly. However, it is also important to note that the State must not use the health crisis issue to justify abusing its people's human rights. Instead, the State should use its power to provide health security to both citizens and non-citizens, regardless of gender, socio-economic status, and geographic location, as part of its responsibility as a government.

At 452,291 cases and 14,933 deaths as of 12 November 2020, the Indonesian government is still struggling with the wrath of COVID-19 (Dezan Shira & Associates, 2020). First and foremost, it has been implementing inefficient policies. The Indonesian government authorized health protocols and restrictions with unclear guidance and enforcement. Throughout the pandemic, the government had enacted many ambiguous policies on work, travel, and social gatherings, causing public confusion (Al Jazeera, 2020). Since the policies are also sometimes incoherent among its ministries and institutions, it is difficult to convey a clear unified message and information to the people (Palma, 2020). Data transparency is also being questioned, since the government was reluctant to openly inform the people about the development of the pandemic. The untransparent data presented, as well as dismissive statements made by the government, have escalated the harm caused by the pandemic across the country, as it failed to raise public awareness and formulate effective policies (Daraini, 2020). The government officials and ministries also took and made unscientific approaches quite frequently, making the situation worse (Allard & Lamb, 2020). It appears that not only were the policies not formulated thoroughly and scientifically, but they were also poorly communicated to the people.

The material resource, especially on budget utilization in the general pandemic management and public health, is also problematic, as it could not catch up with the rapidly worsening situation. President Joko Widodo appeared to be furious during his speech towards the ministers, especially when he pointed out that Indonesian government had allocated around $5.2 billion for the health budget. However, the Health Ministry spent only 1.53 percent at that time (Tambun & Andriyanto, 2020). Meanwhile, the death toll is increasing and medical workers are burnt out, as Indonesia's fatality rate is still among the worst in Southeast Asia (Lindsey & Mann, 2020).

Seeing the debilitated wellbeing of the Indonesian population, could frequent policy blunders by the State during deadly global pandemic be seen as a security threat? In order to avoid such judgment and to maintain its legitimacy as a security provider, the State should base its health security decisions on scientific data or evidence. Should the State be able to accomplish this well, it could effectively achieve more beyond health security, including economic recovery and political support from the public.

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Justice-Oriented Approaches to Pandemic-Related Human Rights Abuses in the Philippines

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Days after the passage of the Republic Act No. 11469, the *Bayanihan to Heal as One Act* that statutorily declares a state of emergency and grants Philippine President Rodrigo Duterte emergency powers, the executive branch of the Philippine government was quick to defend its choice in designating retired military officials in charge of managing the COVID-19 pandemic. This line of decision-making points to the challenges that emerge in the realm of respecting, protecting, and fulfilling fundamental rights and freedoms. Gaps in the Philippine government's approach—especially in reference to human rights—have to be necessarily filled by a perspective that factors in justice.

By characterizing the present emergency as a "*state of war against an unseen enemy*" (Panelo, 2020), and thus justifying the leadership role taken by ex-military officers, the executive effectively confirmed the militarized approach of the government to a public health crisis. In utilizing conflict-loaded language in this situation, a challenge to peacetime stability of society arises. A sustained militarized approach from the government poses problems in the enforcement of the state's human rights obligations in the immediate context, as well as in confronting questions of justice in the long run.

Various reports of law enforcement or local government abuse in Metro Manila and other parts of Luzon island have come to light after the imposition of restrictive measures on the freedom of movement (CNN Philippines Staff, 2020). Another distinct feature of R.A. No. 11469, penalizing the spread of false information related to the pandemic, could also be a potential source of violations of the fundamental right to free speech and expression (Buan, 2020). Further, during the steady rise of COVID-19 cases in the Philippines, President Duterte certified as urgent the passage of an Anti-Terrorism Bill, which was later signed into law as the Anti-Terror Act of 2020 (Ranada, 2020). The Anti-Terror Act highlights the highly securitized response of the Philippine government to perceived threats at the expense of fundamental rights.

With "waging war in combatting the pandemic" going beyond a mere metaphor in the Philippines, the human rights sector must be ready to anticipate a surge in the number of violations committed in the name of protecting public health. The recent experience of the country with the Duterte administration's controversial war on drugs should yield valuable insights for the human rights community at this point and should be applicable to yet another emerging pattern of large-scale human rights violations. There, too, is

the increased number of deprivations of life and liberty against human rights defenders (Gavilan, 2020). To this end, there should be sustained efforts at recording reports of abuses.

Analogously, using the tools associated with the substantive field of transitional justice could aid in anticipating the human rights crisis borne out of highly draconian state measures. "Transitional justice consists of both judicial and non-judicial processes and mechanisms, including prosecution initiatives, facilitating initiatives in respect of the right to truth, delivering reparations, institutional reform and national consultations" (Ki-Moon, 2010) and must conform to international legal standards and obligations. Such justice-oriented mechanisms are implemented in societies transitioning from conflict or from a previous regime with a legacy of human rights abuses.

While the traditional application of transitional justice is limited in its scope, there is potential in looking at the concepts of truth-telling, accountability, reparations, and institutional reform in the aftermath of COVID-19. First, the relevance of transitional justice approaches is especially magnified, given the nexus of the state's conceptualization of conflict as applied in the pandemic and an emerging pattern of the state's abuse of power. Then, a transitional justice approach might also provide a handle in thinking about state responsibility in the international plane. Lastly, it could inform how we treat violations of rights other than civil and political rights, so as to include relevant economic or social rights.

Vulnerable communities, like the poor, the disabled, or family members left behind, must be provided with ample legal, social, and economic protection. For instance, legal accountability against government abuse and massive corruption must be guaranteed, coupled with restitution, compensation, or satisfaction. Their narratives, more importantly, must be preserved and perpetuated through human rights documentation in order to inform future human rights interventions. At any rate, restoring dignity should be at the heart of any institutional mechanism moving forward.

In the middle of these extraordinary times, the response demanded from those holding the line for human rights and the rule of law should be both creative and critical. Human rights, after all, retain their importance and primacy, even in times of great public emergencies.

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Defending Human Rights in the Time of COVID-19: Collective Action Against State Repression in the Philippines

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Aiming for political participation to influence social change, collective action against state injustices, known as activism, has been an anathema to an authoritarian rule. At the height of the COVID-19 pandemic, the voices of ordinary citizens are social change's strongest driving force in the Philippines. They can influence policymakers through by-elections and referendums and mobilize others to support the same cause (McCosker, 2015).

Struggling against Repressive State Apparatus

Louis Althusser (1970), in his book "Ideology and Ideological State Apparatuses," stated that the repressive state apparatus consists of the army, the police, the judiciary, and the prison system. It operates primarily by employing mental and physical coercion and violence (Kriesberg, 1971).

Activists have had a difficult time engaging with the government since the time of Dictator Ferdinand Marcos. Fast forward to the current administration, which has the strongest semblance to the Marcosian brand of governance, President Rodrigo Roa Duterte, who initially affiliated himself as an ally of the left, ended up rallying against activists and human rights defenders up to date (Civicus, 2020; Esguerra, 2020; Gavilan, 2020). Duterte's use of emergency powers and gaslighting to control the public under this health crisis manifests a corrupted state rule by authoritarianism (Hartung, 2020). Even United Nations (UN) Secretary-General Antonio Guterres warned against rising ethnonationalism, populism, and authoritarianism, and a push back against human rights in some countries. He added that the crisis could provide a pretext to adopt repressive measures for purposes unrelated to the pandemic (Nichols, 2020). Further, the killings of human rights defenders Zara Alvarez, a human rights leader, and Randy Echanis, a peace consultant tortured and killed in his residence, send a chilling effect to silence the dissenters of the administration (Malasig, 2020).

Defending Human Rights and Freedoms during COVID-19

Activism has played a pivotal role as the citizens' voice in calling for government reforms. Mass movements have shaped how the government has been handling this crisis. During this period of restricted movement, lockdown, and crackdowns, activism did not wither but shifted to cyberspaces as a means for collective struggle. Before the enhanced community quarantine (ECQ), progressive groups aired their urgent demands in the time of lockdown on social media (Valls, 2020). Among these are administering mass testing

that is free, widespread, and systematic; increasing the equipment, supply, and personnel of hospitals; and other recommendations.

The government gave most of the demands due to public pressure, and others through different NGOs and organizations' patchwork. Netizens continued to clamor against injustices during the ECQ. The Department of Health apologized for the Php 500 per day allowance (Yumol, 2020), and far-flung areas like Sitio San Roque in Quezon City have received some relief goods (Ornedo, 2020). Police released arrested residents who staged a protest over the government's failure to provide the promised aid, and mass testing is finally underway. Despite the mobility handicap due to the COVID-19 pandemic, engagement with the masses still continues. Many young people who are active on social media participate in political discourse, such as criticizing the government's strategy for distributing goods, like in the case of Mayor Joy Belmonte (ABS-CBN, 2020). They stood against the national government in maligning the activities of Mayor Vico Sotto, and slammed the unjust action of the police when they killed former soldier Winston Ragos. They also criticized the Cebu governor for shaming doctors on her advocacy on steam inhalation (Rappler, 2020).

Regardless of the danger brought by rampant red-tagging and gunning down of other activists (Malasig, 2020), human rights defenders continue their efforts to alleviate the suffering of the poor, marginalized, and neglected by society. Despite the state surveillance through the passage of the Anti-Terror Law last July (Nonato, 2020). They believe that mass mobilization and the constant call for reforms will bring about liberation, transformation, and empowerment.

Activism further flourishes because the government's inefficiency in the rife of COVID-19 pandemic has been exposed in social media. Its political formula makes the society and government more aware and concerned with addressing the people, despite people's impression that an activist is a tireless complainer and nuisance. Activism is more than noise and criticisms; it is inciting meaningful change in the name of human rights and freedom. Similarly, an activist is both a catalyst and an agent of liberation, transformation, and social change empowerment. Their protection must be guaranteed while they serve as the voice of the voiceless in society.

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Cambodia and its New Wave of the Law on the State of Emergency During the COVID-19

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Amid the COVID-19 pandemic, many countries in Southeast Asia, such as Thailand, Indonesia, Malaysia, and the Philippines, have declared a state of emergency. Cambodia also adopted an emergency law that could bring significant impact on its socio-political landscape and on the people. This article aims to provide critical analysis of the new Cambodian law.

The country has witnessed the rapidly increasing numbers of positive cases in March. On 20 March, the Cambodian Prime Minister mentioned the possible scenario of using Article 22 of the Constitution to request King Norodom Sihamoni to declare the state of emergency (Ouch, 2020). Then, on 31 March, the government approved a draft law entitled "*Law on National Administration in the State of Emergency*" (Aun et al., 2020). The draft law was sent to the National Assembly and the Senate for review before being submitted to the king for promulgation. While the king was on a medical visit to China, the acting Head of State, who is also the President of the Senate, signed the bill, and it became a law on 29 April (Heng, 2020).

Since the country was reunited in 1993, Cambodia does not have a separate law on the state of emergency. None of us could have ever imagined that the law would be adopted during the fight against the invisible enemy, the COVID-19. Although the Prime Minister has ensured that the law could only be used when the situation is out of control, Cambodia is now ready to welcome this new law (Ouch, 2020).

Similar to the law of other countries, this law allows the declaration of a state of emergency when the nation faces danger, such as war, foreign invasion, public health concerns caused by pandemics, serious chaos to national security and public order, and severe calamity (Chheng, 2020). The law prescribes broad and unfettered powers to the government during a state of emergency that undermines a range of fundamental rights, including freedom of association and assembly, freedom of expression and information, freedom of movement, and right to property (Chheng, 2020). It authorizes extraordinary powers to the government to impose confinement, quarantine, and evacuation. The state can also manage, seize, and handle properties, when necessary, to respond to the emergency. It allows the government to set prices on necessities and services, shut down public or private venues, conduct surveillance, and prohibit dissemination of information that may cause fear or social chaos. The obstruction of the law's implementation shall be punishable by a prison sentence of between one and five years, and a fine of up to five

million riels. An obstruction that causes public chaos or harms national security is subject to between five to ten years imprisonment.

While the implementation of the emergency law will lead to some human rights restriction, it is also a concern that the government will take advantage of the state of emergency to introduce unwarranted restrictions on human rights and other fundamental freedoms that would be more difficult to pursue under normal circumstances for their self-serving purposes. Many of the gravest and systematic human rights abuses occur during public emergencies, when the state employs extraordinary powers to address threats to public order. In Cambodia, the draft law was prepared, reviewed, and then approved in a top-level meeting led by the Prime Minister within one week. Civil societies and other NGOs could not participate in the drafting process, which brought the concern that the law would be used as a tool to surpass human rights in the country. Since the government is empowered to use additional powers to tackle the threat to protect the people while curbing some individual rights in the interest of the wider public, this law will be used as a legitimate tool to sweep the powers and permit human rights restrictions during the state of emergency.

A state of emergency can be declared when it presents a clear danger to the life of the nation that cannot be adequately addressed with the normal powers and resources available to a government. However, certain rights, such as the right to life or the right to be free from torture, cannot be derogated under any circumstances. The current situation in Cambodia is under control. As of 16 November, the country has reported 302 confirmed cases with 289 people cured (Ministry of Health, 2020). At this moment, the government manages to control the spread of the virus. Given the circumstance, Cambodia is not ready to declare a state of emergency. Whether Cambodia will declare a state of emergency in the near future or not, the government shall ensure that all measures taken must respect the rights and fundamental freedoms provided and guaranteed under the relevant instruments of international and national laws.

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3 Fundamental Freedoms

Gagging Dissidents amid COVID-19: The [Un] Democratic Décor in Failing Democracies

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Democratic Rights During Pandemic

On 11 March 2020, the World Health Organization declared COVID-19 as a pandemic (World Health Organization, 2020). As of 13 May, COVID-19 was affecting 210 countries and territories around the world with a total of 306,402 deaths and 4,615,898 affected persons (Worldometer, 2020). This presents a range of new challenges to democracy and human rights. With the rush of fear and anxiety of COVID-19 around the world, many people are wary about how the pandemic will impact our civil and political rights. Repressive regimes around the world have responded to the pandemic in ways that serve their political interests. Will government-enforced quarantines or curfews impose on our right to move freely?

"Mobilizing an effective public response to an emerging pandemic entails clear communication and trust" (Holmes, 2008; Taylor et al., 2009; van der Weerd et al., 2011; Vaughn & Tinker, 2011 cited in Allcott et al., 2020). In this critical moment, it is crucial to be able to speak confidently about the states' obligations to protect human rights. In response to the pandemic and to control the spread of the Coronavirus, governments have taken emergency measures to flatten the curve or suppress the spread of the disease, many of which have compromised human rights and freedoms. The United Nations High Commissioner for Human Rights views that restrictions taken to respond to the virus must be motivated by legitimate public health goals and should not be used simply to quash dissent (Office of the High Commissioner for Human Rights, 2020). However, many governments seem to have crossed the line, including the state authorities in South and Southeast Asia. Take for example Bangladesh and Thailand. Apart from restricting movement and regulating social interactions, governments in these countries seem to be cracking down free speech and people's civil-political rights by silencing those who have expressed their concerns over the strict handling of the pandemic.

Silencing Free Speech in Authoritarian Regime

International watchdogs and authorities reported that state authorities in Thailand and Bangladesh have targeted academics, researchers, health professionals, and other people who speak about the government's wrong actions or mis-planning. Bangladeshi

authority has detained academics, journalists, and dissidents for expressing their views on the mishandling of the COVID-19 crisis and the government's corruption, silencing the genuine concerns or criticism of the government's handling of the crisis using the Digital Security Act (DSA) 2018. Simultaneously, the Thai government applied the Computer Crimes Act, Article 116; the Thai Criminal Code, Articles 326 to 333, to criminalize defamation; and 'anti-fake news' laws to monitor and suppress online content and prosecute individuals for various broadly defined violations of the law (Amnesty International, 2020; Human Rights Watch, 2020). The Bangladesh government started monitoring private television channels, printing, and social media for "rumors" and "propaganda" regarding COVID-19 by issuing government circulars on 25 March 2020. Dozens of academics, researchers, students, and ordinary citizens also faced legal repression under the highly controversial DSA 2018. In this situation, even academic work is under the spotlight of government authorities (van Elsland & O'Hare, 2020). In Thailand, an Amnesty International (AI) report says that Thai authorities are always watching human rights defenders, activists, politicians, lawyers, and academics who describe how the government criminalizes the right to freedom of expression to oppress those perceived to be critical of Thai authorities. Thai authorities are prosecuting social media users who criticize the government in a systematic campaign to crush dissent, exacerbated by new COVID-19 restrictions (Amnesty International, 2020).

Historically, pandemics, wars, and famines have led to the expansion of powers of the state at the expense of democratic rights and freedoms. These freedoms once lost are not easily regained. When it comes to downgrading democracy, the right to free speech tends to be the proverbial canary in the coal mine. According to Menon-Johansson (2005), "Only governments sensitive to the demands of their citizens appropriately respond to the needs of their nation." Therefore, the state authority should come forward to provide information necessary to protect and promote the fundamental human rights of its citizens, including the right to health.

Way Forward

In this critical time of COVID-19, both the governments in Bangladesh and Thailand should act democratically. Rather than combing social media and television channels or newspapers and arresting people for posting about COVID-19, the authorities should create civic space through national coordination with the experts and specialists to fight against the spread of the virus. State authorities in both the countries should also facilitate academic and research freedom by ensuring that every citizen is informed accurately about the spread and impact of the virus and, at the same time, by tackling all misinformation and fake news without harassing the people and without hampering their right to information and freedom of expression.

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COVID-19 and the Right to Freedom of Religion and Belief

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A great concern in connection with the spread of the COVID-19 in many parts of the world is the large-scale gathering of people in connection with religious events. This state of affairs presents a formidable challenge to the state and federal health authorities as it seeks to balance the interest of the religious communities and the need to contain the spread of the virus. Religious events with large-scale gatherings and interactions will likely contribute to the increase in COVID-19 cases that often affect families, neighbours, and friends. So, the question is, "Should public authorities even permit such gatherings to go on? "

Why Should They Gather?

There are many reasons why religious adherents go to such length to fulfil their religious obligations in the face of risks to health and life. In Malaysia, Deputy Minister of Women and Family Development Siti Zailah Mohd Yusoff's text is instructive, "The likelihood of dying from the Coronavirus is only 1%, while the possibility of dying at any moment is 100%. *Let's renew our faith and fear God, truly death is real and it comes unexpectedly*." (Free Malaysia Today, 2020) [emphasis added].

Faith and fear of God often compels people to act in ways that could easily be misunderstood. While believers of all faith traditions and beliefs choose to place their hopes and trust in the divine for protection and deliverance, it is equally true to say religion is never dualistic in the sense of "me and my God." There is always the "other." True faith and piety can never be unless we love and consider the other in our midst. This is where the right to freedom of religion and belief becomes relevant, for religious freedom is a right for one's own expression of faith as well as for the consideration of the other's well-being. Freedom of religion and belief protects the believers and non-believers' rights, while ensuring the interest of the other is preserved.

Are There limits to Religious Freedom?

International norms have never denied the right to freedom of religion, and belief is deeply rooted in faith and universal in nature. But like all other rights, it may be restricted

or limited when there is sufficient justification. Religious freedom scholar Paul Marshall helps us to understand what religious freedom really is and why the restrictions:

One is to define religious freedom normatively as a freedom that, like all freedoms, is inherently subject to many restrictions—such as others' rights to life or health. Here religious freedom is defined as a freedom that is, like all others, necessarily restricted by other freedoms, and also by the duties that we all must follow.
This is similar to the position taken in Article 18 of the International Covenant on Civil and Political Rights …

An alternative is to define religious freedom in very broad terms without including any possible restrictions in the definition. But we could then add that religious freedom may legitimately be restricted in certain circumstances but that we need to call a spade a spade and call these restrictions what they are: actual (if justifiable) limits on religious liberty (Marshall, 2020).

As Marshall notes, if religious freedom is to be limited or restricted, it must never be employed arbitrarily; for example, to target a particular religion or religious community. It must be preceded with overwhelming evidence available that public health would be severely endangered, and harm will likely occur. This was the case in Malaysia. Before the restriction or limitation is set, consultation ought to be held with stakeholders or interest groups to ensure that the restriction or limitation is desirable and proportionate to the aim of that limitation or restriction.

A decree or act to restrict religious freedom and limit religious activities must also be clear and transparent. Its scope must be time-limited and with clear indication on when the restriction or limitation will end or will likely end. The presumption is in favour of religious freedom for all people anytime and anywhere, unless clear evidence shows widespread community transmission would endanger life. The onus is on the state to justify on grounds of legitimacy the limitation or restriction placed upon public gatherings for worship and occasions of religious festivals and activities.

As we have come to observe, many governments have been found wanting in the preservation and fulfilment of human rights obligations during this pandemic season. In the case of freedom of religion and belief, states need to enact a clear policy setting out the principles we have discussed above to ensure they do not usurp and end up dictating to religious institutions what it can or cannot do. This is necessary for the wellbeing of spiritual and human flourishing, even in times of a pandemic affecting a democratic polity. Whether such a policy becomes reality, however, remains to be seen.

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Interrogating the Level of Freedom of Expression and Access to Information in Timor-Leste in the Time of COVID-19

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The full enjoyment of freedom of expression and access to information is key to ensuring the people's participation and the government's accountability in the fight against COVID-19. People need to express their voices to inform the governments about their condition and concerns. Therefore, people need to have access to evidence-based information about the Coronavirus pandemic, as well as spaces and opportunities to quickly express what they see, what they think, and what they need in light of the crisis. Although these rights are fundamental, they could be limited or controlled by politicians and state authority during a crisis. Thus, journalists are crucial defenders, often in the front lines to uphold the freedom of expression and to keep people and government informed during the pandemic. And although they are essential to help the people and the government to combat the Coronavirus pandemic, they are also vulnerable to different kinds of risks, like little social protection, no economic support, and threats of physical violence.

Many journalists work actively without masks, gloves, personal protective equipment, and poor salaries (Oki, 2020). In Timor-Leste, many earn only the minimum wage per month of $150 (USD). According to some journalists from the Timor Post, journalists depend on institutions or civil groups to provide essential goods - such as rice, water, noodles, and soap - during a crisis. They also have to provide their own masks. The Association of Timor-Leste Journalists and the Timor-Leste Press Union asked the Ministry of Health to provide clear information to the media. As a result, they requested that the government should cooperate with journalists and open space to ask questions regarding the Coronavirus pandemic (GMNTV, 2020).

Journalists could also easily face threats of physical violence from students who study abroad and come back to Timor during the COVID-19. Recently, Timorese citizens abroad have not been allowed to enter Timor-Leste due to the lockdown. On 23 April 2020, six students who study in Indonesia illegally returned, and the Timorese government quarantined them at the Mota-ain on the Timor-Leste border with Indonesia. When one journalist tried to get information from them, two female students suddenly attacked the journalist because they did not want to be exposed (RTTL, 2020).

Freedom of expression, along with the right to access information, are fundamental rights of everyone, though they could be limited in a health emergency. Timor-Leste Constitution Section 41, Clause 2 says, "Freedom of the press shall comprise, namely, the freedom of speech and creativity for journalists, the access to information sources, editorial freedom, protection of independence and professional confidentiality, and the right to create newspapers, publications and other means of broadcasting" (Constitution RDTL, 2002). UDHR 1948, Article 19 emphasizes the right to freedom of expression (UDHR, 1948). Journalists should have the right to access information sources without facing any violence. In a time of crisis, their jobs are especially significant in informing civilians of directives, data, and related information from the government and other sectors. Journalists monitor the government's preparedness and response to the crisis and facilitate opinion exchange and formation of public debate and discourse, especially when politicians cover up the cases of human rights violations and failures of flattening the curve.

One of the important things about information on the disease and the progress of the government response is that people can know how to protect themselves while monitoring government practice in fighting COVID-19 through the media. Failure to gain information could further lead to contagion and more casualties. However, access to information could be given in times of crisis at the cost of limiting freedom of expression. In many Southeast Asian countries, such as Thailand, Indonesia, Vietnam, and the Philippines, governments are implementing policies and laws to purge people for spreading false information, which raised the concerns that politicians might use this as opportunities to silence dissent. Timor-Leste did not create fake news laws, and it is relatively open to criticism and dissent. Instead of punishing the people who are suspects of sharing false news, the Timorese government puts more effort into creating and crediting correct and trustworthy data and news about the Coronavirus pandemic through its *Centro Integrado de Gestao de Crise* (Departamento Comunicação Diocese Dili, 2020).

During the Coronavirus pandemic outbreak, the right to access scientific and evidence-based information and the freedom of expression should be ensured simultaneously to strengthen the efforts between the people, civil society actors, international rights bodies, and the government in fighting COVID-19 in Timor-Leste. People need to know the information on how to save their lives, and they need to speak up to inform the government. Moreover, both rights are vital to maintaining democracy when many government institutions are suspended without checks and balances. The key is that the provisions of these rights must be made simultaneously and proportionally in times of crisis. Both rights are essential to protect people from COVID-19 - especially in a developing country that still has so much to lose from a health crisis.

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Explaining the Rise of Hate Speech Aimed at Rohingya Refugees in Malaysia

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Rohingya refugees have been at the receiving end of hate speech from almost all segments of the society during the COVID-19 pandemic in Malaysia, including those from the middle and upper economic strata of the country. This exercise maps the regional and local discourses that shaped Malaysian minds that lead into these prejudices and discriminatory effects. Unlike the earlier discourses that alluded that the 'othering' was mainly caused by the pandemic itself, this analysis would prove that the mistrust toward the Rohingyas was already brewing due to the Malaysian government's inability to incorporate well-thought-out assimilation initiatives. We hope this piece gives policy makers, researchers, and human rights activists a perspective on pressuring ASEAN countries to work with Myanmar on a permanent solution for the Rohingyas, instead of populist statements that can result into long term effects of prejudices, discrimination, and even hate crimes. Countries like Malaysia should also consider relooking into policies affecting refugees.

Concerns over Imported Cases – Regional Factors

During the Enhanced Movement Control Order (EMCO), Najib Tun Razak took a one-hundred-and-eighty, going against his earlier policy of being in solidarity with the *Ummah* (Islamic community) by being receptive of Rohingya refugees during his administration. He was quoted saying, "*Sudah diberikan betis, nak peha pulak*" (KL Broadcast Media, 2020). This can be translated to "Give them an inch and they'll take a mile." This perception was shared by administrators of the Perikatan Nasional. It is important to highlight that out of the 178,000 refugees in Malaysia, of which 153,000 are from Myanmar and 101,000 are Rohingya refugees. It was reported that Southwest China's Yunnan Province's 1,941 kilometer borderline shared with Myanmar, Laos, and Vietnam had been on high alarm with regards to border control, with strict administration measures being imposed by the Chinese and Burmese governments (Shan, 2020). During the November 2016 civic outbreak in northern Myanmar, many Burmese fled the country to seek refuge in the temporary shelter in Wading, Yunan, China. People from the two states do not only share a common border, but many have relatives living on both sides of the fence. Before the outbreak, Myanmar had direct flights each week from Wuhan and more than 300,000 Chinese tourists visited Myanmar in 2019 (Nachemson, 2020). This excludes the 10,000 Myanmar workers that crossed the Chinese border for work daily. Concerns

that infections may be rampant and undetected could have influenced the perception of regular Malaysians, notwithstanding the middle and upper classes in the country.

The 'Othering' of Rohingyas – Domestic Issues

The pandemic took a toll on the daily wage earners during the MCO (Movement Control Order). The housing facilities are typically cramped and unhygienic (Sandanasamy et al., 2020). When it was reported that 78 percent of the COVID-19 cases as of late May were mainly migrant and foreign workers, this further exacerbated the perception that these groups were a threat to the general wellbeing of regular Malaysians (Loheswar, 2020). Misinformation and hate speech over social media further fueled hatred by regular Malaysians toward the Rohingya community particularly (Ding, 2020).

Extreme poverty and lack of opportunities have also made the Rohingyas vulnerable to illicit activity and extremism. There have been reports of Rohingyas being used as drug mules from the Shan State into Bangladesh (Ginkel, 2020). While there is no concrete evidence that the Rohingyas are further being exploited into bringing Ya Ba into Thailand, Malaysia, and other neighboring countries, discounting these possibilities would be erroneous.

Locally, the Rohingyas have been recruited as drug pushers. Turf war has also led to shootings at a wholesale market here in Kuala Lumpur. Local smugglers have found the Rohingyas to be readily expendable in comparison to the local recruits. Five were caught four years ago on drug smuggling charges. They also have shown signs of being vulnerable to being recruited by terrorist groups like ISIS (Fernandez & Greg, 2020). These isolated incidences, in comparison to the large number of Rohingya refugees in Malaysia, do play a role in influencing negative perceptions toward the community.

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Face Covered, Mouth Shut: Unmasking Social Media Free Speech During the Philippine COVID-19 Crisis

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During the COVID-19 pandemic, the Philippine government, through the National Bureau of Investigation (NBI), cracked down on alleged "fake news" purveyors – issuing several subpoenas against ordinary citizens on the basis of their social media posts. However, it was unclear as to what grounds these subpoenas were issued under and how these posts were considered "fake news".

