



Resolution 2339 (2020)¹

Provisional version

Upholding human rights in times of crisis and pandemics: gender, equality and non-discrimination

Parliamentary Assembly

1. The Covid-19 pandemic is more than a global health crisis. Its impact on human lives around the world has been devastating, with millions of people infected and hundreds of thousands killed. But its ramifications have also extended far beyond the realm of health. The pandemic has affected the functioning of our democracies and impacted human rights across the spectrum. It has inflicted severe damage on the global economy, destroying or imperilling the livelihoods of millions of people.
2. The crisis has cast a harsh spotlight on structural inequalities already present in our societies. Women, over-represented in the health and care professions, have played a disproportionate role on the medical and care frontlines, while often remaining invisible as experts in these fields and under-represented in both government bodies set up to deal with the crisis and in the media. People living in institutionalised settings, including many elderly people and persons with disabilities, have been highly vulnerable to the virus. Racialised people, including people of African descent, Roma, migrants and their children, as well as LGBTI people, have been disproportionately affected due to persisting inequalities in health status and access to health care. These in turn are often caused in large part by socioeconomic status, racism, marginalisation and deeply ingrained discrimination in fields such as housing, employment and education.
3. The pandemic has not simply brought existing structural inequalities into the open, however: it has exacerbated them. While government responses to the pandemic have generally been taken with the legitimate purpose of protecting public health, a one-size-fits-all approach has often been taken, with little or no consideration being given to how different groups or different situations might need to be accommodated.
4. As a result, many measures taken have aggravated inequalities, cut some people off from vital services, and exposed others to new dangers. People's ability to implement preventive measures such as frequent handwashing and physical distancing have been directly affected by their living conditions, in particular where they lack access to running water or where several generations live together in an overcrowded space. Yet many governments failed to provide assistance to people in these situations. The linguistic needs of persons belonging to national minorities, and the need to provide information to persons with disabilities in a format accessible to them, were also rarely taken into account, particularly in the early stages of the pandemic.
5. Lockdown measures increased the risks of gender-based and domestic violence, as women were confined to their homes with their abuser. At the same time, women's shelters and other support systems and services became less accessible. In parallel, the focus on emergency responses to the pandemic left many without access to essential healthcare services, for example in the field of sexual and reproductive health rights. After years of progress towards gender equality, in many countries women have shouldered even greater burdens during the crisis due to the combination of childcare, home schooling, unpaid care work and household tasks.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 13 October 2020 (see [Doc. 15129](#), report of the Committee on Equality and Non-Discrimination, rapporteur: Ms Petra Stienen).*



6. Lockdown enforcement measures have often targeted populations already affected by ethnic profiling, while closures of public spaces and reductions in public transport services have penalised persons in lower socio-economic categories, with no alternatives at their disposal.
7. The closure of non-essential businesses during lockdowns has moreover amplified structural discrimination against groups already over-represented in lower-paid and less secure jobs or working in the informal economy, including women, people of African descent, Roma and Travellers, migrants and LGBTI people, whose livelihoods have been restricted or cut off altogether, and who are at increased risk of poverty. Others have been forced to continue working in unsafe conditions. Young people's access to the labour market has been halted and the closure of schools hit first and hardest children with disabilities and those children who had least access to electricity, necessary IT equipment and the internet, those who did not speak the official language of the country fluently, and those whose parents were least able to provide additional support. The socio-economic impact of the crisis risks having long-term effects.
8. The Parliamentary Assembly condemns the fact that some political and religious leaders have actively stigmatised and incited hatred against certain groups in the context of this crisis, depicting them as vectors of contagion or even as the cause of the pandemic itself. It deplores the fact that the pandemic has led to increased manifestations of racism and prejudice against many groups, including people of Asian origin, Roma and Travellers, people of African descent, migrants and LGBTI people.
9. Following the Black Lives Matter demonstrations in the United States, large, peaceful protests were held in many European cities to denounce racism and police violence. Many observe a link between these demonstrations and feelings of exclusion, fear of more control by the police and increased awareness of systemic discrimination and institutional racism that were exposed during the Covid-19 crisis.
10. The Assembly underlines that it is not enough to see and understand where things have gone wrong; it is not enough to recognise the structural inequalities that have left some far more exposed than others, and that have wreaked much greater havoc on livelihoods among some groups. The discriminatory effects of the pandemic will not disappear overnight. If we do not respond to the lessons we have learned, these effects will persist in the medium and longer terms, and those most harmed by the current crisis will also be hardest hit by the next one. Governments must ask themselves: when we designed measures to respond to this crisis, who was at the table to discuss and debate decisions and emergency laws? What data did we have at our disposal? Whom and what did we miss? How can we ensure that we do not miss them again?
11. We are by no means certain when the pandemic will end. Some countries are still facing high numbers of new cases, and clusters have reappeared in countries where the situation appeared to be under control. But we must start working now to improve our responses and bring about the transformation to a more inclusive society that this crisis demands.
12. In light of these considerations, the Assembly calls on all Council of Europe member States to:
 - 12.1. sign and ratify, if they have not yet done so, the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210, "Istanbul Convention"), the European Social Charter (revised) (ETS No. 163), the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints (ETS No. 158), the Framework Convention for the Protection of National Minorities (ETS No. 157), and the European Charter for Regional or Minority Languages (ETS No. 148);
 - 12.2. strengthen their efforts to implement and promote these treaties in line with the Assembly's [Resolution 2289 \(2019\)](#) "The Istanbul Convention on violence against women: achievements and challenges", [Resolution 2262 \(2019\)](#) "Promoting the rights of persons belonging to national minorities" and [Resolution 2196 \(2018\)](#) "The protection and promotion of regional or minority languages in Europe";
 - 12.3. in the case of States already parties to the European Social Charter (revised), expand the scope of the provisions by which they undertake to consider themselves bound.

