

**INTERNATIONAL JOURNAL OF LAW**  
**MANAGEMENT & HUMANITIES**

**[ISSN 2581-5369]**

---

**Volume 4 | Issue 6**

---

**2021**

© 2021 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

---

This Article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in International Journal of Law Management & Humanities after due review.

In case of **any suggestion or complaint**, please contact [Gyan@vidhiaagaz.com](mailto:Gyan@vidhiaagaz.com).

---

**To submit your Manuscript** for Publication at **International Journal of Law Management & Humanities**, kindly email your Manuscript at [submission@ijlmh.com](mailto:submission@ijlmh.com).

---

# Human Rights and Social Development Practices in the Post Covid-19 Pandemic Era

---

DR. PRAKRUTHI A R<sup>1</sup>

## ABSTRACT

*Human rights law guarantees everyone the right to the highest attainable standard of health and obligates governments to take steps to prevent threats to public health and to provide medical care to those who need it. Human rights law also recognizes that in the context of serious public health threats and public emergencies threatening the life of the Nation, restrictions on some rights can be justified when they have a legal basis, are strictly necessary, based on scientific evidence and neither arbitrary nor discriminatory in application, of limited duration, respectful of human dignity, subject to review, and proportionate to achieve the objective. The scale and severity of the COVID-19 pandemic clearly rises to the level of a public health threat that could justify restrictions on certain rights, such as those that result from the imposition of quarantine or isolation limiting freedom of movement. At the same time, careful attention to human rights such as non-discrimination and human rights principles such as transparency and respect for human dignity can foster an effective response amidst the turmoil and disruption that inevitably results in times of crisis and limit the harms that can come from the imposition of overly broad measures that do not meet the criteria.*

## I. INTRODUCTION

Human rights law guarantees everyone the right to the highest attainable standard of health and obligates governments to take steps to prevent threats to public health and to provide medical care to those who need it. Human rights law also recognizes that in the context of serious public health threats and public emergencies threatening the life of the Nation, restrictions on some rights can be justified when they have a legal basis, are strictly necessary, based on scientific evidence and neither arbitrary nor discriminatory in application, of limited duration, respectful of human dignity, subject to review, and proportionate to achieve the objective. The scale and severity of the COVID-19 pandemic clearly rises to the level of a public health threat that could

---

<sup>1</sup> Author is an Assistant Professor at Karnataka State Law University, India.

justify restrictions on certain rights, such as those that result from the imposition of quarantine or isolation limiting freedom of movement. At the same time, careful attention to human rights such as non-discrimination and human rights principles such as transparency and respect for human dignity can foster an effective response amidst the turmoil and disruption that inevitably results in times of crisis and limit the harms that can come from the imposition of overly broad measures that do not meet the criteria.

## **II. CONCEPTUALIZATION OF HUMAN RIGHTS AND SOCIAL DEVELOPMENT**

### **(A) Human Rights**

Human rights have been defined as basic moral guarantees that people in all countries and cultures allegedly have simply because they are people. Calling these guarantees “rights” suggests that they attach to particular individuals who can invoke them, that they are of high priority, and that compliance with them is mandatory rather than discretionary. Human rights are frequently held to be universal in the sense that all people have and should enjoy them, and to be independent in the sense that they exist and are available as standards of justification and criticism whether or not they are recognized and implemented by the legal system or officials of a country.

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. They apply regardless of where you are from, what you believe or how you choose to live your life. They can never be taken away, although they can sometimes be restricted – for example if a person breaks the law, or in the interests of national security. These basic rights are based on shared values like dignity, fairness, equality, respect and independence. These values are defined and protected by law.

### **(B) Covid 19 and Social Development**

The COVID-19 pandemic brought whole world to an uncertain but equal state. The living condition of all became similar in some sense; including living with minimal resources, traveling less, more time at home with family, keeping distance with your neighbors, etc. made most of us socially equal. It is expected that in short term this all will hold similar impact on many, but situation may change to large extent with each passing day in long term. As economy cannot stand still for long time, it should walk if not allowed to run. The following sectors impact in the social development due to Covid 19 pandemic era

#### **1. Agriculture Sector**

The time when lockdown was imposed in India, farmers were about to harvest their crops.

Social distancing triggered reverse migration in states like Uttar Pradesh, Bihar, Jharkhand and Madhya Pradesh. Large farmers who are commercial producer of crops are facing issues related to non-availability of labors to harvest their field, those having mechanized options do have some edge but they also require labor at some point in grading, sorting, packaging etc. The cost of production is going up, while farmers are not able to negotiate with wholesale purchasers. Having said so, government decision to allow farm machine movements, produce movements, purchase of produce at farm by whole sellers, etc. are commendable.

## **2. Microfinance**

NBFCs, MFIs, Cooperative banks and other rural financial institutions have large agriculture portfolios. Large financial institutions appoint business correspondents to expand their rural portfolio and allow them to use their brand value through hired individuals for field operations. The operations of these financial institutions involve a critical role played by their front field staff, sometimes named as field officer, livelihood support assistant, field executive, etc. In standard terms these individuals provide banking and financial services at door step to rural households are business facilitators.