Not a Curtailment of Free Speech and Expression

Article III Section 4 of the 1987 Philippine Constitution guarantees one's right to free speech and expression, which necessarily includes one's opinions on social media. The NBI has, however, clarified that they are not suppressing the people's freedom of expression, but are only after those spreading false news, punishable under Article 154 of the Revised Penal Code penalizing the unlawful use of means of publication and unlawful utterances (ABS-CBN, 2020b).

Nevertheless, human rights lawyer Chel Diokno has stated that the subpoenas issued did not specify which posts violated the law (Lagrimas, 2020). Diokno has agreed to defend those accused by the NBI, insisting that his clients are not purveyors of fake news, but are merely criticizing the actions of the government. These, to him, are merely an exercise of their right to freedom of opinion and expression.

A new point of contention emerged through passage of Republic Act No. 11469, or the Bayanihan to Heal as One Act, which penalizes "fake news" as well. Its Section 6, Clause 6 punishes "individuals or groups creating, perpetuating, or spreading false information regarding the COVID-19 crisis on social media and other platforms, such information having no valid or beneficial effect on the population, and are clearly geared to promote chaos, panic, anarchy, fear, or confusion." Although it has yet to be used against any person, various digital rights advocates and legal practitioners have contested its inclusion (Lardizabal-Dado, 2020).

Chilling Effect

These subpoenas, Atty. Diokno fears, would lead to a "chilling effect" on the people's exercise of their right to free expression (ABS-CBN, 2020a). Being summoned by the NBI without being provided concrete basis as to the alleged unlawful act they have committed is alarming, especially during a pandemic where transportation and access to

basic needs are restricted. Such a threat becomes an inhibition or discouragement of the people's legitimate right to free speech and expression.

The fake news provision of the Bayanihan Act also poses various problems in the exercise of free expression. A principle of Criminal Law states that there must be no crime or punishment when there is no law that defines it. There is no law in the Philippines that defines false information - not even the Bayanihan Act. This gives law enforcers unbridled discretion as to what encompasses false information. How, then, will facts be delineated from opinions?

Furthermore, the provision punishes those "creating, perpetuating, or spreading" such false information, implying that those who *share*, *like*, or possibly even *comment* on the supposed false information could be held liable. This, then, broadens the chilling effect on the Filipino citizens' right to free speech beyond persons who made the original posts. Previously, a similar provision of the Cybercrime Law (2012), punishing "aiding and abetting" cyber libel, has been deemed unconstitutional by the Supreme Court for being overbroad and for creating a chilling effect on the people's exercise of their rights.

Specificity Needed

Many of these problems could be resolved by identifying and determining with specificity the various acts imputed or to be imputed to erring Filipino citizens. If the government is to respect the citizens' right to free speech and expression, it has to ensure that these punishable acts are properly defined, and that those subpoenaed are appraised of such acts violative of the law.

While the NBI has the duty to undertake investigation of crimes and offenses under Philippine laws, it has the duty to appraise the accused of such unlawful acts before they could be properly investigated. Otherwise, the subpoena would not serve its purpose, but would merely instill fear on the people. Hence, the NBI has to ensure that they are only after those in violation of the law – and that the people's right to free speech and expression are respected –by appraising them of the basis of such investigation. The Bayanihan Act provision on false information also needs to be revisited, and amendments have to be made regarding the crime's definition and scope - if it is even possible to be implemented at all.

The NBI has recommended the filing of charges against Chel Diokno's client, but it is unclear whether or not it has actually pushed through. A second law was passed – Republic Act No. 11494 – supplementing the Bayanihan Act. The new law, however, did not touch the false information provision, but instead focused on economic recovery and medical procurement, among others.

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Academic Freedom and the Responsibility of the University amidst COVID-19 Pandemic

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The Philippines has been under the longest lockdown in the world, and the effects of the COVID-19 pandemic have led to the suspension of physical classes due to the community quarantine. Now, schools are constrained to hold classes via online platforms.

The situation begs the question on whether institutions may continue classes in this manner, and if it is in the best interest of the students. This is especially relevant in the Philippines, where not everyone has stable internet and gadgets or devices. It has come to the point where students have to climb mountains for internet signal to submit requirements (GMA News, 2020) and other similar stories. They clamor for empathy from their universities (Bagayas, 2020) and call for an academic freeze due to the difficulty of coping and the great expenses (Ong Ki, 2020). There is also more burden on teachers who have added workload and may not have access to the internet connectivity required for the shift (Flores & Romero, 2020). Moreover, numerous calamities that have hit the Philippines over weeks in October and November have exacerbated the difficulties of online learning due to power outages and loss of signal on top of the already devastating situation of dealing with destroyed homes and lost loved ones (Ku, 2020).

The Philippine Constitution ensures the right of academic freedom (Art. XIV, Sec. 5 (2)). This consists of "four essential freedoms of the university: the right of the institution to determine for itself on academic grounds (a) who may teach; (b) what may be taught; (c) how it shall be taught; and (d) who may be admitted to study" (Pimentel v LEB, 2019). Regarding these, the university has autonomy, and the state generally does not interfere.

Concomitant to this is the right to education, which is protected in international law (Universal Declaration of Human Rights, Art. 26; International Covenant on Economic, Social and Cultural Rights, Art. 13 (2)) and by the Constitution— "The State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all." (Art. XIV, Sec. 1) But this basic human right does not mean unrestrained access to any institution; rather while "students have a right 'to freely choose their field of study' … such right is subject … to the established academic and disciplinary standards laid down by the academic institution" (*Ateneo v Capulong,* 1993).

From this we see that academic freedom consists of a broad range which Philippine laws and jurisprudence have rarely restricted. It seems that the institution indeed has the freedom to implement any policy it decides on. However, the exigencies of the situation demand that considerations be given. The right to education should not be interrupted

now, especially because of difficulties beyond the students' control. Universities should not forget that in the time of a pandemic, empathy and understanding should be the priority.

It is not unheard of for schools to be compelled to adjust what they originally considered a valid exercise of their academic freedom, to consider the students' right to education, as in the case of *Isabelo v Perpetual Help College of Rizal* (1993). With the pandemic upon us, the words of the Supreme Court therein are important for universities to consider—

> *"Like any other right, however, academic freedom has never been meant to be an unabridged license. It is a privilege that assumes a correlative duty to exercise it responsibly. An equally telling precept is a long-recognized mandate, so well expressed in Article 19 of the Civil Code, that every "person must, in the exercise of his rights and in the performance of his duties, act with justice, give everyone his due, and observe honesty and good faith" (227 SCRA 591, p. 596).*

Justice Cruz, in his dissenting opinion in *Tan v CA* (1991), also discusses the responsibility of the university:

> *"I have reservations about the ponencia insofar as it suggests that if the parents are not satisfied with the policies of the school, they are free to enroll their children elsewhere. It is not as simple as that. The school … is an enterprise affected with public interest and as such does not have full freedom in defining its policies. The school has a missionary and visionary purpose" (199 SCRA 292, p. 227).*

As institutions of learning, it is urged that they implement measures that are fair and just, and exercise their academic freedom in a way that will not comprise the students' legitimate learning experience, health, and safety. Yes, they have the power to decide and implement policies, but they must wield such power with discretion, remembering that the students— having been accepted to the university prior to the pandemic— should not be forced into a situation where they give up their right to education because of the difficulty of access to education.

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4 Healthcare and Social Care

Communities at the Frontlines of Beating COVID-19

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The COVID-19 pandemic evoked a synergy of resources, competencies, and capacities among different response actors from the private sector, civil society organizations, United Nations agencies, and governments. As we have seen in the Philippines and elsewhere, there can be no monopoly of expertise in dealing with this highly infectious disease because collaborative actions are needed at all fronts. This is precisely why communities are integral in the humanitarian response cycle (Niederberger et al., 2019).

As stated in the Core Humanitarian Standard on Quality and Accountability (CHS), there are nine specific commitments that measure and improve the quality and effectiveness of assistance provided by humanitarian and development actors. Community involvement at *all* stages of decision-making is an essential right for people affected by emergencies (CHS Alliance et al., 2014). While the CHS may presently be a voluntary code for humanitarian actors, these commitments nevertheless affirm that people affected by crisis should be at the front and center of all actions that involve them, and that their human rights must be respected.

Without meaningful, active, and genuine community engagement and participation, COVID-19 will continue to travel beyond barricades, boundaries, and borders. In this regard, preparedness is critical and local government units will have a huge role to play in preventing health facilities, which should be the last line of defense, from being overwhelmed. In the Philippines, several private hospitals in the National Capital Region stopped accepting COVID-19 patients in June as numbers continued to rise in the first two months of the outbreak (CNN Philippines Staff, 2020). However, with the efforts of the government and hospital authorities, isolation facilities were rapidly constructed to decongest the hospitals. In November, the hospitals were able to accommodate patients as hospitals dedicated to COVID-19 were equipped with more beds and facilities. Updates from the 15 November report from the Department of Health (2020) illustrate that the occupancy rate for ICU beds was 44%, and for isolation beds, 41%. These figures indicate that our hospitals can cope with the number of daily cases.

Among the challenges that communities and local governments had to deal with was that of returning residents who availed of the government's *Balik Probinsya* (Back to the Provinces) Program. The program put communities at risk. In fact, many cases of local

transmission were caused by those who returned to their places of origin after having been exposed in the hot spot areas and the epicentres of the outbreak.

Starting August 2020, local government units constructed more quarantine and isolation facilities, which helped cater to the returning stranded locals and those who were showing symptoms. Provincial and hospitals stepped up to upgrade their facilities for COVID-19 patients.

Mobilized communities will be better equipped to actively participate in containing, controlling, preventing, and managing COVID-19. A gender lens throughout all phases of response operations ensures underserved, marginalized, and at-risk individuals are reached (Dinglasan & Miranda, 2019). In this regard, the *Barangay* Health Emergency Response Team (BHERT) and other community-level mechanisms and structures can be leveraged to better reach families and individuals. The *barangay* is the smallest political and administrative unit for government action; and each municipality or city is composed of several barangays.

With the mobilization and support to activate the BHERTs in all the *barangays* (villages) in the country, and with the active participation of local governments, the detection, referral, and management of local cases became more organized. However, more efforts are required to ensure that every household not only understands the government programs and measures but also initiates actions to stop the spread of the virus.

With proper resources, support, and guidance from national and local governments, BHERTs can do much more than relief distribution and supervising checkpoints or quarantine areas. Community members can be recruited to augment BHERTs and be trained in active case finding, case referrals, and health promotion activities. After all, community members are best equipped to understand shared norms and values around risks and coping mechanisms of other community members during a crisis.

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Indonesian Social Care Institutions: Potential Death Chambers in the midst of COVID-19

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People with Psychosocial Disabilities (PwPD)- those who are diagnosed with mental health conditions—are currently facing restrictions in the exercise of their rights, specifically those detained in social care institutions or mental rehabilitation centers. They are considered as a group at a high risk of being infected by the novel Coronavirus disease of 2019 (nCoV-19) in Indonesia. Without government support and targeted policies, these social care institutions may quickly turn into a death chamber. In Jakarta alone, which is considered as the epicenter of the outbreak, there are around 2,500 PwPD trapped in government and private social care institutions. In Bekasi, a nearby city around Jakarta, hundreds more are confined and in quarantine (Muryono & Riswan, 2019).
Like most Indonesians, PwPD are not fully aware of the causes and impacts of the COVID-19 outbreak throughout the country. They are at the end of the line when it comes to accessing information. They are not even allowed to own mobile phones. Furthermore, most of the institutions where they reside do not have television nor newspapers available for their patients.

Discrimination of COVID-19 Pandemic Treatment for PwPD

In mid-March 2020, Indonesian President Joko Widodo ordered everyone living in the country to practice physical distancing as a measure to suppress infections. Unfortunately, the current situation in social care institutions contradicts directives of the government in avoiding the further spread of the virus. Many PwPD are still locked up in a crowded room, which breaks the whole principle of physical distancing. In many institutions, a 150 sq. m ward typically accommodates around 30 to 50 people. Furthermore, in some institutions, especially those privately-owned, residents are not allowed to go out from their ward apart from mealtimes (Indonesian Mental Health Association [IMHA] et al., 2020).

Another key directive is the promotion of personal hygiene. The government appeals to the public to practice handwashing to counter COVID-19. Basic personal hygiene is a serious concern in many social care institutions in Indonesia. Some residents find it difficult to use the toilet properly or even take a bath. As a matter of fact, Galuh Rehabilitation Center residents in Bekasi do all their daily activities in the same ward (IMHA et al., 2020).

In terms of diet and nutrition, it has been reported that many residents are left to starve. Before the pandemic occurred, some institutions managed to provide food which were

not adequate to meet their calorie intake (IMHA et al., 2020). Unfortunately, the public does not know the residents' nutritional diet during the pandemic as these were closed institutions.

Government Shall Fulfill PwPD Rights

Article 11 of the Convention on the Rights of Persons with Disabilities (CRPD, 2006) states that governments should take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk. COVID-19 is a great test to this provision. It is the right of a person with disability to be treated with dignity and to be able to access basic services. In this case, the Indonesian government needs to do so much to fulfill and to protect such rights. First, it should monitor institutions and make them accountable for their policies and actions. They must be able to control the number of residents that they accommodate and be able to always promote basic hygiene practices.

The Indonesian government is responsible for every human being within its territory. It should provide financial and technical support to concerned families in order for them to take care of their relatives with psychosocial disabilities during the health crisis. Otherwise, it should provide more facilities that can efficiently accommodate patients. Lastly, the government must ensure that everyone is able to access services for better nutrition as well as be informed about directives for public compliance against the spread of COVID-19.

This must be done swiftly, otherwise, social care institutions will start turning into death chambers - a situation no one wants to happen.

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Justice in the time of COVID-19: Actualizing Pragmatic Solidarity in Global Health Responses

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COVID-19 highlights the need for a paradigm shift that does not distinguish the "us" and "them," the "affluent" and "poor," and the "developed" and "underdeveloped." A nexus between global health and human rights must be established. The current global health situation caused by COVID-19 calls for all to take a rights-based approach.

A recent joint statement by the International Labour Organization (ILO), the Food and Agriculture Organization of the United Nations (FAO), the International Fund for Agricultural Development (IFAD), and the World Health Organization (WHO) highlighted that "tens of millions of people are at risk of falling into extreme poverty, while the number of undernourished people could increase by up to 132 million by the end of the year" (ILO et al., 2020). COVID-19 also brings threats to various enterprises affecting the livelihood of many while food security and public health issues converge (ILO et al., 2020). The statement calls for "global solidarity and support, especially with the most vulnerable in our societies, particularly in the emerging and developing world" (ILO et al., 2020).

Development and human rights scholars have suggested a paradigm shift necessary in matters of global health focusing on justice and pragmatic solidarity (Farmer & Gastineau, 2009; Gostin & Dhai, 2014). The right to health should be the basis of all states' commitments in ensuring the well-being of everybody (citizen or non-citizen).

Disparities in accessing healthcare reflect a burden of disease shouldered by states that have little capacity to provide tenable solutions. Global health justice entails shared responsibility between the Global South and the Global North (Gostin & Dhai, 2014) and collaborative solutions between nations (West-Oram & Buyx, 2016).

Pragmatic solidarity (Farmer & Gastineau, 2009) encourages the rapid deployment of tools and resources to improve the health and well-being of affected populations. It is recognized that human rights abuses in health stem from structural violence affecting different populations. These health injustices originate from a weak health system violating key aspects to the right to health – being an inclusive and non-discriminatory right (OHCHR & WHO, 2008).

With respect to justice, the concept of global health brings to the fore the importance of country contexts and concerns that national security should not upend the state's commitment to protecting human rights. However, the reality of global health is that the success of local and regional health responses is reliant on a larger movement of global health justice (West-Oram & Buyx, 2016).

Global health provides responses to epidemics like Ebola, Tuberculosis, and HIV, which have spread easily due to globalization, including migration, conflict and displacement, decolonization, and industrialization. COVID-19, as it seems, is no different – posing threats to both national and human securities.

This new proposed agenda places the provision of services at the core while advocating for societal transformation in the prioritization of health and rights by governments. Pragmatic solidarity begins by finding shared solutions to address key development issues (i.e., the strengthening of health infrastructures and systems of care) as it attains global health justice.

Pragmatic solidarity is observable in the ASEAN Post-2015 Health Development Agenda developed by the ASEAN health ministers meeting (ASEAN, 2017). These health strategic measures maximize the health system potentials of the ASEAN member states. ASEAN would be instrumental to this proposed paradigm when it actively contributes to strengthening collaborations on global health with other countries and development partners, especially with the current COVID-19 pandemic. In addition, the ASEAN health sector has also bolstered its response to COVID-19, as it is anchored on a Joint Statement during the ASEAN Plus Three (APT) health ministers meeting last 2019 (Ministers of Health of ASEAN Member States, 2019). This response is hinged on ASEAN member states sharing timely information and technical knowledge.

The ongoing COVID-19 pandemic reminds us that marginalization and vulnerability increase during pandemics because systems are disrupted. Therefore, the marriage of global health justice and pragmatic solidarity is essential. The immediate solutions can be seen when governments are responsive to immediate testing, treatment, care, and support for those afflicted by COVID-19. Medium-term solutions can enable policy changes that improve failed health approaches and ensure effective preparations for yet another health emergency. The longer-term solutions would include an increase in healthcare financing, creation of sustainability measures, and research for scale-up.

The shared responsibility to global health exercised by states will achieve this paradigm shift centered on pragmatic solidarity, which is vital to the realization of human rights. Only then can pandemics like COVID-19 be treated and prevented in the future.

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Dealing with the Present-Day Pandemic Psycho-Social Impacts of COVID-19 to the Filipino People

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The Severe acute respiratory syndrome coronavirus 2 (SARS-COV-2) is an invisible enemy and a great equalizer for it can infect anyone regardless of gender, age, social status, and economic capacity. The first case of the novel Coronavirus disease of 2019 (COVID-19) infection in the country was that of a Chinese tourist, which was publicly announced on 30 January 2020 (Department of Health, 2020a; World Health Organization, 2020). This announcement fueled anxiety to many Filipinos, including children and adults due to the possibility of local transmission.

Since COVID-19 is a highly contagious disease and since asymptomatic infection exists, the government is compelled to enact preventive measures to contain and prevent the further spread of the virus. The government through the Inter-Agency Task Force on Emerging Infectious Diseases (IATF-EID) instituted lockdowns or community quarantine measures resulting to restricted public movement, curfews, public transport bans, community check points, suspension of work and classes, cancellation of both local and foreign travels, prohibition of mass gatherings, and closure of non-essential shops/businesses to "flatten the curve of COVID-19 cases". The implementation of lockdowns either enhanced, modified, or general community quarantine varies from place to place, depending on the rate of infection. The Filipino people, particularly, the informal workers and daily wage earners, however, have been caught unprepared with the implementation of these measures. Had the government carried out preventive policies much earlier, virus infections which have reached 398,449 cases with 7,647 casualties as of 9 November 2020 (Department of Health, 2020c), could have been prevented.

This present-day pandemic poses numerous challenges to public health, food security, livelihood, education, and the economy of many countries including the Philippines, hence, affecting the psycho-social health of its people. The report of the first local transmission on 7 March 2020 (Department of Health, 2020b) even heightened the fear and anxiety among Filipinos throughout the country. The outbreak of this disease is alarming because there is no certainty as to how long it will continue and how scientists and researchers can work for its treatment and vaccine.

This COVID-19 pandemic has affected the psycho-social health of the following:

- **Health Care and Frontline Individuals**. These frontliners who handle COVID-19 patients have anxiety since they are confronted with high risks of infection and a dwindling supply of personal protective equipment (PPE). In fact, many of them have

been infected and are in quarantine. There were 38 Filipino medical frontliners who succumbed to the disease as of 5 November 2020 (Medscape, 2020). Fear continues as infected individuals attest to substandard treatment due to limited health care facilities and workers. The lack of quarantine areas and hospitals for COVID-19 patients have forced Persons Under Monitoring (PUM) and Persons Under Investigation (PUI) to practice self-medication and self-quarantine. This places members of their families, medical workers, and community at high risk of infection.

- **Farmers, Wholesalers, Retailers, and Consumers.** The COVID-19 pandemic has also become a threat to food security. The risk of infection during transport and marketing of farm produce, goods, and services have brought anxiety not only to farmers, but also to wholesalers and retailers. Consequently, the rising costs of goods due to a limited supply has caused apprehensions among consumers. The dearth of food and other necessities has normalized and has gravely affected every Filipino family.

- **Public Transport Drivers.** The suspension of public transport and closing of "non-essential" businesses during lockdown has made it more difficult for them to fend for their needs. The sudden declaration of a state of public health emergency has not given a provision for every Filipino an awareness of this pandemic.

- **Teachers, Parents, and Children.** The opening of classes made a digital divide among teachers, parents, and students, and has caused worry as it added financial and mental burdens. Parents with limited educational background and who are daily wage earners have struggled with how they can effectively assist with their children's learning. The issue with internet connectivity and modular homework has made the students more anxious and insecure of their coping abilities.

In conclusion, mitigating measures must be conceptualized to ensure availability, accessibility, and affordability of basic goods, and other services to alleviate the public from fear and anxiety. Moreover, the provision of support should not be politicized, and equitable distribution of medical services must be exercised. The Philippine government's strict and military-based approach has proven to not only be underwhelming, but also to lead to a potential gross violation of rights and freedoms. A militaristic approach in combating COVID-19 has brought hesitation and fear to the civil society and has delayed responses and relief efforts, especially those that can mitigate the psycho-social effects and issues during the pandemic. Transparent, accountable, and rights-based solutions, together with public compliance and cooperation, must be implemented immediately to effectively beat COVID-19.

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A Growing Stigma: The Danger of Discriminating Against the Rights of Healthcare Workers

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Whether doctors, nurses, administrative officers, kitchen staff or janitors at quarantine centers, all are willing to take risks to save patients' lives at the frontline against the COVID-19 pandemic. Many out there play the ultimate role of fighting to restore the world's condition where humans can interact with each other without being haunted by fear of the virus. By that, could you imagine what will happen to us, if suddenly, healthcare workers stop doing what they do?

The success of those at the frontline of COVID-19 is paramount in the handling of the pandemic. Therefore, sustenance for them should be made priority by the government and private sector with social support from the public, as each party has a role to play in further preventing the spread of this virus.

However, instead of receiving this critical support which they require, healthcare workers face various difficulties in carrying out their duties. Despite the scarcity of essential Personal Protective Equipment (PPE) such as surgical masks and hazmat clothing, the conditions have improved compared to the situation last April, where the limitation of PPE is a crucial factor that led to the increase in exposure of healthcare workers to the virus (Itodo et al., 2020). The Indonesian Medical Association (IDI) has announced that 159 doctors, 114 nurses, and 9 dentists have died during the COVID-19 pandemic (Jakarta Post, 2020). The deaths were primarily because they did not use adequate PPE, despite World Health Organization (WHO, 2020) regulations, which gives the right to PPE for health workers during the COVID-19 outbreak. Not only that, but their condition also worsened due to the lack of mental support and health insurance that is not fully provided for them.

Additionally, healthcare workers are not able to exercise the freedom to carry out their duties. For example, doctors and nurses in Jakarta are not allowed to enter houses because the community is worried that they will spread the virus (Ryandi, 2020). It has also been reported that local communities have banned the burial of health workers, who died due to exposure to the virus, in their cemeteries (Suherdjoko, 2020), regardless of any guarantee that the condition of the bodies complied with health regulations. It is very clear that, at this point, even the right to be buried humanely has been deprived from those who have fought against this pandemic. An underlying cause of this is stigma.

The stigma in handling the COVID-19 pandemic could have implications for the decline in the performance of the healthcare system. Limiting the movement of healthcare

workers, their rejection by the community and their selfishness in the form of hoarding and panic buying of PPE will adversely impact the availability of health services and the performance of healthcare workers in treating patients. With multiple stressors and little relief, healthcare workers are unequipped in unsafe conditions, causing their fall in this unfinished battle.

This situation almost resembles the social stigma which has been reported in several cases of HIV/AIDS (Prabandari et al., 2018). Stigmatization and discrimination do not only occur in the surrounding community where they intersect, but also among the healthcare workers who intensively interact with them.

From a study on discrimination against the community of members living with HIV/AIDS conducted by the ASEAN Studies Center of Universitas Gadjah Mada in collaboration with SHAPE-SEA (Prabandari et al., 2018), the stigma primarily arises from incomplete dissemination of information on what it means to be HIV/AIDS positive. Further, this misinformation has encouraged an assumption-based understanding and a misjudgment of this health condition. The two are also present across cases of COVID-19.

With paranoia created by misleading news, and media outlets that highlight the number of infections, deaths, and recoveries like some sort of competition, people cannot help but panic, resist restrictions, and reject the healthcare workers due to fear of being infected. Instead of focusing on the implementation of safety protocols, communities instantly disregard the safety of their local healthcare workers, even going so far as discriminating against them.

The key to this situation is to educate the community for this growing social stigma to be avoided. A social campaign such as #ClapForOurCarers (Johnson, 2020), which encourages people to appreciate the work of healthcare workers, could be an example of an alternative way to educate communities about the frontliners' important role, as well as to maintain a positive social and psychological environment for everyone. Government should start to provide mental health assistance for healthcare workers to relieve their stressful mind. By responding to this growing stigmatization, we are effectively addressing the discrimination against the rights of our healthcare workers, which is a much-needed form of support at the moment. It is time that the community works hand-in-hand and focus on playing their respective roles in battling the COVID-19 pandemic as it is the only way to bring it to an end and see the community out of the dark.

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Public Health or Public Order?

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At present, the Philippines is still grappling with the multifaceted crisis brought about by the COVID-19 pandemic. While there has been significant action from the private sector and civil society, there is still a distinctly militaristic and public order-based government response to COVID-19. The following article was written in April of 2020 in response to a violent dispersal at a slum in Manila.

The San Roque 21

Only a few hours before I wrote this essay, there was a violent dispersal in Sitio San Roque. San Roque is an urban poor community in Quezon City, Metro Manila. As expected, it is one of the sectors most affected by COVID-19. According to the press, a shortage of relief goods triggered the protest (Lozada, 2020). Residents poured into the streets demanding food, and were beaten back by baton-wielding, camouflage-garbed policemen. In total, 21 protesters were detained (Rappler, 2020c).

Under the Enhanced Community Quarantine (ECQ), vulnerable sectors face hard questions, and as can be seen in the San Roque 21 incident – painful consequences.

"Where will we get our food? What happens if we violate quarantine? How will we survive?"

Amidst such uncertainties, one thing is clear. This protest, and the anger that fueled it, is rooted in hunger and the fear it brings.

Military Manila

To understand the present situation of the Philippines during COVID-19, one must take into account the relationship of the State with the Filipino people. As police and military agencies function as extensions of the State, examining how they act is paramount. Military and police operations can be divided into two domains: rural and urban. President Rodrigo R. Duterte's (PRRD) War on Drugs was waged by the police in the city. The War on Drugs has taken over 5,000 lives before 2019, including innocent individuals such as the young Kian Delos Santos (Tomacruz, 2018). Military efforts extend to the countryside, including the occupation of Lumad Schools (Manlupig, 2015) and the killing of peasant leaders (Rappler, 2020b). Additionally, there is "red-tagging" (Roth, 2019), the repression of political opposition (Casayuran, 2018), and the targeting of progressive and anti-administration groups (Rappler, 2020a). This list of abuses under Duterte's administration pre-COVID-19 is far from complete.

Clearly, Duterte's approach to public health issues, and social issues in general, is rooted on maintaining public security and order. As such, his administration addresses them with military solutions. It comes as no surprise that human rights abuses are rampant and public mistrust and fear have become the status quo.

Emerging Issues Under ECQ

As the ECQ continues, the administration's approach prioritizes "discipline" in public order over public health. Former military generals head the large-scale efforts against the virus, along with the direct involvement of the AFP and the PNP (Santos, 2020). Military presence was stark from the beginning of the ECQ with 2,500 military personnel and 2,000 police deployed to checkpoints (Antonio, 2020). Reports of human rights violations quickly emerged. In Paranaque City, ECQ violators were forced to sit under the midday sun (Galupo et al., 2020). In another barangay, violators were placed in dog cages (Human Rights Watch, 2020). Several netizens were charged by the National Bureau of Investigation due to online posts that criticized the administration (Patag, 2020).

"Shoot them dead."

Let us return to the first of April 2020 in San Roque. In less than twenty-four hours after the protest at Sitio San Roque, PRRD made a shocking, but unsurprising statement: "Shoot them dead" (Reuters, 2020).

Neither his tone nor choice of words is in any way surprising. Over the course of his presidency, Duterte has made a reputation for brash and unfiltered statements. "The mayor should have gone first," when speaking about the rape of an Australian national (Fernando, 2016). On another occasion, an order to shoot female members of the New People's Army "in the vagina" was given (Ellis-Peterson, 2018). And perhaps most famously, a promise to back all police and military who killed any individuals on his orders (ABS-CBN News, 2016).

The Duterte administration makes use of military force and violence as its primary solutions. It weaves a narrative where the issue is not poverty, but discipline; not social disenfranchisement, but "katigasan ng ulo" (hard-headedness). This militaristic approach is supported by equally violent speech that emboldens State forces and State-sponsored violence.