13. The Assembly calls on Council of Europe member and observer States, as well as those enjoying observer or partner for democracy status with the Parliamentary Assembly:

13.1. In order to guarantee that immediate crisis responses are comprehensive and inclusive and take full account of the diversity of our societies and of the differing impacts that the same measures may have on different groups, to:

13.1.1. ensure that crisis response bodies not only bring together the necessary technical expertise but are also gender-balanced and representative of the full diversity within society, and that they regularly consult equality bodies, civil society organisations and experts active in researching and promoting equality;

13.1.2. base the measures taken to respond to crises on objective data, collected and disaggregated by grounds such as gender, “race”, national or ethnic origin, sexual orientation, gender identity, sex characteristics, disability, age and health status, while fully respecting international standards on the protection of personal data, and with full respect for the principles of confidentiality, informed consent and voluntary self-identification;

13.1.3. plan, budget for and provide from the outset additional support to persons who will need it, such as speakers of minority or non-official languages and persons with disabilities, in order to have equal access to information about measures they can take to protect themselves from the crisis, and new obligations stemming from the crisis;

13.1.4. plan, budget for and provide from the outset additional support to persons who may face particularly negative consequences due to measures taken in response to the crisis, or new barriers in accessing services on which they depend, due to grounds such as their gender, “race”, national or ethnic origin, sexual orientation, gender identity, sex characteristics, disability, age and health status;

13.1.5. place the safety of victims of gender-based and domestic violence at the heart of all measures and policies taken in response to crises;

13.2. As regards the recovery period, to:

13.2.1. ensure that teams working on recovery measures are gender-balanced, diverse and inclusive and take an evidence-based approach, planning, budgeting and providing for differential measures to be taken wherever necessary to guarantee equality and non-discrimination, as outlined above with respect to immediate crisis responses;

13.2.2. encourage businesses to maintain and strengthen measures in place to promote diversity and inclusion in access to employment and in the workplace, in line with the Assembly’s [Resolution 2257 \(2019\)](#) “Discrimination in access to employment” and [Resolution 2258 \(2019\)](#) “For a disability-inclusive workforce”;

13.2.3. ensure that work on and investment in preparedness for future crises is comprehensive and inclusive;

13.2.4. promote intergenerational and interethnic solidarity in the various fields adversely affected by this pandemic;

13.3. In order to strengthen measures taken to address existing structural inequalities, to:

13.3.1. ensure that equality data is regularly collected and disaggregated by grounds such as gender, “race”, national or ethnic origin, sexual orientation, gender identity, sex characteristics, disability, age and health status, while fully respecting the Council of Europe’s data protection standards;

13.3.2. mainstream equality into all aspects of their work;

13.3.3. systematically use gender-sensitive and similar equality-sensitive budgeting tools to assess the impact that measures will have on different groups in the population, and to assess the effectiveness, efficiency and relevance of these measures.

13.3.4. strengthen national equality bodies and ensure that they have the necessary competences, resources and legal and structural guarantees to carry out their work independently.

14. The Assembly calls on all national parliaments to mainstream equality issues into the work they undertake in response to the Covid-19 pandemic, and beyond it, by:

14.1. ensuring that the composition of any parliamentary inquiry bodies set up to examine government and other responses to the pandemic is gender-balanced, diverse and inclusive;

14.2. considering advocating for the establishment of an inquiry specifically focusing on the equality issues thrown into the spotlight by the pandemic itself, and those aggravated by government responses to it;

14.3. using their role in scrutinising the work of executive authorities to question the government regularly about the inclusivity of measures taken in response to the pandemic, and of the bodies designing and evaluating these measures;

14.4. ensuring that equality and non-discrimination issues are systematically integrated in all parliamentary work, using a holistic and intersectional approach.

15. The Assembly calls on political parties and their leaders to:

15.1. ensure that their own membership and governing structures are gender-balanced, diverse and inclusive up to and including the highest levels, taking full account of the recommendations already made in texts it has previously adopted, and in particular its [Resolution 2111 \(2016\)](#) “Assessing the impact of measures to improve women’s political representation” and [Resolution 2222 \(2018\)](#) “Promoting diversity and equality in politics”;

15.2. condemn and work to prevent all forms of hate speech, in line with its [Resolution 2275 \(2019\)](#) “The role and responsibilities of political leaders in combating hate speech and intolerance”.