## **3. Rural Enterprises**

The present government have taken various steps to trigger rural development, some of the most important being promotion of rural SMEs and Rural Entrepreneurs. Entrepreneurs and their enterprises have taken credit from government under various schemes for establishing, transforming or expanding their businesses.

## **4. Role of Civil Societies Organizations (CSOs) & Volunteers**

With so much of negativity, there is a silver lining for sector which will make the country stronger and make its own place much relevant in coming years. The government machinery can make a policy, administration department can implement the policy and make sure that systems should run to help the needy, but who is going to work on field; one cannot imagine the solution without civil society organizations and volunteers. COVID-19 crisis requires resources for its prevention, protection and cure. Human resource available with CSOs and volunteers are going to play an effective role in tackling the situation.

## **III. HUMAN RIGHTS IN POST COVID 19**

The COVID-19 pandemic is not just a health issue. It is a profound shock to our societies and economies, and women are at the heart of care and response efforts underway. As front-line responders, health professionals, community volunteers, transport and logistics managers,

scientists and more, women are making critical contributions to address the outbreak every day. The majority of caregivers, at home and in our communities, are also women. Additionally, they are at increased risk of infection and loss of livelihood, and existing trends point to less access to sexual and reproductive health and rise in domestic violence during crisis.

#### **IV. ISSUES AND CHALLENGES**

##### **(A) Disruptive education access**

As the COVID-19 spreads and schools are forced to close, the government is depriving children of their right to education. Without access to internet & digital devices, participation in remote lessons is impossible, thus increasing a massive disruption to education access.

##### **(B) Right to Housing**

Impacts of COVID-19 on Right to Housing in India. In India, between 1.7 million and 3 million people are homeless,<sup>6</sup> and more than 65 million people live in informal settlements<sup>7</sup> without access to adequate housing. Informal settlements commonly lack basic amenities such as water, sanitation, cooking facilities and internet access. <sup>8</sup> Many daily waged workers (nearly 90% of the 400-million-person workforce), including much of the internal migrant worker population (over 120 million), <sup>9</sup> live in informal settlements. Many of the shelter homes lack adequate space, sanitation facilities and proper hygiene measures.

##### **(C) Freedom of assembly**

Lock down restrictions influenced the expression of freedom of assembly by imposing a limit of people that could meet at each gathering or banning any gathering.

##### **(D) Freedom of Religion**

Lockdown restrictions in certain countries imposed limit of practitioners attending a religious ceremony. In the same time, in certain countries the authorities allowed the sound of Muslim calls from prayers to be heard from minarets during the covid 19. while a few years later denied the right to cover the face by Muslim women who wished to do so as part of the religious clothing.

##### **(E) Right to Privacy**

Governments in many countries have been conducting mass surveillance in order to carry out contact tracing of the disease spread and its carriers. The government installed CCTV at the doors of quarantined individuals to ensure that they don't leave. Some residents in were made

to wear a wrist-band linked to a smartphone app for alerting the authorities if the person broke quarantine. In some parts of India, passengers were stamped with indelible ink on their hands, the date until the person should remain in quarantine.

## **V. SUGGESTION**

- Governments should fully respect the rights to freedom of expression and access to information, and only restrict them as standards permit.
- Governments should ensure that the information they provide to the public regarding COVID-19 is accurate, timely, and consistent with human rights principles. This is important for addressing false and misleading information.
- All information about COVID-19 should be accessible and available in multiple languages, including for those with low or no literacy. This should include qualified sign language interpretation for televised announcements, as Taiwan has done; websites that are accessible to people with vision, hearing, learning, and other disabilities; and telephone-based services that have text capabilities for people who are deaf or hard of hearing. Communications should utilize plain language to maximize understanding. Age appropriate information should be provided to children to help them take steps to protect themselves.
- Health data is particularly sensitive, and the publication of information online can pose a significant risk to affected persons and in particular people who are already in positions of vulnerability or marginalization in society. Rights-based legal safeguards should govern the appropriate use and handling of personal health data.

## **VI. CONCLUSION**

Many countries have halted some or all international travel since the onset of the COVID-19 pandemic but now have plans to re-open travel. This document outlines key considerations for national health authorities when considering or implementing the gradual return to international travel operations. The decision-making process should be multisectoral and ensure coordination of the measures implemented by national and international transport authorities and other relevant sectors and be aligned with the overall national strategies for adjusting public health and social measures. The gradual lifting of travel measures (or temporary restrictions) should be based on a thorough risk assessment, taking into account country context, the local epidemiology and transmission patterns, the national health and social measures to control the outbreak, and the capacities of health systems in both departure and destination countries,

including at points of entry. Any subsequent measure must be proportionate to public health risks and should be adjusted based on a risk assessment, conducted regularly and systematically as the COVID-19 situation evolves and communicated regularly to the public.

\*\*\*\*\*