COVID-19 has created an environment of uncertainty, economic insecurity, paranoia, and fear. Combined with the militaristic approach of Duterte's administration and his campaign against human rights, this creates a fertile ground for further abuses.

If the national and international actors do not move with haste to disrupt this military-centric framework, human rights violations are bound to multiply. In the face of the

current health crisis, Duterte's iron fist can only maintain "order" and suppress the public for so long.

After all, there is very little that hungry men fear.

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Impacts of COVID-19 on the Quality of Children's Nutrition in Indonesia

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Article 27 of the United Nations Convention on the Rights of the Child (UNCRC, 1989) emphasizes that states parties shall take appropriate measures to assist parents and others responsible for the child in implementing the rights by providing material and programs regarding nutrition. As a state party to the UNCRC, Indonesia has also included this provision in its national development plan to reduce malnutrition.

As all of us know by now, COVID-19 can easily be transmitted to anyone, regardless of age, gender, race, as well as socio-economic status. However, its impacts are very much felt by vulnerable groups such as the elderly, women, migrant workers, and children (Qiu et al., 2020). Especially for children living in Indonesia's rural areas, their rights to nutrition are not well protected during this pandemic because of food insecurity and the lack of policies or regulations that cater to children's needs and sensitivities.

Worsening Malnutrition Issue during COVID-19

Malnutrition is a reality faced by millions of children in developing countries, even before the pandemic. As reported by the United Nations Children's Fund (UNICEF, 2018), two million children under five suffer from severe acute malnutrition, and close to three in ten children under five years of age are stunted. To cope with this situation, the government has established two channels for children to access nutritious food. These channels are the nutritional programs from the community-based preventive and promotive care (POSYANDU or Integrated Service Stations) and the school lunch project named *Program Gizi Anak Sekolah (PROGAS* or Nutrition Program for School Children). These programs help to alleviate widespread malnutrition amongst children living in depressed and rural areas.

Unfortunately, due to COVID-19, those programs were forced to stop. The absence of these programs had led to hunger and malnourishment among vulnerable children, which may have negative effects on their overall health and brain development. As a result, the number of malnourished children and malnutrition levels in Indonesia is predicted to increase during the COVID-19 pandemic (Aminah, 2020). Moreover, more than 70 million people became jobless after the outbreak, most of which are from the informal sectors (Litha, 2020). The jobless phenomenon becomes a significant factor, particularly for low-income families who rely on informal livelihood, as it prevents them

from purchasing nutritious food due to their diminishing income during the COVID-19 pandemic.

According to a UNICEF report, nutritious food is barely accessible because it is more costly during COVID-19; hence, more parents feed their children with food that contains high sugar, sodium, and fat to make them full (Litha, 2020). These foods are not healthy, which induce an increase in the number of underweight and obese infants in the future. Therefore, during COVID-19, Indonesia's malnutrition situation inevitably became worse due to poverty and the inadequate knowledge of parents to feed their children according to a nutritional standard.

Unseen Policy or Regulation on Children Sensitivity Needs

COVID-19 has paralyzed human life, livelihood, and other aspects. More and more people lose their sources of income, which brings about a severe impact on their quality of life, especially their quality of food. The government's efforts to deal with COVID-19 are illustrated through the several programs for charity-based assistance, namely, money-intensive programs and charities, to name a few, that are also followed by communities. They generally provide community-supported food packages stuffed with instant noodles, canned-fish, canned-milk, or condensed milk. These processed foods are naturally unfit for children. Unfortunately, there is no indication of a policy or regulation on children's sensitivity needs possibly being established in the future. Further, the government's efforts prioritized recovery in the economic and health sectors from the effects of COVID-19. All in all, it seems that there is no mandatory action to secure the accessibility of nutritious food for all children at every government level.

Not solving the problem, the government has appealed to parents to be creative in utilizing locally available food—alas, to no avail, due to the lack of resources and inadequate knowledge of nutrition, the situation has not improved.

Securing Food Availability and Accessibility

Palpably, COVID-19 is affecting children far beyond those it directly infects. However, the pandemic has disrupted families and institutions, especially the government, who struggled to expose malnutrition and stunted children's issues. In truth, "children are unseen victims." Though Indonesia has made significant progress in implementing Article 27 of UNCRC (1989), it has failed in ensuring access to nutrition during the COVID-19 pandemic. Therefore, the state is required to ensure food security, especially nutritious foods that are easily accessible to all children for their physical and mental development. Moreover, there is an assessment that needs to mitigate food security. Also, there is a necessity to provide coordinated leadership among central and peripheral governments concerning nutritional information, surveillance, and monitoring on children's activity to ensure children get nutritious food, as not all parents understand malnutrition. Otherwise,

without clear guidance and surveillance on nutrition, Indonesia will be experiencing waves of infection and a sharp increase in the number of sick and malnourished children.

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Giving Birth amid COVID-19: The Predicament of Pregnant Women in Myanmar

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Risks of Maternal Birth

In Myanmar, 282 mothers out of 100,000 perish due to limited access to reproductive health services. This number is nearly ten times higher than its neighboring country, Thailand. Thirty percent of maternal death occurs among 62 percent of deliveries performed at home. The situation is worse in the rural areas as there is a higher death rate due to limited access to reproductive health services due to poverty, geographical barriers, and a shortage of health workers, especially midwives (United Nations Population Fund [UNFPA], 2020a, 2020b). Furthermore, the World Health Organization (WHO, 2016) declared that pregnant women must have access to the right care at the right time to reduce the risks of pregnancy implications. Currently, however, the overload of the health system threatens pregnant women and new-borns across the globe (UN News, 2020).

Entitlement for Pregnant Women

According to General Comment 14 of Article 12 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), every woman has the right to reproductive health, which means they have the right of access to appropriate health-care services that will enable them to go safely through pregnancy and childbirth (United Nations Human Rights Committee [UNHRC], 2000). Article 12 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW, 1979) also protects pregnant women from discrimination and ensures access to appropriate services in connection with either pregnancy, confinement, and/or the post-natal period. Pregnant women need to adequately consume healthy food, safe drinking water, and rest during and after giving birth.

Previously, the Government of Myanmar had drafted the Protection and Prevention of Violence Against Women (PoVAW) Bill in 2019. However, the bill is still being reviewed, according to the Alliance for Gender Inclusion in the Peace Process (AGIPP, 2020). According to WHO, all pregnant women have the right to high-quality care before, during, and after their pregnancy (Healthy Newborn Network, 2020).

Vulnerability of Pregnant Women

Due to the underinvestment in the health sector in Myanmar, the health system is inadequate and fragile. Pregnant women are unable to access health care services. Furthermore, amid COVID-19 and government regulations that address the pandemic,

a significant number of pregnant women have lost their jobs, livelihood, family income, and support from the community. These conditions directly impacted their means to access health care services (ActionAid, 2020).

More importantly, pregnant women in conflict-affected areas have become more vulnerable due to the armed conflict in Rakhine, Chin, Shan, and Karen States. Food and medical supplies are not accessible in the armed conflict-affected ethnic areas. Considering previous health scares, during the SARS outbreak in 2002-2003, pregnant women faced higher risks of miscarriage (Chapa, 2020). In Kayah and Karen, pregnant women who came back from Thailand expressed that the absence of treatment for morning sickness during the night, and lack of access to water and sanitation were particularly challenging (Khaing, 2020). Expecting mothers are also experiencing more fear, anxiety, and uncertainty due to this pandemic (UNICEF, 2020).

Promoting Health Rights and Services

In Myanmar, the Livelihoods and Food Security Fund (LIFT) provided a one-time financial support of 30,000 Myanmar kyats (US$ 21.4), for pregnant women and mothers with children of below two years (Htoon, 2020). The Ministry of Health and Sports (MOHS, 2020) also developed clinical management guidelines for COVID-19 infection in pregnancy, where it advises providing public awareness, including the hospital's hotline numbers. According to the United Nations Children's Fund (UNICEF, 2020), pregnant women must protect themselves from the virus. However, existing structures should allow them to closely monitor their conditions and seek medical advice anytime, anywhere. At the same time, mothers should also be able to consult their midwives or doctors for a safe place for giving birth. Government and healthcare providers should help pregnant women receive antenatal check-ups and postnatal care when needed. Health care workers should be allowed to conduct home visits for pregnant women and use teleconsultations safely. Furthermore, the government should provide protective equipment, allocate resources and health facilities before, during, and after birth (UN News, 2020).

Pregnant women are made more vulnerable by the conditions set by COVID-19 in Myanmar, where both political and health systems are fragile. Since the media focuses on the sick and elderly during the COVID-19, pregnant women's situation is almost left out (Htwe, 2020). Hence, it is difficult to know and understand pregnant women's vulnerabilities and risks, which is one reason for maternal death. Pregnant women across the country should not be left out, especially amidst an emergency and crisis. Furthermore, their voices and concerns should always be addressed.

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International Humanitarian Norms and Health Care Obligations of Non-State Armed Groups in Myanmar

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In March 2020, the United Nations (UN) Secretary General called for a global ceasefire in response to the COVID-19 pandemic. While the UN is central to the international system of recognised states globally, many conflict actors are non-state armed groups. Long-established ethnic armed organisations (EAOs) in Myanmar such as the Karen National Union (KNU), New Mon State Party (NMSP), Restoration Council of Shan State (RCSS), and Kachin Independence Organisation (KIO), have operated welfare services and basic healthcare in areas they controlled for decades (Davis & Jolliffe, 2016). Local civil society organisations (CSOs) and some international non-government organizations (NGOs) have also promoted humanitarian norms to these EAOs who have engaged with them as part of their own legitimacy and nation-building projects (de la Cour-Venning, 2019).

For example, the KNU, NMSP, and the Karenni National Progressive Party (KNPP) have made Deeds of Commitment (DoC) and enacted policies to protect children from armed conflict and recruitment (Decrey-Warner et al., 2016). The DoC are unilateral declarations made by non-state armed groups for compliance with humanitarian norms expressed through the international NGO – Geneva Call. Humanitarian norms refer to the international humanitarian law (IHL) and international human rights law (IHRL) standards applicable to armed non-state actors (Decrey-Warner et al., 2012). EAO health services also reflect IHL obligations for healthcare and the protection of civilians in non-international armed conflicts. However, the EAOs' declarations and policies, as is with the DoC for the protection of children, often gain little international recognition or support.

IHL includes obligations for non-state armed groups with implications for the provision of healthcare. Non-state armed groups are specifically recognised in Common Article 3 to the four Geneva Conventions of 1949, where Myanmar is a state party, which refers to "armed conflict not of an international character," and includes obligations to protect the "wounded and sick." Additional Protocol II (1977) to the Geneva Conventions, where Myanmar is not a state party, applies specifically to the protection of civilians in non-international armed conflicts. Article 18 (2) extends obligations to armed groups and their state opponents to allow the provision of "foodstuffs and medical supplies" to civilian populations by impartial humanitarian actors (Additional Protocol II, 1977). While Myanmar is not a party to this, norms relating to access to humanitarian assistance and the humane treatment of combatants and civilians, including the sick, within the control of armed actors (whether state or non-state) have become an accepted part of customary IHL (Henckaerts & Doswald-Beck, 2005).

IHL and IHRL have sometimes been included in ceasefire or peace agreements (Mack & Pejic, 2008). The Nationwide Ceasefire Agreement (NCA, 2015) in Myanmar includes ten signatory EAOs mostly from southeast Myanmar, including the KNU, NMSP, and RCSS. However, Myanmar's largest EAOs in the north and northeast have not joined the NCA. The NCA does not explicitly refer to IHL or IHRL, but it does include obligations for EAO and Tatmadaw (Myanmar Armed Forces) in the protection of civilians, including access to healthcare (NCA, 2015, Art. 9) and provision of humanitarian assistance (NCA, 2015, Art. 10), both of which are important considerations in IHL. However, political progress has stalled, and militarisation in ethnic areas has often increased alongside restrictions on humanitarian assistance to non-government-controlled areas. Further, the restrictions impact on the healthcare for internally displaced persons (IDPs) and others living in conflict-affected and EAO-controlled areas.

EAOs, including the KNU, KIO, NMSP, KNPP, and RCSS have instituted various measures in response to COVID-19. These include establishing emergency response committees, closing EAO-controlled border crossings, distributing protective equipment, temperature-screening of returning migrants, and establishing quarantine areas (Aye et al., 2020; Hkawng et al., 2020; Htusan, 2020). These steps demonstrate, to some extent, those EAOs which address IHL obligations for assistance and healthcare to civilian populations in their areas. However, EAOs and their associated welfare services have a lesser capacity to implement COVID-19-related health measures, and they do not have access to external assistance to do so. Moreover, despite a claimed Tatmadaw ceasefire and the establishment of a government-led committee to coordinate with EAOs on COVID-19, the Tatmadaw has obstructed or attacked some EAO health responses. For example, the forced closure and burning of KNU COVID-19 screening check points or attacks on RCSS medics while undertaking health checks (Karen Peace Support Network, 2020; Progressive Voice, 2020).

To address the pandemic, government authorities need genuine political will to coordinate constructively with EAO health providers and allow access to humanitarian organisations to support existing healthcare in EAO-controlled areas. This would be a vital step to improving the response to COVID-19 in remote conflict-affected areas and for the general health response in the country. It should also recognise the role played by EAOs in the provision of healthcare to constituent populations and IDPs as part of meeting their IHL and NCA obligations. Such developments would also present a positive step for progressing currently stalled ceasefire negotiations and, in turn, potentially encourage better compliance with IHL obligations by the Tatmadaw, which is long overdue.

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Realising Rice and Rights: The Role of Civil Society in Realising the Right to Food in Vietnam during COVID-19

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On 22 January 2020, the very first two cases of COVID-19 were confirmed in Vietnam. At the time of this writing, there were 265 infected people in the country (Worldometer, 2020). The virus has devastated the economy in a span of three months, from April up until June (Viet Nam News, 2020). Like many of its neighbors, Vietnam has announced a mandate of a two-week-lockdown from 1 April, which is supposed to extend till 30 April to slow the outbreak (VOA News, 2020). This nationwide order to isolate forced nearly 100 million people to go out only for food and medical needs – threatening the livelihood of thousands of impoverished and homeless people who need to make daily ends meet. Meanwhile, the Vietnamese government, due to the limitation of human and economic resources, has not assured the right to food to all who were vulnerable. In effect, civil society organizations and philanthropic individuals rose to become effective actors in assisting the government in the fight against the virus.

The Vietnamese government had considered a VND 62 trillion (US$ 2.6 billion) relief package to help those most affected by the COVID-19 pandemic. According to this bill, breadwinners from poor households have to temporarily stop going out for work as part of the government's stay-at-home order and social distancing measure. In turn, they will receive VND 250 thousand (US$ 10.8) each month. There are about 2,244,000 households that fall under this category. Freelancers such as vendors, dustmen, stevedores, motorbike-taxi drivers, cyclo drivers, lottery ticket salespersons, etc. are also eligible for the package of VND 1 million (US$ 43.6) per person per month. However, as a matter of practice, even though this bill has been adopted last 9 April, it is still at a policy level. It has not yet been put into actual implementation.

To help those vulnerable during the pandemic of COVID-19 in Vietnam, many organizations and private actors have reacted immediately by donating food like rice, noodles, instant porridge, and other necessities like medical masks. Along the streets of Ho Chi Minh City, as well as in Hanoi and nearby provinces of Vietnam, one can quickly find donations with handwritten signs like "Feel free to take one package if you are in need, otherwise please give the chance for other people," in front of many houses and stores. Among these donors is Hoang Tuan Anh, an entrepreneur in Ho Chi Minh City who is well-known for creatively installing a homemade ATM that, rather than cash, provides 24/7 access to grains to those in need during the COVID-19 pandemic (Nguyen, 2020). This machine helps reduce crowding so that the risk of transmission will

be prevented. The "rice ATM" project has been so successful that many individuals and organizations were inspired to offer their support. Some even drove their truck with tons of rice to the place. Hundreds of "rice ATMs" are now being planned in other districts and provinces under the permission of the local government.

These examples are powerful demonstrations of the importance of civil society in Vietnam. Therefore, those who would love to be involved in civil society and charity services should be encouraged by the government, rather than be put in difficult situations.

In Vietnam, any person wants to do a charity needs to ask for permission from the local government, otherwise, the individual will be in trouble (RFA, 2020). Tuan Lam Bui, a citizen in Danang, the centre of Vietnam, told RFA that he was invited to his local police station and was investigated for three hours. He was accused of violating the government's social distancing order by gathering and donating food to the local people. In another case, members of the Liberal Publishing House, an independent organization in Vietnam, were asked lots of questions by the governors while they were distributing food in Hanoi, such as: Who are you? What are your motivations and purpose of donating things like this? Why don't you send them all to the Local People Committee? We will help you deliver. But, why do it by yourself?

The State of Vietnam tried to undermine the role of civil society organizations over the past years in its attempt to set off the leadership of the Communist Party. However, actors outside the government and the private sector, such as civil society conveners, innovators, and advocates have played a key role in addressing social challenges in governance issues. In particular, civil society has actively joined the fight against COVID-19 and assisted the government in protecting the right to food of those particularly vulnerable to the effects caused by the outbreak.

It is not the time for political calculation but harmonious cooperation. At all levels, the Vietnamese government should create favorable conditions for voluntary organizations and individuals so that more and more victims of the invisible enemy are protected and their right to food is fulfilled.

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5

Data, Information and Technology

COVID-19 as Global Misinfodemic: A Test for Southeast Asia Countries

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The Coronavirus disease has reached the necessary epidemiological criteria for it to be declared a pandemic, causing several countries to place themselves on lockdown. Since COVID-19 has infected more than 51,810,889 people in 219 countries, it is crucial for countries to work together to provide solutions (American Library Association, 2020). One problem that arose in the era of COVID-19 is the misinfodemic, the spread of false information, facilitated by viral misinformation (Gyenes & Mina, 2018).

What's at Stake?

Online users are desperately clicking around for information about the pandemic, entailing more clicks that lead algorithms to push around social media feed. The results are dozens of existing hoaxes shared on the internet, including inaccurate methods to prevent the virus. One example of this is interviewing non-experts who relate COVID-19 as a punishment for LGBT (Villareal, 2020). Because public figures, such as religious leaders, are not experts, they may create narrative stories to divert the public from following health protocols created by the government (Nafi'an, 2020).

Medical misinformation and disinformation[1] are two components of the information disorder (Simpson & Corner, 2020) in Southeast Asia (SEA), and they require governmental attention. Government measures against misinfodemics should be properly initiated to keep the information disorder from worsening. Even if relatively few SEA countries are currently suffering from this crisis, strict control by authorities to contain hoaxes are necessary, since weak control could lead to public panic and jeopardize efforts placed by the government to control the further spread of the virus.

[1] Disinformation and misinformation differ according to intent. Disinformation is the intentional creation or sharing of false or misleading information, whereas misinformation is unintentional sharing. Analytically, discerning intent requires understanding the creator's context and can be difficult to prove without identifying creators or uncovering coordination of efforts. Practically, the distinction can also be blurred in cases where a person does not care about the veracity of the information at all. Indeed, the spread of misinformation includes cases where people are not only fooled but are also enthusiastic about the content, regardless of veracity, because it supports their worldview or their apathy towards the truth. This apathy toward truth and the exhaustion in discerning it amid informational chaos online is a feeling that disinformation producers have sought to increase. Russian Information, for example, has long sought to erode trust in democratic institutions and processes by exhausting Americans informationally in hopes that they will give or tune out.

Ways Forward: Reversing the Misinfodemic

The misinfodemics and the spread of fake news have found a major battleground around SEA countries. Favored solutions that can be proposed are the coordination of responses between various subjects at different level in countries, and the strengthening of the analysis and amplification of information impact, especially by putting sanctions for risk mitigation of potential misinfodemics.

- **Increase Coordinated Responses at Every Level**

  In a condition where the public needs to rely on verified information, the government needs to adopt policies through different pathways. Using technology wisely can be a good addition if the public has the skills to utilize technology wisely. One example of effectively using technology is to use GitHub Software to track the comorbidity and infection stories in a country (Woodward, 2020). However, coordinated responses between SEA governments will go to waste if the public refuse to play their part in containing the further spread of misinfodemics and continue to drive the public sphere to consuming false information without cross-checking with references.

- **Strengthen Risk Analysis and Amplify Information on Anti-Fake News**

  Fear spreads faster than the pathogen itself. Sharing fake news is as easy as clicking a button, but the potential threats posed by it cannot be underestimated. Misinfodemics are a new problem to SEA countries and are testing their anti-fake news laws. For example, in Indonesia, several people were detained at the Jakarta International Airport for spreading false information about COVID-19 (The Straits Times, 2020), and a woman who shared a misinfodemic in Facebook was arrested (VOA Cambodia, 2020). As misinfodemics are likely to keep popping up, either online or offline, it seems that every SEA country affected by COVID-19 will suffer if their laws on fake news do not require the measurement impact of individual statements to the public.

  SEA countries should strengthen risk analysis to combat misinfodemics. All SEA stakeholders should cooperate in handling COVID-19 situations. In the absence of a vaccine, the only way of slowing the spread of misinfodemics is to put strong emphasis on truth and cross-checking references. As political theorist Yascha Mounk says, "distancing was just the only thing that worked with the 1918 Spanish flu pandemic" (Naughton, 2020, as cited in Mounk, 2020). In the online world, maybe we need something analogous, such as a bit more self-discipline. When one person is not an expert, they should stop virus contamination by not sharing false news.

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Communication: The Key to Effective Control of COVID-19 in Brunei Darussalam

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On 9 March 2020, the small sultanate nation of Brunei Darussalam recorded its first case of COVID-19; a local man with a travel history to Kuala Lumpur, Malaysia was tested positive for the contagious virus. Although active preventive and precautionary measures had taken place before, the government of Brunei continues to step up and show robust efforts and constant resilience in combating COVID-19 in the country. According to statistics obtained from the World Health Organization (WHO, 2020), as of 1 November 2020, 148 COVID-19 cases were detected in Brunei, resulting in 3 deaths, 144 recoveries and only 1 case still under treatment located at the National Isolation Center, Tutong. In general, the main Bruneian government's strategic approach would be active widespread testing and surveillance throughout the country.

With that being said, as a country known for its close-knit community, access to reliable and accurate information is vital in order to maintain peace and to encourage its citizens to cooperate with the government to fight this pandemic. Unfortunately, even Brunei is experiencing and is unable to escape the spread of fake news that tries to stir worries within itself. Such instance occurred in February 2020, before the COVID-19 strikes Brunei, when a viral fake news claimed that a local that returned from celebrating Chinese New Year in China becomes Brunei's first positive coronavirus case. The viral message was then clarified by authorities as untrue in its official Ministry of Health's press release website (Ministry of Health, 2020b). So, this would lead to the question, how does the government of Brunei and its people tackle this global problem of misinformation and reduce widespread panic?

One of the highly impacted actions taken by the Ministry of Health (MoH), under His Majesty Sultan Haji Hassanal Bolkiah's government, was to conduct daily live press conferences to give updates regarding the situation, and for other ministries (e.g., Ministry of Home Affairs, Ministry of Education and Ministry of Religious Affairs) to also announce new changes and orders in the country. National television news (RTB Radio Television Brunei) and local independent newspapers (Borneo Bulletin, The Scoop, Media Permata) come together, bring voices of concerns from the people, and get straight to the point answers from the ministers themselves.

In a nutshell, it can be agreed that the reason Brunei did not opt for chaotic lockdowns, as seen in other Southeast Asian countries, is that the MoH has been very transparent and did not try to suppress or hide any new cases (Khan, 2020). The health minister also

urged people to refrain from spreading content that is false and misleading and breaches the privacy of the patients (Bandial & Bakar, 2020). When the first actual Covid-19 case in Brunei occurred, they spared no detail in sharing the necessary information and facts to the people, as shown in the excerpt from MoH's heavily detailed press release below:

> *"The first case is a local male aged 53 years old. The patient travelled together with three of his friends to Kuala Lumpur, Malaysia and arrived back in Brunei on March 3, 2020. His symptoms began with feeling unwell with body ache, fever and cough on March 7, 2020 and he presented at the Emergency Department, Hospital Raja Isteri Pengiran Anak Saleha the next day. He was tested and found positive for COVID-19 and is currently receiving treatment at the National Isolation Centre, Tutong. The test result is currently undergoing additional verification in line with guidance from the World Health Organization (WHO).*
>
> *At present, the patient is currently in a stable condition. The Ministry of Health has responded immediately to detect and conduct contact tracing to all of the patient's contact including family members and three (3) of his friends who was on the same trip as the patient. All close contacts are undergoing quarantine for 14 days. All contacts involved will also undergo laboratory tests to detect the COVID-19 infection…*
>
> *The Ministry of Health seeks the public cooperation to act responsibly and avoid spreading any information that is misleading and untrue, as well as to respect the privacy of the patient and his family members."* (Ministry of Health, 2020a)

This type of media coverage that is more focused on facts has become relatively successful in ensuring the people have the real information about what's going on (Holmes et al., 2009). Other than press conferences and press releases, the Government of Brunei is also proactively spreading reliable information on its official websites and social media (Instagram, Twitter), where daily news and regulations for the new norm is posted and accessible to the public.

Such various means of communication and spread of information helps not only in thwarting the rise of fake news, but also in assuring the people that the government is determined to fight this pandemic. In turn, they gain support from the public. Effective communication, then, shows that both the government and people of Brunei value credibility and seek hard facts, ultimately avoiding uncontrollable panic. There is still a long way to go for the country of Brunei Darussalam to completely eradicate COVID-19; and until then, we remain vigilant in becoming socially responsible together.

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A Contextual Right to Know: Transparency in the time of COVID-19

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Transparency is the cornerstone of every liberal democracy. Awareness of issues of public concern, especially of the information driving government policy, enables citizens to participate in nation-building, to hold government to account, and to guide their decision-making. While the right to know is already valuable under ordinary circumstances, it takes on a completely different level of significance during a global pandemic—when everyone lives under a cloud of great uncertainty. In the midst of a public health emergency, what, when, and how the state communicates information to the public would affect public confidence and reaction to government policy.

In the Philippines, this entitlement to transparency is constitutionally entrenched in the Bill of Rights. The charter provides, "The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents, and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law." (PH Constitution, Art. III, Sec. 7). This fundamental right is implemented by the Executive Branch through Executive Order No. 2 (2016). Moreover, the principle has been invoked in case law on multiple occasions (See Gonzales v. Narvasa [2000]; Legaspi v. Civil Service Commission [1987]; Valmonte v. Belmonte [1989]).

The Philippine Government, for the most part, has been actively sharing information with the public. In the course of the Enhanced Community Quarantine (ECQ) imposed on the island of Luzon, the President's midnight addresses have become a fixture. Daily tallies of confirmed Coronavirus cases, as well as recoveries and fatalities, are reported. State agencies, like the Department of Health and the University of the Philippines, have online portals with a more detailed presentation of facts and figures. Reports on capacity-building improvements are also routinely made. On that score, the state has been more than compliant with the transparency requirement.

The Government has been communicating, though vaguely, the next steps it would take on quarantine policies, economic recovery, and enforcement of regulations. For example, presidential surrogates have been indicating a lifting of the ECQ and proposing the

reopening of businesses. These propositions are, of course, linked to improvements in numbers - both of infection containment and health infrastructure capacity.

However, what is sorely missing in this public discussion is context. No performance indicators which would trigger policy shifts between lockdowns and greater mobility are mentioned. Again, while the state's sharing of raw data is admirable, it would appear to be nothing more than a data dump sans context. Data is meaningful only in light of other information and surrounding circumstances—that is, context. Without being moored in context, it could mean just about anything, and it can be liable to misinterpretation. This is why the government has the obligation to divulge not only raw data, but to explain the considerations and circumstances under which the data is being interpreted.
Without the public knowing what numbers indicate that the epidemic curve has "flattened," how could they feel confident that reopening businesses would be a good idea? While people may know that bed capacity, public health workforce, and personal protective equipment stocks are increasing, without knowing what the targets are, how could they feel secure that the nation is ready for potential surges in infection rates in the future? On the other hand, if they feel overconfident in the contextless numbers, people might be lulled into complacency, unaware that the capacity-building improvements may not have been enough.

The right to information is not a static right; it is not meant to merely apprise. Citizens are equipped with knowledge in order to spur them to action—reasonable and informed courses of action. In this climate of great uncertainty, it is not enough to have information. These precarious times make public cooperation (and public demands for better alternatives) matters of life and death for a great many. The public must see the whole picture—information in full context—in order to be effective citizens in the midst of contagion.

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Concealing Data During the Pandemic: A Human Security Threat in Indonesia

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Accurate data enables increased public awareness. It also helps the government and regional apparatus focus their limited resources on targeting outbreaks and supplying necessities at the most critical points. Correct data guides researchers to build epidemic curves, calculate effective spread ratios (Rt), and conduct various analyses to suppress the outbreak rate and cope with broader impacts on public health, positively impacting the economy.

As of 18 November 2020, the confirmed cases of COVID-19 in Indonesia has reached 474,455. At the beginning of September, the total number of cases recorded by the central government was 203,342; while the regions' calculation was more than 568, amounting to a total of 203,910. Meanwhile, with data on cases that died, the central government recorded 8,336, while the regions a total of 9,025, a difference of 689. There was a gap in information between the central government and the RS online (Taher, 2020). The public address by the Official Indonesian Spokesperson for COVID-19 failed to reflect the real number of COVID-19 cases. However, the government's proclamation of accurate data is a fundamental human right, especially in a pandemic when our health security is vital. Besides, data transparency is also a legal obligation of the government according to National Law No. 14/2008 regarding Public Information Openness (Indonesian Government, 2008).

During this crisis, the world needs to collaborate on public health policy, which is data-driven, and join data-sharing internationally as it broadens public health potential. The fact that virus transmitters could be asymptomatic is terrifying because it raises the possibility for us to be infected by people with or without symptoms (Schwalbe, 2020). These asymptomatic phenomena affected the data-driven policymaking because the obstacle was the minimum swab testing and tracking for the vulnerable, which would not be noted by official statistics.

The lack of a tracing system in public health is the biggest threat. The number of infected people is increasing significantly in the tragic calculation. According to the datasets from the World Bank (The World Bank, 2020), the critical impact of COVID-19 is multidimensional, including economic activity, education, and the whole human life. Creating a daily report case, such as the one issued by the WHO (World Health Organization, 2020), should be followed by member states. The state is responsible for making their data accessible to each citizen because many infected people are dying, more than the reported cases.

The development of human rights issues' discourse is connected to human security. This concept criticizes the essence of the traditional concept that only focused on military security tools, which is irrelevant to the status quo (Oratmangun, 2020). In the pandemic, the biggest concern would be on health security, the right of people to secure their health as part of the basic right to life. However, information, whether it is correct or a hoax, is being pushed at us in this digital era. We are still facing a number of conspiracy theories and disinformation regarding the outbreak. It takes a lot of energy and synergism to fight senseless information that violates our human right to secure our health.

In Indonesia, the official government seems not ready to declare the new normal policy as relaxation of PSBB (large-scale social restriction). Otherwise, the Indonesian government's economic strategy is premature, while the private sector keeps operating to push our economic condition forward (Nurbaiti, 2020). Nevertheless, in Indonesia, a lack of seriousness was shown by the Republic of Indonesia's Minister of Health, Terawan. His several statements to the mass media led to denial behavior in society (Garjito, 2020). A statement in early April 2020 by the Head of the Disaster Information and Communication Data Center of the National Disaster Management Plan (BNPB), Agus Wibowo, included data from the central government that was different from the reported data of the provincial level, which was worsened by the limited information from the Ministry of Health (Ferdian, 2020). The mismatch of information was proven by joint researchers from 10 national and international universities. This research, conducted in Jakarta and published on 12 April 2020, provided that the positive cases should be 32,000, while the BNPB official website reported only 3,000 cases (Ferdiaz, 2020).

With the emergence of SARS CoV-2, we should learn to be more prepared for all forms of non-traditional threats, especially when it is a terrible outbreak. The world should cooperate in sharing data and information and on scientific research regarding the combat of COVID-19 so that the world public health policy is more data-driven. Moreover, government officials should cooperate with the private sector as the crisis actors to raise strong synergism among all elements.

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Low Connectivity amid Conflict and COVID-19: A Deadly Concoction in Rakhine State

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After nearly thirty days of Myanmar having no COVID-19 local transmissions, one news shocked the country on 16 August 2020. A resident in Sittwe of Rakhine State, with no history of travelling and contact with any patients, was found positive (Htay, 2020). Since then, nearly a hundred people were tested positive per day, according to the statistics of the Ministry of Health and Sport (MOHS) of Myanmar. The MOHS announced that the contagious nature of the virus is ten times more infectious than the original virus strain of COVID19 (Htwe, 2020).

In addition to the increasing concerns regarding the second wave of infections, the armed conflicts between Tatmadaw (Myanmar Army) and Arakan Army (AA) have not de-escalated yet. Apart from compounded struggles faced by Rohingya refugees, confrontations between Tatmadaw and AA have resulted in about 190,700 internally displaced peoples (IDPs), 180 civilian casualties, and 589 injured civilians, according to the Rakhine Ethnic Congress (REC) in July 2020. What we can uniformly say is that neither parties wanted to give up their arms, even amidst threats of COVID-19 transmission.

In addition to armed conflict, the Government cut the internet access in five townships of Rakhine State, which lasted for more than a year. The Ministry of Transport and Communication (MOTC) continuously justified the shutdown as a matter of security and public interest (Telenor Group, 2020). Every time parliamentarians try to submit an emergency proposal, their attempts get rejected (Thura, 2019). Within a year of internet shutdown, the traditional word of mouth became the only means of communication (Thu, 2020). Telcom operators eventually restored internet (2G connection) to those areas in conflict in August 2020 (Kyaw, 2020).

The MOHS, from time-to-time, updated on the situation in Rakhine State, and delivered the guidelines and directives from their website and social media platforms. People in non-conflict areas with 4G internet can get the information in time. Nonetheless, how could people with poor or no internet connection be able to access this life-saving information? Key updates on the pandemic could hardly penetrate these conflict areas.
Before cutting internet access, the government limited humanitarian assistance for IDPs provided by INGOs and NGOs. After the attack of AA on 4 January 2019, only the International Committee of the Red Cross (ICRC) and World Food Program (WFP) were allowed to operate in the Rakhine State (Aung, 2019). Local organizations attempted to provide aid; however, they were barred from entering the areas where the IDPs live. Besides, when local COVID-19 transmissions in Rakhine State started happening, intertown travel was banned by both the central and local governments. This shows that

even the social workers cannot deliver the messages to the people in the conflict areas of Rakhine State.

After one month of the escalation of numbers in transmission in Rakhine State, there was no more white colour on the map of the country relating to COVID 19 infection. Even in the middle of September 2020, nearly 10,000 people tested positive for COVID 19 (Lynn, 2020). People refer to the cases as the second wave. At the same time, lives in Rakhine State are threatened, not only by the COVID 19, but also by the armed conflict. Even the boat carrying the aid supplies of ICRC was sunk by an unknown armed group (The Irrawaddy, 2020). The fighting had gone on without pause until November.

'Winter is coming' is the famous quote of the Game of Throne TV series to alert potential danger. For the case in Rakhine state, 'COVID-19 is Coming' would be a proper adaptation, because the first COVID-19 positive patient was found in the war refugee camp in Kyauktaw in October (Radio Free Asia, 2020). People cannot receive aid timely; internet connectivity is still only 2G; and the organizations are not allowed to enter the IDP areas till now.

Access to information is an essential right in times of crisis. In the case of Rakhine State, neither the NLD government nor the parliament made significant efforts to alleviate the suffering of people who have been displaced and are living in conflict areas. With or without COVID-19, every person's life and rights matter. Unfortunately, as of this writing, no light can yet be seen at the end of this long and winding tunnel.

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How Indonesia Dis/informs the Public about COVID-19

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Indonesia is currently the Southeast Asian nation with the highest number of COVID-19 fatalities (Paddock & Sijabat, 2020).[1] The Government of Indonesia (GoI) has taken various policies and measures to respond to the ongoing spread of COVID-19 in the archipelago, such as disclosing more COVID-19-related information. The official tally of the confirmed case is announced daily by the government-mandated COVID-19 Task Force.[2] The figure is based on the Health Ministry's statistics.[3]

Experts, however, have raised their concerns and suspected that the actual figures of COVID-19 are significantly underreported due to low testing rates (Human Rights Watch, 2020). Cases have been shown by both the Capital Region of Jakarta and the West Java governors, who openly expressed their doubt about the figures (Adji et al., 2020). In West Java, the number of confirmed cases and fatalities are higher than what the central government had announced. Similarly, in Jakarta, the number of funerals using 'COVID-19 protocols' has surged since March and has almost used up burial plots (Renaldi & Souisa, 2020).

Indeed, the GoI's lack of transparency and inability to collaborate with local authorities have jeopardized the public's trust in the government (Noer, 2020; Soderborg & Muhtadi, 2020). In mid-April 2020, the GoI has declared the COVID-19 pandemic a national disaster and imposed stricter conduct on physical distancing; but it has opposed tighter nationwide restrictions on public mobility. While several local authorities' initiatives to take measures amounting to a limited lockdown faced a long bureaucratic process before being approved by the GoI, many communities have imposed their community-driven quarantines, indicating the people's frustration with the government's slow response (Varagur, 2020).

What can the GoI possibly do to (re)form the citizens' perceptions of the government's performance and curb the lethal potential of the COVID-19 that has already spread at this stage?

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1 As of 15 November 2020, the total confirmed infections reached 467,113, while the number of deaths hit 15,211 (Dezan Shira & Associates, 2020)

2 Previously known as 'COVID-19 Response Acceleration Task Force' and superseded by 'COVID-19 Handling and National Economic Recovery Committee (Indonesian: *Komite Penanganan COVID-19 dan Pemulihan Ekonomi Nasional*)' in July 2020 (CNN Indonesia, 2020)

3 Total confirmed cases updated daily on https://covid19.go.id/. The GoI also provides an interactive map of areas with local transmissions (https://infeksiemerging.kemkes.go.id/) and a risk-zone map (https://covid19.go.id/peta-risiko)

Initially, higher-level transparency is needed (East Asia Forum, 2020). The GoI needs to adopt multiple methods to disseminate information on the actual state of COVID-19 in Indonesia. In this context, mere disclosure of information, without heeding its content and manner of dissemination, is insufficient (Joshi, 2014; Lieberman et al., 2014). Making the information available, accessible, and salient is critical for people to be able to assess whether the government is acting in their interest or 'predating' on them (Fung, 2013). It is, therefore, advisable to consult targeted audiences regarding their COVID-19 informational needs and preferred platforms for information dissemination. When needed, the government can work with local opinion leaders or infomediaries that can translate complex information into easily readable text or figures, or in local languages. In this way, the government can extend its reach of information; for example, regarding the varying levels of COVID-19 symptoms, or the promotion of physical distancing based on people's knowledge and capacity to scrutinize the information. Authorities should also consider moving beyond formal platforms in disclosing information (website or government release) and proactively approach citizens in more informal settings.

Second, the authorities must be genuinely willing and meaningfully be able to respond to citizens' needs. As people may experience varying forms of distress due to economic and social uncertainties during a crisis, building an institutionalized system that works beyond the 'normal' set up is crucial. This can mean developing a community-based support system that can capture the community's needs based on their real-time conditions (Yuda et al., 2020). To a certain extent, authorities may engage with such community-based initiatives to mobilize knowledge and resources to combat social stigmatization and fight misinformation about COVID-19.

Finally, a key issue underlying the problematic handling of the COVID-19 may be the way the GoI focuses on numbers and figures as the sole aspect in determining the extent of the infection. Government officials should realize that numbers are not enough. Admitting such vulnerabilities may invoke greater collective solidarities at the grassroots. This can help slow down the spread of the coronavirus and give more space and time for the health system in taking care of those who are in critical condition. It is not only accessible and salient information that is needed, but active engagement and response to people's needs may also ease uncertainty and ignorance.

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Lack of Disaggregated Data, a Glaring Gap in Southeast Asia's COVID-19 Response

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Nearly a year into this pandemic, it is still surprisingly common to hear people say, 'this virus does not discriminate, we are all equally at risk.' An honorable sentiment, but this is not true; the virus does discriminate, but its impacts are experienced unequally across populations. In countries around the world, certain segments of society disproportionately suffer negative health outcomes from the SARS-CoV-2 and from its wider socio-economic impacts.

It is no longer possible to ignore the fact that racial and ethnic minorities, who already face institutionalized discrimination, are becoming infected and are dying from COVID-19 at a faster rate than their counterparts in the population in many countries (Booth, 2020; Canadian Union of Public Employees, 2020; Curtice, 2020; T. Davis, 2020; Hansen, 2020; Hatcher, 2020; Masri, 2020; US Centers for Disease Control and Prevention, 2000). There is also a growing body of evidence documenting the ways that other marginalized groups are disproportionately vulnerable during this pandemic. Intersectional dimensions include: gender (Article 19, 2020); sexual orientation (Office of the High Commissioner for Human Rights , 2020); religious affiliation (Meta, 2020); age (Mustaffa, 2020); physical disability (Minority Rights Group International, 2020); learning disability (Weaver, 2020); housing status (Tschirhart, 2020); immigration status (Engblom, 2020); employment status (M. Davis, 2020); class (Ro, 2020); political exclusion (Thomas, 2020); access to healthcare (Public Broadcasting Service, 2020); and presence of underlying health issues / comorbidities (Devakumar, 2020).

In Southeast Asia, the extent to which COVID-19 related health outcomes and socio-economic impacts differ for minorities remains largely unknown. The main reason is that there are no disaggregated data being collected and published. A review of the official COVID-19 data reporting platforms for Cambodia (Cambodia Ministry of Health, 2020), Malaysia (Department of Statistics Malaysia, 2020), Myanmar (Myanmar Ministry of Health and Sports, 2020), Philippines (Republic of the Philippines Department of Health, 2020), and Singapore (Ministry of Health Singapore, 2020) indicates that governments in the region are not collecting and publishing data disaggregated by ethnicity or characteristics relevant to marginalized groups (although some are disaggregating by gender). The lack of disaggregated data is a glaring gap in the region's COVID-19 response.

All ASEAN countries have agreed to the 2030 Agenda for Sustainable Development, and as such have already committed to meeting the SDG targets "for all nations and peoples

and for all segments of society" and to collecting "timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts" (United Nations Division for Sustainable Development Goals, 2015). The UN Permanent Forum on Indigenous Issues has recommended "the disaggregation of data on the basis of indigenous identifiers/ethnicity and the full and effective participation of indigenous peoples" in achieving the SDGs (United Nations Economic and Social Council, 2016). In response to the COVID-19 pandemic, the Forum concluded "data on the rate of infection in Indigenous peoples are either not yet available (even where reporting and testing are available), or not recorded by ethnicity" (United Nations Department of Economic and Social Affairs - Indigenous Peoples, 2020).

The UN Population Fund has identified indigenous women as being particularly vulnerable to health-related discrimination, resulting in worse access and poorer health outcomes than the majority of the population (United Nations Population Fund, 2018). Due to a general lack of disaggregated data, these negative impacts are often 'invisible' and harder for governments and other stakeholders to ameliorate.

In a pandemic, this blind spot poses a serious public health risk. Over and above the social good of providing justice for minorities, it is in the self-interest of majority populations to address the health needs of minority and marginalized populations. Globally, doctors and community representatives have been demanding that governments and healthcare providers disaggregate COVID-19 data by race or ethnicity at a minimum (Canadian Broadcasting Corporation, 2020; Iqbal, 2020). For governments in Southeast Asia, the benefits of disaggregated COVID-19 data are numerous: providing a fuller picture of the impact of the virus across the region; identifying emerging hot spots in minority communities; illuminating previously hidden vulnerabilities; informing minority language communications materials; planning targeted vaccine rollouts (St. Fleur, 2020), and enabling governments to fully meet their SDG commitments.

Undoubtedly, there are risks and sensitivities around ethnicity-based data disaggregation – e.g., targeting of religious minorities (Chhengpor & Baliga, 2020) and privacy concerns (Macabe, 2020) – and the approach may need to be different in different countries. Governments should take the lead from minority communities. ASEAN may have a role to play by promoting standardized data collection and publication guidelines which minimize the potential use of the data for discrimination or hate speech.

Southeast-Asian governments should immediately bring a minority-sensitive approach to their COVID-19 response efforts, including:

1) Facilitating the participation of indigenous people, ethnic minorities, and marginalized groups in developing COVID-19 response plans,

2) Having representatives of minority communities themselves collect and interpret the data,
3) Analyzing existing health data to identify potential COVID-19 vulnerabilities of minorities, and design mitigation measures, and
4) Mainstreaming the collection and publishing of disaggregated data on national COVID-19 reporting platforms.

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Prioritising Social Science and Humanities Education: Lessons for a Post-COVID-19 Malaysia

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The COVID-19 pandemic has forced humanity to rethink the Fourth Industrial Revolution (IR 4.0); Society 5.0 societies globally have experienced lockdown. The effects of physical distancing, the fear of illness, and the futility of wealth are realities that transcend gender, nationality, race, ethnicity, and religion. It is time to re-evaluate the notions of globalisation, success, and progress. As a result, we need to reflect on factors that shape our response to crises and isolation. These are addressed by the social science and humanities - what makes us human (Broadbent, 2018).

Before COVID-19, formal education has neglected this approach. The pandemic has revealed the existential problems of our societies (Anthony, 2020). The value of human economic activity, the nature of social interaction, the purpose of life, the compatibility of science and religion, and the inevitability of death are philosophical debates that need to re-emerge as part of a global coping mechanism (Escobar, 2020).

Societies like Malaysia are struggling in this aspect. The situation in Malaysia has revealed a failure in conceptualising universal versus particular values (Alatas, 2020). Tensions around prejudice, racism, ethics, and the value of balance in life have been amplified. The movement control order (MCO) has resulted in inconsistent enforcement activities by the police and armed forces (Singapore News Today, 2020).

An example of this inconsistency is Mr. Ebit Lew, a young Malaysian Muslim preacher well-known for distributing aid to the homeless and other neglected communities. During the MCO period, after visiting a predominantly Chinese community, bringing them food, money, and words of comfort, a backlash from segments of society emerged. Critics interpreted his activities as an egotistical show of personal aggrandisement. Many seem resentful of his compassion and the publicity he received (Free Malaysia Today, 2020).

The unfortunate development is that enforcement authorities had hauled him up for questioning. The rural homes Mr. Lew visited were also people who had pleaded with him to track down their children. Yet, police felt compelled to question his activities, instead of critically evaluating the public backlash (New Straits Times, 2020). He uses his own funding and transportation, hence, is no burden to government resources.

COVID-19 has exposed the fundamental problem. Our education philosophy has not exposed Malaysians to finding this balance. Ultimately, our society has adopted a robotic approach to governance, unable to apply the finer conceptual skills needed for a long-term strategy towards compassionate human development. We have forgotten that humanity's progress is based not only on material progress and the blind pursuit of legalities, but also on spiritual development. An example of this in Malaysia is the sudden backlash against Rohingya refugees who were spoken of compassionately by both the government and the people in the pre-pandemic era (New Straits Times, 2020).

If we can comprehend that the intricacies of globalisation have resulted in the spread of COVID-19, we would be able to navigate the strategies compassionately. Of what use are sustainable development goals for our society if we are unable to conceptualise the fundamental value of balance and compassion? COVID-19 has revealed that our society lacks an epistemological understanding of equilibrium that is vital for progress. We should understand that runaway globalisation, and not just COVID-19, is the cause of our societal crisis. The only way we can understand this is to critically analyse humanity's philosophical direction. Educators must combine secular with religious direction to find a balanced approach to human development.

Challenging repercussions lie ahead for post-COVID-19 Malaysia. Our educators will have to prioritise critical sociology, philosophy, literature, and other disciplines as part of our curriculum (Metzler, 2020). More fundamental is the need to nurture the desire for self-reflection. Analytical philosophy provides this. We must learn how to reflect on the relationship between humanity and nature (Pelloux, 2020). Both religious and secular reflection should complement, rather than antagonise, each other. The MCO period, for example, has resulted in the natural purification of our rivers, something Malaysians have not seen for several decades (The Straits Times, 2020). Self-reflection will compel us to preserve this situation.

Part of our goal should be to produce a better human being. By "better," we mean finding a relational equilibrium among humans, and between humans and Nature (Nasr, 1994). It is vital to envision a philosophical approach in order to prepare our youth for a society premised on more than just a superficial understanding of IR 4.0 and Society 5.0. The way forward is to pay more serious attention to the social science and humanities subjects in education (Alatas, 1970). In order to prepare our society for future crises, we must study the reflections of sociologists, historians, philosophers, artists and literary writers. COVID-19 has shown us that the dynamics of life is an inside-out, rather than an outside-in, process.

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Denying the Full Right to Access ICT Services in Timor-Leste amid COVID-19 and Beyond

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With a population of about 1.2 million, in which 20% are aged 15 to 24 years old, only a small fraction of the Timor-Leste population can access the World Wide Web, signifying a lot of challenges in obtaining information throughout the country. Adding to this, Timor-Leste is considered to be one of the countries with the most expensive internet. One Mbps of internet in Indonesia costs around $1.80, $8.10 in Cambodia, and $500 in Timor-Leste (Inder, 2018).

In this young nation, COVID-19 elevated this perennial problem to greater heights. The first detected case was disseminated all over social media, emails, and online groups. Upon the declaration of the State of Emergency on 27 March 2020, things changed rapidly; the population felt unprepared and overwhelmed by the whole situation. They do not have enough information and communication mechanisms to cope with the new imposed rules and norms.

What one can easily observe is that people who have internet access, especially to Facebook and WhatsApp, can obtain information quickly. However, only 31% of the population is active on social media (Asia-Pacific Information Super Highway, 2019). Majority of the population are not well informed at the moment the State of Emergency was declared. They do not know if they are allowed to go to other districts with their own motorbikes or cars, how many people are allowed to sit in a car or on a motorbike, or whether they are allowed to continue riding bicycles. Some grocery stores are closed, while some private clinics do not want to attend to patients with fever.

This gap between the haves and have nots, in terms of access to vital information, can lead to social injustices. Women and poor people who lack resources do not have access to the internet, and they do not have time to read information. Women in some remote rural areas with no electricity and internet have more difficulty in accessing necessary information on what is happening in the national government and the world.

During the first State of Emergency in March, communities, street vendors, small shop owners and other common people have only heard of the rules orally, which are often unverified and misinterpreted. Regulations were first written in Portuguese, which is chosen as an official language after restoration of independence in 2002; though it is not well spoken by the majority of the population, including the police themselves, who were schooled in the Indonesian language for 24 years. There were initiatives by some Facebook users to translate and summarize Portuguese news to Tetum so that the common people can read and understand. However, this only facilitates to those who have access to the internet.

Students in schools and higher education need to have reliable and affordable internet for their online classes. However, a lot of complaints have been raised about the reliability, download and upload speeds, and the price. The average internet speed in Timor-Leste is 25 times slower than other Asian countries, according to estimates by the International Telecommunication Union (Inder, 2018). On 8 April, the Millennial Youth Group made an appeal on GNMTV's (Grupo Media Nacional TV) information program to the three telecommunication companies - Timor Telecom, Telemor, and Telkomcel - to facilitate access for university students who regularly need internet to study and research online.

As stated in UNICEF's news: "*Only a small fraction of the 400,000 students affected by school closures were able to access online learning on a regular basis. Poor internet connectivity, high costs and lack of knowledge around how to use online platforms for learning were some serious challenges"* (Maia & Taton, 2020). To opt and prepare for the new normal, the Ministry of Education and UNICEF initiated an ICT conference in October to discuss the alternative strategy to improve the ICT system and make it more stable and affordable to everyone, especially the school children and university youth (Maia & Taton, 2020)

So far, the telecommunication companies have not initiated any internet packages that facilitate the population in this time of need. Even in such a situation, telecommunication companies, such as Telkomcel, sent advertising messages in April to ask their clients to pay 20 cents for information about COVID-19, which should always be provided for free. It is crucial that the Timor-Leste government realize that in the time of a national emergency, one's right to full access to information is a non-negotiable element to change their risky behaviors. The responsive acts should, therefore, be in place, such as the regulating and negotiating of the internet price with the telecommunication companies, spreading more information to remote areas where electricity is still not available through mass media, such as radio, posters and other means. These urgent approaches are meant to adapt to the new demanding situation and, most importantly, to contain the spread of the virus.

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6

Labour and Economic Safety Nets

The Curious Case of Subsided Subsidies: Failed Political Promises in the midst of COVID-19 in Timor-Leste

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Amidst the COVID-19 outbreak, some countries have implemented subsidies for their citizens. Economic assistance from the state has helped combat both negative health and economic consequences of COVID-19 on the marginalized. Various policies have been made to respond to the needs of the citizens, which include the provision of economic, social, and direct aid packages, and the reduction of taxes. This kind of assistance has been applied by many countries in the world as the state is obligated to reduce the impact of socio-economic consequences, and to "soften the economic fall-out of the crisis," especially during this time of pandemic (Bohoslavsky, 2020).

Even before COVID-19 struck Timor-Leste, poor people, and communities working in the small business sector and non-formal jobs have already been struggling to gain profit and provide for basic needs. This health crisis had left the vulnerable and marginalized with little chances for survival.

In response to this, in March 2020, the Timor-Leste government had promised to grant subsidies like a $15 electricity fund for every household. Others have yet to be given out. For instance, members of the National Parliament declared a reduction of their salaries by 50%, to source funds for the salaries of staff who work at the frontlines (doctors, nurses, police, and all the COVID-19 prevention teams on the field) (GMNTV, 2020c). Similarly, the government promised to provide a subsidy of $100 for all citizens, also known as an "economic package," to help citizens during the "state emergency" due to COVID-19 prevention (GMNTV, 2020b).

When the subsidized program was publicly announced by the government, some actions were immediately taken by some Timorese communities. For example, in Dili, members of a community went to the sub-district office to arrange for a family member card as proof of identification to access social assistance subsidies (GMNTV, 2020a). The hope of getting subsidized, however, is not realized. On 16 April 2020, the subsidy which was promised was rejected (Timor Post News, 2020).

The refusal of subsidies sparked a negative response from the public. Criticisms, for instance, were published on social media by some Timorese Facebook users as exemplified below. The messages showed how they reacted to the political subsidies which the government proposed but later cancelled, infuriating citizens who needed the financial assistance during the pandemic.

> *"The members of parliament have no heart, and this COVID-19 situation has been used to gain an advantage of getting 500,000"* (Anonymous, 21 April 2020).
>
> *"Getting monthly salary, pension funds, travel much time abroad, are those are not enough? This bitter situation, you have stolen the money of the citizens"* (Anonymous, 21 April 2020).
>
> *"You, parliament member, look at the poor people. They need a subsidy to survive"* (Anonymous, 21 April 2020).

The government has funds to allocate for the COVID-19 outbreak, yet the promised funds for subsidies turned out to be lip service. This happens when people are hungry, and there is no income to cover their needs. This situation can trigger anger, annoyance, and criticism of the government and parliament. Furthermore, vulnerable and marginalized Timorese who experience the direct impact of this pandemic disease will sense that the government does not fulfill their responsibility as a duty bearer, especially with how to guarantee the right of life of its citizens with financial assistance to survive. Even though the government of Timor-Leste might have another plan to reconsider subsidies for the citizens, their response to provide immediate action to help marginalized people is much slower and is fully politicized by the government and parliament members.

Money politics has been used to label the members of parliament and the government in Timor-Leste. All unkept promises that were made resulted to public hatred. The community assistance policy remains an empty political promise for the benefit of the parliament, rather than for the benefit of the community. The poor, vulnerable, and marginalized people really need the money to survive the State of Emergency brought about by COVID-19. This situation requires the government to set aside politics, step up, and focus greatly on the economic and social health of everyone living in the country.

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Crisis in the "Mekong Oasis": The Filipinos in Lao PDR in the Time of COVID-19

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On 17 March 2020, Vientiane, the political and economic centre of Lao People's Democratic Republic (PDR), seemed to be the safest place in the Mekong Region in terms of COVID-19 infection rates. As Thailand started to record COVID-19 infections, Laos had no known cases. But the turn of events changed. Laos has been on lockdown since 30 March until 19 April and will stay as such until the situation gets better. Furthermore, the border is open only for the transportation of goods and medical supplies (Savankham, 2020).

Laos, a tiny land-locked socialist country sharing borders with Vietnam, Cambodia, Thailand, Myanmar, and China, is home to around 7.3 million people (Worldometer, 2020). Vientiane, the capital of Laos, was abuzz with nightlife before COVID-19, particularly the stretch of Chao Anou road going to the Mekong Riverside. Since 2003, thanks to the relaxed policy of the Politburo, tourism and investments from China have increased, with the latter pouring Chinese Yuan (CNY) into various ventures such as raw materials, hydroelectric dams, mining, forestry, real estate, and transport (Suwatchai, 2015).

The country, labelled as an "oasis" by Philippine Ambassador to Laos, Belinda Ante, is not just gaining popularity amongst tourists but also amongst foreigners. Tourists from all over the world flocked to the country either to get a visa for Thailand or to spend a vacation. For instance, a lot of Filipinos in Thailand go on a "visa run"—a short stay outside the country where one can apply for a new visa. Due to its location and frequent border crossings from neighboring countries, Lao PDR is highly vulnerable to infectious diseases like COVID-19.

Precautionary Measures

To curb the rate of COVID-19 infection, the Lao government ordered for the closure of all educational facilities last 19 March 2020, including universities. On the same day, it indefinitely suspended the provision of all types of visas to foreign tourists including those from ASEAN countries, and this was effective midnight of 20 March (Xinhua, 2020a).

There are around 1,600 Filipinos in Lao PDR, of which 40 percent are teachers. The rest are working as engineers and IT and development workers. Some of them are working in various development projects throughout the country. Despite the small

population of Filipinos, the Lao Government and the Philippine Embassy are taking all the precautionary measures to protect them.

The Philippine Embassy procured emergency equipment like thermal scanners and hygienic kits. Large gatherings were also suspended for the meantime. Ambassador Ante spearheaded the distribution of 250 hygiene kits to Filipinos in commemoration of the Women's Month, as well as, to raise awareness on COVID-19. The kit contained face masks, ethyl alcohol, spray bottles, and wet wipes. It also included a flyer listing preventive measures to avoid contracting COVID-19.

Worst Case Scenario

The Philippine Embassy had been trying to address concerns by Filipino migrant workers, especially teachers who might be out of work due to the indefinite suspension of classes. To monitor the situation, a communication line was established in each crucial area of Lao PDR for better coordination.

Ritchelle Vargan, Principal at Achievers Kindergarten School in Vientiane, said her employer compensated the teaching staff despite the temporary closure of the school. However, she is worried about access to medical services. Her mother, who currently lives with her, usually travels to Udonthani, a nearby city in Thailand, for her check-ups. Laos does not carry out the same quality of health services compared to Thailand. Moreover, social security insurance can only be enjoyed by citizens. This leaves foreign workers at a vulnerable position, especially during a health crisis.

Ambassador Ante stressed that some employers assured her the Filipino workers are provided with medical and health insurance.

Another issue is access to essential goods such as food. Most supplies being consumed in the country are still sourced from Thailand. Despite the ability to produce locally, farm to market roads are still difficult due to its topography. Many provinces in Laos take days to reach by land.

The Philippine embassy could provide the option of repatriation for distressed compatriots. Ambassador Ante assured the Filipino community that chartered flights or military planes would be used in evacuation if the situation became worse.

Lao PDR as of this Writing

In the months to come, while Filipino workers in Thailand, Vietnam, and Cambodia were flown back home, the Filipino workers in Laos remained. This is due to the ability of the Laos Government to contain the infection as well as the implementation of various measures such as closing the borders, prohibiting large gatherings, and suspension of classes early on.

The country had recorded 24 cases of COVID-19 as of November 2020. Despite the easing of travel restrictions and the opening of some land and air borders, this landlocked nation is still cautious to prevent another wave of infections (Xinhua, 2020b). According to Ms. Vargan, schools are already open. There are no reports of Filipinos losing their jobs despite how the pandemic weakened the world's economies.

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Women at Work Deserve Better from Governments and Businesses

Golda Benjamin and Kalayaan Constantino

Golda Benjamin is the Programme Director of the Business & Human Rights Resource Centre. Kalayaan Constantino is Oxfam in Asia's Policy and Campaigns Manager. Read the full report entitled "Women's Human Rights and Business" here: https://bit.ly/womensBHR. This report is produced as part of Oxfam's regional program on Gender Transformative and Responsible Agribusiness Investments in Southeast Asia (GRAISEA). Significant inputs were provided by the Business & Human Rights Resource Centre, Institute for Social Entrepreneurship in Asia (ISEA), Initiatives for Dialogue and Empowerment through Alternative Legal Services (IDEALS Philippines), and Weaving Women's Voices in Southeast Asia (WEAVE).

The paralyzing impact of the COVID-19 pandemic brings to the surface the need for governments and businesses to find meaningful and lasting solutions to problems that have long deprived women at work of their fundamental rights and opportunities for so many years.

Globally and in Asia, women workers are underpaid and undervalued. Even when in comparable roles, Asian women earn less on average – between 70-90 percent of what men earn. In Asia and the Pacific, 67 percent of workers in informal employment are women (Bonnet et al., 2019). As informal workers, women often do not have access to benefits such as sick and maternity leave or social protection (Mercado et al., 2020). This invisibility also results in their exclusion by both governments and businesses in emergency response actions where benefits often go to heads of families, typically the husbands or fathers, or to those enlisted formally in companies' payrolls. At the same time, women traditionally assume most of the responsibilities for their families (Mercado et al., 2020). With schools shifting to online learning, more time must be spent looking after children and their education at home. When a family member gets sick, the challenges increase. Many women are also at risk of increased domestic violence in their homes (Women's Legal and Human Rights Bureau, 2020) and movement restrictions severely limit their ability to seek help and remedy.

The problems will continue to increase, and everyone must simultaneously rise to the challenge of concurrently provide immediate response as well as more stable and long-term solutions to protect women at work – whether at home, in their communities, or in offices. International standards, including those reflected in the United Nations Guiding Principles (UNGPs) on Business and Human Rights – endorsed as the world's first corporate human rights responsibility initiative – provide a benchmark.

We have three opportunities that must be seized so we can do better on women's human rights.

First, government response measures are opportunities to establish good practices of inclusion and empowerment of women. Emergency social protection schemes must cover women, especially those in the informal sector who are often invisible in social protection laws. Workplace policies must extend maximum flexibility to allow for shared care work between men and women, at a time when the requirements of the home have increased immensely because of varying forms of quarantine measures. In industries where the work-from-home setup is not an option, governments and companies must support female workers and consider options such as on-site daycares, temporary care infrastructures that comply with health protocols, flexible work hours, and the like.

Second, governments and businesses must recognize that the human rights impact of corporate activities are not gender-neutral and in effect, respond with human rights due diligence policies that are gender-sensitive (Groin et al., 2020). This begins by clearly locating where women are in the context of business activities, by identifying what rights and privileges they are given and are deprived of, and by ensuring the availability and accessibility of remedies available to women when their rights are violated. Due diligence efforts must also address systemic roots of harms that befall women and girls and include efforts to promote positive social narratives on shared care tasks of men and women, equal pay for equal work, and freedom from violence and harassment. Central to this infrastructure is the need for governments and businesses to commit to liability provisions for neglect and abuse of due diligence obligations. These are mandatory steps to start addressing the inequalities in the workplace. Opportunities for women to lead the conversations, decisions, and processes that affect them are also critical to correcting such structural problems. Women's rights organizations can provide avenues toward meaningful contributions and drive response and recovery plans and actions. All in all, people and partners from diverse platforms must come together to integrate these reforms.

Third, governments, businesses, and civil society must use every available national and international platform to improve the lives of women at work. Through a participatory and inclusive process led by women, their concerns and solutions can be reflected in National Action Plans (NAP) on Business and Human Rights, the ASEAN Recovery Plan, and other platforms. These inputs can also contribute to the creation of programs to implement regional policy frameworks like the ASEAN Action Agenda on Mainstreaming Women's Economic Empowerment and the ASEAN Guidelines on Responsible Investments in Food, Agriculture, and Forestry (Business & Human Rights Resource Centre et al., 2020).

To build a better future for all Asians, we must not only strive for better outcomes but also improve how we go about achieving them. As the world reflects on how to recover from the pandemic, governments and businesses must meaningfully include women and girls and empower them to reap full rights and benefits in their workplaces and beyond.

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Land of Smiles?
The Detrimental Effects of COVID-19 on Informal Labor in Thailand

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Home to the once most-visited city in the world, Thailand has been paralyzed by COVID-19, spiraling the Southeast Asian nation into a freefall – economically, politically, and socially. Out of fear of an unmanageable COVID-19 spread, the government under Prime Minister Prayut Chan-o-cha continues to hold a tight grip on the country, including a State of Emergency that was established in March 2020. This and other measures have created severe challenges for vulnerable labor groups.

Government Precautions during a Global Pandemic

The universality of the effects of COVID-19 on many populations, industries, sectors as well as human rights have become apparent in the past few months. While the epicenter of the pandemic has shifted to the West, Thailand has not been spared. As of early November 2020, the country reported 3,818 COVID-19 cases, which caused the loss of 60 lives (Google News, 2020). Aware of the same fate facing even the most developed of countries and mindful of potential unrest in a country that is historically prone to coup d'états, the Thai government quickly announced in March that it would be handing out THB 15,000 (approximately US$ 490) over the course of three months to informal workers, self-employed persons, and others hardest hit by the pandemic (Theparat, 2020). In the succeeding weeks, the Thai government had put its population on a rollercoaster of misinformation, first announcing that funds were not enough to provide aid to all eligible citizens (Burton, 2020; Bangprapa, 2020), followed by public outcry and the government's reassurance that there was, indeed, enough money available (Thai PBS World, 2020). By the end of April and throughout the confusion, governmental health hotlines were overwhelmed, and there was a significant number of reports on suicides directly linked to the suffering caused by COVID-19 (Coconuts Bangkok, 2020).

Amplifying Informal Labor Vulnerabilities

Those vulnerable to the many effects of COVID-19 are laborers in key sectors, such as public transport workers, including bus, taxi, and motorbike taxi drivers. Their work is not only characterized by the fact that many of them are part of Thailand's informal economy, a key component of the country's development through its economic contributions and characterized by its potential to absorb labor in times of low labor demand (Warunsiri, 2011, p.451). But also, low- and unstable income levels are most predominantly found in

informal work, which falter during economic shocks under the pandemic. One case in point is Mahidol University, one of Thailand's oldest universities. When its main campus in Nakhon Pathom suspended most of its on-site lectures in April, local motorbike taxi drivers found themselves in a life-changing situation: With people being absent from university, there was no longer a sustainable income. Laen, a motorbike taxi driver in Salaya, explained his daily average net profit from April to June never exceeded THB 100 (US$ 3.20). In a non-pandemic world, he would have earned six times as much. Despite the fact that he was an eligible candidate for government aid, Laen did not receive even one baht at first. For Global Southerners like him, the solution was to resort to other types of labor when financially relying on others is no option. He began earning money from raising, training, and selling chicken as well as working at a local restaurant's kitchen. But even with these additional jobs, Laen told me, his income was never sufficient to support himself and his mother.

Realizing State Duties

This dilemma shows an essential issue around COVID-19 and laborers in Thailand: while a lot of conversations revolve around the loss of jobs in general, not many people talk about how this pandemic is pushing workers into secondary labor that is equally unsustainable. When workers find themselves in a position where no labor provides for a living, it sheds light on the desperation of many who eventually resort to ending their own life. This, however, shall not be the conclusion to an argument, but rather a reminder of the state's duty to protect, respect, and promote human rights, including the right to work and the right to life.

Meeting Laen a few months later, his situation has significantly improved. The government eventually paid out THB 15,000 as promised, which made him and 10 million other Thais automatically eligible for the 'Half-Half Co-Payment Scheme', in which 50% of food and other small purchases are subsidized by the government (Chantanusornsiri, 2020). Moreover, the re-opening of Mahidol University's campus and the return of students have allowed Laen to earn almost as much as before COVID-19. While this story is a shining example of the resilience of informal, low-income workers, it even more so emphasizes the challenges they face and what is at stake for them. Therefore, the government must come up with wholesome and inclusive policies and programs for the most vulnerable of its people.

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The Inevitable Spike: Placing Low-Income Earners At High Risk Of COVID-19 In Indonesia

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The Indonesian government had prematurely eased restrictions on activities and movements to restart the economy, which gives a false sense of security to all. However, this decision had begun to show adverse effects, including increased health risks for low-income earners, particularly in their access to clean water and medical protection in light of economic activities.

Limited Access to Clean Water

Before the COVID-19 outbreak, Indonesia has already been facing problems concerning limited access to clean water. Data from the Indonesian Central Bureau of Statistics in 2018 show that only 74 percent of Indonesians living in urban areas have adequate access to drinking water (S. Nasir, 2020). This has been the case for low-income people (≤ Rp 1.8 million or USD 127.4 per month) who live in high-density cities. This includes Jakarta dwellers who could not access and afford clean water services because most of the clean water services are still managed by private companies (Ambari, 2020).

To mitigate the spread of the virus, the Indonesian government appealed to the public to regularly wash their hands with water for twenty seconds. This will reduce chances of getting infected by 40% (S. Nasir, 2020). It also encouraged people to bathe and wash their clothes immediately after returning from outdoor activities.

Nevertheless, such practices prove to be challenging for low-income earners, who have limited access to clean water and hygienic products (Firdaus, 2018), particularly in urban poor areas in major cities of Indonesia like Jakarta (Syakriah, 2020), where some low-income earners have to spend Rp 360,000 (US$ 27) per month to buy water for their daily consumption. Those who live by the riverbanks are forced to use unhygienic river water to accommodate their needs (Haira, 2019). It is important to note, however, that 55.88% of the rivers in Indonesia are highly polluted and around 23.5% are moderately polluted (Purnama & Susanna, 2020). Even worse, current data shows 70.53% have experienced a dramatic decrease of income due to economic restrictions caused by COVID-19 (Putranto et al., 2020). This puts the low-income earners in a more difficult situation to access clean water and maintain their health.

More Physical Interaction may lead to Health Deterioration

As part of enabling the reopening of the local economy, traditional markets have been allowed to open. However, they have been unable to provide opportunities for vendors

and shoppers to protect themselves from getting infected by COVID-19. Hand-washing facilities are scarce, and physical distancing is difficult to practice. Similarly, according to Purnama and Susanna (2020), low access to clean water, and even bad hand washing habits, become the challenge for Indonesia to combat this novel virus. As Indonesian Traditional Market Traders Association spokesperson Reynaldi Sarijowan said in the mid of June, 535 vendors from twenty provinces are infected by COVID-19 and 29 of them have passed away (Atika, 2020). Meanwhile in Jakarta, the pandemic resulted to the closure of nineteen traditional markets after 51 vendors were tested positive for the virus (M. Nasir, 2020).

Ride-hailing service drivers also have to deal with the same problem. Even if the government allows them to carry passengers again and even with the implementation of health protocols, direct interaction with their passengers is unavoidable (Silviana, 2020).

Some local government units and the private sector have already stepped up to address various issues. For example, the local governments of Surabaya and Malang decided to enforce a free of charge of water bill during the crisis for clean water service consumers. A response was also taken by Gojek, which just launched a health control mechanism at the end of June (Silviana, 2020).

There is still so much to be done to protect people from COVID-19. First, affordable, or even free clean water has to be made accessible to all despite of one's geographic location and economic status. The government must also invest in hand-washing stations in public places such as traditional markets. It must also provide incentives for businesses who closely monitor the health status of their employees and patrons.

Then, the government must continuously campaign for people to comply with any appeals to combat COVID-19. Finally, the Indonesian government must integrate public health in all strategic measures concerning social and economic activities throughout the country. As Indonesia's COVID-19 cases continue to rise, the government must remind itself of its primary duty to protect anyone from being the next probable prey of this deadly virus.

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Top-down Violence in the Face of a Pandemic: An Argument for a Social Protection Floor

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Josemaria, also referred to as Jay, is currently a journalism student at the University of the Philippines, Diliman. He believes in a future belonging to the dispossessed, free of charlatans and despots. Above all, he believes truth trumps power. He also hopes to foster discourse on social inequalities through his writing.

The Philippine Government has left its people to fend for themselves. The Duterte administration's militarized response to the pandemic, coupled with its criminal negligence, finds millions unemployed and without their daily bread. Across sectors, Filipinos have been driven further along the margins. We now see jeepney drivers standing along highways once traversed, holding placards asking for spare change. Parents scramble for funds to keep apace with their children's distance learning requirements (Magsambol, 2020). Amidst the recent onslaught of two consecutive typhoons, hundreds of thousands have been displaced—their homes and possessions submerged in floodwater (Talabong, 2020).

State Violence as a Response

In response to government inaction, people have staged protests online and on the ground, but these have been met with repression from state forces. In June, police arrested six jeepney drivers peacefully protesting their loss of livelihood (Pedrajas, 2020). Later that month, police again arrested 20 Pride march attendees in Manila (Rappler, 2020). A month after, police arrested several protesters and confiscated protest materials during the President's 5th State of the Nation Address (Gavilan, 2020a). Activists are harassed and slandered, all in the name of the Duterte administration's mis-prioritized anti-communist crusade (Gavilan, 2020b).

This is violence.

Violence, however, is not confined to directly injurious physical acts. Incompetent governance that ultimately raises the death toll is violence. Withholding relief goods from the poor is violence. Ignoring the pleas of those who are starving is violence.

Why does the government continue to inflict violence on its citizenry, even in a time of crisis? To put simply, it does not care for its people.

Indeed, civil society and the private sector already bear much of the burden of providing for the most vulnerable, all while the chief executive and his allies drag human rights through the mud. The citizenry deserves social and economic wellbeing, and it is what the government is in power to provide—only this legitimizes their authority.

The Social Protection Floor

The Philippines is signatory to the Universal Declaration of Human Rights (UDHR). Article 25 provides that everyone has a right to an adequate standard of living, "including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control" (United Nations, 1948, Art. 25.1). Has the government fully provided these entitlements, more so in a time of crisis that strains access to food supply and medical care?

This is where social protection comes in. The Philippine government must consider "the provision of essential services and transfers for all individuals in need of protection in an effort to prevent them from falling into abject poverty or to assist them out of poverty" (United Nations Office for South-South Cooperation [UNOSSC], 2011, p.13). Thus, by guaranteeing a basic standard of living, more low-income individuals can be integrated into the formal economy to raise their current standard of living, according to the United Nations Office for South-South Cooperation (UNOSSC, 2011). Higher income also means higher tax revenues which can be used to improve existing social protection programs (UNOSSC, 2011). Different countries in the Global South have successfully implemented social protection floor programs at low cost, reducing poverty and income inequality (UNOSSC, 2011).

Adequate housing means no homeless sleeping on sidewalks. Cash transfers to those unable to work mean financial security. Food subsidies mean no desperate protesters, and access to proper medical care and better healthcare infrastructure means no one dies untreated. When compassion is first integrated into state policies, and each person's rights are treated as inalienable, all stand to benefit.

These come with a caveat, of course. Without thorough execution, these programs will matter little. Political will, which the incumbent and previous administrations have none of, is an absolute necessity.

These programs, however, are only means to a greater end. As long as iniquitous power structures remain, and our farmers and workers are deprived of their means of livelihood, the toiling Filipino will find no peace.

Conclusion

To close, I do not see the Duterte administration even wanting to effect this change. As mentioned, it does not care for the downtrodden. The only way forward is to continue our demands for accountability, engaging in collective action to force officials to heed our calls.

To those who brave the parliament of the streets and lend their voices to the dispossessed, I only hope the culture of genuine servitude persists. As long as it does, a truly egalitarian future is within reach. Amidst tyranny, we—student-activists, workers, farmers, and other freedom fighters—shall continue waving our banners and chanting our calls, for silence is acquiescence, and with dissent comes change.

The future belongs to the calloused hands that have built the present.

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Mekong Migrant Workers in Thailand: Pursuit of Rights-based Approach in Addressing COVID-19 Impacts

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COVID-19 exposes socioeconomic inequality architecture in the global arena and exhibits a multiplicity of sociopolitical interventions. In Thailand, a trade-oriented emerging economy, the pandemic increases unemployment in many sectors and significantly expands the country's household debt (Thai PBS, 2020). Adding to the effects of COVID-19, measures aimed at protecting both the economy and public health have been detrimental for many individual rights, specifically those of vulnerable groups. Hence, the understanding of the impacts of COVID-19 requires alignment with a rights-based approach, which offers a unique opportunity to embrace the international human rights framework that puts human beings at the center of all interventions.

Thailand has been hosting a significant number of workers from many parts of the world, particularly from the Mekong region such as Myanmar (48%), Cambodia (34%), Laos (18%), and Vietnam (0.001%) (International Labour Organization [ILO], 2019). As of August 2019, there were 2,877,144 documented migrant workers in Thailand primarily employed in low-skilled jobs, including fishing, agriculture, construction, manufacturing, and domestic work. Socioeconomic uncertainties and disruptions caused by the pandemic revealed the structural challenges in their social protection. Aside from the trauma of deportation, the host state has viewed them as potential carriers of viruses. Despite their significant contribution to Thailand's socioeconomic environment, the Mekong migrant workers' vulnerability has been exposed during the pandemic. Majority of them are living in perilous conditions with inadequate state support and suffering from pre-existing health conditions due to their employment (The Thaiger, 2020). They find it difficult to finance their daily expenses as they were laid off, rarely receiving any financial and health support from the Thai government, and not receiving adequate Civil Society Organization (CSO) support. Unfortunately, Thai authorities' mitigation response has indirectly generated tensions and contradictions among them. Hence, to ensure their human rights during the pandemic, the Thai government should pursue the rights-based approach on its migrant worker policies, such as the following:

1. **Create accessible complaint mechanisms for migrant workers and impose stricter penalties for violation of their labor rights.** Around 500,000 migrants have not been granted health insurance renewals, and approximately 1,000,000 migrant workers were not able to receive social security benefits due to their incomplete work documents as their employers were not able to provide termination letters, which the law dictates they are required to do so (Fawthrop, 2020).

   The Migrant Workers Rights Network has stated that migrant workers have not received their redundancy pay. Only three out of over 70 companies have remunerated unemployed migrant workers and only one paid those on furlough 75% of their salaries due to the pandemic. Moreover, employers were not able to provide preventive measures such as clean and hygienic living conditions, clean water, masks, and quarantine places (Boonlert, 2020; Fawthrop, 2020). In this regard, accessible complaint mechanisms should be made available to allow employers to be accountable to their actions and halt further violations towards migrant workers.

2. **Institutionalize proactive labor and social protection for all migrants across sectors.** Migrant workers should receive fair access to health facilities and appropriate working conditions, labor, and social protection laws. Migrant worker groups should encourage the Thai government to assert clear policies of access to free public healthcare appropriately prepared to deal with the complexities of a pandemic, and to facilitate guidelines and legal frameworks for streamlining the access to the health care system for all kinds migrant workers, regardless of their status, within a human-rights lens. This may include strengthening cooperation with the Employment of Workers with Cambodia, Laos, and Myanmar that allow their nationals to enter and work legally in Thailand as contract labor for up to four years, provisioning of information campaigns and action plans in going after carriers, the determination of migrants' health needs, and cooperation with migrants' home states. Indirectly, this would help the most vulnerable by providing institutions and governance a provisional bridge to solve pockets of unemployment and underemployment during the pandemic.

3. **Entitle all kinds of migrants to flexible, accessible, and non-discriminatory health, social security, and other welfare protections.** The Thai government should be encouraged to waive enforcement of Section 14 of the Foreigners' Working Management Emergency Decree to allow those whose work permits expired due to unemployment between March and July 2020, and whose former employers failed to notify the authority, to extend the document and seek new employment without incurring additional processing fees. In addition, as the fishing industry does not require fishing operators to register migrants under the social security and health insurance systems, it is also encouraged that Thai government urge fishing operators to register migrant workers under both systems.

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Understanding the Social Dimension of Receiving Aid

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The Office of the High Commissioner for Human Rights (OHCHR) declares poverty as an urgent human rights issue. Basic human rights are simply inaccessible to the poor (OHCHR, 2012). Like most countries grappling with the spread of COVID-19 in their borders, the Philippine government placed most of the country under strict community quarantine in mid-March, a move that effectively locked out many Filipinos from their livelihoods and forced up to 1.5 million Filipinos into poverty (Albert et al., 2020). Poverty is the biggest hindrance for many governments in enforcing social quarantine measures. Social distancing is just impossible for the urban poor who live in cramped spaces (DeLuca et al., 2020), and rely on mass transportation to earn a living. Consider that low-income families could barely get by and live hand-to-mouth when the economy was open, how much more now? This is the grim reality for almost 18 million Filipinos living in poverty (Mapa, 2019).

To mitigate the socio-economic impact of the COVID-19 health crisis and the Enhanced Community Quarantine guidelines, the government released its cash assistance package to 18 million poor families (DSWD/PIA-DDCU, 2020) to help them meet their basic needs during the quarantine period (Asian Development Bank, 2020). While this is a much-needed relief for many Filipinos no longer able to support themselves, increasing discontent from the middle class who feel excluded began to creep into online discussions (Venzon, 2020). Cash aid was also criticized as encouraging, even rewarding, mendicancy among the poor. A more sinister disease is taking hold in Philippine society, one that will remain long before the world finds a cure for COVID-19, what sociologist Jayeel Cornelio (2018) calls the "persistence of blaming the poor". The vilification of vulnerable populations for receiving aid is creating social conflict that pits the middle class against the "poorest of the poor". This piece is my attempt to explain the societal dimension of the desperation and hunger that reverberates in every poor household in the Philippines.

As a sociologist, I am inclined to discuss this issue using the classic sociological concept of *class struggle* introduced by Karl Marx almost 200 years ago. Class struggle is the conflict between segments of society over valued resources. Marx explains that an economic system dominated by capitalists (think Forbes list of richest Filipinos) rely on a large poor and exploited population called *proletariat* to make profit for their businesses (Macionis, 2012). It is in the best interest of capitalists to keep many Filipinos poor, uneducated, and with no choice but to accept wages that could not even afford them the product of

their daily labor. This socio-economic system that deifies rich capitalists and disparages the poor have kept generations of Filipino *bourgeoisie* on top of those top richest list.

However, this exploitative system does not enrage most Filipinos at all. When the entire island of Luzon was placed on strict lockdown back in March, thousands of people still endured the long queues at checkpoints and braved the streets of Manila (Gonzales, 2020), hoping to earn the meager income they can to feed their families. They were quickly condemned as *undisciplined* and irresponsible. Explaining social problems such as poverty, unemployment, and homelessness as shortcomings of individuals rather than as a fundamental flaw of society is what Marx calls *false consciousness*. In his time, Marx pleaded for people to recognize the real and more persistent social problem – society's predilection to demonize the poor for their inability to protect themselves from a cruel and exploitative social system.

I have spent much of my time as a sociology teacher urging my students to see the societal dimension of poverty and I make the same appeal here. The poor desperately need the support of the government and society at large to survive the pandemic. Vilifying them for defying the quarantine orders and in receiving aid only worsens the problem. In this difficult time, poor families simply cannot survive on their own. As we come out of this crisis, my hope is that we not only emerge healthier and stronger but that we become more compassionate and humane individuals. All of us have a role to play and a responsibility to take in caring for each other's well-being.

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Addressing Women's and Girls' Unpaid Care and Domestic Work during and beyond COVID-19

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The coronavirus pandemic is worsening our already unequal and sexist economy. At the bottom of the economic pyramid lies 36 million people in Southeast Asia who are living below the poverty line (US$ 1.90/day) (United Nations Development Programme, 2017)—many of whom are women and girls with no access to health care or any form of social protection to shield them from COVID-19.

On top of this, women and girls are responsible for over 75% of all Unpaid Care and Domestic Work (UCDW) globally. In Asia and the Pacific, this means women spend at least four times more time doing unpaid care work than men (International Labour Organization, 2018). Women's care responsibilities, such as laundry and childcare, increase even further in low-income settings, where essential infrastructure and public services are inadequate, and tasks, such as collecting water, are particularly heavy and time-consuming (Hall, 2020). Against the backdrop of COVID-19, these tasks are compounded by gendered expectations that women should be the primary carers for the sick or for the quarantined in the absence of enough hospital beds and access to critical medical and social services. As such, heavy and unequal UCDW limits women's and girls' access and opportunities to participate in paid employment, education, leisure, and political life – trapping them in cycles of poverty and stopping them from being part of solutions.

In the last decade, ground-breaking initiatives paved the way for greater commitment and leadership on addressing care, such as the ILO Resolution I in 2013, which mandated that full-time unpaid carers be recognized as part of the workforce, and the inclusion of UCDW in the Sustainable Development Goals in 2016. Local groups, women's rights organizations, and activists have likewise pushed for the recognition of UCDW as a public policy issue that is critical to poverty reduction and development. A key example is the work led by local organizations in the Philippines to support eight local government units in passing 'Women's Economic Empowerment and Care Ordinances', which make it mandatory to generate data and address UCDW in all planning, budgeting, and programming activities of the local government (Dulawan & Payud, 2020).

However, with the threat of greater economic inequality and gender injustice arising from the pandemic, the need to address UCDW to reignite the progress on gender equality has become more critical. For instance, Oxfam's estimates show that women's unpaid care work alone is adding value to the economy by at least US$ 10.8 trillion a year, a figure

three times larger than the global tech industry (Coffey et al., 2020). Yet, oftentimes, women who spend most of their time doing unpaid care work do not have a say in decisions that impact their lives.

Considering that the wheels of our economy and society keep turning at the expense of the largely undocumented and unaccounted unpaid care work of women and girls, a rights-based approach that responds to the differentiated and gendered impacts of the pandemic should animate proposed solutions and interventions. We must ensure that we are not replicating inequalities or increasing women's unpaid care workloads.

Going beyond, we must integrate approaches to transform long standing traditional social norms on gender roles. As such, we must continue to engage men and boys, as well as cultural and religious leaders, to help provide positive examples that challenge existing perceptions of masculinity in Southeast Asia. Decisions that affect the public health and economic systems in the region and elsewhere in the world must likewise involve women and girls, and incorporate messages that recognize, reduce, and redistribute the unpaid care work that they do, day in and day out. Only then will we be able to tilt the balance for women and girls.

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Community Quarantine Shows that in the Philippines, Basic Income is the Answer to Every Question

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Nono[1] was a garbage collector. However, unlike his government-employed counterparts, who roam the streets aboard garbage trucks, Nono pushed a wooden pushcart thrice a week through the alleys of a low-cost housing bloc, often assisted by his young children. He served as an intermediary between the residents of the four-story housing units and the state's sanitation teams, hauling down and sorting trash, selling whatever he could to junk dealers. Each household in the bloc gave him what amounted to a convenience fee—more or less the equivalent of US$ 00.40.

During the pandemic-induced implementation of the Enhanced Community Quarantine (ECQ) covering Nono's area, Nono continued to work, with at least one child helper. They worked with hardly any protective equipment on. Among the garbage that they handled were discarded facemasks, used disposable utensils, and soiled diapers; their potential exposure to SARS-CoV-2 was very high. Yet, Nono never received any form of hazard pay. Besides money, some of the residents gave them food, knowing that ECQ made it generally difficult to procure necessities (Kabilang, 2020).

After the community quarantine level in Nono's locality was lowered, Nono lost his main source of income. Supposedly there had been numerous COVID-19 cases in his neighborhood; what was supposedly a temporary work stoppage approved by members of the housing bloc's leadership practically became a termination.

Stella is employed by a laundry shop near the above-mentioned housing bloc. Besides doing laundry, she and her co-workers also offer home-cleaning services. Before ECQ, her income was stable, albeit within the same lower-class range as Nono's. Her employer remits the mandatory social security contribution deducted from her earnings. However, she claimed that the company she works for struggled to make a profit (she also functioned as a cashier).

On the night before ECQ took effect, Stella's laundry shop announced on social media that they would be closing indefinitely. They thought that they could open after a week, but the ECQ guidelines released by the national government then (Medialdea, 2020) did not consider laundry shops as essential services. She was able to manage. One time, she

[1] All the names of the actual individuals whose current circumstances have been factually described here have been changed for privacy reasons. The information about them was gathered from brief face-to-face conversations, text/direct messages, and authoritative second-hand accounts.

went to a customer near her residence to receive a small cash donation. She claimed that she was initially not given relief goods by the officials of the *barangay* (village) where she resides because she lived alone.

Stella eventually received relief goods from the barangay and city government (which, being a relatively wealthy one, also gave a small amount of cash to some vulnerable residents), and her laundry shop was able to reopen, albeit with a greatly diminished clientele, after ECQ was lifted.

Ruth lives with her family, which includes her two-year-old daughter, in a barangay near Stella's. She is one of the custodial staff in a nearby government office. However, she is not a government employee. She works for a manpower agency subcontracted by the government office for custodial services. If another agency wins the bidding for the next one-year contract, the unit in the office where Ruth is currently assigned must petition for her to stay on, or else she may find herself assigned elsewhere, or worse, she may become a "reliever" – given work and a paycheck – only when a worker with a regular assignment is absent.

When work was suspended because of the ECQ—and while her last paycheck was delayed—she relied on various forms of aid. Her family receives some funds from the state's conditional cash transfer program, which made her qualified for what was then a two-tranche government subsidy (Abad, 2020), though the release thereof was, for her and many others, far from timely. Delays were partly blamed on "stringent validation" (Cervantes, 2020). Ruth also received some financial assistance from the employees in the office where she is currently assigned.

After the ECQ, Ruth returned to work. She almost became a reliever when a new agency took over. Timely intervention from officemates kept her from being practically unemployed, a fate that has befallen many as the pandemic rages on in a country that, as of this writing, has tallied over 400,000 COVID-19 cases—and, of which, continues to rise.

All three suffer from socioeconomic insecurity exacerbated by the pandemic and the state's inadequate responses thereto. Their precariousness is due to a systemic undervaluation of their work. As mandated by two laws granting the president emergency (fiscal) powers, the national government has been providing various forms of cash assistance for people in their situation, but for many, the amounts are slow in coming and insufficient. It is appalling that Nono, Stella, and Ruth had to rely on individual generosity and delayed and/or arbitrarily distributed government aid. As has become clear to others (e.g., Tharoor, 2020; Zeballos-Roig, 2020) the very least that should be provided to them is a basic income—sufficient so that their survival at any time need not depend on self-endangerment and seasonal charity.

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Assessing the Social and Economic Rights of Cambodian Women Garment Workers Amid COVID-19

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The COVID-19 pandemic has affected men and women differently (Durant, 2020). Researchers have been concerned with its impact to gender inequality around the world, particularly the financial impact, since the spread of the disease would exacerbate the amount of unpaid work (Lewis, 2020). In fact, research has found that women have experienced higher costs of living than men, but also had a higher risk of losing their jobs while at the same time having multiple roles to perform (Durant, 2020).

Cambodia is ranked number 14 among 20 countries in the Asia-Pacific region (Deep Knowledge Group, 2020). The first positive case of COVID-19 in Cambodia was officially announced on 27 January 2020 and the number increased to 122 by 12 April. Then, after a month without any cases, the number started to increase from 21 May to 21 July, totaling to 197 cases, of which 43 were women. So far, the recovery rate in Cambodia has been 71.07% (Ministry of Health [MoH], 2020). Most cases originated from people who returned from travelling outside the country. To protect social order and citizen's health, the law of the state of emergency (KH Const., Ch. II, Art. 22)[1] was proclaimed on 29 April 2020. Yet this law has not yet been proclaimed, as the COVID-19 numbers in Cambodian have not yet intensified.

Economic Impacts of COVID-19 to Cambodian Women Garment Workers

There were 548 factories in Cambodia which employed around 602,607 workers (International Labour Organization [ILO], 2018). Due to the COVID-19 pandemic, about 410 factories in Cambodia have suspended operations, affecting over 240,000 workers (Sorn, 2020). In one factory, there were 763 workers who were left unpaid after the owners fled without giving them their due compensation (Business & Human Rights Resource Centre, 2020).

A higher percentage of Cambodian women work in factories compared to men, with about 80% of women in the Cambodian labour force being factory workers. Thus, COVID-19 has exacerbated women's economic stress, especially their monthly income. Most of them spend their salary on rent and other household expenses as well as send a portion to their parents in their hometowns (Ros, 2020). Further, 90% of the workers had loans at banks, microfinance institutions, or rural creditors (Sorn, 2020).

[1] Article 22 of the Cambodian Constitution states that "When the nation faces danger, the King shall make a public proclamation placing the country in a state of emergency, after unanimous agreement from the Prime Minister, the President of the National Assembly, and the President of the Senate."

The Cambodian government banned travelling for all Cambodian citizens, particularly garment workers during the Khmer New Year (KNY) on 13-16 April, although some workers ignored the prohibition. Then after, 5,000 workers were quarantined for fourteen days without pay before returning to work (Ros, 2020; Sen, 2020a), and about 10,000 lost their jobs because of the COVID-19 fear after gathering in their home provinces during KNY (Sen, 2020b). Some landlords did not allow workers to return to their rooms unless they could prove that they are COVID-19 negative. A female garment worker was fired from a factory due to ignoring the government travel ban during Khmer New Year (Hoekstra, 2020).

Cambodian Government's Implementation to Protect and Promote Women's Economic during the COVID-19

As part of protecting people from the COVID-19, the Cambodian government issued announcements and disseminated information on safety measures in the media. All KTVs (karaoke clubs), movie theaters, and public events in Cambodia have been suspended since 17 March (Open Development Cambodia [ODC], 2020). All schools have been closed since 14 April (General Commissariat of National Police [GCNP], 2020). Khmer New Year celebrations were suspended to control the spread of COVID-19 (ODC, 2020). Other religious and mass gatherings were also banned (Taing, 2020). Similarly, a limitation of movement was also imposed, further restricting travel to other provinces, except for business, work, health care, and other necessary purposes (Sun, 2020).

The Government announced in early July a payment of US$ 40 to 70,000 workers laid-off due to the COVID-19 situation (Sen, 2020). This is an urgent decision of the government during the pandemic. There is no specific law mentioned about it. Though this amount is less than 40% of the minimum wage, it is just enough for making rental payments, but not for food, loans, and remittances to parents and/or children in the workers' hometowns (Hoekstra, 2020).

Conclusion

The Cambodian government has comprehensive laws and policies to protect, promote, and empower women, particularly in improving employment equity. However, a de facto employment disparity remains in Cambodia during the COVID-19 pandemic this year. Most factories in Cambodia have been suspended and closed, hence as 80% of factory workers are women, they too, face an immediate financial crisis.

The government should cooperate with relevant stakeholders to provide enough support to the laid-off workers while factory operations are suspended. Otherwise, they should help diversify production to products that can be exported to international markets. Furthermore, they should provide financial and technical support as well as promote agriculture for internal as well as international markets.

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Suspending the Dream of Greener Pastures: The Effect of COVID-19 on the Indonesian Technical Intern Trainee Program in Japan

Yusy Widarahesty

Yusy is a lecturer at the International Relations Department University of Al Azhar, Indonesia. She is currently a PhD student in International Relations, Ritsumeikan University, Kyoto, Japan. Japan's labor ministry says that 3,428 foreign technical trainees have been dismissed from their jobs due to their employers' Coronavirus-induced financial woes as of 28 August. But this figure only covers dismissals, it does not include cases that are reported as resignations (Yuka, 2020).

COVID-19 and Migrant Workers

COVID-19 changed all aspects of life. Based on a report by the International Labour Organization (ILO), in the world of work, the pandemic has had a great effect on inequality for certain parties, including young people, the elderly, unprotected workers, and migrant workers (ILO, 2020a). It also stated that the crisis has already transformed into an economic and labor market shock, impacting not only supply but also demand. Disruptions to production, initially in Asia, have now spread to supply chains across the world. All businesses, regardless of size, are facing serious challenges, especially those in the aviation, tourism, and hospitality industries, with a real threat of significant declines in revenue, insolvencies, and job losses in specific sectors (ILO, 2020b).

COVID-19 and Technical Intern Trainee Program

Based on these conditions, the cooperation between Indonesia and Japan through the technical intern trainee program also became one of the programs affected by this COVID-19 outbreak. Japan introduced the foreign technical internship program in 1993 with the aim of "transferring manufacturing technologies and other skills" to developing countries including Indonesia (Japan International Trainee & Skilled Worker Cooperation Organization [JITCO], 2020). Indonesia itself has sent trainees to Japan under a cooperation agreement signed in 1993 between Indonesia's Ministry of Manpower and Transmigration and the Japan Association of International Manpower Development.

The need for trainees is increasing due to the continuing decline of Japan's demographic numbers. Prime Minister Shinzo Abe's decision to bar entry during the COVID-19 pandemic for 86 countries, including those sending trainees, has resulted in a significant reduction in the number of foreign workers. Among the sectors that experienced a drastic decline were the agriculture and plantation sectors. According to Ohinata (2020), the Central Union of Agricultural Co-operatives (JA-Zenchu) "sent out a special questionnaire to member co-operatives in late February to assess the work situation," and as a result, "nine prefectural co-operatives gave specific figures for the number of technical intern trainees who might not show up as originally planned". Furthermore,

Ohinata (2020) states that, "[t]hose nine prefectures faced a total shortage of about 360 trainees."

Hardship, Vulnerability, and Dilemmas

Meanwhile, in Indonesia, the travel plans of many prospective interns who have passed the examination and are ready to leave for Japan must be postponed or even cancelled. In Tasikmalaya, for example, the trips of about twenty prospective trainees who were scheduled to depart in March 2020 are threatened to be canceled (Kabar Priangan, 2020). The head of the Tasikmalaya City Labor Office, Rahmat Mahmuda, said that this problem is not only for the trainees who will be dispatched but also for the trainees who are still there since the Coronavirus disease of 2019 can be brought back by the repatriated (Kabar Priangan, 2020). Moreover, based on my interviews, several private organizations in West Java have stopped their activities. Y.H. (personal communication, 30 April 2020), the owner of a private sending organization from the West Java area said, "This is a very difficult period of time. Our office is closed, and students have been discharged while those in Japan have to extend contracts, but those who have to go home are still constrained due to the unavailability of transportation in Indonesia. I feel sorry for these trainees. I, myself, have tried my best."

However, the enthusiasm of Indonesians toward the Japanese intern trainee program, one of which is in West Sumatra, continues to stay open and remains high because it is believed that Japan is a country that has successfully controlled the crisis. The West Sumatran regional government also supports this program and views it as a solution to reduce unemployment in the province (Santoso & Joni, 2020). Initially, to overcome the problems faced by foreign workers in Japan, the Japanese government and immigration authorities renewed the policy to help foreign technical trainees and other workers find employment in the country amid the COVID-19 outbreak (Jiji, 2020).

However, worker safety should be the main priority. Moreover, all forms of exploitation should be avoided to reflect the original purpose of the program, which is to acquire skills. As stated in the Labour Standards Law (1995), "[a]n employer shall not exploit an apprentice, student, trainee, or other worker, by whatever name such person may be called, by reason of the fact that such person is seeking to acquire a skill." Hence, in this COVID-19 pandemic, protecting worker health is a vital human right applicable to both nationals and non-nationals. However, migrant workers, most of whom dream of crossing over to greener pastures, are still disproportionately at risk from the impacts of the pandemic due to inadequate and crowded living conditions, limited access to healthcare and basic services, poor working conditions, and exploitative labor systems.

As this program is under the agreement of Japan and a sending country like Indonesia, both countries are obliged to guarantee fair protection without discrimination to the interns and prioritize the fulfillment of their rights to safety, particularly amidst the pandemic.

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7

Living at the Margins

'Malaysian Malaysia': United or Divided?

Aslam Abd Jalil

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'Malaysia for Malaysians'

'Malaysian Malaysia' was a concept advocating that all Malaysians were born equal regardless of their backgrounds. Historically, this slogan caused racial tensions because it challenged the special positions of *bumiputera* or sons of the soil. Until today, Malaysia is still struggling in the nation building process due to the growing friction and animosity between different ethnic groups. Strangely, an invisible enemy called corona virus has managed to eventually unite Malaysians to safeguard their homeland from (in)visible intruders.

Un/Welcome to Malaysia

Malaysia is home to around six million documented and undocumented migrants and refugees (International Organization for Migration, 2020). Evidently, they fill in the labour force gaps as cheap labour which has transformed the economy (Pappusamy, 2014). Without official status, refugees cannot be legally employed, hence they work informally with daily wages in mostly 3D – dirty, dangerous, and difficult sectors. As the Malaysian Government announced a total of RM 305 billion (US$ 74 billion) stimulus packages will be used to cushion the impacts of COVID-19 (Gunasilan, 2020), refugees remain left behind. Movement Control Order (MCO) was imposed to curb the spread of the virus, which in turn, caused the refugees loss of income and livelihoods. With no safety net, they depend on the mercy of NGOs and community-based organisations to survive.

Xenophobic and racist discourse sparked due to the perception that foreigners, including Rohingya, undermined the MCO while Rohingya who entered Malaysian waters by boats would bring the Coronavirus disease (Walden, 2020). This hostility was further exacerbated when they were vilified to demand Malaysian citizenship and equal rights through fake news (Augustin, 2020). Anecdotal stories circulated to demonise ethnic Rohingya, particularly their way of life that is deemed unacceptable according to the local values. My observation found that the unsubstantiated claims have made some Malaysians, regardless of race and religion, to repeat the same narrative of Myanmar junta to justify genocide committed against Rohingya such as calling for their expulsion or even killing them. It is worrying when two petitions garnered 250,000 signatures that urged the Malaysian Government to send stateless Rohingya back to their country of origin, as if they had any. Eventually, all these anti-Rohingya petitions were pulled down due to hate speech[1].

[1] A total of 28 hate petitions on Change.org platform was compiled by author.

Fighting Hatred with Love

Despite the hardships faced by refugees, the refugees took the effort to give back to the local society besides supporting their own community (see Radu, 2020). A group of refugees in collaboration with Al-Hasan Volunteer Network and Beyond Borders Malaysia[2] had been serving their scrumptious traditional meals to the frontliners at a local hospital. Meanwhile, to combat fake news, some activists mobilised efforts to counter misinformation circulated by netizens on social media3. Rohingya Women Development Network (RWDN) and Elom Empowerment initiated positive campaigns called #ThankYouMalaysia #GratefulRohingya4 to spread love. Such efforts manifest refugees' gratitude towards Malaysia and their sense of belonging to this new home. This shifts the paradigm of refugees from being passive victims who rely on charity and sympathy to active agents who are productive contributors to society.

Policy Recommendations

This pandemic confirms that everyone is vulnerable to any virus or disease regardless of their status. Therefore, it is imperative to ensure the right to healthcare can be accessed by non-citizens too (Human Rights Watch, 2020). Unfortunately, the exorbitant medical costs for non-citizens (Malay Mail, 2017) and the threat of being arrested (Fishbein, 2020) for their immigration status shun refugees from accessing healthcare as they are struggling to put food on the table, especially as they are not allowed to work (Jalil, 2019). The directive by the Ministry of Health Malaysia to provide free COVID-19 tests and treatment for everyone should be commended (Ministry of Health, 2020). Moving forward, the Non-Citizens Health Act, a comprehensive healthcare policy proposal that covers refugees, migrants, and stateless people (Khor et al., 2020), should be formulated immediately.

A Reflection for Malaysia/ns

Malaysia has been very vocal on the injustices happening globally. Malaysians have welcomed refugees and migrants for decades because of our compassion and humanity. While a comprehensive solution needs to be formulated urgently at the local, regional, and international level, being 'united' to scapegoat refugees and migrants is xenophobic and makes us divided. Malaysia was and is an immigrant nation. The tourism tagline "Malaysia Truly Asia" resonates with Malaysia's cosmopolitanism that has attracted diasporas from Asia and beyond to call this land their home. We adamantly call Donald Trump and Fraser Anning as perfect instances of racist individuals due to prejudices against migrants. Ironically, right-wing nationalistic sentiment is growing within our society. Although COVID-19 and racism are invisible, these 'viruses' could cost millions of innocent lives if they keep spreading.

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[2] Author's correspondence with Mahi Ramakrishnan, Founder and Director of Beyond Borders.
[3] Author is also part of the group.
[4] Author's correspondence with Rohingya Women Development Network (RWDN) and Elom Empowerment.

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Noticing the Unnoticed: Philippine Prisons during COVID-19

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The Philippines is infamous for having the highest number of prison inmates in the world, coupled with extremely small and cramped prison spaces. Following the first few months of President Duterte's campaign on the War on Drugs in 2016, the already high number of prisoners increased to nine times more than the prisons' maximum capacity (Al Jazeera, 2016). During the wake of COVID-19, cramped cells made social distancing impossible for inmates, with the media referring to Philippine prisons as "ticking timebombs" (Padilla, 2020).

Despite the Department of Interior and Local Government (DILG) Secretary Eduardo Año's confident claims that BJMP jails are 100% safe from the COVID-19 virus, a total of 517 prisoners from 10 different prisons were confirmed to have been infected with the virus last May – as stated by President Rodrigo Duterte in his ninth Congress report on the pandemic (CNN News, 2020). In addition to these confirmed cases, they have also identified 703 suspected COVID-19 cases and 86 probable cases of the disease from inmates and prison personnel. The poor conditions of Philippine jails, even before the pandemic, enabled an environment that made prisoners more prone to festering diseases. The Philippine government only started releasing inmates months after several calls and appeals to decongest jails from local and international organizations such as KAPATID, Amnesty International, and Human Rights Watch were made (Human Rights Watch, 2020). Since then, one cannot go back to jails being considered as ticking timebombs, for they have already exploded.

Secretary Año reported that 15,102 inmates were released through bail, plea-bargaining, parole, or probation while 6,756 were freed through acquittal or served sentence. Of the persons released, 409 were elderly, 621 were sick, and 24 were pregnant (Xinhua, 2020). As of October 2020, a record number of 82,000 inmates were freed from prison facilities in the Philippines (Inquirer, 2020). The Philippine Supreme Court slashed bail for indigent detainees, while priority is given to inmates whose age and medical conditions make them vulnerable to the virus.

Until now, the government has stated that it is still taking concrete measures to decongest more jails, but it seems that such a measure was enacted too late. Months before, several organizations have already appealed for the release of older prisoners, especially those convicted of low-level offenses. This was a call to decongest prisons before it became a hotbed for the virus. Instead, additional arrests and detention of thousands of people

who violated curfews and quarantine regulations were made. Only when the virus became too difficult to isolate did the government order the release of inmates.

However, despite the release of some inmates, no one knows for sure how these newly released and current prison inmates are being treated. While technical training and medical equipment were donated by organizations such as International Committee of the Red Cross (ICRC, 2020) and the Philippine Red Cross, prison authorities remain silent on how they have been treating the health conditions of those inside the jails and detention facilities and moving forward since then. Relatives and family members of inmates continue to be worried as they are restricted from sending food and medicine in observance of the prison lockdown.

The deadline for debating whether the Philippines was prepared for the pandemic has passed, and so has the term "timebomb" referring to its penitentiary system. Answers from these debates should serve as lessons and policy references to improve the prison and healthcare system along with responses to future emergencies. The justice system should move aptly to avoid smaller cases being delayed in the process, prolonging the schedule of release of some inmates. If the justice system moved as efficiently as they have during this pandemic, it would have alleviated the number of people in smaller and cramped cells. Also, the unacceptably high number of inmates in small prison cells should be a call for transformative prison measures and alternatives. After all, imprisonment has public health consequences as those who are kept in smaller cells are those from the deprived sectors of the population. One recommendation from KAPATID spokesperson, Fides Lim, suggested that during this pandemic, quarantine offenders should be asked to do community service instead of being detained (CNN Philippines, 2020).

The lesson we gained from overcrowding cells and focusing on punishment for low-level offenses should not be forgotten after the pandemic sizzles out. The Philippines must thoroughly learn from this and explore measures and sanctions to imprisonment. The country's old and traditional approach of building new prisons can accommodate the overcrowding, but it is not sustainable as its costs are high and it puts pressure on valuable resources. The United Nations Office on Drugs and Crime (UNODC) recommended the use of non-custodial sanctions and measures in a country's approach to crime – shifting the focus from punishment to restorative justice and integration.

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Is the Light Getting Dimmer for Urban Refugees in Thailand in the Time of COVID-19?

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Since the outbreak of COVID-19 in early 2020, I have contacted many urban refugees in Bangkok to explore their situations. All the narratives I heard were distressful. The pandemic made urban refugees more vulnerable, jeopardizing their livelihoods and health as well as challenging their resettlement prospects. I share the story of Abdullah, a Palestinian refugee, in this op-ed to reflect upon the struggles of others in Bangkok.

Abdullah moved to Thailand with his family in 2014, hoping to get quick resettlement in a third country. Their hope shattered soon after arriving in Thailand. They have quickly realized that the resettlement quota from the country is limited. Also, Abdullah and his family have learned that living and blending into the Thai society is challenging, especially given their distinct physical appearances from the locals and the lack of legal recognition from the Thai authorities. Thailand is neither a party to the 1951 United Nations Convention Relating to the Status of Refugees nor its 1967 Protocol and would resort to enforcing the national immigration laws for refugee management (Palmgren, 2014). Urban refugees are, therefore, treated as "illegal aliens" and subjected to arrest, detention, and, in extreme cases, deportation (Coddington, 2020).

To reduce exposure to Thai officials, staying home has become a norm for Abdullah's family. Still, they need to generate income for survival. Abdullah works as a tour guide for Arab tourists, while his sister, Sabiha, got a job as an interpreter for NGOs. When going to work, both siblings are always cautious, trying not to get caught by the police. Getting arrested means no one would take care of the family. In some instances, they would bribe officers for the freedom to return home and feed their family.

As the pandemic severely hit Thailand's tourism industry, Abdullah's primary income source was greatly affected. His family immediately scrambled for other opportunities to survive. In a written message to me, Abdullah said, "we have not yet paid the rent and amenities for our house" (personal communication, April 9, 2020). They later moved to a smaller and cheaper apartment. While this situation is similarly shared among low-income families and migrant workers in Thailand, urban refugees' condition is particularly dreadful. They have no access to the Thai government's assistance due to their lack of

recognition. They also have no home to return to for short-term support. Thus, refugees only survive on lent money from neighbors and donations.

The ongoing pandemic also exposes urban refugees to greater health risks. Before the COVID-19 outbreak, the fear of criminalization prevented refugees from seeking appropriate care from the Thai state (Pittaway, 2015). Only a handful of severe cases are referred to public hospitals. Now that the world is in a great health crisis, such fear, coupled with the overwhelming services and higher care costs, have further paralyzed refugees' access to health assistance. To my knowledge, only a few of them have ever gotten tested for the novel Coronavirus disease of 2019.

Moreover, refugees could hardly comply with physical distancing regulations. Families often squeeze in small spaces, where others often share with many others. Thanks to the Thai Public Health Ministry's outstanding work in curbing the virus surge, refugees can breathe the fresh air for the moment. Still, since there is no clear sign of effective vaccines, and a second wave is looming, these vulnerable populations remain at high risk of being devastated by the virus.

As the pandemic continues and the economy crumbles, the future of urban refugees is uncertain. Most states around the globe have now prioritized their citizens' concerns and marginalized migrants' voices. Many third countries, including France, Germany, and the US, have also reduced the number of intaking refugees or suspended resettlement programs (see for example, Miroff, 2020; Shenoy, 2020). Accordingly, the protracted refugee situation will likely become the global refugee norm, with refugees getting stuck in transit countries like Thailand.

Nevertheless, the pandemic provides an excellent opportunity for the Thai government to fulfill commitments to protect refugee rights made by General Prayuth Chan-o-cha at the 2016 Leaders' Summit on Refugees (Ministry of Foreign Affairs of Thailand, 2016). Thailand should accelerate the implementation of the national screening mechanism, which includes healthcare provisions for the screened-in (see Royal Thai Government Gazette, 2019). Refugees could then access essential health services when infected. Furthermore, since refugee resettlement will likely become limited, Thailand must rethink its refugee management approach. It should look for ways to integrate these populations into Thai society and use their talents and skills in the areas where Thai labor forces are shrinking. Through these actions, Thailand can reclaim its reputation as a humanitarian champion, as once praised by the international community during the Indochina refugee crisis. To reach that end, the Thai government must act now!

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Note: Pseudonyms are used to safeguard the anonymity of refugees.

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How COVID-19 Might Disproportionately Affect the LGBTIQ Community in ASEAN

Cornelius Hanung

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COVID-19 has haunted Southeast Asian peoples since the beginning of 2020. Up until now, it has infected more than 1 million people across the Southeast Asian region, with no assurance when the pandemic will end (Dezan Shira & Associates, 2020). Responding to the situation, the Association of Southeast Asian Nations (ASEAN) and its Member States have implemented various measures to curb the proliferation of the infection, varied from social and physical distancing, restriction of movement, and direct assistance to alleviate the economic burden of its people. However, due to lack of sensitivity toward experiences of marginalised groups, the implementation of such measures has exacerbated pre-existing vulnerabilities of communities, such as people with diverse sexual orientation, gender identity and expression, and sex characteristics (SOGIESC).

Prior to the pandemic, people with diverse SOGIESC, also popularly known as Lesbian, Gay, Bisexual, Transgender, Intersex, and Queer (LGBTIQ), have already been susceptible to discrimination and violence from conservative patriarchal, religious, as well as hetero- and cis-normative values imposed by society in the region. These values, along with growing extreme religious fundamentalism and populist majority within the ASEAN member states, are translated into repressive laws and practices that exclude those from the LGBTIQ community from having equal opportunities to access their basic needs such as education and employment (ASEAN SOGIE Caucus, 2017). At the moment, no country in the Southeast Asian region has an anti-discrimination provision that specifically protects people with diverse SOGIESC as part of their constitution and national policy.

When companies announced the *work-from-home* policy, workers from informal sectors, among them are LGBTIQ, were impacted the most. Individuals, particularly those whose lives depend on daily and weekly wages, have suddenly lost the ability to sustain their lives. In places where government aid is provided, industries that are predominantly occupied by LGBTIQ community members are excluded, especially those who work in creative industries, night clubs, bars, and those engaged in sex work like in Indonesia and Thailand (Bohwongprasert, 2020). Some can only obtain aid if they are married and have children like in the Philippines (Chong, 2020).

In terms of personal safety and security, there is a high potential of domestic violence (physical and mental) that may occur against individuals living in unaccepting and abusive households during the self-quarantine or lockdown period. LGBTIQ individuals affected by COVID-19 have been scrambling to pay their rent and are left with no other choice but

to move back with their parents or other family members, who, as in many cases in Asia, can be LGBTIQ-phobic. There is a definite power imbalance in this situation, adding to the pre-existing conservative views and bias on their SOGIESC. Many accounts have reported that rejection, discrimination, and violence experienced by LGBTIQ individuals are very often coming from their close and extended family members (Kirnandita, 2019; Nguyen et al., 2015; O' Connell, 2015; Poore, 2016).

The same risks may also be true to those living with their partners. A study conducted by UN Women from 2019-2020 has revealed the alarming increase in the prevalence of domestic violence conducted by intimate sexual or non-sexual partners against women, including LBQ women (Razavi, 2019). Amidst the COVID-19 situation, being quarantined together with their abuser may turn into a nightmare for a vulnerable partner.

Another challenge involves LGBTIQ persons living with HIV/AIDS. Pathologically speaking, people living with HIV/AIDS already have a compromised immune system, which makes them more vulnerable to COVID-19 infections. However, with the high prevalence of stigma and discrimination and lack of sensitivity and understanding on the issues, even healthcare workers are reluctant to seek medical care, except in situations that feel urgent. In instances where patients seek help, people were at risk of publicizing their HIV status in a non-private and non-confidential setting during the COVID-19 assessment in emergency facilities run by local hospitals. This caused great inconvenience as it will possibly impose a degrading label on these vulnerable persons infected with HIV and the COVID-19 virus.

The struggle to combat and end the proliferation of COVID-19 pandemic has become universal. But these examples have illustrated how the measures that were taken so far by ASEAN member states are creating specific and dangerous challenges for marginalised and vulnerable communities. Recently, ASEAN member states have adopted the ASEAN Comprehensive Recovery Framework, containing a multi-sectoral approach on how ASEAN intends to recover from the pandemic, from reopening, recovery, and building long-term resilience in its health system, human security sectors, intra-ASEAN economic priorities, and digital transformation. As the framework has recognised human rights and gender transformative approach as aspects that must be upheld (Hanung, 2020), this will be a test for ASEAN to take concrete action to address experiences of the vulnerable, LGBTIQ people included.

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Remembering the Undocumented of Sabah in a Panicked Malaysia

Dr. Vila Somiah, Michelle R. Usman, and Anne Baltazar

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COVID-19 forced the Malaysian government to issue a Movement Control Order on 18 March 2020. While measures are taken to ensure Malaysians' wellbeing, they translate differently in Sabah where a large number of non-citizens from the Philippines and Indonesia reside.

The exact number of irregular migrants in Sabah is unknown as no official census is publicly available (Razali, 2017)[1]. Unfortunately, data released by the Malaysian Department of Statistics on non-citizens in Sabah may be distorted and scattered, and "a gross underestimate of reality" (Sadiq, 2009)[2]. Amidst ongoing political and economic instability, Sabahans are expressing concerns for having the highest proportion of foreign workers and growth rate in Malaysia (Allerton, 2017)[3], and have concurrently demanded immediate action.

As we are left data blind, keeping abreast with events and challenges in the community have been difficult. Population demographics have always been kept confidential due to their politicised existence through allegations of phantom voting and systematic granting of citizenships (refer to Project IC for more). Thus, their numbers have been mere estimations. While some of the greater issues surrounding undocumentedness have been their inability to access education, employment, shelter, and documentation, healthcare is by far the most worrying of the pick in a COVID-19 stricken Malaysia.

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1 Rodziana Razali (2017) estimates that there are tens of thousands of persons without a legal identity including an established nationality in Sabah. She has researched statelessness since 2013 and earned her Ph.D. from the National University of Malaysia in 2017 with her thesis entitled "Protection against Statelessness at Birth: International and Domestic Legal Frameworks of ASEAN Member States with a Special Case Study on Kota Kinabalu, Sabah".

2 Dr. Kamal Sadiq is a political scientist who earned his doctorate in Chicago and is presently teaching at the University of California (Irvine, CA). In his book, "Paper Citizens", which is based on field work as much as book probing, he writes on how some immigrants found and followed irregular paths in order to gain access to citizenship in developing countries, specifically in three Asian sovereign states, one of which (India) happens to be his original homeland.

3 Dr. Catherine Allerton is a specialist in the anthropology of island Southeast Asia, with research interests in children and childhoods, migration, kinship, place, and landscape. She has conducted ethnographic fieldwork in a two-placed village in Flores, Indonesia, and in the capital city of Sabah, East Malaysia. She is an Associate Professor of The London School of Economics and Political Science, London (LSE).

Today, lots of individuals without government-issued documents do not screen (Abdullah, 2020; Ravindran, 2020)[4] for the virus due to fear of arrest (CodeBlue, 2020; Lim, 2020) and indefinite (Assegaf, 2020) - sometimes incommunicado – detention. To make matters worse, in September 2020, the State held a snap state election which erupted the third wave of COVID-19 infections (Hassan, 2020; KL, 2020). Local politics became more unstable as the campaign of some party politics ran anti-migrant rhetoric (Bernama, 2020; Malaysiakini Team, 2020a; Malaysiakini Team, 2020b; Tan, 2020), amplifying the fear faced by the undocumented population (Welsh, 2020). As fear continues to dominate, they retreat further into hiding and evade any assistance provided to them (Development of Human Resources for Rural Areas, 2020; Hakim, 2020), with critics asking if sporadic infections (Batumalai, 2020)[5] in Sabah are related to the government demonising (Chin, 2020; Loheswar, 2020)[6] marginalised people in its efforts.

The government's efforts will be more effective if they accept that detecting infections within the undocumented communities is a critical step to achieve herd immunity. The government should also grant legal immunity to those who co-operate. Thirdly, multiple stakeholders must be included in such a campaign to secure the communities' buy-in.

As a non-party to the Refugee Conventions, Malaysia does not recognise statelessness. Despite lasting socio-political complications surrounding Sabah's undocumented, we are bonded in our humanity and now, like us, they are subjected to an indiscriminate virus. Our illness is theirs, and therefore, their recovery must be ours as well.

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[4] It was reported that Dr. Nirmala Bhoo Pathy, a public health medicine specialist from the University of Malaya said that the undocumented migrants in Sabah fear coming forward due to the detention of many undocumented migrants in West Malaysia during the second wave of the pandemic. The Ministry of Health reported case No. 78, the death of a non-citizen found in Kota Kinabalu, Sabah on 6 April 2020, and his autopsy revealed that his test sample for the COVID-19 virus was positive.

[5] In October 2020, it was reported that Malaysia's rising trend of sporadic cases is mainly concentrated in Sabah, as about nine in 10 sporadic cases nationwide have been detected in the east Malaysian state daily since the start of the month.

[6] The Malaysian prime minister maintained that these undocumented migrants were the cause of the current wave of COVID-19 cases in the north Borneo state.

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Discrimination and Social Stigma affecting Frontliners and COVID-19 Patients in the Philippines

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Try envisioning yourself as a frontliner—perhaps a security guard, a grocery cashier, a health worker, a garbage collector, or a delivery rider at the time of the COVID-19 pandemic in the Philippines. Exhausted after a ten-hour shift with no hazard pay, trekking for several kilometers from the drop-off point of your shuttle bus, and yet you are evicted from your boarding house for fears that you contacted COVID-19.

You tune in to the news or skim through your Facebook newsfeed and see tales of neglect and discrimination against your fellow health workers and those who succumbed to the virus. A number of them experienced discriminatory acts, such as impetuous expulsion from their rented flats or dormitories, cyberbullying, doxing, barring entry to their *barangay* (village) or establishments, refusal from receiving relief packs, and even sneering from villagers and authorities.

Freedom from discrimination, as stipulated in the Universal Declaration of Human Rights and echoed in the 1987 Philippine Constitution, states that all individuals are entitled to human rights "regardless of gender, race, ethnicity, sexual orientation, political beliefs, and any other status." Anti-discriminatory provisions of statutory laws, including Article 9 of the Magna Carta for Public Health Workers[1], are in effect and not suspended even if the country enshrouds in a state of emergency.

Lawyers from the author's NGO have responded to several clients who faced discrimination during the pandemic through the online legal service platform *Tisya Hustisya.* One of them was Mark*, a food delivery rider who was axed from his job after he tested positive for COVID-19 in July. He was later offered another job in a faraway restaurant branch.

Meanwhile, Pia* sought legal advice from *Tisya Hustisya* after several neighbors spread malicious information about her health status. Judy's tested positive for COVID-19 and her husband has displayed symptoms of the virus. Her gossipy neighbors wished her death in two to three days, relayed their sympathies to her in a ridiculous manner, and yelled at the client's husband when they heard him coughing inside their home. "Until now, I am weeping because of our situation while battling COVID-19," Pia said. She

[1] Section 9 of the law states that, **"**A public worker shall not be discriminated against with regard to gender, civil status, civil status, creed, religious or political beliefs and ethnic groupings in the exercise of his/her profession."

heeded the attending lawyer's advice and plans to take legal action against her neighbors. Other similar tales unfolded on the news. A young utility worker at a hospital was ganged up by five men and doused with bleach in Sultan Kudarat province last April (Dayupay, 2020). He suffered eye trauma and is at risk of permanent blindness. A few days later, a 51-year-old ambulance driver in Quezon province was injured after one civilian fired his gun and accused him of transporting patients positive of COVID-19 (Bajo, 2020). During that time, he was simply ferrying health workers to work. As a result, the driver, also a breadwinner, has suffered from hand disarticulation (ABS-CBN News, 2020).

These horrific incidents multiplied along with confirmed COVID-19 cases in the Philippines. Despite a wave of public support and donations such as food, face masks, Personal Protective Equipment, synchronized songs boosting their morale, and the star-studded "thank yous," health workers and other front liners need social protection and redress during these trying times. Social stigma and discrimination shackling their welfare can go even after the final COVID-19 patient in the country discharges from the hospital. The government needs to iron out urgent measures to protect the rights of those who jeopardize their health to battle the 'invisible foe' and those who are battling it while lying in bed, and those who are at high risk of being embattled. Although several LGUs and lawmakers have stepped up their game against pandemic-era discrimination, little has been achieved to protect the rights of patients, front liners, and those vulnerable to COVID-19. The Lower House, which is congregated by mostly Duterte's cronies, passed a "COVID-19-Related Anti-Discrimination Act" last May (Mercado, 2020). But as of this writing, the bill was neither deliberated in the Upper House nor signed by President Rodrigo Duterte. Similarly, Metro Manila mayors passed a resolution penalizing those discriminating front liners, distressed migrants from COVID-19 affected countries, and patients (Metro Manila Development Authority, 2020).

On the other hand, the public must show benevolence and observe precautionary measures without infringing on others' freedoms. In Pia's case, it was her neighbors who infringed on her right — communities, along with states, should refrain from discriminating against those at risk of contracting COVID-19.

Once the country's bout with COVID-19 is over, will we value the sacrifices of front liners who strenuously risked their health for the convenience of more fortunate Filipinos? Or greet someone who once tested positive for the virus?

*Their real names were replaced with pseudonyms for confidential reasons.

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COVID-19 and the Rights of Indigenous Peoples in the Philippines

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Being one of the most culturally diverse countries in the world, the Philippines is home to at least 17 million indigenous peoples (IPs), belonging to 110 ethnolinguistic groups (United Nations Development Programme, 2010). While they are recognised on paper through the 1987 Philippine Constitution and further protected by the Republic Act 8371, the reality on the ground is different.

Now more than ever, IPs in the Philippines are facing increased securitisation from the state. In July of 2017, Philippine President Duterte threatened to bomb *Lumad* schools for allegedly spreading subversive ideas and communism (Lingao, 2017). The government had recently secured a US $211.2 million loan from China Exim Bank to build *Kaliwa* Dam in northern Luzon, in the face of disapproval from local IP groups in the area (CNN Philippines, 2020).

The antagonistic attitude of the administration towards IPs sits on top of intergenerational oppression, violence, and discrimination (Ty, 2010). As most IPs in the Philippines live in remote areas where access to basic services, including health facilities is inadequate (International Work Group for Indigenous Affairs, 2020a), they continue to experience lower health indicators and are no stranger to infectious diseases such as tuberculosis and leprosy (Global Alliance for Rabies Control, 2018). The global COVID-19 pandemic has not only deepened pre-existent forms of exclusion but has also presented a severe threat to their very existence.

Land disputes and IPs in the country have an extensive and bloody history, especially in the island of Mindanao (Chandran, 2018). This has forced thousands of IPs to escape their homeland and move to the capital city of Manila to avoid being caught in the clash between state forces and non-state armed rebels (Delizo, 2019). However, the situation in Manila never offered them a safe zone. The presence of COVID-19 further aggravates intersecting 'everyday' vulnerabilities that IPs face in the capital.

The Philippine government has romanticised the pandemic as something that uniformly affects people from all walks of life. They took advantage of the resiliency of the Filipino people amidst catastrophes (Department of Foreign Affairs, 2020). It feels as though they are suggesting that people living in gated subdivisions have the same experience as the displaced IP communities living on the streets of Manila, who were mostly dependent on the informal economy which crumbled as a result of the lockdown. As they watched their

livelihoods shatter, they go the extra mile to put food on their table in the middle of the lockdown, where they can face frightening and lop-sided responses from security forces. For the government, COVID-19 has become another means of suppressing human rights under the guise of 'emergency power' (ul Khaliq, 2020). Duterte, for instance, instructed security forces to shoot people dead who are not following quarantine orders (Capatides, 2020; International Work Group for Indigenous Affairs, 2020b). This has permitted the police force to abuse their power in various ways, including but not limited to, confining people to dog cages and coffins (Human Rights Watch, 2020). As the health crisis persists, local government units would prioritise people in their electorates, which means that displaced communities living in those cities would be discounted from any '*ayuda*' or cash relief programmes.

The situation in the Philippines confirms that the perils generated by COVID-19 should not only be measured by the R-naught alone. It reveals the established and evolving challenges that IPs confront in their everyday lives and during times of emergencies. As long as the government refuses to acknowledge the pain and suffering of IPs, we will never escape that loophole. Instead of prioritising militarisation and red-tagging, the government should allow self-determined indigenous communities to devise and run their own COVID-19 roadmap plan. IP communities know best the kind of assistance they need to not only survive the pandemic but also create a sustainable environment where their lives and cultures can flourish in the long run.

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The Daunting Arrival of COVID-19 in Myanmar and A Worrisome Future for A High-Risk Nation

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On 21 March, the unwelcome visitor COVID-19 started infecting Myanmar, a country with a population of about 53 million. At the time of writing this original piece in March, there have already been a total of eight COVID-19 imported cases. The situation seemed controllable till July as there had only been 374 cases and 6 deaths. But since 16 August, local transmitted cases increased day by day and have reached to a total of 66,734 cases and 1,534 deaths as of 13 November (Ministry of Health and Sports, 2020). Yangon, where over 7 million populations reside (Department of Population, 2014), is the place where most confirmed cases are found.

The government had already announced additional precautionary restrictions for travelers visiting the country. It had also decided to suspend entry visas for visitors from all countries until 30 April 2020. Meanwhile, all events involving large gatherings will be postponed until the end of April, which is highly likely to be extended. Due to the increasing number of imported positive cases, all passengers of incoming flights, except relief flights, are suspended until now.

The Ministry of Health and Sports, the focal government body, has been publishing vital information from travel advisories to precautionary public health and safety measures since early January 2020 through various media. The ad hoc Central Committee on prevention, control, and treatment of COVID-19, chaired by State Counsellor Aung San Suu Kyi, has been meeting regularly and developing a mitigation plan for potential impacts (Government of Myanmar, 2020.) The COVID-19 Economic Relief Plan was launched on 27 April 2020 which specifies goals for easing the impact on livelihood of households. It covers the subsidy for electricity for households, cash, and in-kind transfers for unemployed workers, vulnerable persons, and women. However, the cash and in-kind transfers could be implemented only between June and September for 400,000 households for USD 27 million (Brancati et al., 2020). Meanwhile, the government has not used a complete lockdown plan to reduce the spread of the virus. Rather, it merely announced to the people to stay at home. It can be due to the unpredictable situation of the pandemic and the insufficient budget to subsidize and support the poor people. There are no clear action plans on how to effectively enforce physical distancing rules particularly among the grassroots populations. Being a developing country with a weak healthcare system and limited intensive care facilities, the prevention of transmission

proved to be an arduous task. According to the living condition in Myanmar report 2017, one in four families is still considered poor (Central Statistical Organization et al., 2020). Hence, vulnerable poor households may not afford and access basic personal protection, such as surgical masks, gloves, and hand sanitizers, which are sold almost double the usual price. Furthermore, substandard living conditions make them more vulnerable to getting infected.

Regardless of the government's strong encouragement to stay at home to prevent being infected or the spread of the virus, those from poor households are unable to stay home. They are still struggling to fend for their daily basic needs. Local individuals or groups are already supplying personal protective things and daily basic commodities for vulnerable populations. But provisions are done unsystematically, breaking the key purpose of physical distancing (The Irrawaddy, 2020). At the same time, thousands of garment factory workers have gone on strike in light of factory shutdowns, cutting down on the operation hours and forcing the retrenchment of workers. This had already severely impacted the livelihood of women factory workers (Wathan, 2020.) According to reports, it is expected that more than 15,000 workers would go jobless (Htoon & Dunant, 2020), making containment measures more difficult to enforce because the government could not employ or provide enough support to those poor households. Meanwhile, some businesses related to basic commodities and services could operate with less stringent restrictions. Those businesses became major livelihoods for them.

The situation in Myanmar does not only speak volumes of dangers to the rights to health and livelihood of vulnerable peoples, but also highlights the need for a more strategic stance including financial assistance on virus prevention and control throughout the country. Despite the low number of cases, the government should prepare itself for the worst in light of COVID-19. It must put people's needs and concerns, especially the most vulnerable and marginalised, at the centre of its strategies and public policy.

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What Indonesia and India Share in Common: The Failure of Lockdowns

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India has enforced a national lockdown since 25 March. The government officially announced that the restrictions included shutting down schools, offices, shops, a prohibition on public transportation and airline travel, as well as closing the states' borders. The announcement caused panic among the citizens as they were psychologically unprepared for a total lockdown. Many people were fearful of lacking essential items, having no savings, and of unpredictable calamities that may accompany the pandemic (Singh et al., 2020).

After nearly three months, India has passed through five phases of lockdown. The latest lockdown is expected to be the starting point of "Unlock 1" that allows the opening of restaurants, malls, and places of worship (Express Web Desk, 2020). Even though school activity and international air travel are still prohibited, the movement of people and goods between states is now permitted.

Meanwhile, in Indonesia, the government decided to impose large-scale social restrictions (known by their Indonesian acronym, PSBB) rather than a national lockdown as India has done. The policy was announced two weeks after the first day of the lockdown in India. The President of Indonesia aimed to curb the virus transmission whilst avoiding economic paralysis.

The PSBB or LSSR is more like a partial or local lockdown that allows people to keep working and going to classes, though online. Although large gatherings are prohibited, coffee shops and restaurants are still open but with certain restrictions, such as the limitation of visitors and imposing physical distancing. These measures are aimed to strengthen physical distancing, so that the chain of transmission can be prevented without causing a lot of economic damage.

Like India, the Indonesia government has decided to adopt a 'new normal era' of transition policies. Some relaxations include reopening malls, business districts, offices, airports, and easing international as well as domestic travels. However, under the transition, such appropriate protocols are to remain in place.

As highly populated countries, both India and Indonesia have implemented such measures to protect their millions of citizens. Nevertheless, the efforts taken by them have yet to show many positive outcomes. Both countries probably did not properly prepare their issued policies.

India was already experiencing a shortage of medical apparel and available healthcare facilities at the time when the first lockdown was announced. Further, there was a late response from the government regarding the financial aids package, which was announced only two days after the lockdown began (Al Jazeera News, 2020). Moreover, the aid package was effectively worthless compared to people's expenses during the pandemic (Chahal, 2020). India will need at least $800 billion stimulus package to match the US that can include immediate capital for small businesses to survive, immediate capital for all citizens, and provide liquidity markets (Chahal, 2020). Indonesia also experienced problems as their response to the pandemic was similarly unprepared. The PSBB was expected to be fine-tuned by the local district heads; but it was not implemented effectively as many regulations overlapped with PSBB. For instance, many manufacturers were still operating because they followed the regulations of the Ministry of Industry (Khatimah, 2020). This event contributed to people's confusion given the contradictory regulations. What makes these countries more similar is the number of cases that keep rising, particularly after the relaxation of lockdowns. As of 15 November, Indonesian cases have increased to 467,113 from 415,402 two weeks earlier, when the Indonesian government claimed that Indonesia was ready to begin the transition phase. Thus, Indonesia became the country with the highest number of COVID-19 cases in Southeast Asia.

On the other hand, India has overtaken UK's position as the 4th worst-hit country in the world. India is now facing inevitable failure since it now has more than eight million cases, and the numbers keep rising. Compared to other countries which successfully contained the number of cases by imposing lockdowns like Spain, Germany, and the UK, India looks left behind. These countries have successfully imposed their own measures. For instance, Germany provided an US$ 831 billion emergency bailout with its negative interest, which will allow financial contraction to get better (Chahal, 2020).

COVID-19 is more challenging in highly populated countries. Better countermeasures should have been imposed from the start so that both countries would have been better able to 'protect the lives' instead of only 'delaying the deaths.' As highly populated countries, they should have been able to maintain the fatality rate by strengthening the healthcare facilities. Adding a bigger amount for financial aid also needed to be considered. If India and Indonesia pushed harder, both may get a second chance because the pandemic and its worst impacts are still evolving.

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The Most Affected People and Communities at Center of the COVID-19 Crisis Response

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The Philippines had one of the "strictest and longest" domestic containment measures to address COVID-19 (Armas, 2020). Beginning March 2020, measures included curfews, limited public transportation, additional roadblocks, checkpoints, social media surveillance (Liboro, 2020), and police deployments in business districts (Caliwan, 2020).

Despite (or *because* of) these measures, the Philippines maintained the highest COVID-19 incidence in Southeast Asia from August to October, based on data from the Johns Hopkins University (2020) and Southeast Asian Health Ministries. The Lancet, an international medical journal, has given the Philippines a dismal ranking of 66 out of 91 countries in terms of measures to suppress the spread of the disease in September (Sachs et al., 2020). In the Philippines, there is ample evidence that highly securitized responses to what is essentially a multi-dimensional public health crisis deter health-seeking behavior because of stigma and the fear of punishment for actual, or even perceived, violations (*see* Abo and Ayao, 2020; Barredo, 2020; Catolico, 2020).

COVID-19 Rapid Gender Assessment

In May 2020, Oxfam Philippines together with 26 organizations, conducted a COVID-19 Rapid Gender Assessment (RGA) survey among 950 respondents from urban poor and rural communities in the Philippines across six regions in the three major island groups of Luzon, Visayas, and Mindanao. Sixty percent of the respondents reported that COVID-19 had negative impacts on their incomes and mobility and increased unpaid care work at home and in communities. The findings affirmed that women living in poverty are particularly hit the hardest by health emergencies and humanitarian crises.

The survey also revealed that community-led interventions can play a much more significant role in the rights-based and health-focused containment, control, prevention, and management of COVID-19. Eighty percent of the respondents confirmed that it is easiest to access services and information from the *barangay* (village) health center. Most of the respondents also reported that *barangay*-level interventions had provided food, medicines, and livelihoods, while national and municipal agencies provided short-term support of food and medicines only (Dulawan & Esturas, 2020).

Respondents have also expressed that they would trust *barangay* processes more than municipal or national mechanisms when reporting violence against women and girls. Forty percent (40%) of the respondents also said that they would report gender-based violence to *barangay* authorities or leaders, while only twenty-six percent (26%) said they would report to the police (Dulawan & Esturas, 2020).

The Road to a 'Better Normal': Mobilize Communities, Not the Military

While it may be true that extraordinary collective efforts are needed in these extraordinary times, response actions should not lead to diminishing the dignity and agency of affected communities who are dealing with multiple threats and risks alongside COVID-19. Calls for accountability have gained momentum as five typhoons battered the country between October to November 2020, of which, three of the most destructive have washed out homes, decimated critical infrastructure, and displaced tens and thousands of people (United Nations Office for the Coordination of Humanitarian Affairs, 2020).

It is therefore critical to interrogate how 'resilience' is framed and claimed, especially when weaponized to justify the use of force. Resilience narratives cannot be genuine if used to silence those who are suffering, or unable to cope or to erase the stories of those who do not survive either the compounded threats of the pandemic and humanitarian disasters. Depictions of 'resilience' should not reinforce gender stereotypes or gendered inequalities or be used as a cover-up for disaster governance accountability gaps.

A rights-based approach (as opposed to a securitized or militarized approach) to health requires that policies and programs, and their implementation, must place the needs of those furthest behind first to achieve fundamental equity. This principle has been echoed in the 2030 Agenda for Sustainable Development and Universal Health Coverage. Together with 192 other states, including all ASEAN member states, the Philippines committed to achieving the Sustainable Development Goals by 2030, which includes ensuring universal health coverage and access to safe and effective medicines and vaccines.

These commitments matter. Affected communities are experts of their specific contexts, and their perspectives and insights are crucial to developing sustainable and feasible long-term solutions. *Barangay* or village leaders and health workers will be better equipped to identify and understand their community's shared norms and values (Ampilan, 2020). Community-led health systems, in turn, help improve response strategies, allow for context-sensitive risk mitigation, and enable households to weather the shocks and stresses of recurring emergencies and crises.

A 'better normal,' which indicates a vastly different way of doing things, has been the clarion call among civil society groups and advocates pushing for a healthy, equitable, sustainable, feminist future in the Philippines (Oxfam Pilipinas et al., 2020). This,

however, can only be achieved when the most affected people and communities are at the heart and start of all decisions and response actions that affect them.

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'Humanizing' Indonesia's COVID-19 Pandemic Response

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Indonesian government continues to receive criticism from the public due to its largely 'dehumanizing' response to the pandemic. The Jokowi administration had visibly downplayed the gravity of the pandemic, which exacerbated the fallout of this unprecedented crisis. Given its utmost priority on sustaining economic growth, the government insisted not to impose a vigilant social restriction policy despite the staggering increase in virus infections.

It seems that the government views the infected population as "numbers." Its efforts to improve the COVID-19 response capacity, including testing, public health facilities, social distance measures, are often undermined by political and economic interests. While the infection curve was far from being flattened, the government prematurely introduced the "New Normal" policy, indicating the move to ease social restriction measures.

The fiscal options for middle-to-low-income countries like Indonesia during the pandemic is inherently limited. The government has undergone more than $51 billion budget deficit after allocating around $25 billion to support public health facilities and provide social security to the most affected population (Kementerian Keuangan Republik Indonesia, 2020). The government also plans to allocate $16 million to the pre-employment card program amounting to cash aid and training subsidy. This program was under fire because it partnered with a vendor owned by President Jokowi's expert staff (Rahman, 2020).

Unfortunately, despite efforts to mitigate the pandemic's economic impact through social security provision, some fundamental problems persist in the implementation. The government relies heavily on the ministries' centralized database, though these are often found to have low credibility (Kompas, 2002). As a result, the vulnerable population omitted from the official database is not eligible for receiving *Paket Sembako* or grocery package from the government (Nurbaiti, 2020). Many households are desperately seeking the attention of the government to no avail. Furthermore, the government's pandemic relief efforts could not immediately reach out to the Indonesian citizens abroad, particularly the overseas workers. In Malaysia, some Indonesian workers were found eating grass to survive in an isolated warehouse. As their works were suspended, they ran out of money to buy food.

On the contrary, Indonesian civil society has been demonstrating significant efforts to fill in the gap since the beginning of the COVID-19 outbreak. Their civic activism arguably "humanizes" the pandemic relief efforts in Indonesia by enabling a more inclusive

response to the most affected population's needs. This "parallel circuit," the networks of society that self-mobilizes their resources, offers a more humanistic approach to battling the pandemic. Most importantly, these grass-root acts can be seen as a political statement pointing out the government's slow response and incompetence in the mitigation of the pandemic.

Civil society and private sectors had come up with initiatives of their own to battle the pandemic. An overwhelming amount of public funds has been raised for COVID-19 relief in a short amount of time. *Kitabisa*, an Indonesian-based online crowdfunding platform, has raised more than Rp.70 billion ($4.5 million) in funds through various campaigns led by celebrities, social media influencers, NGOs, and individual philanthropists. Additionally, some notable multinational or major local companies and business tycoons also pledged to participate in this nation-wide charity movement, amounting to hundreds of billions in funds (Chung, 2020; IDN Times, 2020; The Jakarta Post, 2020).

Such solidarity is omnipresent not only domestically but also among Indonesian communities abroad. For instance, Indonesian migrant associations in Malaysia have helped the government and many charity organizations distribute grocery packages to their fellow workers. A group of Javanese and Madurese migrant workers even donated a ton of sweet potatoes for those severely affected by COVID-19 (Antara News, 2020). Recognizing such organizations' pivotal role, the government had even asked for support from the Indonesian Migrant Workers' Network (*Jaringan Buruh Migran*) in the destination countries to reach out to the most affected overseas workers.

While segments of the society have shown their compassion and even built a strong repertoire of charity movement, its pivotal role has been overshadowed by some frivolous political matters. The government has been entangled in a series of petty political squabbles with the critics, often escalating into repressive acts and legal persecution (CNN Indonesia, 2020). The political fallout of this circumstance has significantly cost the country a prospect for national consolidation amid this looming catastrophe.

In a nutshell, pandemic management in Indonesia is still inherently non-inclusive. The government fails to invigorate the high level of social capital within the society despite enormous resources accumulated from their civic participation. The absence of mutual trust and systematic partnership between the central government, regional government, and key non-state actors have created an inconsistent and misguided mitigation policy. The top-down pandemic strategy, heavily influenced by political-economic interests, has substantially undermined the population's actual needs amid the pandemic in Indonesia and some ASEAN countries. Thus, a more "humanizing" approach focusing on population health should be opted for in times like this.

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Ensuring Food Security for "Invisible Communities" during the COVID-19 Pandemic

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The surge of COVID-19 in Malaysia has placed "invisible communities" not only at great risk of contracting the virus but also something worse than that – concurrently being forced to endure hunger during the lockdown period. Considering their vulnerability, many NGOs have ramped up their efforts to carry out food relief programs.

Who are these invisible communities?

The term 'invisible communities' refer to a certain group of people in society who have been systematically separated or excluded from most of the public. This generally includes migrant workers, refugees, stateless people, and indigenous communities. The reason why they are described as such is because these people exist in a country without any proper identification given to them. Thus, they often get left out altogether from any vital legal services and are more vulnerable to exploitation and abuse.

Even before COVID-19, government assistance in most countries has largely prioritized the needs and welfare of its citizens. Malaysia is no different. However, invisible communities have been hit harder compared to any other groups mainly because they are voiceless, estranged, and mostly undocumented, making them most at risk in times of national crises.

How does the pandemic affect the food security of invisible communities?

Food security is not just about putting food on the table. Food security depends principally on three variables: availability of food, access to food and a nutritious diet, and the proper use of food to ensure maximal nutrition and hygiene (United States Agency for International Development [USAID], 1995). The surge of COVID-19 has extended the Movement Control Order (MCO) as well as restricted all levels of business sectors from operating. This has seriously hampered the source of income for members of invisible communities, who are mostly daily wage earners or odd job workers. Being out of jobs and having no money to buy food supplies in bulk, they suffer from hunger and lack of access to food. Moreover, considering the Malaysian Dietary Guidelines (MDG) by the Ministry of Health (MOH), the cost of preparing nutritious meals at home is between RM 756.30 and RM 1,153.50 per month, depending on the location (National Coordinating Committee on Food and Nutrition, 2010).

This is around the poverty line income (PLI), meaning that poor households would need to spend their entire monthly income to attain their required daily nutrients. In this scenario, it is even harder for invisible communities to comply.

In terms of food availability, it is easier for authorities to trace normal food supply chains and make sure the supplies reach mainstream sellers. However, according to Dr. Sarena Che Omar, a Senior research associate from the Khazanah Research Institute, for some consumers such as undocumented workers, their food supply chain is invisible (IDEAS Malaysia, 2020). In other words, they may source their food differently than others such as from the nearby sundry shop or public market (the cheapest food source available), and these may be closed due to the lockdown, which makes them even more vulnerable to hunger.

Sustainable and rights-based solutions for the Invisible Communities

1. Government, in partnership with the private sector, as well as the media and NGOs need to put more attention towards the invisible community. This allows for thinking through initiatives that can build a collective sustainable approach to manage the social effects of the crisis on these people, which will continue long after any MCO is lifted, and to encourage that resources are spent to go beyond immediate relief to address underlying problems.

2. Approaches should foster inclusiveness in vulnerability assessment and policymaking. There is a need for a clear, inclusive, centrally designed, and nationally-applied definition of eligibility for social protection of assistance in order to create inclusive policies that are conscious of the vulnerabilities of both visible and invisible consumers.

3. More emphasis should be given towards an integrated food security and nutrition monitoring system, which also incorporates evidence-based and disaggregated data. Currently, Malaysia is facing major challenges in setting up a reliable and responsive food security and nutrition information system (relating to the invisible community due to their invisible consumption). This could be used as an effective early warning system, and to inform the design of targeted social assistance.

Invisible communities are already on the verge of food insecurity; now, they are experiencing starvation and malnutrition due to the lockdown and disruptions triggered by COVID-19 in Malaysia. According to the Food and Agriculture Organisation of the United Nations (FAO, 1999), hunger is considered a violation of human dignity. Everyone, despite of their legal, social, and economic status, deserves equal rights to food and nutrition. Thus, all states, including Malaysia, should take serious efforts in fulfilling their obligation to create an enabling environment within which invisible people are able to enjoy their right to healthy food and nutrition, whether during a crisis or not.

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Impacts of COVID-19 on LGBTIQ Organizations in the Southeast Asian Region

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Lesbian, gay, bisexual, transgender, intersex, queer (LGBTIQ) organizations in Southeast Asia have been battling complex and unjust structures perpetuated by an unholy concoction of conservative religious or traditional discourses and colonial penal laws. Five countries in ASEAN, namely, Brunei Darussalam, Indonesia, Malaysia, Myanmar, and Singapore, criminalize consensual sexual relations with severe penalties of imprisonment, public caning, or worse, death. Four countries, namely, Brunei Darussalam, Indonesia, Malaysia, and Myanmar, apply domestic laws that restrict expressions of gender diversity, resulting to arrests, harassment, and imprisonment of transgender and gender diverse persons. In many development programs, LGBTIQ and gender diverse persons are left behind, leveraging on scant local support in the fringes of governance and development aid. These are among the litany of issues many LGBTIQ groups have been confronting for years.

COVID-19 pandemic exacerbated pre-existing unjust structures and created double burden for LGBTIQ persons. Homophobic and transphobic attacks under the guise of enforcing health emergency measures were reported (Office of the High Commissioner on Human Rights [OHCHR], 2020; United Nations General Assembly [UNGA], 2020). Enduring long-standing stigmatization as reasons behind calamities, LGBTIQ persons have again been demonized as bearers of the pandemic (UNGA, 2020). The stay-at-home directives coupled by prolonged confinement in unsupportive households increased exposure towards domestic violence (OHCHR, 2020; UNGA, 2020). Moreover, the loss of income or sources of livelihood severely impacted workers relying on the informal economy, including sex work (OHCHR, 2020; UNGA 2020).

Complex yet Underfunded Work

Amidst complex challenges being addressed, many local LGBTIQ organizations remain underfunded, mostly relying on short-term, project-based, or restricted funding. Globally, only around 27% of global funding for LGBTIQ activism was allocated for general operating support (Funders for LGBTQ Issues and Global Philanthropy Project, 2020). Only 14% of transgender organizations in Asia were reported to have received at

least one grant (Scamell, 2019). Notwithstanding multiple organizing strategies, lesbian, bisexual and queer women organizations have little organizational assets, limited access to external funding, and consistently face financial insecurity (Saleh and Sood, 2020).

Coping with the Pandemic

Low investments for local groups' organizational development and sustainability made local groups vulnerable during crisis situations. The report prepared by ASEAN SOGIE Caucus (2020) revealed resource-related challenges faced by local groups during the pandemic. Several LGBTIQ groups experienced cancelled projects including training, and other public campaign activities. Some funders backed out from the agreed funding, while others were left with no choice but to reschedule the grants to a later time. Several LGBTIQ groups had to negotiate with donors to reallocate pre-existing project funds to enable them to do emergency response while others resorted to online fundraising activities with their networks. Some were compelled to use their organizational savings, which threatens their sustainability. Others saw their leaders and members constrained to use their personal savings. Despite these challenges, local LGBTIQ groups persisted in delivering emergency response and provided direct support to their constituents.

The pandemic triggered significant changes on LGBTIQ activism strategies. There was the noticeable shift towards online-based advocacy, leading to a noticeable increase in the number of webinars organized. For some activists, this shift to online space is viewed as a reckless move, as it is unmindful of the inequalities in access to technology and to the Internet.

In lieu of cancelled or suspended activities, local groups have started to redirect their focus to address the pressing concerns of their constituents or communities. Various groups expressed the need to revise their strategies or work plans, emphasizing mobilization of emergency funds as a key priority.

At the individual level, the pandemic's impact is also felt. The reality is that many persons engage in LGBTIQ activism in their voluntary capacity. Just like the others, LGBTIQ activists involved in part-time or freelance jobs and small businesses are greatly affected (ASEAN SOGIE Caucus, 2020). A Thai activist pointed out that there is no guarantee that the government's socio-economic relief such as cash assistance will reach LGBTIQ informal workers, including salon workers and "sex workers" (ASEAN SOGIE Caucus, 2020). An activist from Cambodia expressed concern over significant income losses in their social enterprise, which fuels their organization (ASEAN SOGIE Caucus, 2020). Individual level impact, in the case of volunteer activists cause ripples at the organizational level. An activist from Vietnam explained that the crisis constrained their members to focus on their own livelihood, weakening their motivation to work with the organization (ASEAN SOGIE Caucus, 2020).

The COVID-19 pandemic is an ongoing crisis; newer concerns and challenges for LGBTIQ groups will continue to unfold. One immediate concern is to guarantee local groups' survival and sustainability. Cultivating their resilience in times of crisis is crucial towards ensuring government accountability. As such, donors, humanitarian agencies, and civil society actors must commit to providing organizational development support alongside their on-going crisis response. The pandemic does not simply expose groups to a new frontier of activism, but also calls for a serious check-in. The question is, are we ready?

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COVID-19-Induced Discrimination is Making Our Pandemic Experience Much Worse

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COVID-19 has already infected Indonesia, with Jakarta being the epicentre of the spread (Taher, 2020). As of this writing, the government's official site states that the number of cases in the country has reached 437,716 with 54,804 active cases and 368,298 patients recovered (Covid19, 2020). However, the public criticizes government data. Its classification does not correspond to WHO guidelines (Pakpahan, 2020). Regardless of the debate, the survivor experiences and sacrifices speak more than the number. In the beginning, COVID-19 has induced discrimination in many forms throughout the country.

The Rise of Fear and Panic

Public concerns toward COVID-19 exponentially increased after the World Health Organization (WHO) declared the condition as a pandemic. It called on governments to take urgent and aggressive action as it announced COVID-19 as a threat to health security. Peter Hough (2015, p. 266) in International Security Studies stated that the work of WHO has been acknowledged in health securitization for ages, especially in this era of information.

However, in the time of COVID-19 securitization and amidst strong calls for immediate and effective action, the Indonesian government's late response to cases led to it still scrambling for ways to deal with the situation. For one, it failed to detect cases in the early phase of the health crisis. This situation alarmed WHO, which led to sending a letter to President Joko Widodo to scale up emergency response mechanisms, including to declare a state of national emergency. The Government acted to scale things up, such as forming a task force (The Jakarta Post, 2020). However, such late response induced public fear and panic due to the sad state of the public health care system (Hastuti, 2020). It gets worse when there is a lack of transparency on the ongoing pandemic (Pangestika, 2020) and poor communication during the crisis (Bayuni, 2020).

This fear and panic transformed into a "watchful" state of mind. People began to take notice of their condition and surroundings. They differentiate between who is more likely to be infected by COVID-19 and who is relatively safe. Those who can like be exposed to the virus are stigmatized. This differentiation can lead to a binary perspective which pushes people to take a side. Those who perceive themselves as safe refuse to accommodate those who are high risk—leading to discrimination against the vulnerable other.

Discrimination and The Need to Overcome

The discrimination starts with imposing stigma. Discrimination against those labelled as "the dangerous carriers of the virus" continue in many parts of Indonesia. Lapor Covid19 – a citizen initiative on the study of the dynamics of COVID-19 – found some forms of stigmatization and intolerance towards current and former patients, their families, and medical personnel (including infected personnel) from their survey (Laporcovid19.org, 2020). The respondents said that they were called virus spreader, banned from public facilities, excluded from assistance, evicted from their residence, subjected to gossip, exclusion, and bullying, and other discriminatory acts (Pusparisa, 2020). These treatments affected their mental health since they develop anxiety, sadness, fear, and disappointment (Laporcovid19.org, 2020).

The first two cases of COVID-19 experienced stigmatization and discrimination when their personal information was publicly revealed. People violated these patients' right to privacy when they dug the patients' address and personal life. This behaviour gravely affected their mental health (CNN Indonesia, 2020). Other patients as well as healthcare frontliners perhaps experience this social treatment. In fact, several medical personnel in Yogyakarta who attended to a positive case were reported to have been stigmatized by their colleagues and society (Suryani, 2020). In Jakarta, several nurses and doctors who work at RSUP Persahabatan – one of many designated COVID-19 hospitals- also experienced different degrees of discrimination. Worse, stated by the chief of the Indonesian National Nurses Association (PPNI), some of them were kicked out from boarding houses due to unfounded fear of contamination (Mantalean, 2020). Though, efforts by the Governor of DKI Jakarta to provide a resting place for medical personnel in Jakarta had eased tensions. Similar initiatives need to be encouraged.

Both patients, patients' relatives, and medical personnel have double burdens in time of this pandemic – the struggles to overcome the virus as well as the discrimination they face. Unfortunately, the government could not deal with this emerging social challenge, as it is still learning the ropes on how to strike a balance between mitigating COVID-19 and maintaining social and economic order throughout Indonesia.

Yet, discrimination, like the virus, is very contagious and has been ruining lives as we speak. The Indonesian government must stand firm and impose systematic ways to eliminate uncertainty and improve the disoriented handling of COVID-19, which induced discrimination. Otherwise, irreversible gaps might widen and ruin the Indonesian social fabric even after this deadly virus is treated.

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Compounded Struggles: From Party Capitalism to Land Governance Amid COVID-19 and 2020 General Election in Myanmar

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Myanmar, a country within the Greater Mekong Subregion and the Southeast Asian region, is known as the Rice Bowl of Asia and is dubbed the Golden Land, but the centralized governance system, from the military government to the civilian-led government, has shaped these titles. Fundamentally, citizen poverty remains, especially among the hill-tribe communities. Also, people who live at the peripherals and borderlands are facing unexpected struggles brought about by human rights violations, armed conflicts, the lack of recognition of (customary) land tenure and internet access, right-less voting, and the absence of peace.

Party Capitalism

Retired military top leaders, business elites, and democratic groups have an awareness of political change through the capitalization of the party politics. Thus, the different colours of political parties are rising in this day. Notably, two big parties are from former military leaders and its alliance of elites. Another two parties are elite-led civilian parties or democratic parties. Apart from these four, the 88 new generation party and other ethnic-based parties are competing for their native land. All the military actors, both state and non-state (ethnic armed groups), are also supporting their respective parties. Although COVID-19 cases continue to rise, with approximately 59,277 cases and 1,376 deaths since 6 November (Htet, 2020), many parties remain busy with their political campaigns and "violence" (Aung, 2020) during the 2020 general election.

While most of the leading parties are promoting its party's interests in economy and livelihood development and democracy, only a few individual candidates have declared the importance of equal rights, though not mainly focusing on (customary) land rights for the people who are facing Vacant, Fallow, and Virgin land laws. Most of the ethnic voters from Shan, Ta'ang, Kachin, Rakhine, and Rohingya region are excluded from voting for the election (Fortify Rights, 2020; Wunna, 2020). All leading parties never talk about sustainable peace, multiple rights, the health crisis (including COVID-19 prevention), environmental conservation, amendment of 2008 constitution, national land laws, and federalism during their political campaigns. The respective International Non-Government Organizations (INGO) and its alliance of Civil Society Organizations

(CSOs) are also not interested in addressing the violence in campaigns, and only support the dominance party while excluding the "marginalized society" (Ratcliffe, 2020).

Land Politics

In Shan State, the 900 acres of customary land of Pa'O ethnic people were confiscated by Tatmadaw. When these Pa'O farmers protested, they were arrested and sent to jail (Wansai, 2020) during the COVID-19 period. The rights of customary tenure were rejected, and most of the ethnic peoples' food and livelihood insecurities were aggravated by the inability to freely cultivate crops on their lands. Furthermore, farmers are not allowed to access legal assistance to work at their lands.

A few INGOs/NGOs and CSOs are working for customary tenure policy development. They focus on the positive changes in Myanmar by adopting the Declaration on the Rights of Indigenous Peoples (UNDRIP or DOTROIP), with Article 26 which states: "Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired" (UNDRIP, 2007). However, the problem is that the voices, decisions, and participation of the people and local farmers are excluded at the implementation level of the policy development. As multiple mage investments (mining, hydropower dams, and infrastructure) come from first world countries such as Australia, Switzerland, France, Korea, China, and Japan, most of the NGOs and CSOs are unable to address human rights, land rights, and environmental justice well because they are worried about losing financial assistance from the INGOs of those countries. Another factor is that most INGOs, NGOs, and CSOs are dominated by government organizations, retired officers, extreme politicians, and authorities. Thus, the engagement is not transparent and fair.

Overall, amid the COVID-19 pandemic and 2020 general election, the needs of the civilians are unprioritized in Myanmar. Most of the leading parties do not address nor amend the land laws for the benefit of small-holder farmers and the general population of the country, though they want to facilitate economic development through a land-based economy. Moreover, the State gives space for international policymaker institutions, INGOs, and few of CSOs for the policy assistance and legal implementation. These institutions do not represent the voices of the people. With these issues, the elected State should tackle the security of livelihood, land, and natural forests, human rights, and the total protection of peace and sustainable development in the pandemic period and 2020 post-election.

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Problematizing the 'R' in Virus: 'Racism' in the time of COVID-19

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As Thailand moved into Phase 6 of reopening under the 'New Normal' (The Thaiger, 2020), major cities like Bangkok, Phuket, and Chiang Mai are restarting their economic engines with events to revive the tourism industry. One event is the Bangkok Midnight Marathon (BMM) scheduled for 13 December 2020. In its third year, the BMM committee has introduced protection measures to keep runners safe from the virus. This includes temperature checks, social distancing, and making mask-wearing compulsory — nothing over-demanding given the city's growing acceptance for anti-COVID-19 measures. The problem lies with the BMM's online registration form.

Registration for the marathon, launched on 8 August, apparently allowed only Thai citizens to participate (Bangkok Post, 2020). Following an unknown staff's reply to an expat's query on foreigners' eligibility to participate in the race, it was confirmed that foreigners were barred from BMM 2020 to prevent possible viral transmissions. This led to an uproar by netizens who bombarded BMM's Facebook post, targeting the organizer's racist policy (BMM, 2020). Fortunately, BMM later announced that registration for foreigners would begin on the 13th of August and explained that the organizers never intended to offend anyone, especially expat racers who are a valued part of the running community in Thailand.

Netizens have accepted BMM's apology, but this incident points to a large and deeper-embedded crisis in Thai society. Racism — not just an unfortunate case of the under-informed mass but a sociopolitical failure that is publicly-endorsed by some of the nation's political profiles. This rise of anti-Westerner sentiments had been building momentum since the start of the year but came after a smaller surge of anti-Chinese-ness in the tourism sector when the virus first emerged. In February 2020, Thai Health Minister Anutin publicly proclaimed how Western tourists who refused to wear masks are unwelcome, claiming on television that, "They need to be kicked out of Thailand!" (Ehrlich, 2020). A month later, Anutin tweeted his frustration towards non-masked foreigners, stating that was "why there're so many infections in their countries" (Hutton, 2020). Following that, temples in Bangkok closed their doors to non-Thai worshippers and a national bus service required proof of Thai identification to board the bus (Atthakor, 2020).

Linking the incident to recent events where an Egyptian soldier's tour of Rayong during his flight layover from China to Egypt resulted in more than 5,000 people in the city being tested over fears of contracting COVID-19, and 364 people at a Bangkok condominium being tested following the diagnosis of a diplomat's daughter (Judd, 2020), do these justify 'farang-fear' and the en masse segregation of foreigners from Thai society? If these foreigners have recent travel history — perhaps yes — but most expats have been in the country since the beginning of 2020. They were in Thailand when the government enacted travel restrictions that are currently still in place. Moreover, the increase in the number of COVID-19 patients continue to be from repatriated Thai citizens, not foreigners. Without a doubt, these non-foreigner policies failed to consider the real situation of expats in Thailand but worked wonderfully to fuel mass xenophobia.

Seventy-two years after the creation of the United Nations Declaration on Human Rights (UDHR), we are still dealing with racism in our own backyards. When can institutions, government, private sectors, and civil society recognize and uphold Article 2 of the UDHR (United Nations, 1948) whereby "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status"? As the Thai government places its hopes on tourism to revive the national economy, and therefore attributes value to Western and East Asian tourists, the country needs to sort out its misinformation crisis. This includes communicating with locals to assess the fears of reopening Thailand's borders, particularly in rolling out measures that address the concerns of a second wave being imported alongside visiting tourists.

However, this does not warrant a blanket policy that excludes all foreigners in the country from participating in local events, especially with such explicit ignorance. Thailand as a developing middle-income country cannot afford to close in on itself in this era of hyper-connectedness, nor can the nation backtrack on its ethics education. The COVID-19 heath crisis has evolved from a global health pandemic into a political and humanitarian crisis where misinformed persons use the pandemic to justify racial discrimination. This 'New Normal' that Thailand is gearing towards must work to eradicate racism — a sentiment that should have never been normalized.

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Dormitory Debate: Have Migrant Workers in Singapore Slipped Between the Cracks?

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The recent debate about Singapore's amoral treatment of foreign workers residing and working in the country has been renewed as dormitory outbreaks are on the rise. Singapore experienced its peak infection period in the months of April and May, where many new cases were linked to foreign worker dormitories (Kurohi et al., 2020). Current statistics indicate that 95% of Singapore's 58,000 cases have been contracted by low-wage migrants (Stolarchuk, 2020).

Out of Sight, Out of Mind

Foreign workers and their realities in Singapore are barely visible to the public eye – unintrusive of peoples' daily consciousness. Before COVID-19, their voices were almost unheard of and now because of the surge in infections in their tight and dense living spaces, have they begun to be more apparent. The question we should ask ourselves is, why did it take a pandemic to shed light on the unethical treatment of foreign workers?

The exclusion of marginalised communities is grounded in a culture of fear among labour migrants. By extension, labour rights are limited for these migrants who do not have a minimum wage, pay high agent fees, and are reluctant to take the risk of reporting sickness lest they get sacked. There are a variety of issues stacked against them which refrains them from speaking up and participating in any discourse due to the fear of repercussions. COVID-19 has added more reasons to fuel this fear as well as heightened pre-existing shortcomings (Transient Workers Count Too, 2020), as Singapore tries to tackle the second wave of the virus that largely stems from their dormitories.

Increasing numbers of migrant workers are reaching out for assistance from charities and civil society organizations (CSOs) as they seek redress for the problems they are facing during this time. They share their problems of increased workload, salary issues, abrupt termination, doubt about their rest-day compensation, and denial of access to healthcare and medical aid which are not very different from their circumstances before the pandemic (Humanitarian Organization for Migration Economics, 2020). Even after recovering from the virus, many are still subjected to heavy restrictions on movement (Elangovan, 2020), and this is often raised as a key aspect of unequal treatment during

the pandemic. Evidently, they are living in fear not just because of the infection but also their livelihoods!

Pre-Pandemic Problems

The bare minimum that reaches the public eye about the abuses migrant workers suffer contradicts their very real fears of being discriminated against, losing their jobs, or being deported for speaking up. How much more would we know if these migrant workers were able and supported to speak freely? The government has a moral duty to ensure protection for these workers who provide feedback about their abuses.

Thousands of cases of unpaid salaries, poor living conditions, poor food quality, work injury claims, unjust dismissals, illegal setbacks, and many other types of exploitation that rights-based groups like the Humanitarian Organisation for Migration Economics (2020) and Transient Workers Count Too (2020) see on a yearly basis illustrate the extent of the problem, whether in general or during this crisis. Their helplines are overwhelmed with migrant workers during these harsh times which shows that a significant number of the 590,000 foreign domestic workers and construction workers are clearly falling through the gaps (Ministry of Manpower, 2020b). Despite their best outreach efforts, the most difficult issue is that some CSOs are not listed as essential services in the midst of the Circuit Breaker period and are therefore prohibited from doing their work properly even with the resources they have.

Recommendations

Advocacy for foreign workers and the kindness and generosity of Singaporeans might save those who are falling through the cracks. However, the success of civil society in Singapore depends upon the willingness of the government to yield to their concerns. The government certainly has the power to implement labour protection policies and move the foreign workers out of their crowded dormitories. Thus, there is no need to wait for a public outcry to react on the matter.

Migrant workers need more access to democratic spaces that allow them to speak up for themselves. Instead of making cosmetic changes like handing out free masks or hand sanitizers (Ministry of Manpower, 2020a), giving them more leeway to speak on their own behalf would be better. Ask them directly about their issues and act on them. Their insights are far more profound than academics or policymakers. It is not difficult to enable more avenues for them to communicate their concerns while at the same time learning the means to communicate with them.

Despite the hostile and tight spaces of advocacy and civil society, Singaporean citizens can keep asking questions which directly address systematic exploitations. We must keep supporting activism especially when we know what is at stake. In the long run, hopefully, change can happen in salami slices.

Now, there are almost no new infections among the migrant population thanks to the recent efforts of the Singaporean government, but are these sustainable? The government protection of labour rights and welfare of migrant workers needs to remain an urgent concern on their agenda in much more uncompromising ways. Otherwise, the issues faced by migrant workers will be felt long after the pandemic is over and expose the dents in Singapore's international image.

This opinion piece was originally published on the SHAPE-SEA Website on 26 April 2020:
https://shapesea.com/op-ed/covid-19/dormitory-debate-have-migrant-workers-in-singapore-slipped-between-the-cracks/

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ABOUT SHAPE-SEA

The Strengthening Human Rights and Peace Research/Education in ASEAN/SEA Programme (SHAPE-SEA)—supported by the Swedish International Development Cooperation Agency (SIDA) and the Norwegian Centre for Human Rights at the University of Oslo—launched in February 2015. This programme envisions a Southeast Asia where the culture and values of human rights, peace, and democracy are instilled through widespread research and teaching in higher education. It was premised on the assumption that such cooperation would contribute to the promotion and protection of human rights and sustainable peace for all peoples in Southeast Asia. We believe that the threats to human rights, whether from rising populism, shrinking civil society space, increased racism, or the impunity enjoyed by human rights violators, cannot be effectively addressed without evidence-based knowledge and a highly skilled network of regional experts (or champions).

Thus, the overarching objective is to improve the regional human rights and peace situation through applied research and education by directly involving and encouraging universities to contribute research and incorporate such topics into their syllabuses.

Through its many activities, SHAPE-SEA has indeed innovated the landscape of human rights promotion and peace-building through research and education in the region. As such, it invited a significant number of scholars (58 projects in total) to conduct studies on human rights and/or peace at the local, national and/or regional levels. Research projects were also initiated by programme including themes such as 'Authoritarianism in Southeast Asia,' 'Human Rights and Peace Education,' and 'Technologies and Human Rights,' all topics which were comprehensively tackled by both leading and emerging scholars based in the area. Furthermore, for the first time, through its annual publication, *Human Rights in Southeast Asia Outlook*, local scholars were given an opportunity to assess critical human rights and peace issues in all eleven Southeast Asian countries.

In summary, the following Programme Outputs were achieved from 2015-2020:

- 58 research projects, ranging from support for MA and PhD theses to regional-level research, were supported and finished.
- 204 university-based scholars from 10 countries were trained on human rights and peace research design and methodology.
- 131 lecturers from 70 universities and two government institutions from 13 countries were trained on teaching human rights.

- 1008 scholars, academics and members of civil society participated in national seminars and regional dialogues on various critical human rights and peace issues
- 6000+ joined the national seminars through live streaming.
- The SHAPE-SEA website was created to host open source materials, including the Human Rights Textbook, the Human Rights Outlook, Research Outputs-Academic Papers, Policy Briefs, among others.
- 13 books were published and made available as open source on the SHAPE-SEA website.
- SHAPE-SEA published books have been downloaded 10,000+ number of times. In addition, SHAPE-SEA has served as a platform for the SEAHRN Human Rights and Peace in Southeast Asia Series which has been downloaded 14,000+ times.
- 17 policy briefs are published on the website.
- Co-organized two (2) international conferences on Human Rights and Peace in Southeast Asia in 2016 in Bangkok and in 2018 in Manila, with the Southeast Asian Human Rights and Peace Studies Network (SEAHRN).
- 7 lecture tours were organized with academics from 10 universities.
- Conducted 7 high-level outreach at the ASEAN level to promote human rights and peace research and education.
- 140+ opinion pieces on human rights, peace and COVID-19 published on the SHAPE-SEA Website
- We have supported the development/ refinement of new courses on human rights in partner universities. One of which, Human Rights in ASEAN, will now be offered yearly to the Master of Law students at Pannasastra University in Cambodia.

There is not a better time to assess the human rights situation in SEA than during a time of crisis. The spread of Covid-19 the world over unpacked multiple crises behind so-called progress. This timely collection of 72 think pieces by Southeast Asian intellectuals touches on key critical issues with contestation, dilemmas and trade off in how countries in this region are responding to the pandemic. Human rights advocates, policy makers and citizens of Southeast Asia should discover this volume fresh, eye opening, and thought provoking.

Chantana Banpasirichote Wungaeo,
Professor of Political Science, Chulalongkorn University

The pieces in this volume, covering all existing communities, are to be commended for going beyond the medical and public health aspects of the COVID-19 pandemic. The unprecedented crisis is, as it were, a litmus test to gauge how Southeast Asia's governments respond, and we are not surprised but alarmed at how they use the condition as an excuse or smokescreen to implement undemocratic policies. On the other hand, the region's civil society has again proven to be robust and resilient in aiding hardest hit communities.

Dédé Oetomo,
Chair, Regional Advisory Group, APCOM Foundation

The collection of critical voices in this work allows us to listen and learn of the lived experiences of vulnerable groups in this health crisis. Lesson learned is to ensure that the application of the Human Rights-Based Approach is a key to address not only the impact of the COVID-19 itself but more so, the impact of COVID-19 response. It is undeniable that many governments have gained more power to address the pandemic. It is critical to pause and assess how this power has negatively impacted on peoples' lives as we move forward to ensure that all human rights of all are promoted, protected, and fulfilled. Congratulations for a job well done!

Commissioner Karen S. Gomez-Dumpit,
Commission on Human Rights of the Philippines

A thoughtful, incisive collection of articles from human rights defenders across Southeast Asia that interrogate the erosion of fundamental and civil liberties in the time of Covid-19. This book is not just a valuable snapshot of a turning point in global movements, but should also be required reading for activists, academics and policy workers interested in the region and its socio-political milieu. A timely tour-de-force.

Tashny Sukumaran,
journalist, researcher, founder of 5050malaysia.com

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